PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 388 (Part 1)

HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTY-FIRST YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2001–02

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1 July 2002

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 13 JUNE 2001]

FIFTY-FIRST YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES VOLUME 388

NINETEENTH VOLUME OF SESSION 2001-2002

House of Commons

Monday 1 July 2002

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Disabled People (Work)

1. **Mr. Gwyn Prosser** (Dover): What plans he has to improve the support his Department is giving to help people with disabilities into work. [63384]

5. **Mr. Brian Jenkins** (Tamworth): What support his Department is giving to help those with disabilities to get back into work. [63388]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): For the first time in the history of the welfare state, we are actively seeking to assist disabled people to work where they are ready and able to do so. We have introduced a range of measures and are making work pay for people with disabilities through the disabled person's tax credit and the national minimum wage. We are making work possible through the new deal for disabled people and a range of specialist employment programmes, and by removing benefit barriers. In addition, Jobcentre Plus offers all disabled people who are making new or repeat claims to benefit interviews with a personal adviser to ensure that they are aware of the help and opportunities that are available to them. We are continuing the extension of Jobcentre Plus nationwide with about 225 integrated offices opening by April 2003.

Mr. Prosser: I thank my hon. Friend for that very encouraging answer. Is she aware that, while the established new deal programmes have already had a dramatic impact on unemployment in places such as Dover and Deal, and in east Kent generally, the new deal for disabled people is reaching out and helping people who want to work or are willing to do so, but need a helping hand—the sort of people whom we meet in our surgeries week in, week out? Will she assure me that we will now build on the success of the current scheme and seek other, more imaginative and progressive ways of helping disabled people—especially young people—back into work?

Maria Eagle: My hon. Friend is right to say that disabled people are one of the hardest-to-help groups in terms of entering employment. For many years, disabled people were told on visiting the Benefits Agency or contacting Departments that they were incapable of work. We often need longer and more tailored interventions to assist them in getting into work. The new deal for disabled people is starting to find out the best ways of doing that and we hope to build on the lessons that we are learning as the programme continues. It has not yet been a nationwide programme for a year, so it is early days, but we are encouraged by the attitude of the disabled people who contact job brokers, as well as by the way in which job brokers can match disabled people, with all their needs and requirements, to local employers who are looking for good staff.

Mr. Jenkins: I thank my hon. Friend for that answer, and offer my congratulations in so far as I and many people in this country believe that she and her Department are at long last recognising that we cannot afford to marginalise this part of our society. Will she thank all the people who are involved in the scheme, and especially the job mentors or personal mentors? We recognise how difficult the situation is, especially for those with hidden disabilities, who are not perceived by society to have a disability, but what is she doing to tackle the residual problem of employers who fail to understand how effective some disabled people can be in the economic work force?

Maria Eagle: My hon. Friend makes another very important point. Employers, whether small or large, reflect the attitude and awareness issues of the rest of society. Many employers will make assumptions about what disabled people can or cannot do that are based on nothing more than old-fashioned stereotypes. It is important that the Government, and all those who work with and for disabled people, assist in getting across the fact that disabled people have a lot to offer to employers of all sizes. For example, he may know—other hon. Members may not—that disabled people are less likely to take time off work than non-disabled people. They can be valuable and long-standing members of a work force, who show loyalty and provide excellent services to their employers. It is about time that employers realised that.

There are 8.5 million disabled people in this country with £40 billion to £45 billion of spending power in their pockets. Any employer who wants to get a share of the market that they can provide would want to employ disabled people. We would encourage employers of all sizes, from the smallest to the largest, to take that on board and give disabled people a chance.

Annabelle Ewing (Perth): What assessment has been, or is to be, made of the effectiveness of the actions of the Minister's Department in seeking to help people with disabilities to access employment, taking into account its truly abysmal record in helping people with disabilities to access the benefits to which they should be entitled?

Maria Eagle: The hon. Lady never disappoints in terms of being churlish, as she manages to be so whenever she stands up in the House. All our employment programmes and new deals are properly evaluated. The new deal for disabled people will be properly evaluated and lessons that need to be learned from its operation and success or lack of success will be learned in order to inform changes to the programme to make it better. We have every expectation that this programme and the other specialist disability employment programmes can make a real difference in helping disabled people to access the work force. If that is not a key part of civil rights for disabled people in this country, I do not know what is.

Mr. Tim Boswell (Daventry): Anything that the Minister can do to advance and join up the various components of vocational rehabilitation will generally be welcome to Members on these Benches. Nevertheless, does she accept that there is little room for complacency, given that in this country only 20 per cent. of people with an acquired brain injury return to employment, whereas in the United States 50 per cent. do so? In the light of that and other information, will she concede that in this context joined-up government requires the active co-operation of the Department of Health, local social services and other agencies? In particular, will she look favourably on experimenting with integrating budgets to ensure the early and smooth delivery of the whole range of essential rehabilitation services?

Maria Eagle: The hon. Gentleman makes a good point, in that a disabled person out there in the community does not care whether it is Department of Health money or DWP money that can assist them. They want a point of contact for assistance. I agree that job rehabilitation is a tremendously important part of what we are hoping to do, and we will need to get it right if we are to make a big impact on getting disabled people back to work. Governments have not been particularly good at that in the past, so we are starting with a blank sheet.

The hon. Gentleman may be aware of the job retention and rehabilitation pilots in the new deal for disabled people, which will ensure that we can design good, effective interventions that assist people who require help in rehabilitation to get back to work. We need to find out what works, and in doing so we must ensure that we can spread good practice to any national scheme that we come up with. An important part of any long-term intervention is to ensure that disabled people can get back into work, and we intend to make sure that "departmentalitis" does not get in the way of that.

Mr. Stephen Hepburn (Jarrow): I acknowledge the good work that the Government are doing in helping disabled people back to work, but has the Minister considered introducing a grant to cover the period from the time when the person starts work until they get paid? That is a source of fear for people who may have to live in poverty during that time, which could be a major discouragement.

Maria Eagle: I agree with my hon. Friend. There is no doubt that disincentives in the benefits system and fear of what taking the step of going back to work will mean for available money can be a big disincentive to anybody contemplating going back into the labour market after an extended period out of it. That is why we changed the therapeutic earnings rules.

The new permitted work rules allow people to try out work to see whether their health condition will allow them to stick it out before committing themselves to giving up their benefit. In addition, benefit linking rules now mean that people can try a job for 52 weeks—a full year—to see whether it works without losing their benefit, and volunteers doing voluntary work do not have to give up their benefits in order to dip their toe back into the world of work. Such interventions can do a lot to take away the fear that is felt by many of our fellow citizens who have been out of the work force for a long time when they are contemplating returning to it. The more that we can do to give them confidence in their own abilities to get back into work and to do a good job, while taking away the fear of losing money, the better.

Michael Fabricant (Lichfield): The hon. Lady is right about the reliability of disabled workers. The same goes for older people in their 50s and 60s, and we should try to do away with prejudice in that respect, too. Does she agree that there is a real problem in getting physically disabled people to work in smaller businesses, which often provide exactly the right environment for them to work, owing to the cost of providing ramps and other equipment to enable them to work there? Many small firms do not have the spare cash to invest in that equipment. What assistance are the Government giving to enable them to invest in that type of physical equipment?

Maria Eagle: The hon. Gentleman makes a fair point about access. One of our specialist disability employment programmes, access to work, provides for just that kind of help. It enables individuals who have access problems to solve them in respect of the employer whom they are going to work for and solves newly emerging problems whereby employees fall into ill health while at work. Job retention is just as important as getting people into work once they have fallen out of the labour market due to ill health.

We therefore operate a programme, which has three times its 1997 budget and helps three times as many people. We have interventions that will help, but the hon. Gentleman may know that many employers find that the adjustments that they have to make to accommodate disabled workers can be cheap and easy, and that the benefit of excellent new employees far outweighs the cost of adjustments to enable access.

Salary Linked Pension Schemes

2. **Ian Lucas** (Wrexham): If he will take steps to support final salary linked pension schemes. [63385]

9. **Mr. Tony McWalter** (Hemel Hempstead): What measures he is taking to persuade companies and concerns to continue to provide final salary pension schemes. [63393]

The Secretary of State for Work and Pensions (Mr. Andrew Smith): We have set up wide-ranging reviews of pensions regulation and retail saving, which are to report this month, and the Inland Revenue review on tax simplification, which is to report later in the year. I believe that it is right to consider concerted and radical action to sustain schemes and raise the level of pensions saving.

It is important that policy is informed by accurate statistics on pension contributions. We have now been informed by the Office for National Statistics that there are problems with the series from which they have been estimated in the past, notably on transfers, which, the Office for National Statistics now tells us, are derivable and could be significant. My right hon. Friend the Minister for Pensions is correcting the record in a written answer this afternoon. The Office for National Statistics is to lead a review of the statistics, including external representatives, as a matter of urgency.

We apologise, Mr. Speaker, for figures that were previously given in good faith by Ministers on the level of pension contributions and are now subject to review. My hon. Friend the Financial Secretary is today placing the terms of reference of the review in the Library.

Ian Lucas: I am grateful for that thorough reply. Constituents who are employed by Iceland Frozen Foods and by the Caparo group have received notification that their final salary pension schemes have been terminated. Does my right hon. Friend agree that such unilateral action by employers, without discussion or consultation, is reprehensible? If so, what will he do about it?

Mr. Smith: I thank my hon. Friend for that question. It is a serious matter when such schemes are closed and I sympathise with him and his constituents. As I said earlier, that is precisely why we need to consider radical and concerted action to sustain schemes, and, as the Government have consistently said, to raise the level of pensions saving. That is why we have established the Pickering review and the Sandler review and why we are considering tax simplification. I shall consider carefully the representations that the TUC, the CBI, pension providers, and the general public make on those important matters.

Mr. McWalter: Does not my right hon. Friend agree that there is an increasing tendency for directors to keep their final salary schemes while removing them from their employees? Is not the greatest scandal of all that employers' contributions are being slashed? While they claim simply to be changing the sort of scheme that they are producing, they are also significantly reducing the available resources. Is not it time for compulsion?

Mr. Smith: My hon. Friend characteristically makes a pertinent, forceful and timely point. All of us can understand the position of people whose contributions and prospects have been weakened while those who are responsible for their employment are in a more secure position. As part of the review that we are undertaking, it is important to examine ways in which we can secure fairness of treatment so that employees can have the same sort of security that bosses secure for themselves.

Mr. Steve Webb (Northavon): I congratulate the Secretary of State on his appointment, and look forward to a brave new era of constructive dialogue on pensions across the House.

On the subject of dodgy pension statistics, the Secretary of State will be aware that his Department has just published the pensions income series, which shows a marked drop in company pension receipts among the newly retired. Does he think that those are dodgy statistics, or does he think that that has really happened—and, if so, why?

Mr. Smith: The advice that we were given by the Office for National Statistics was—as I have described—that the figures relating to pension contributions previously given in a written answer by my right hon. Friend the Minister for Pensions on 16 May included transfers. A footnote pointed out at the time that those transfers existed, but it also said that they were not derivable. The correction that we are making is to say that we are now advised that they could be derived, and also that they may be significant. I am not aware of any other corrections that need to be made. However, the House will be aware of the previous difficulties with pension statistics, and, in light of this experience with the ONS, I think that it would be wise to treat any figures with caution until we see the outcome of the review.

Mr. David Willetts (Havant): May I welcome the Secretary of State to his first Question Time in his new post? It is a pity that, at his first such appearance at the Dispatch Box, he should have to admit that a serious error has been made by his predecessor. I have to tell him that this might not be the only time that he comes to the House to admit mistakes made by his predecessor. Let me explain to the House what the right hon. Gentleman is talking about. Ministers have been boasting that we have been saving £86 billion a year in our pensions; they are now admitting that that included transfers from one form of assets to another, and that it was not new flows. That is a significant mistake in the figures that they have been boasting about in the past months and years.

I welcome the Secretary of State's open admission that the figures that he and his colleagues have been boasting about are wrong, but does he recognise that the amounts that households are saving are now at their lowest level since records began? How on earth could Ministers seriously have believed that we were saving almost 9 per cent. of our national income—which is what they were claiming—when all the evidence suggested that that could not possibly have been the case? If their advisers had told them that the world was flat, would Ministers have believed them?

Mr. Smith: I am grateful to the hon. Gentleman—and, indeed, to the Liberal spokesperson—for his welcome. I want to take issue straight away with what the hon. Member for Havant (Mr. Willetts) said about my predecessor. My predecessor and other Ministers gave those figures in good faith on the basis of advice that they were given, and, indeed, having checked that they were being given the right advice. The hon. Gentleman's remarks were rather a low blow, especially as my predecessor has such a good record on sorting out the basis of pension provision, bringing help to millions of pensioners who were denied it by the Conservatives, and introducing the pension credit, which will ensure for the first time that people who save are rewarded rather than being penalised for their savings as they were under the Conservatives. I believe that we have done the right thing in announcing the correction to these figures, and I hope that the hon. Gentleman will accept it in that spirit.

Mr. Willetts: The blow is to the expectations of millions of pensioners. Months ago, the Government had to withdraw their figures for the assets in our pension funds; today they are withdrawing their figures for the flows into those funds. I accept that those errors were made in good faith, and that the Secretary of State, his predecessor and the Minister of State were certainly not deliberately trying to mislead the House. The fact is, however, that the figures were seriously wrong, and that Ministers regularly claimed, on the basis of them, that they showed that the basic structure—

Mr. Speaker: Order. During Question Time, I expect questions.

Mr. Willetts: Given that the Secretary of State used these false figures to reach the conclusion that the basic structure of pensions was right, will he accept that the conclusion that he drew was wrong, now that the figures have proved to be wrong?

Mr. Smith: The conclusions that we drew were, first, that the basic state pension should remain the foundation in retirement and, secondly, that we needed to bring in the minimum income guarantee—now amended in the pension credit—to give extra help to the poorer pensioners. As I have, said, we needed to bring in the pension credit to ensure that savings and modest occupational pensions were rewarded rather than penalised. So far as occupational and personal pensions are concerned, we have initiated reviews to examine the simplification and reform that is needed. We need a national consensus on the way forward on pensions; that will not be helped by the Conservatives proposing the abolition of the basic state pension.

Mr. Frank Field (Birkenhead): In welcoming the Secretary of State to his post, may I draw his attention to the Order Paper, which carries more questions on pensions than at any time since Maxwell stole pension funds from his workers? May I suggest to the Secretary of State that if the population of this country is not to look forward to a leaner, meaner retirement, we need to ensure that more is saved towards our retirement income? Does he accept, therefore, that the Government must introduce radical reforms, perhaps in the autumn, if they wish to reverse the fall of new pension savings to a fifth of what they were five years ago?

Mr. Smith: The short answer to both those questions is yes: of course I take note of the number of questions on the Order Paper and of course that quite properly reflects concern in the country at what is happening to some company and occupational pension schemes. We need to consider concerted and radical action to address that situation, and my right hon. Friend is also right—as my predecessor said and as the Government have consistently said—that we need to raise savings in this country and to make building up a savings pot that genuinely provides people with security in retirement easy and accessible.

Mr. James Arbuthnot (North-East Hampshire): I congratulate the Secretary of State on taking this difficult question himself, because what he has said today about statistics is significant. Does he accept that the amount of money being paid into pension funds is significantly lower than his Ministers said previously, and given the Government's raid on advance corporation tax— £5 billion every year—is that a surprise?

Mr. Smith: It is difficult reliably to estimate the scale of the correction that will need to be made until we see the outcome of the review, but clearly it could have a significant impact. As to the right hon. Gentleman's allusion to the changes in tax dividends and ACT, I have to say, and it bears repeating time and again, that the reason for making that change was to remove the perverse incentive in the system to distribute dividends rather than to reinvest. What is more, in increasing investment in this country to a level that had not been seen for years, it is having an impact.

Long-term Unemployed

3. **Mr. Anthony D. Wright** (Great Yarmouth): What help he will give to the long-term unemployed in deprived areas. [63386]

The Minister for Work (Mr. Nicholas Brown): Our policies, built on a foundation of a strong and stable economy, are helping people into work in all parts of the country.

The new deals have already helped nearly 700,000 people into jobs nationwide—1,700 in my hon. Friend's constituency. Action teams for jobs and employment zones continue to assist disadvantaged people in the most deprived areas of the country, so far helping more than 56,000 people into work. In addition, we are introducing 20 StepUp pilots to provide transitional jobs for long-term unemployed people. I am pleased to inform my hon. Friend that one of the pilots will start in his constituency this autumn.

Mr. Wright: I thank my right hon. Friend for that answer and say clearly that the difference is that under the Conservative Administration there was 20 per cent. unemployment in my constituency as opposed to 6.5 per cent. now. I concur that that is due to the new deal and the other schemes, so I welcome the new initiative, but we are faced with the dilemma that those who are left unemployed are largely those who are unskilled. What other initiatives can he introduce and what can we do to try to involve other employers in my constituency and encourage them to make a greater input to the new deal and other schemes?

Mr. Brown: I am pleased that our schemes are having the impact on unemployment in my hon. Friend's constituency that he describes, although I believe that more needs to be done, particularly in terms of the Department's relations with employers. Specialist advisers are being appointed to a number of jobcentres to liaise directly with employers on the services that the Department provides—enhanced services through the new Jobcentre Plus arrangements, which are coming soon to my hon. Friend's constituency.

Mr. Paul Goodman (Wycombe): Was the Prime Minister right when he said in the House on 12 June that the number of unemployed young people is 4,500, or is the Minister's Department right when it says that the number of unemployed young people is 244,000?

Mr. Brown: I understand that the statistics have been correctly stated to the House.

Paul Goggins (Wythenshawe and Sale, East): May I confirm that the Government are making a real difference to unemployed people in my constituency, not least the 219 long-term sick and unemployed who have been found work in the past few months by the Wythenshawe action team? When the new Jobcentre Plus offices are opened in my constituency next year, will the Minister ensure that they are located close to Wythenshawe town centre, not in the peripheral, out-of-the-way place where the Tories put the jobcentre in the 1980s?

Mr. Brown: The success of action teams is primarily due to the flexibility in the schemes and the outreach work that they can undertake. If my hon. Friend cares to write to me, I shall consider the location of the new Jobcentre Plus office and see what can be done to ensure that it is appropriately sited.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): The hon. Member for Great Yarmouth (Mr. Wright) is right to concentrate on working with employers to ensure that there are opportunities for people to take up at the end of these valuable schemes. The Minister rightly said that personal advisers are assisting in that direction, but is he satisfied that enough is being done with account holders—the liaison people between Jobcentre Plus and the employers—to ensure that there is a transition process and that there are real jobs for the hardest to help to go to at the end of the scheme?

Mr. Brown: The hon. Gentleman is on to an important point. We need to do more to build links between the service and the employers. After all, a substantial sum of public money has been invested in improving the service, and we need to explain ourselves not just to large companies, but to small and medium employers. We are appointing these new officials at a local level so that they can have that interface with the local labour market.

Pickering Report

4. **Mr. Barry Gardiner** (Brent, North): When he expects to publish the Pickering report; and if he will make a statement. [63387]

The Secretary of State for Work and Pensions (Mr. Andrew Smith): Last September, my predecessor asked Alan Pickering, former chairman of the National Association of Pension Funds, to carry out an independent review of private pensions legislation. His report will be published in the next few weeks.

Mr. Gardiner: Does my right hon. Friend accept that one of the biggest barriers to pension provision is the sheer complexity of the products on offer? Does he agree that that often makes it difficult for employees properly to assess and compare the products that are available? Does he also agree that, no matter what else Pickering may bring, one of the most vital things that should come from the report is simplification of the whole system?

Mr. Smith: Yes, my hon. Friend is right. Without wanting to anticipate Alan Pickering's report, I think that it is crucial that employees are in a much better position to make informed choices. That requires a simpler range of products and the roll-out of comprehensive pension forecasts. That is why Alan Pickering was asked to report to Ministers with proposals for simplifying pensions regulation while ensuring that pension scheme members are properly protected. That is the crucial balance to get right.

Mr. John Butterfill (Bournemouth, West): The Pickering report has been wildly trailed in the press, especially in the *Financial Times*. Mr. Pickering addressed the all-party group on occupational pensions only a few days age. He confirmed that one idea is to give employers the right to make membership of employer schemes mandatory. How would that sit with those employees who already have substantial personal pensions?

Mr. Smith: The hon. Gentleman's expertise in this matter is greatly and widely respected in the House. I hope that he will understand when I say that I will not be drawn into speculation about Alan Pickering's report. We will give careful consideration to all his recommendations, and we will listen carefully to the response from the public, the pensions industry, employers and trade unions.

One Stop Service

6. **Roger Casale** (Wimbledon): What plans he has to offer a one stop service for those people who are out of work. [63389]

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): In April this year, we created Jobcentre Plus to bring together the Employment Service and those parts of the Benefits Agency that deal with people of working age. Jobcentre Plus provides an integrated, work-focused service to people who are out of work.

Fifty-six new Jobcentre Plus offices are already up and running. We intend to roll those out across Great Britain over the next four years. We have already announced that we plan to open around 225 more offices by April 2003.

Roger Casale: I thank my hon. Friend for that reply, which I welcome. Does he agree with my constituent, Charlene Kuye, who is a single parent engaged on a teacher training course, and with organisations such as Gingerbread, which speaks for lone parent families, that the complexity of the benefits system can be one of the major barriers to helping young people return to work? Will he continue to listen to benefit recipients and their representatives as we continue to improve the benefit system so that it is possible for people to make a seamless transition from taking maternity or paternity leave to going back to work or from training back to work?

Malcolm Wicks: Yes, we must learn from our constituents. Our advice surgeries are our most important seminars in this respect. Although large numbers of lone parents are being enabled to get back into work, a significant proportion are still not in work. The interface with skills and education is critical. From local office level through to ministerial level at Whitehall, we have good connections with those in the world of education and skills.

Sir Patrick Cormack (South Staffordshire): Can the hon. Gentleman clarify the enigmatic answer given by the Minister for Work a few minutes ago and say which of the statistics regarding young people is correct? Are 4,500 young people out of work or 244,000? Which is right?

Malcolm Wicks: Because of the need to be absolutely accurate about these statistics, I think it best to write to the hon. Member for Wycombe (Mr. Goodman), who raised the point. [HON. MEMBERS: "Oh!"] The crucial thing, which the Opposition often do not want to hear, is that the new deal for young people has been a great success. With just a few exceptions, we have virtually eradicated the problem of long-term youth unemployment. People should celebrate that, because it involves a lot of work from young people, my colleagues in the Department and employers. It is a cause for celebration, not cynicism and sarcasm.

Glenda Jackson (Hampstead and Highgate): One frustration for some of my long-term unemployed constituents is that they seem to be precluded from entering courses to reskill and retrain them that are for longer than one day a week. Will my hon. Friend examine the situation, and will people who have been put on a course that they discover is not meeting their needs be able to change easily to another, more suitable, course?

Malcolm Wicks: Yes. As I have indicated, we need to learn from our constituents. I should be grateful if my hon. Friend would write to me with individual experiences. In all sorts of ways, not least with our basic skills initiative, which deals with the fact that too many adults struggle with literacy and numeracy, we have a very joined-up approach with the Department for Education and Skills. We are screening people in jobcentres to test their literacy and numeracy. We are trying in all sorts of other ways to put the rhetoric of lifelong learning into practice. I repeat that we need to learn, and I am happy to discuss the matter with my hon. Friend.

Miss Anne McIntosh (Vale of York): The Minister will recall from earlier exchanges that not only do we not have a jobcentre in the Vale of York, there is no prospect of a Jobcentre Plus. Will he take up the case of Mr. Potter, who has been sent from pillar to post through a variety of offices? He lost his job in the farming industry in the autumn of last year and it has taken two months for a letter to be transferred to the Minister's Department from another. Will he try to help Mr. Potter to obtain unemployment benefit from the day that he lost his job?

Malcolm Wicks: I apologise for any delay. I will take up the case of the hon. Lady's constituent. We have not yet announced all our plans, but in those rural areas that may not have a Jobcentre Plus, we need to think hard about how to provide an adequate service. We can do that through the telephone and through the internet for some. We need to join up with other local agencies to provide the service and must be sensitive to the needs of rural areas. Although there will be a large number of Jobcentre Plus offices throughout the country, some areas will not have that facility as such, and we are thinking hard about how to ensure that the hon. Lady's constituents and those in similar areas receive the service that they deserve. Meanwhile, I will take up her constituent's case.

Final Salary Pensions

7. **Mr. Tony Lloyd** (Manchester, Central): What recent discussions he has had with the CBI and employer organisations on final salary pensions. [63391]

8. **Geraint Davies** (Croydon, Central): What response he has made to representations from the TUC and others to encourage the continued provision of final salary pensions. [63392]

The Minister for Pensions (Mr. Ian McCartney): We have frequent contact with both the Confederation of British Industry and the Trades Union Congress to discuss a range of pensions issues, including final salary pension schemes. As my right hon. Friend the Secretary of State for Work and Pensions made clear in his recent speech to the TUC conference, it has to be worth while for employees to save, confident in what they will get in return, and easy for employers to contribute. We need a framework that builds partnership in pension provision not mutual aversion to responsibility.

Mr. Lloyd: Does my right hon. Friend recall the so-called employers pensions holiday, when they ceased to make contributions to pension schemes? It was actually more like a pensions strike. Is he aware that one strong motivation for getting rid of final salary pension schemes is that, even on the better alternatives, employers save up to a third of their costs? That means that employees receive a final pension much worse than they had anticipated. What do the Government intend to do to ensure that employers recognise that they must make a contribution?

Mr. McCartney: I thank my hon. Friend for that question. Like him and all my ministerial colleagues, I want a maximisation of employer contributions as an investment in their work force. The whole point of the simplification review and the discussions is to develop a partnership between the Government, employers and trade unions so that each of us takes responsibility for every aspect of developing a pensions policy for the future that will guarantee investment and a secure pension. During the next few weeks, when the reviews are published, I hope that there will be productive discussions with the CBI, the TUC and others to ensure that when the Government set out their radical approach to those matters there will be a common, binding agreement on the way forward.

Geraint Davies: When my right hon. Friend reviews pensions facilities and the partnership for the provision of pensions to which he referred, will he examine the fundamental relationship between employer contributions, employee contributions and state contributions? In doing so, will he consider the Australian model, which requires a certain level of employer compulsion in respect of any named pension fund in exchange for tax relief and productivity deals, in the knowledge that the only certain way of obtaining long-term pension contributions is by getting more jobs? That is something that we are doing and that the Opposition never did.

Mr. McCartney: I am absolutely certain that, with those involved in the simplification review and in preparing the reports, the Government will consider a range of issues, including international comparisons, to try to encourage investment by employers. When the review is published we can join in a debate, after which I hope that we shall see the way forward to ensure a secure future both for deferred pensioners—those who are currently investing but who are not yet pensioners—and for those who are pensioners already.

Mr. David Ruffley (Bury St. Edmunds): The Chancellor of the Exchequer's Robert Maxwell-style pension raid is costing the average contributing member of a pension scheme £400 a year. Will the Minister take this opportunity to say sorry to those pension holders?

Mr. McCartney: The hon. Gentleman has a brass neck asking that question, when there was a £34 billion mis-selling of pension funds under a Tory Government. It took the Labour Government to make sure that money was put back. A Conservative Government halved the value of SERPS—the state earnings-related pension scheme—took it off widows and forgot to tell them about it. This Government put that money back. A Conservative Government put 3 million people on the dole and those people lost pension rights because of it. Grow up.

Mr. Andrew Mitchell (Sutton Coldfield): Surely the Minister understands that everyone knows that the Government's response to the crisis in the pensions industry has been woefully inadequate. Will he admit that the £5 billion a year raid on pension funds was a dreadful error of judgment? As the Secretary of State is in the mood to apologise today, will he also apologise on behalf of the Chancellor of the Exchequer to the millions of people who face a lower income in their retirement?

Mr. McCartney: The hon. Gentleman is another man with a record as long as his arm. He was a pensions Minister who made such a botched job of it that his constituents rightly got rid of him. Perhaps he would like to tell us about the letter that he received from the—[Hon. Members: "Answer the question."] I am answering the question—Opposition Members may not like the answer—*[Interruption.]*

Mr. Speaker: Order. We must have some calm in the Chamber.

Mr. McCartney: I am not sure why it is, but every time that I stand at the Dispatch Box, the Conservatives get excited.

On 7 March, the hon. Member for Sutton Coldfield (Mr. Mitchell) received a letter from the Opposition spokesperson on pensions, who asked him to prepare a plan for the privatisation of the basic state pension. Perhaps he will stand up and apologise to the House for trying to get rid of the basic state pension.

David Winnick (Walsall, North): Should we not make it absolutely clear that the full responsibility for ending such schemes lies with employers, and that they must be held accountable? Going back to what was said earlier, is it not sickening that while so many employees could well be driven into acute financial hardship, if not poverty, in their retirement, those who make the decisions—the directors—are rewarding themselves with fat cat pension schemes, option schemes, bonuses and the rest to ensure that, when they retire, they can live the lives of millionaires and multi-millionaires? The contrast between the two is obscene.

Mr. McCartney: My hon. Friend is absolutely right. There has been greed and greed with great excess. There is no doubt about that, but in simply saying that fat cats are wrong, we have got to do something about long-term stability and arrangements for the basic state pension, the state contribution and the private sector contribution to the future of pensions. That is what the Pickering review is about. At least the Government are prepared to advocate proposals on behalf of pensioners and to introduce schemes to eradicate the poverty that exists, a new pension scheme to prevent it in future and a new partnership between the Government on one hand and employers and trade unions on the other to ensure investment by employers in pension schemes and the certainty that when people retire they get a fair pension for the contribution that has been made.

Mr. David Willetts (Havant): May I tell the Minister that the CBI and the TUC were represented at our pensions summit last week? He might try getting them together as well. Does he agree with the TUC that the United Kingdom pensions system is in crisis? What does he think of the latest evidence of that crisis? The Caparo steel group, which is headed by a Labour peer, Lord Paul, is trying to close down its final salary pension scheme. Lord Paul is trying to get his workers into the Government's pet stakeholder scheme instead. So a Labour peer is trying to impose a Labour policy on members of a trade union affiliated to the Labour party, and what is the reaction? They take industrial action in protest. Something is seriously wrong with the Government's pensions policies if members of a Labour-affiliated trade union are taking industrial action against the policies that the Government are pursuing.

Mr. McCartney: My understanding is that the hon. Gentleman's summit was more of a molehill than a summit and that he made virtually no contribution to the debate on pensions. It was nothing more than a cheap publicity stunt.

The hon. Gentleman mocks stakeholder pensions. In a year, more than 800,000 people who did not have a pension vehicle for their retirement have now got one and more than 90 per cent. of employers who did not provide access to one now do so, but that is only a start.

As for the former members of British Steel, the hon. Gentleman should remember that his Government stood back and allowed that company to be butchered and tens of thousands of jobs—not just pensions—were lost in steel and mining communities. The whole purpose of the stakeholder pension arrangements and the simplification review is to get the common agreement of employers, first, to continue with defined benefit schemes; secondly, where those schemes do not exist, to get stakeholder pensions where employers have never before contributed to employees in the labour market; and, thirdly, to get a new partnership between employers, the Government and trade unions. If we can achieve that during the debates that will take place this summer following the simplification review, we will have gone a long way to establishing a new pensions settlement in Britain.

Funded Pension Schemes

10. **Bob Spink** (Castle Point): What recent assessment he has made of the viability of funded pension schemes. [63394]

The Minister for Pensions (Mr. Ian McCartney): Funded provision is crucial to overall pension provision in the United Kingdom. If it is to remain viable, we need to ensure that we have an appropriate level of regulation and the right incentives to encourage employers and employees to contribute to pensions. That is why we have commissioned the Pickering and Sandler reviews, which will be published in the next few weeks.

Bob Spink: Now that the Government have admitted that, like Enron, they gave false figures, will they admit two specific points: first, that the number of people benefiting from occupational pensions is now 10 per cent. lower than when they took office in 1997 and, secondly, that the proportion of money saved by British households last year fell to the lowest level since records began? Will the Government try to correct that situation and help those on funded pension schemes by now withdrawing the £5 billion pensions tax that they imposed?

Mr. McCartney: The hon. Gentleman never ceases to amaze us. I and my colleagues gave information to the House on the basis of an independent analysis. When challenged about that analysis, we rightly said that, the analysis being independent, Ministers had given the House the information that was available. As the hon. Gentleman can confirm, when it became clear that there was a need for a review and as soon as Ministers knew that the answer that I had given in good faith to the House could be questioned, we informed the hon. Member concerned, and spoke to him personally. At 3.30 pm, we will put forward proposals to ensure that an effective response is made in respect of my answer.

More importantly, in this complex area, the last Government continued to give wrong information in a non-independent way. We have initiated a review by independent experts, and I hope that there will be an agreed settlement on how, in future, we publish statistics in this area. The hon. Gentleman's Government failed to inform people about their entitlement to SERPS, which cost widows about £1 billion a year. When Labour Ministers find that there is a problem, at least we report it to the House immediately and take action to rectify it.

John Robertson (Glasgow, Anniesland): Does my right hon. Friend agree that one of the best incentives that could be given for pensions would be to establish a minimum amount of money that employers must contribute—9 per cent., for example—to ensure that workers would also put in their money?

Mr. McCartney: My hon. Friend is right that employers need to make contributions to pension schemes. In general, we would agree with that. I would like to wait, however, to see whether the Pickering review recommends further action on compulsion. I want to make it absolutely clear that Ministers want to ensure that the review gives an incentive to employers to contribute, and to continue to contribute, to the pensions of their employees. It is in everybody's interests, including employers, that they invest in their employees' future through pensions.

Crisis Loan Payments

11. **Mr. David Heath** (Somerton and Frome): What proportion of crisis loan payments were made in response to alignment claims in the last 12 months. [63395]

The Parliamentary Under-Secretary of State for Work and Pensions (Malcolm Wicks): Social fund alignment payments provide valuable help to people awaiting their first payment of wages on taking up work. They also help people with essential day-to-day living expenses in advance of their first payment of benefit. During 2001–02, just under half of crisis loans were made through alignment payments.

Mr. Heath: Is not it extraordinary that the crisis loan fund, which is cash-limited and which is there to help the poorest of our constituents in the most extreme circumstances, is largely pre-empted by payments that, effectively, are made as a result of administrative delay? I am not denying that payments must be made in that instance, but I am not sure that they should be made from that fund. When the Minister wrote to me on 14 May, he said that he was considering this matter, and that new guidelines would be issued. He said that a review would be done on a region-by-region basis. Have those things yet been accomplished?

Malcolm Wicks: I do not accept that alignment payments are made predominantly because of delays. It may interest the House to know that, during 2001–02, income support claims were cleared, on average, within 9.7 days of all relevant information being received, which is less than our target of 12 days. Similarly, we are performing well in terms of incapacity benefit and jobseeker's allowance. Alignment payments are becoming better known by our claimants, which may be a factor, but there may be an issue in relation to our procedures. I can therefore confirm that we are currently considering the detailed guidance that we offer to our staff on this aspect of crisis loans. The guidance is expected to be with staff by mid-July.

Mr. James Clappison (Hertsmere): Is not the fact of the matter that alignment payments are made to compensate for other payments that recipients should have received from the Government, and that, in a way, part of the crisis fund is being spent on crises created by the Government? Has not the proportion of the crisis fund so allocated substantially increased since 1997, and does not it now stand at 40 per cent. of the crisis fund, as the Minister had to admit in a written answer that he gave to me correcting, properly, incorrect information—more incorrect information—that he had given in a previous written answer? Will the Government now take urgent action to ensure that funds are not diverted from vulnerable people in that way and that the Government act promptly and efficiently in their benefit payments?

Malcolm Wicks: I think that there is some misunderstanding about this issue. When people first apply for benefit, they may have to wait some days before they receive it. If they are in urgent need, they will receive an alignment payment. Similarly—although in a smaller percentage of cases—if people have a job and are waiting for their first wage packet, one of the alignment payments may be made. I suspect that there is some confusion because the payments are paid through crisis loans. However, as I have said, although there are a number of factors behind the trend, we are looking at the matter carefully. We will issue the new guidance later this month.

Private Pensions Industry

12. **Mr. Michael Jack** (Fylde): What plans he has to publish a pensions White Paper on the state of the private pensions industry. [63396]

The Minister for Pensions (Mr. Ian McCartney): The Sandler review into long-term savings and the Pickering simplification review are due to report shortly. The Government will then consult on proposals in the autumn.

Mr. Jack: In thanking the Minister for that answer, may I say that his combative approach to previous questions and his attacks on the previous Conservative Government are no way to respond to the real fears of people about whether they will have anything like a long-term income from their pensions? On the very day that *The Times* carries articles questioning the strength of our insurance companies, may I ask the Minister to bring together all the arguments about employees and employers in a White Paper that will review the whole desperate pension situation?

Mr. McCartney: This Government have acted already. We have introduced the state second pension, which means that 14 million low-paid workers will for the first time receive an additional pension as well as the basic state pension. We have made advances in that 2 million carers and 2 million people with disabilities who were outside the system will receive an additional pension in the form of the stakeholder pension. We have sorted out the Tory Government's mis-selling of pensions, we have sorted out SERPS and we have introduced the simplification review.

I have said on at least three occasions today that, when the reviews by Sandler and Pickering are in the public domain, the Government will publish their response to them this autumn. At that point, I will be more than happy to debate the future of pensions with the right hon. Gentleman. Three points apply to the future of pensions. The first is that employers accept their responsibility, the second is that the Government accept theirs and the third is that there should be vehicles that will enable employees to start investing in their own future. When we have got all those three pillars in place, we can modernise the state pension and the contributions that employers and employees make and will be able to secure pensions for the future.

Dr. Vincent Cable (Twickenham): When the Minister looks further at private pension schemes, will he agree to consider the case of Parsons Energy and Engineering in south-west London? That American company has not merely closed its final salary scheme to existing as well as new employees, but has halved the pension entitlement arbitrarily. Does he not agree that the trusteeship arrangements are far too weak to prevent cowboy capitalists of that kind from stealing from their own pensions funds?

Mr. McCartney: I do not have all the details of that case but, if the hon. Gentleman writes to me, I will be more than willing to meet him and his colleagues to discuss this matter. I will then subsequently give or not give advice as appropriate to the circumstances.

Voluntary Sector (Pensions)

13. **Mr. Parmjit Dhanda** (Gloucester): What action he is taking to promote pension take-up among voluntary sector workers. [63397]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): The Government are committed to ensuring that everybody gets a decent income in retirement and to promoting pension provision among all groups of workers, including those in the voluntary sector

Mr. Dhanda: I thank my hon. Friend for that reply. Is she aware that, when groups in the voluntary sector bid for extra funds for local campaigns, as is the case in my constituency of Gloucester, they sometimes find that, although the money can be used to help to employ extra staff, local campaigners or case workers, it is difficult to make up the employers contribution? However, if such groups put in an extra bid in the first instance to make up that money, the Government can help them. Therefore, will her Department do more to emphasise the fact that such groups can be supported if they make it clear that they wish money for such contributions to be part of their bid?

Maria Eagle: Good employers who want to get good staff will make proper pension provision a part of the package that they offer. Following the introduction of stakeholder pensions, many voluntary sector employers will have to designate stakeholders and therefore offer their employees a low-cost excellent new vehicle to ensure that they can save for their retirement.

In terms of awareness raising, it is crucial that the Government and others get across to employees and employers the importance of saving for retirement. In that regard we have high hopes that the new combined pension forecasting will enable employees and employers to see just what kind of pensions they are likely to retire on. It may well also provide a boost to ensure that people save more for their retirement.

G8 Summit

3.30 pm

The Prime Minister (Mr. Tony Blair): With permission, Mr. Speaker, I should like to make a statement on the G8 Summit in Canada. Copies of all the documents agreed at the summit have been placed in the House Libraries. I pay tribute to Prime Minister Chrétien for his excellent leadership at the meeting.

This was the first meeting of G8 leaders since 11 September. We reviewed progress made in tackling terrorism, including steps taken to cut off terrorists' sources of financing, and action in Afghanistan and globally against al-Qaeda and other terrorist networks. I set out detailed UK proposals for curbing opium production in Afghanistan, which is the source of some 90 per cent. of the heroin on our streets, and we agreed collectively to step up efforts to deal with this menace. We also agreed a set of practical measures to enhance the security of the global transport system.

The events of 11 September proved beyond doubt that terrorists will use any means to attack our countries and our people. We therefore agreed at Kananaskis to launch a new global partnership against the spread of weapons of mass destruction, and so help ensure that these deadly materials cannot fall into the hands of terrorist groups. The world's largest stocks of sensitive nuclear and chemical materials are in the countries of the former Soviet Union, above all in Russia. The G8 therefore agreed collectively to raise up to $20 billion over the next 10 years to fund projects under the global partnership. Among our priority concerns are the destruction of chemical weapons, the dismantling of decommissioned nuclear submarines and the employment of former weapons scientists. As part of this programme, the UK plans to commit up to $750 million spread over the next decade.

We also discussed pressing regional issues. On the middle east, G8 leaders reaffirmed their commitment to the two-state vision first set out in the Saudi peace initiative: a state of Israel, secure and accepted by its Arab neighbours, living side by side in peace with a stable and well governed state of Palestine. We called for continuing efforts also on India and Pakistan.

The Kananaskis summit also marked a major shift in the G7's relationship with Russia. G7 leaders agreed that Russia will assume the G8 presidency in 2006 and host our summit that year. Taken together with agreement by both the European Union and the United States to grant Russia market economy status, and with the launch of the new NATO/Russia Council, these moves constitute a significant further step in building a strong partnership with Russia on security and economic issues. The next step is Russia's accession to the World Trade Organisation.

But the main focus of the summit was Africa. Let me remind the House why. The tragedy of Africa is that it is a rich continent whose people are poor. Africa's potential is enormous, yet a child in Africa dies of disease, famine or conflict every three seconds. These are facts that shame the civilised world. In Genoa last July, G8 leaders agreed to draw up a comprehensive action plan for Africa. Central to this proposal was the concept of a deal: that African Governments commit themselves to economic, political and governance reforms, and that the G8 responds with more development assistance, more debt relief and greater opportunities for trade.

Over the past year, African leaders have developed the New Partnership for Africa's Development—NEPAD. This is an African-led initiative, which puts good governance at its heart. African countries have pledged to raise standards of governance and have committed themselves to a peer-review mechanism that will provide an objective assessment against these new standards. In response, at Kananaskis the G8 published its action plan for Africa. The plan sets out specific measures in eight areas, and I shall deal with some of them.

Peace and stability are preconditions for successful development everywhere, and especially in Africa. Eight million Africans have died in conflicts in the last 20 years. The G8 committed to intensify efforts to promote peace in the Democratic Republic of Congo and in Sudan, two of Africa's bloodiest wars, and to consolidate the peace efforts now being made in Angola and Sierra Leone.

For the long term, we need to develop the peacekeeping capacity of African countries themselves. We agreed that by 2003 we will have in place a joint plan to build regional peacekeeping forces, trained and helped by us. But we must also tackle the underlying issues that so often drive conflict. We pledged our support for the UN initiative to monitor and address the illegal exploitation and international transfer of natural resources from Africa which fuel armed conflicts, including mineral resources, petroleum, timber and water, and to support voluntary control efforts such as the Kimberley process for diamonds.

Around 50 million children in Africa are not in school of any kind. We agreed therefore to implement the education taskforce report, prepared for the summit, which will significantly increase bilateral aid for basic education for African countries that have a strong policy and financial commitment. Recent analysis by the World Bank sets out clearly which policies work. We agreed that where countries have those policies in place, we will ensure that they have sufficient external finance to meet the goal of universal primary education by 2015.

We also agreed to continue our efforts to tackle HIV/AIDS through the new global health fund, and G8 countries committed to provide the resources necessary to eradicate polio from Africa by 2005. Twenty-six countries, including 22 in Africa, have already benefited under the enhanced heavily indebted poor countries, or HIPC, initiative, receiving about $62 billion in debt relief. Eventually, 37 countries are expected to benefit.

At Kananaskis the G8 agreed to provide up to an additional $1 billion for the HIPC trust fund. That will help to ensure that those countries whose debt position has worsened, because of the global economic slowdown and falls in commodity prices, will get enough debt relief to ensure that they are able to exit HIPC with sustainable levels of debt.

On trade, we agreed to make the WTO Doha round work for developing countries, particularly in Africa. We reaffirmed our commitment to conclude the negotiations no later than 1 January 2005 and, without prejudicing the outcome of the negotiations, to apply that Doha commitment to comprehensive negotiations on agriculture aimed at substantial improvements in market access and reductions in all forms of export subsidies with a view to their being entirely phased out.

[The Prime Minister]

At Monterrey in February the international community pledged to increase official development assistance by $12 billion a year from 2006. In Kananaskis the G8 agreed that at least half of that new money would go to reforming African countries, for investment in line with NEPAD's own priorities. That is a substantial commitment by any standards—an additional $6 billion a year for the world's poorest continent. It recognises Africa's needs, but it is also a strong signal of the G8's confidence that the commitments that African leaders are making under NEPAD really will transform the environment in which our aid is invested.

The UK will contribute its share of those additional resources. I can tell the House that we expect UK bilateral spending on Africa to rise from around £650 million a year now to £1 billion by 2006—three times the level that we inherited from the last Conservative Government.

President Mbeki of South Africa said of the plan that

> "there has never been an engagement of this kind before, certainly not between Africa and the G8 . . . it is a very, very good beginning."

President Obasanjo from Nigeria called it a

> "historic moment for Africa and for the whole relationship between the developed and developing world".

Africa is not a hopeless continent, as some have described it. Uganda, for example, has reduced poverty by 20 percentage points in the last 10 years, and growth has averaged around 7 per cent. a year. HIPC debt relief and aid have been used to help to provide free primary education. As a result, enrolment has doubled, putting millions of children into school. Mozambique has seen growth of 9 per cent. in the past 4 years, and Tanzania is now providing free primary education. As a result of courageous new policies, Mali has reduced poverty dramatically in the past 4 years.

Of course, we need to do more—much more—but for the first time there is a comprehensive plan, dealing with all aspects of the African plight. For the first time, it is constructed with reforming African leaders as partners, not as passive recipients of aid. For the first time, we link explicitly and clearly good governance and development.

So this is not our destination—of an African renaissance—achieved, but it is a new departure. It is a real signal of hope for the future, and it is up to us now to make it a reality. I am proud of the part that Britain has played in it. There are those who say that Africa matters little to the British people. The millions who donate to charities—who give up time, energy and commitment to the cause of Africa—eloquently dispute this. Africa does matter: to us and to humanity. We intend to see the plan through.

Mr. Iain Duncan Smith (Chingford and Woodford Green): May I begin by thanking the Prime Minister for giving me early sight of his statement? Kananaskis was the first G8 gathering since 11 September, and we welcome the practical steps agreed there to fight international terrorism, and to prevent the spread of weapons and materials of mass destruction. In particular, Kananaskis marked another step in Russia's re-emergence on the world stage, and I believe it right that the G8 should help to reduce her nuclear stockpiles, and very fitting that Russia will assume presidency of the G8 in 2006.

We also welcome the G8's renewed commitment to supporting universal primary education in developing countries, and to assisting those countries in tackling the scourge of diseases such as AIDS, TB, malaria and polio. The progress made on international debt relief is also welcome, although we note that the sums involved barely make up for the fall in world commodity prices that has recently so affected developing economies. The Prime Minister is right to herald the G8's meeting with African presidents and the UN Secretary-General to discuss the New Partnership for Africa's Development as a step in the right direction. However, only last October the Prime Minister told his party conference that a partnership for Africa meant

> "no tolerance of bad governance, from the endemic corruption of some states, to the activities of Mr. Mugabe's henchmen in Zimbabwe."

I agreed with him. Does he still stand by that clear statement, and if so, does he not think that the G8 missed an opportunity to send a stark signal to dictators by using the example of Robert Mugabe to show that there will be no meaningful partnership for development with countries that do not respect political freedom and the rule of law?

The G8 summit could have demanded fresh presidential elections in Zimbabwe; it could have co-ordinated sanctions between the EU and north America; and it could have shown that we mean what we say about good governance in the African continent. Did the Prime Minister argue for those things at the conference, and if so, does he not agree that it is deeply disappointing that Zimbabwe did not merit a mention in the communiqué or in his statement?

The G8 pledged itself

> "to work for peace in the Middle East, based on our vision of two states living side by side within secure and recognised borders".

It also talked of

> "the agreement on the urgency of reform of Palestinian institutions and its economy, and of free and fair elections".

Last Thursday, the Prime Minister said that, in his view, Yasser Arafat has

> "an attitude towards terrorism which has been inconsistent with the notion of Israel's security."

Does the Prime Minister believe that a Palestinian Authority led by Yasser Arafat can ever be consistent with the notion of Israel's security, or does he agree with Secretary Powell, who said yesterday that if the Palestinians

> "don't bring in new leaders, then we shouldn't expect . . . approaches"

that may be new or otherwise? Does the Prime Minister agree with that statement or the previous one?

Today, we learn that the United States is threatening to veto the extension of UN peacekeeping operations in Bosnia unless American troops are granted immunity from prosecution by the International Criminal Court. Did the Prime Minister discuss that with President Bush and other G8 leaders during the summit? Ten days ago, the Defence Secretary told the House,

> "On the ICC, the Government negotiated an effective immunity".—[*Official Report*, 20 June 2002; Vol. 387, c. 413.]

Last week, however, he told a Select Committee that

> "immunity is not quite the right word".

Which is it? Perhaps the Prime Minister can tell us what our position is.

Was the Prime Minister not aware of grave misgivings, which we share, that the court could be used maliciously to put our soldiers in the dock merely for carrying out their duties—*[Interruption.]* Labour Members may complain, but the French have been able to negotiate immunity for their troops for the next seven years as a condition of signing up to the ICC. When we sought in the course of debate to introduce similar protection, that was rejected, even though it was for British troops. Will the Prime Minister tell us once and for all what protection, if any, our troops will have, apart from the judgment of the ICC—*[Interruption.]*

Mr. Speaker: Order. Please let the Leader of the Opposition speak.

Mr. Duncan Smith: They hate it when they get difficult questions as they never hear the answer—*[Interruption.]* Does the Prime Minister agree with the criticism of the United States launched by the Secretary of State for International Development yesterday in the media and the newspapers? If Kananaskis is to be remembered, it will be judged by what it achieves for southern Africa, especially the 13 million people starving in that region. This is an opportunity to strike up a genuine partnership with Africa that will endure beyond the following day's headlines. It is a two-way street, however, offering long-term assistance delivered to an agreed timetable from the developed world in return for a genuine commitment by developing countries to improve the governance of their people. But it takes action, not just words. If, with all the might at its disposal, and with the Prime Minister at the conference, the G8 cannot even bring itself to demand change in Zimbabwe, what hope is there for the rest of Africa?

The Prime Minister: If I may say so, I thought that that was an extraordinary demonstration of the right hon. Gentleman's priorities. I make no apology whatever for using the vast majority of the statement to deal with Africa. It was extraordinary that the right hon. Gentleman had more to say about the International Criminal Court than the state of Africa. I shall deal with the issue of Zimbabwe, but first I shall deal with the International Criminal Court, which the Conservatives supported when it was debated in the House. At the time, a Conservative Front-Bench spokesman said:

> "It is a great shame that in the negotiations at Rome, where our team and others bent over backwards to try and assuage the fears of the USA . . . the USA ultimately felt that it could not join the countries that signed up".

Another Conservative spokesman said:

> "I urge the Government to introduce legislation to allow us to ratify the statute in order to realise their intention that we should be among the first 60 states to do so".—[*Official Report*, 27 October 1999; Vol. 336, c. 934–36.]

There is therefore a tinge of opportunism in the Conservatives' stance today. We have taken our position because we were advised that as a result of the safeguards in place—in particular the issue of complementarity, which means that provided that a nation state is capable of trying people for any crimes, the ICC does not have jurisdiction—it is inconceivable that our peacekeepers would be brought before the court in that way. The best test of whether that is correct or not is what has happened with the International Criminal Tribunal for the former Yugoslavia, which has been running for seven years and has far more intrusive powers than the ICC. In those seven years, not one peacekeeper has been up before the court. The ICC is designed to deal with people committing war crimes or genocide, and I believe that that is right. I entirely understand the concerns of the United States of America, which are perfectly legitimate. Our view, however, is that they are met by the principles that I set out and the constraints on the international court's development.

On Zimbabwe, let me make it clear that it will not benefit in any way from the African plan, precisely because of the outrageous conduct of the Zimbabwean Government. That is why it is so important that the plan makes it clear that only the countries that engage in good governance will qualify for the extra aid and assistance. As for what we should do about Zimbabwe, at every level—in the European Union and elsewhere, in the negotiations with the United States—of course we raise the matter.

I looked very carefully at the words of the shadow Foreign Secretary when he was lambasting the Government for our position on Zimbabwe. I could not find a single sensible, constructive suggestion from him to deal with the matter. This is a classic instance of the Conservatives seizing on an issue, running with it hard, and having nothing but sheer vacuous nonsense to say about it.

On HIPC, the right hon. Gentleman speaks about the sum barely making up the difference. Let us be clear. When the Government came to office, we had nothing like the help in place for Africa on debt relief or anything else. What we have done through the additional aid means that billions of dollars of debt relief will be saved for those countries, so that the money can be put into education. I should have thought that the right hon. Gentleman would welcome that. [HON. MEMBERS: "We did."] Well, I suppose that it was a welcome of sorts. It is one of the features of the Conservatives that although in general they are against spending any money, in particular they are always in favour of spending more.

On the middle east, in relation to Chairman Arafat, let me repeat what I said last week. I believe that if the middle east is to have a chance of getting the peace process that it needs, we need serious people to negotiate with. I have said why I believe that Chairman Arafat has let down the Palestinian people, in particular by rejecting the deal that was offered by Prime Minister Barak: he did a huge disservice to the process of peace in the middle east.

It is for the Palestinians, of course, to decide whom they elect. We are not in a position to decide that for them, but the point that we must make and that the Americans are making is that if they end up electing leadership that is not serious about partnering the peace process, it will be difficult to make the changes that we want. That is the reality, and it is why we and the Americans have both been saying it. The right hon. Gentleman will find that the vast majority of countries agree.

In particular, leaving aside for a moment the issue of Chairman Arafat, the key thing that the Bush speech did, and the reason why I think that it should be strongly supported, is that it set out the following principles, which are vital for progress: security for the Palestinian people,

[The Prime Minister]

and a proper security infrastructure rebuilt; political reform of the Palestinian institutions—that is vital—en route to a viable Palestinian state, living side by side with a secure of Israel. As a result, if there are those changes on the Palestinian side, there must be from Israel in return the commitment to an end to settlements, withdrawal from the occupied territories, and a resolution of the issue on the basis of United Nations Security Council resolutions 242 and 338.

That is what is important. I believe that we have the basis of a forward plan for the middle east that can work. I believe that it will work, but only if we make sure that those principles are properly implemented. I must say to the right hon. Gentleman that the attempt to make differences between ourselves and the Americans may suit the Opposition, but it does not suit the peace process at all.

Finally, let me deal with the point that the right hon. Gentleman made, in so far as he dealt with Africa at all. He said that this announcement is a deal. Yes, it is, and it gives us an important chance to make a way forward for Africa, but let us not believe that the whole of Africa is encapsulated in Zimbabwe. It is not. I am pleased to say that, increasingly, Zimbabwe is the exception in Africa, not the rule. At the same time as we take the possible action—not the impossible action—against Zimbabwe, let us congratulate those African leaders on their boldness in coming forward with the initiative, let us support it, and let us make sure that the Africa plan, which initiates the process, is carried through with the determination and vigour that has given rise to it.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Although all sane and democratic-thinking people throughout the world will acknowledge the importance of the summit, not least as another essential reaffirmation of the fight against international terrorism, which poses the most fundamental threat to us all, I think that the Prime Minister will accept that despite the progress achieved, there were elements of serious disappointment about the summit.

Will the right hon. Gentleman acknowledge, not least when we hear some of the more strident tones on this side of the Atlantic as well as on the other side, that an important lesson is that progress can be best effected through efficient international institutions in which countries play a constructive role and do not run with the tide of short-term populist opinion, which, when it comes to unilateralism, far less isolationism, history proves does not work and will not deliver? Does he agree that that is an important conclusion to emerge from the weekend and from the events that have followed on since the summit itself?

Specifically, in welcoming the reaffirmation statement about the middle east process, will the right hon. Gentleman again take the opportunity to underscore the fact that it never looks good for international countries, democratically based, to be seen to be trying to dictate what other countries should be deciding, not least through a democratic process, however difficult the circumstances may be, where the leadership of those other countries and other states are concerned?

Secondly, on the issue of weapons of mass destruction, and given the importance that the Prime Minister rightly attached to the developing role of Russia on many fronts over coming years, was there any discussion, or did he have the opportunity to raise, the role of Russia in giving financial and practical support to Iran to develop a nuclear reactor? As the right hon. Gentleman knows, there is considerable international anxiety as to the use to which such a facility, such a capacity, could be put. Russia will be a major and primary beneficiary of the extra funds that are being deployed, to which the United Kingdom will be contributing. Has leverage been exerted on the Russian authorities in that respect?

Thirdly, there is the central issue of African relief. Obviously, there will be a great welcome for the progress that has been achieved. The Prime Minister quoted the World Bank, but will he acknowledge that the bank has said in the context of what was achieved—that is the progress that was made at the G8 summit—that many of the poorest and most heavily indebted countries will still have unsustainable levels of built-in debt for a long time to come? Therefore, as the right hon. Gentleman has acknowledged, this can be only the beginning of the process. It is by no means the termination of a process.

Finally, I return to the important lesson of international co-operation. As the right hon. Gentleman well knows, as a party that has long since supported the International Criminal Court, will he confirm again that this country will continue its commitment in that direction, and point out to the American Administration the fundamental error of their ways in that respect?

The Prime Minister: Of course, we support the International Criminal Court. It is a commitment that we inherited from the previous Government. That is quite apart from our own position.

As for the United States and the Palestinian Authority, it is important to be clear about what the United States is and is not saying. The United States is not saying that the Palestinians cannot choose who they want. They can choose who they want. The United States is merely saying that if the Palestinians choose someone who is not a serious partner for peace, that will make it far more difficult to conduct negotiations, and frankly I agree with that.

As for the WMD, it is true that there are worries about Iran's nuclear weapons programme. There are also worries about other countries' nuclear weapons programmes. However, the WMD focuses specifically on the countries of the former Soviet Union. That is important because it is in those countries that there are large stockpiles of chemical and biological weapons. There is the nuclear programme, and so on. They need help to clean up the nuclear submarines, for example, and we should give them that assistance.

In relation to the African situation and NEPAD, the truthful position is that, of course, there is a lot more that must be done. It is true that we will make a significant impact on the situation, but we will not manage to deal with it all. However, we have made huge progress on where we were a few years ago. The fact is that we have a plan in place that allows us to deal with all the issues in a comprehensive way, increase aid and assistance in return for good governance and deal with issues such as conflict resolution, which are dramatically important in respect of this issue. It is no use dealing simply with issues of debt and aid; we must deal with debt and aid, trade, conflict resolution and some of the specific health and education issues. The benefit of the plan is that it gives us an overall framework within which we can work, but the political will must continue for many years.

Mr. Tony Lloyd (Manchester, Central): I congratulate my right hon. Friend on the way in which the G8 has handled relations with Russia. It is very important that signals are given to the Russian people that Russia is a welcome partner at the very top table because there is a role for the Russians to play. The Americans deserve congratulations on the funding provided for nuclear stocks improvements. Long before Europeans took the issue seriously, the Americans were contributing and trying to persuade the Russians to make their nuclear stocks safe. The contrast with the United States position on the International Criminal Court is odd, as it is moving in almost the opposite direction on that issue. An America that, at its best, gives leadership and, working together with the rest of the world, gives us all something to work towards, is equally one that at certain moments, as in dealing with the ICC, heads in completely the opposite direction and gives the world the wrong view, namely, that it wants to behave above and beyond international law. That is not possible even for the United States.

The Prime Minister: What my hon. Friend says about the United States position on Russia and the problem of weapons of mass destruction is absolutely right—America has taken the lead on that issue. In relation to the ICC, America has a very clearly established position that it has held under both its current Administration and the previous one. We have an equally clear position, which has been held under both our current Administration and the previous one. It is important to recognise that there will be differences from time to time. However, it is wrong to see that as colouring the entire relationship. It is important to understand that, from time to time, on issues such as climate change or steel and the tariffs imposed in the United States, there will be disagreements, but the broad basis of the relationship between this country and the United States is absolutely solid. It is a foundation stone of British foreign policy and will remain so, and it is absolutely vital that any people, from whatever quarter, who want to undermine it realise that that is not in the interests of this country, America or the wider world.

Dr. Julian Lewis (New Forest, East): The Prime Minister made only the briefest reference to India and Pakistan. Will he expand on that, especially in the light of the very worrying report that al-Qaeda forces now seem to be moving into Kashmir? I am sure that he appreciates more than any of us the danger that will arise if such people start to fish in those exceptionally dangerously troubled waters.

The Prime Minister: That is right—it is a very substantial danger. For that reason, it is important to ensure that Pakistan does all it can to prevent terrorists from crossing the border and the line of control there. There is evidence that it has stepped up its efforts significantly. I think that we have a respite from this issue, but we have not solved it by any means. What is important is that we redouble our efforts to ensure clear dialogue on the basis of an end to any form of Pakistani complicity in terrorism, and to ensure that, in response, there is proper dialogue between the two countries about all the issues between them, including Kashmir, so that the matter can be resolved as it should be—between two countries, rather than in the way in which it has been dealt with in the past few years. He is right to stress the very real and recurrent threat from al-Qaeda in Kashmir and elsewhere.

Tony Worthington (Clydebank and Milngavie): I congratulate the Prime Minister on the leadership that he is giving on Africa, which contrasts significantly with the neglect and disengagement of 18 years of Conservative government.

My right hon. Friend rightly spoke about NEPAD and the sense of partnership that it creates. That has to be so. One of the major problems is that the resources of Africa are not used for the people of Africa—they are robbed from them by corrupt elites and corrupt Governments. We must play our part by ensuring that northern firms do not support corruption and by backing the campaign that northern firms—such as BP, which has agreed to be part of it—should declare the money that they put into Africa so that the people of Africa know what is being given to their Governments and can identify the corrupt resources. Does my right hon. Friend agree?

The Prime Minister: I agree strongly. On my hon. Friend's first point, he is right, and that continues to be a major priority for the Government. His second point is also important. Part of the discussion at the G8 was about how we ensure that we put in place guidelines on the way in which companies operate in Africa. The more that companies report exactly what money they are paying to Governments, the more likely is transparency and therefore a reduction in corruption. I pay tribute to my hon. Friend for all that he has done in campaigning long and hard on the issue. It is partly because of the activities of people such as him that the matter now features so prominently on the agenda.

Tony Baldry (Banbury): No fair-minded person would doubt the Prime Minister's commitment to Africa, but he must surely accept that the additional aid for Africa from the G8 summit is fairly niggardly. Given that President Bush, having announced the millennium challenge account at Monterrey, was not prepared to commit any further funds to Africa, would it not be more appropriate—rather than trying to pretend that something is there that is not there—to have a special summit for Africa that focuses on its real needs and tries to find the real resources that are necessary if we are to take it forward into the 21st century?

The Prime Minister: The hon. Gentleman's comments echo some of those made by the non-governmental organisations, but he is being a little unfair. The fact is that at Monterrey, as a result of the American commitment to an additional $5 billion and the European commitment to an additional $7 billion, there was a substantial uplift in aid. The agreement at Kananaskis was for countries to decide how much money they give in their own way, and we expected that half or more of that would go to Africa. Given that only two—perhaps three—of the G8 countries give as much as 50 per cent. to Africa, that is a big uplift in itself. Overall aid to sub-Saharan Africa—I speak from memory—is about $12 billion to $13 billion, so to increase that by 50 per cent. is fairly significant.

[The Prime Minister]

The hon. Gentleman is right to say that we have to go far further, and we probably would have wanted to go further, but we still achieved a significant amount. Other things—I would single out conflict resolution—are as important as aid money. A particular view that I hold is that probably the single most important thing that we can do for central Africa is to get that conflict resolved and some stability in place. These are potentially rich countries, and if we can combine conflict resolution with access to our markets—it is scandalous how many tariffs against African goods remain in developed countries' markets—that, as much as the aid package, will contribute to the rebirth of Africa.

Helen Jackson (Sheffield, Hillsborough): Was my right hon. Friend able to raise within the G8 the issue of American steel tariffs? Does he agree that that rather selfish unilateral action by such a major country flies in the face of the wider message that the G8 as a whole is trying to promote in the context of Africa, NEPAD and the wider development for which we all need to take responsibility?

The Prime Minister: I entirely agree with my hon. Friend. We made it clear that we strongly disagree with imposing steel tariffs. We are seeking exclusions for British companies and I believe that approximately 20 have been granted. We are pressing for many more. Some 30,000 tonnes of British produce will be exempted, but we shall continue to press for more. Although I appreciate the American position, it is in the interests neither of world trade nor of the American steel industry. It is better to compete freely and openly.

Mr. Boris Johnson (Henley): The Prime Minister said that the Conservative party has no policies on Zimbabwe. I shall offer him one. I support Zimbabwe's exclusion from NEPAD, yet recently Mr. Mugabe was able to travel to Rome for a Food and Agriculture Organisation summit without a peep of protest from the Government. His chief of police, who is a very sinister man, was able to travel to Lyon, similarly without a peep of protest from the Prime Minister or the Foreign Secretary. Is not it insulting to the 3,000 white farmers who are about to be expelled by the end of August and the 800,000 black farmers and employees who have also been expelled by Mugabe's thugs to tell them that we can do nothing more to help them and that we cannot even enforce a travel ban on Robert Mugabe?

The Prime Minister: The travel ban is enforced on Mr. Mugabe but he cannot be prevented from travelling to the Rome summit, as the hon. Gentleman knows. However, let us be clear that whether or not he goes to the Rome summit will not affect the position in Zimbabwe. This can be done only by action by the other countries in the region and the ability of people in Zimbabwe to make a difference.

If the Conservatives' great policy, which will lead to a change of Government in Zimbabwe, is to prevent Mr. Mugabe from travelling to Rome, it shows how far they are from reality and how close they are to opportunistically making political capital out of the matter.

Mr. Gerald Kaufman (Manchester, Gorton): I congratulate my right hon. Friend on upholding the right of the Palestinian people to elect a President of their choice. I have returned from a working visit to Israel and the occupied territories during which I held discussions with people from a wide spectrum of opinion. I assure my right hon. Friend that a four-page speech by President Bush that contains two pages of instructions to the Palestinians and two paragraphs of exhortations to the Israelis will not advance the peace process that we all support, especially when the current charade of dismantling Israeli shanty town settlements leaves in place 145 settlements that violate international law. The decent Jewish leadership that took over from the British was able to suppress the terrorism of Begin and Shamir only when it had the integrity of an Israeli state to defend. Does not my right hon. Friend agree that the genuine movement towards suppressing the evil terrorism among Palestinian extremist groups can happen only when a Palestinian state has its integrity to defend?

The Prime Minister: First, I know that my right hon. Friend takes a great deal of interest in and has spoken passionately and persuasively on the issue for many years. I am doing my best to help the process, and I believe that that means supporting America's initiative. A state is merely a constitutional theory unless it contains institutions that can give life to it.

The most important priority is security and rebuilding the security infrastructure in the Palestinian territory. We will help in any way that we can to achieve that. The Americans are working urgently on plans to ensure that it is done. Let us suppose that we get a political process going again. We need a way to indemnify ourselves, if I can put it like that, against the next suicide bomb.

If another suicide bomb explodes and terrible carnage ensues, and more civilians die and the process collapses, it will be a long time before we get another realistic process in place. We need a valid security infrastructure with integrity so that we can be sure that the Palestinian authorities are doing everything possible to bear down on terrorism. That would mean that if any extremists who wanted to wreck the process and were hostile to the concept of Israel managed to carry out a terrorist attack, it would not derail the process. In the longer term, however, there are elements in President Bush's speech that offer us a clear way forward, provided that we engage intensively to bring that about.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): The Prime Minister fairly said that much needs to be done after this conference. May I remind him that, in March, a UN conference called for some 10 times more aid than was being offered at this most recent conference? Will he tell the House when the $60 billion being asked for by the African countries will be achievable, and when the all-important trade rules will be relaxed in Africa's favour?

The Prime Minister: We have to deal in the realms of the possible. It is not possible to get $60 billion, but there has been a significant uplift in the aid given, and the debt relief programme is also extremely important. The idea is to get that flowing as quickly as possible. Countries such as ours have significantly uplifted their aid already. We are now providing somewhere in the region of double the amount of aid to Africa that we were a few years ago.

On trade, the recommitment to the Doha process was absolutely vital—in particular, the focus on the phasing out of agricultural subsidies. The challenge for the developed world is to come up to the mark on the reality of our position on trade, so that it matches the rhetoric of free trade that we preach in the developed world. That involves arguing our position strongly in Europe, the World Trade Organisation and elsewhere, and we shall carry on doing that. We need the united support of the House and the help of other allies to do so.

Mr. Harry Barnes (North-East Derbyshire): Economic conflict and collapse in Africa often feed into wars and conflicts, particularly in sub-Saharan Africa. Behind that is often currency speculation, which produces the economic collapse in the first place. Is the G8 taking seriously the problems of currency speculation, and what proposals is it coming up with to deal with them?

The Prime Minister: The most important thing we can do is to ensure that proper financial systems, and proper accounting standards for them, are in place—a process that we started in 1998. I do not favour measures such as the Tobin tax, or other taxes on currency speculation. The best security against financial collapse is the integrity of financial systems and proper accounting standards to ensure openness and transparency in the way in which countries—and, indeed, companies—operate. That is the best guarantee.

Sir Michael Spicer (West Worcestershire): What did the Prime Minister tell the other G8 members about the dramatic fall in Britain's productivity rates in relation to world competitiveness that has taken place under his Government?

The Prime Minister: I am pleased to say that I was able to report that the British economy was in a strong position, not merely in relation to productivity, but elsewhere. When I think back to the time when I was in opposition and the hon. Gentleman was a Minister—*[Interruption.]* If we look back 10 years, we see that this country is in a rather stronger economic position now than it was then. I am glad that the hon. Gentleman has given me the opportunity to remind the House of the 15 per cent. interest rates, the unemployment that stood at more than 3 million, and the gross underinvestment in our public services at that time. So, I am pleased to say that I was able to give a rather better analysis of the state of the British economy than I would have been able to do when the hon. Gentleman was in office.

John Cryer (Hornchurch): I was pleased to hear what my right hon. Friend had to say, particularly about debt and education. May I remind him that, more than a decade ago, almost as a direct result of International Monetary Fund policies in Rwanda, tuition fees were imposed on secondary school children there and, later, even on primary school children? As a direct result, those children were wandering the streets when the militias started recruiting and they consequently became involved in the civil conflict. Will my right hon. Friend guarantee that he will do all he can to ensure that such policies are not pursued in any African country, and particularly in sub-Saharan Africa? Secondly, does he detect any inconsistency between the reactions in certain quarters to Mugabe and the previous reactions to Pinochet?

The Prime Minister: I think I will leave the last part to general speculation.

Mr. Duncan Smith: Answer the question.

The Prime Minister: If the right hon. Gentleman wants to shout protests of support for General Pinochet, he is perfectly entitled to do so. To be absolutely honest, that is on a par with the rest of his judgments on foreign policy. As for the other question—*[Interruption.]* The right hon. Gentleman should be advised against making sedentary interventions, as he is not very good at them.

In relation to the first part of the question asked by my hon. Friend the Member for Hornchurch (John Cryer), there is a serious issue about Rwanda. It is extremely important that we keep up support for Rwanda and I think that we are probably the largest single donor to it, but the key to that part of Africa is a stable resolution of the conflict. We will play our part in that and we are working far more closely, for example, with the French than ever before. All those issues, such as education, can be far better dealt with in that context.

Mr. David Heathcoat-Amory (Wells): Will the Prime Minister comment on the Oxfam report published in April that shows that the European Union applies the highest tariff peaks against the world's poorest countries and also that the EU launches more anti-dumping measures against the developing world than America, Canada and Japan combined? What is he doing to puncture that hypocrisy in the EU, which pretends to be and promotes itself as the friend of the poor, but in reality keeps out their products?

The Prime Minister: We are pressing very hard for Europe to change its position, which is important. Of course, the everything but arms initiative, which has been of help to some of the poorest countries, very much came about as a result of the initiatives taken by this Government, but I have to say that the only way we will get the EU to move is by being in a position of some influence in the EU, not on the sidelines of it. That is why I have to disagree with the right hon. Gentleman's general position on Europe, and that of his Front Benchers.

Charlotte Atkins (Staffordshire, Moorlands): I very much share and welcome the focus on Africa and the developing world, but during the discussions on agricultural subsidies was concern expressed about the recently passed United States Farm Bill, which massively increased production subsidies? Does my right hon. Friend share my concern that that will undermine and jeopardise our efforts to reform the common agricultural policy?

The Prime Minister: That is why it is important to try to knock down protectionism of all sorts, and concern was certainly expressed by the African countries about the United States Farm Bill and about the CAP. That is why

[The Prime Minister]

it is important that we continue our efforts to reform the CAP, which would in any event be necessary as 10 additional countries are coming into the EU.

Sir Peter Tapsell (Louth and Horncastle): Despite the Prime Minister's reaffirmation here today of his support for the Anglo-American alliance, has he noted that, since his recent talk with President Bush about Palestine, some commentators seem to think that the lengthening list of countries scheduled for regime change by the United States now includes the United Kingdom?

The Prime Minister: I thank the hon. Gentleman, both for his contribution to the transatlantic friendship and for the implication of his statement that, certainly, the United Kingdom Government are unlikely to be changed by the Conservative Opposition—that is for sure. Let me say to him that there are people on the right of politics, such as him and the leader of the Conservative party, and some, indeed, on the left who want to cause trouble for this relationship wherever they possibly can. That is wrong, it is irresponsible and it is not in this country's national interest.

Linda Gilroy (Plymouth, Sutton): I thank my right hon. Friend for the way in which he has ensured that the African agenda is so firmly on the G8 summit agenda. A moment ago, he said that conflict resolution is particularly important, but does he agree that tackling HIV/AIDS is almost equally important due to its capacity to undermine the ability of countries to deliver on the plan? He said that that is part of the plan, but will he say more about the importance he attaches to it and whether the plan is a robust, effective and realistic response to the issue?

The Prime Minister: My hon. Friend is entirely right—HIV/AIDS is a major part of the problem in Africa, where millions of people have died of the disease in the past few years. The frustrating thing is that people know what works: we can see that in the programmes in Uganda and other countries that have taken effective action against the HIV/AIDS epidemic. I think that I am right in saying that Africa is the only continent in the world where people's life expectations are falling rather than rising. That is blighting development in Africa.

We established the global health fund, and we are putting money into it. We are also trying to ensure that pharmaceutical companies, drugs companies and others work with us to ensure that the drugs that provide people with the most effective treatment are freely available. I agree with my hon. Friend entirely—all these issues must be dealt with together. A major part of the efforts to improve the situation on HIV/AIDS is the investment in education, sex education and poverty reduction.

Mr. Laurence Robertson (Tewkesbury): Did the G8 summit consider the recent report by the Salvation Army, which warned of an impending crisis in sub-Saharan Africa partly because of the floods, but also paradoxically because of drought? The Salvation Army report warns of a serious starvation problem. If the G8 summit considered that report, what does it intend to do about the problem? If it did not, will the Prime Minister look into that report urgently?

The Prime Minister: The Salvation Army and many others have been active on this issue, and I congratulate them on the position that they have taken. An important part of the deliberations had to do with water and sanitation. It was agreed at the G8 that that would form a major part of the discussions in South Africa in September. We hope that we will be able to put forward specific proposals for dealing with drought in sub-Saharan Africa.

Mr. Tam Dalyell (Linlithgow): Will the Prime Minister expand on his significant references in his opening statement to foreign weapons scientists? Did he have Iraq in mind? Whatever one's views on Iraq, would not it at least be wise to have an endorsement from the G8 and the United Nations before contemplating further military bombing action?

The Prime Minister: On the last point, I have nothing to add to what I have said on many occasions. On the first point, I did not have the weapons scientists in Iraq particularly in mind. Although it may seem strange and prosaic to say so, it is important to realise that large numbers of people are employed on those programmes and if we are not careful they may be poached and employed by rogue states or terrorist groups. Dealing with the scientists who have been engaged in these weapons of mass destruction programmes is an important part of the overall deal.

Mr. James Arbuthnot (North-East Hampshire): The Prime Minister briefly mentioned heroin production in Afghanistan, which is a scourge not only on the streets of the west, but in Afghanistan, Iran and Pakistan. Could he give more details of what steps were agreed to curb the production of Afghan heroin, given that it is estimated that about 90 per cent.—some say 98 per cent.—of the heroin in this country comes from Afghanistan?

The Prime Minister: That is right: 90 per cent. or more of the heroin on British streets comes from Afghanistan. I think that about 70 per cent. of total world production of heroin comes from Afghanistan. We are engaged in intensive efforts to destroy as much of the poppy crop as possible. For this year, we have achieved a certain level of success—not as much as we would want, but a significant percentage of the crop was destroyed. We have agreed at the G8 summit and elsewhere that we will step up those efforts for next year. That will include ensuring that the farmers in Afghanistan are given alternative sources of production, taking action against people who are trading and dealing in the drug, and in particular taking action at the borders of Afghanistan where the drugs leave that country.

One startling fact is that if we analyse what happens on the ground, we discover that the farmers in Afghanistan do not make much money out of that crop; the money is made further down the line. I believe that it is possible to persuade farming communities to engage in a better, more sustainable, legal form of production. That is what we are trying to do, and the G8 agreed that we should step up those efforts.

Mike Gapes (Ilford, South): I agree with the Prime Minister about the importance of our relationship with the United States. However, does he share my concerns that unilateralist action by the American Administration with regard to the International Criminal Court could lead to great instability in the Balkans and withdrawals from Kosovo and Bosnia? Does that not emphasise again the importance of the European Union countries working collectively for the common security and defence policy?

The Prime Minister: My understanding is that discussions are continuing on the UN situation in Bosnia. I think that we should let those discussions continue and give them a fair wind.

Mr. John Redwood (Wokingham): When will the EU member states sit down to hammer out a thoroughgoing reform of the common agricultural policy? I am glad that the Prime Minister agrees that the way in which it prevents fair trade for African countries is a moral outrage. Is it not time for him to get his colleagues to do something about it?

The Prime Minister: Those discussions continue the entire time. The right hon. Gentleman knows which interests are blocking reform. However, we have at least a better chance of achieving reform with the enlargement of the European Union, because if the common agricultural policy is not reformed at that stage the payments will be unacceptable. The United Kingdom, Germany and other countries are leading the charge on this; we must ensure that we overcome substantial resistance elsewhere. It will take some time, but that is what we will try to do.

Mr. Chris Bryant (Rhondda): I welcome my right hon. Friend's comments on efforts to reduce trafficking in heroin, not least because of the effect on south Wales valley constituencies where heroin use is becoming something of an epidemic. The next epidemic might well be crack cocaine. Was there any discussion at the G8 summit on international trafficking in crack cocaine?

The Prime Minister: There was no specific discussion at the summit, but we are working with other countries that are faced by the same menace to take all and any action that we can to deal with the problem. This is a recent phenomenon—particular countries are sourcing this and particular organised gangs are trading in it. We are working very hard at a police and intelligence level to deal with it.

Mr. Andrew MacKay (Bracknell): Although we warmly welcome the G8 summit's concentration on the NEPAD proposals, and although I hope that the Prime Minister was correct in observing that Zimbabwe is the exception rather than the norm in Africa, may I put it to him that it was unfortunate that Zimbabwe was not criticised by the summit? Zimbabwe is heavily involved in the Congo civil war; its regime has singularly failed to feed the Zimbabwean people due to attacks on farmers, white and black; and the recent election was a classic case of corruption. If we are to ensure that all other African nations can respond to the NEPAD proposals positively, surely we should be seen to be taking action, bravely and correctly, against Zimbabwe at the G8 summit and elsewhere.

The Prime Minister: Everything that the right hon. Gentleman says about Zimbabwe is right—the question is, what is the best way to effect change? My view is that the best way is to put all possible pressure on the African countries in the region that have the greatest ability to influence the situation. I was able, during the course of the G8 summit, to talk to President Mbeki and President Obasanjo about that. It is extremely important that we keep up that pressure and make it clear, as I have just done, that Zimbabwe cannot benefit from the African deal from NEPAD. We are obliged to give certain humanitarian assistance, but Zimbabwe will get no other assistance from us and from those other countries. I am afraid the tragedy is that change is most likely to come from the region or within. We must work in the most effective way possible.

It is not really an issue of courage; our position on Zimbabwe is clear and open. Sometimes, being the country that always takes the lead does not help some of the opposition forces in Zimbabwe. The right hon. Gentleman probably realises that. However, we do everything that we can and if there are sensible and constructive suggestions as to what else we can do, we will certainly listen to them.

Point of Order

4.34 pm

Mr. Andrew MacKay (Bracknell): On a point of order, Mr. Speaker. Could you use this opportunity to confirm that all hon. Members should be entitled to take up constituency cases as they see fit on the Floor of the House and through correspondence with Ministers and, where appropriate and with the full consent of the constituents concerned, possibly even with the media? If you confirm that, Mr. Speaker, will you condemn, as I do, the remarks of the president of the British Medical Association at the BMA conference in Harrogate today who said that we should not be allowed publicly to refer to cases of constituents who are patients in the national health service even when they have specifically asked us to do so? This comes dangerously close to being a breach of privilege of this House and should be condemned by you and by hon. Members on both sides of the House.

Mr. Speaker: I am grateful to the right hon. Gentleman for giving me notice of his point of order. I am confident that all Members of the House are conscious of the need to use our privilege of free speech responsibly and, in particular, to protect the privacy and dignity of individual members of the public.

Orders of the Day

CONSOLIDATED FUND (APPROPRIATION) (No. 2) BILL

Order for Second Reading read.

Question, That the Bill be now read a Second time, *put forthwith, pursuant to Standing Order No. 56 (Consolidated Fund Bills), and agreed to.*

Bill accordingly read a Second time.

Question, That the Bill be now read the Third time, *put forthwith, and agreed to.*

Bill accordingly read the Third time, and passed.

Public Trustee (Liability and Fees) Bill *[Lords]*

Order for Second Reading read.

4.36 pm

The Parliamentary Secretary, Lord Chancellor's Department (Ms Rosie Winterton): I beg to move, That the Bill be now read a Second time.

This short but important Bill was introduced in another place and, with cross-party support, made swift progress unamended through all its stages. I know that my right hon. and noble Friend Baroness Scotland appreciated the support of the Opposition parties in the other place.

The office of the Public Trustee was created by a Liberal Government in the Public Trustee Act 1906. That Act came about in response to a series of notorious defaults by trustees, who had usually disappeared with the trust funds. Prospective trustees, or those making wills, were thought to need a safe place to entrust their money so that the true beneficiaries would receive it. That was why the office of Public Trustee was invented—to provide a completely secure official in whom absolute trust could be reposed.

Until recently, the Public Trustee was located in the Public Trust Office but following the 1999 report of the Public Accounts Committee into the Public Trust Office, and after recommendations in a quinquennial review, a refocused role for Public Trustee work was agreed. The Public Trust Office was re-launched as the Public Guardianship Office from 1 April 2001 and the trust work was transferred to the Official Solicitor's office, to be handled alongside his existing estates work.

The present policy for both the Official Solicitor's estates work and the Public Trustee's trusts work is to accept new cases only as a public sector trustee of last resort. That means that the Public Trustee is available to act to protect the vulnerable or persons under legal disability—such as children or the mentally incapacitated—or where there is a social need to do so; for example, where there is a family dispute and an independent person needs to step in to protect the interests of members of the family. An extreme case might be where a father had killed his wife and was in prison, and someone needed to look after the interests of the children.

Other examples of the Public Trustee acting as trustee of last resort include where no one else is suitable or able to do so and an injustice would otherwise result. For example, if the Public Trustee were not to accept appointment, a deceased's estate would not be dealt with because, for one reason or another, it would not be economical for the private sector to act.

Commercially viable trusts that do not involve the need for special protection for people suffering from incapacity or those who are otherwise disadvantaged have been encouraged to transfer to the private sector. However, as a result of the 1999 changes and the transfer of such work, the accommodation and overhead charges for trust work increased significantly, particularly from 1 April 2001, while the income from trust work has reduced and is projected to continue to reduce.

However, under section 9(4) of the Public Trustee Act 1906, there is a statutory requirement for full cost recovery for trust work. The only way that we can meet that requirement at present would be to increase fees, but the fee increases required to achieve full cost recovery would be extremely high. For this financial year, the increase would be about 100 per cent., and some of the clients affected by those fee increases would be very vulnerable people.

A large number of the clients are elderly. There are also 50 cases where the Public Trustee looks after the interests of beneficiaries of vaccine damage or other compensation settlements. Another 100 cases involve mentally or physically disabled beneficiaries, and a further eight people benefit under charitable provisions.

Some clients, particularly the elderly, rely on the income that they receive from their trust funds and others are reliant on the expectation of inheriting trust capital. Increasing administration fees for those people would reduce the amount of capital generating income and the amount of capital available for distribution. The Bill will therefore remove the requirement for full cost recovery for trust work to prevent those large increases in fees from occurring.

We are also using this opportunity to regularise the position in relation to trust fees to bring fee setting for trust work in line with fee-setting provisions for other work. At the moment, the majority of fee-setting powers are held by the Minister with responsibility for the policy. However, under section 9(1) of the 1906 Act, the power to set fees for trust work is vested in the Treasury, although the sanction of the Lord Chancellor is needed. The Bill will transfer that power to the Lord Chancellor.

The Bill will also repeal section 7 of the 1906 Act, which was an important part of the package that had been put together to reassure the public following the scandals that had occurred. It ensured that if an incumbent trustee stole the funds, or breached trust in dealing with them, the state would indemnify the beneficiary.

The repeal of section 7 will do two things. First, it will remove the Consolidated Fund's liability to make good any sum required to discharge the Public Trustee's liability and will place that liability with the Lord Chancellor. Secondly, it will tidy up the position on the Public Trustee's liability to beneficiaries. In preparing the Bill, we found that the exception in section 7 had no legal effect and thus served no purpose, so we have taken this opportunity to remove it.

As I have said, this is an important Bill, although short in length. It will ensure that we protect some extremely vulnerable clients of the Public Trustee from large increases in fees, while at the same time bringing up to date the financial requirements governing the work of the Public Trustee. I hope that right hon. and hon. Members will support it.

4.45 pm

Mr. William Cash (Stone): This Bill is important in its way, and I am glad to allay the Minister's fears by assuring her that the Opposition do not intend to divide the House. It is an uncontroversial Bill. Indeed, during the Bill's passage in the other place, the proceedings were somewhat truncated—the Liberal Democrat spokesman managed only 16 lines of speech, while the official Opposition spokesman managed only 10 lines. We are not, therefore, trying to break any records by ensuring that we exceed that minimum standard. One or two things

[Mr. William Cash]

need to be said about the Bill, however, and I intend to detain the House for a little longer than the other place was detained.

I knew the Public Trust Office extremely well, as, when I first got married, I was living in Lincoln's Inn Fields, exactly opposite it. I would also like to pay tribute to the Liberal party, if not to the Liberal Democrats, as, although it was claimed in the other place that it was their work, the original Liberal party was responsible. The former leader of the Liberal Democrats clearly differentiated himself from the Liberal party. As a Conservative, I certainly would not do that, as the Liberals did a great deal in the 19th century that was extremely effective and very good.

Mr. David Heath (Somerton and Frome): The hon. Gentleman may be interested to know that I believe that I am still on the residual body of the Liberal party executive—the real Liberal party.

Mr. Cash: I am extremely delighted to hear that, especially as the hon. Gentleman is my opposite number in whichever party he belongs.

We should not say simply that this is an excellent Bill, and let it sail through without comment. Only a few days ago, towards the end of last week, the Minister and I, and the hon. Member for Somerton and Frome (Mr. Heath), the hon. Gentleman from the erstwhile Liberal party—now the Liberal Democrats—exchanged views on the question of enduring powers of attorney and the issue of fees. That is at the heart of this Bill, too, as it is important to note, not only from the explanatory notes but from the way in which the process has been working, that there is a great deal of uncertainty about how to calibrate the fee system in the context of what we could describe generally as free—or relatively free—legal advice and when the Public Trust Office or the Public Guardianship Office is involved.

The transfer of responsibility to the Lord Chancellor's Department represents a determination to try to reduce some of the fees substantially. As we found in relation to the statutory instrument last week, however, some of the fees being charged have increased up to threefold. There is some inconsistency in that. Enthusiastic as people might be about the proposal, the fact that the Lord Chancellor and not the Treasury will fix fees in relation to the Public Trustee's trust work—that will bring those fees into line with other fee-setting provisions—does not necessarily solve the problem. I do not want to call it the wallpaper difficulty, but the question is whether the sums required to run the functions under the Public Trustee Act 1906 will be adequate. We also need to ensure that the people who will be affected—they will often not be well-off—are not overcharged.

I have described the balance that must be struck, but that is a matter for the future. However, I shall watch the situation as it progresses, because an inherent difficulty is implicit in the proposal; there is no answer in itself. We need to know how the money from the fees will be worked out. Will the proposal be fair and will it strike a proper balance?

The Minister described the interesting exception to section 7 of the 1906 Act. It somewhat defies belief that a provision should have been enacted in 1906 and that it has taken until 2002 to discover that it is of no effect. I am delighted that the Government have taken this opportunity to rectify the position, but it is astonishing that it should have taken so long to discover that simple legal fact or point of law.

The other point that I wish to mention is the relationship between the Public Trust Office, the Public Guardianship Office and the Public Accounts Committee. Although I do not intend to do so, I could spend some time on the criticisms of the Public Trust Office made in the 35th report of the Public Accounts Committee. However, those criticisms are part of the reason why I want to spend a little more time on this debate than was taken on Second Reading in the other place. We are being asked to consider the liability in fees of the Public Trustee, so we should take account of the Public Account Committee's severe criticisms of the running of a public body.

Given the recent changes and the transfer of functions to the Lord Chancellor's Department, we should be mindful of the fact that all is not plain sailing. In particular, I refer to three specific comments made by the Public Accounts Committee. In relation to the welfare of people with mental incapacity—I alluded to them earlier—it said:

> "Overall, we concluded that:
>
> The Public Trust Office is failing to ensure that the financial interests of patients are adequately protected".

That is pretty severe criticism. Secondly, the Committee said:

> "The Public Trust Office is failing to ensure, through its visits programme, that patients funds are being used for their benefit".

Thirdly, it said:

> "The Public Trust Office's management information is inadequate".

A further 30 pages of material and cross-examination demonstrates the basis on which such criticisms were reached.

It is not simply a matter of going over the past for its own sake because that would do no good. The real question is to what extent the Bill is adequate in changing the regime, attitude and behaviour of the Public Trust Office and its successor in a manner that will genuinely remedy the problems identified by the PAC. If it is not possible for the Bill, because of its long title, to ensure that the problems are remedied, the Minister must assure us that the matters reported by the PAC are being taken seriously by the Lord Chancellor's Department and that the Government are going to do something about them.

4.56 pm

John Cryer (Hornchurch): Hon. Members will be pleased to learn that I shall be brief, because I want to concentrate on a constituency case.

The PAC and the National Audit Office have produced a series of critical reports, dating back to the PAC's report of 1994 which made damning criticisms of the Public Trust Office. Having read the reports, I think it is clear that their findings are conclusive, and the Bill has widespread support on both sides of the House.

There are various problems with the Public Trust Office. In the case that concerns me, my constituent's mother died and the Public Trust Office is holding

£40,000 of her money that it is not keen to release. In a letter, my constituent explains that it is

> "nearly 3 months later and I still have no release of the court funds. I am very sure that the £40,000 is no longer being held in a good interest bearing account, and I also have final payments to make on my mother's behalf."

I suspect that many hon. Members will have come across similar problems with the Public Trust Office.

The quinquennial report by the Lord Chancellor's Department mentions that, in the receivership division of the Public Trust Office, the

> "Current live caseload is about 2,750 and clients' funds total approximately £252 million."

That is a hefty sum—about £0.25 billion pounds is being held purely by the receivership division, as in my constituent's case. I hope that the changes mean that public offices will not hold on to money for as long, and with the same determination, as the Public Trust Office and its successor, the Public Guardianship Office.

The 1906 Act made the Public Trust Office self-financing, which means that it cannot be subsidised by the Treasury. The Bill changes that provision and the Treasury will be able to provide subsidies if needed.

My hon. Friend the Minister mentioned the repeal of certain sections. Will she assure me that future beneficiaries, who would have been covered by the liability of the Public Trust Office, will not lose out? Will she also assure me that the Bill's provisions will lead to greater efficiency?

4.59 pm

Mr. David Heath (Somerton and Frome): I thank the Parliamentary Secretary for the way in which she introduced the Bill. Brevity is not necessarily a sign of inconsequentiality, and the Bill, albeit short, is important, so I cannot guarantee that I will be as brief as my colleagues in another place.

I am grateful to the hon. Member for Hornchurch (John Cryer) for his comments. Many hon. Members have constituents who have had difficulties because of the performance of the Public Trust Office, and they will be pleased to know that changes have taken place. However, we must wait to see whether those changes have been effective in ensuring a better service for our constituents.

I am always careful when I see that we are to amend an Act from 1906, from the extraordinary reforming Government of Sir Henry Campbell-Bannerman, who were the fount of a great deal of judicial common sense and social reform.

Mr. George Osborne (Tatton): Is the hon. Gentleman certain that the Bill was not prepared by the preceding Conservative Government and then implemented by the incoming Liberal Administration?

Mr. Heath: Had the hon. Gentleman held his fire for a second, I would have implicated Lord Halsbury in the Bill's preparation. It was introduced by a Liberal Government, but on an all-party basis. The Conservative Opposition, who supported it, had indeed been working on a Bill when they were in government, but had not managed to find time for it. The Act, which has stood the test of time since 1906, addressed a social ill.

Let us turn away from history and consider the Bill before us. We welcome the findings of the quinquennial review and the actions that have been taken since: the creation of the Public Guardianship Office to deal with enduring powers of attorney, the move of the court funds office to the Court Service, and this Bill dealing with Public Trustee work, which has been moved to the Official Solicitor's Office.

I am grateful to the hon. Member for Stone (Mr. Cash) for mentioning our discussions last week on the fee structure, introduced by the Lord Chancellor's Department, for work on enduring powers of attorney in the Public Guardianship Office. There are parallels between the two matters of which we need at least to be aware. The fees for registering enduring powers of attorney and for first-year case set-up in receivership have massively increased, and it is legitimate to ask whether an analogous situation will occur with this Bill.

In Committee last week I voiced strong suspicions that there is continuing cross-subsidy of the investment now being made in the service. For years, investment was sadly lacking, which may be one reason for the standard of service to which the hon. Member for Hornchurch referred. The extra investment, particularly in IT, is being paid from the fees charged under the new structure, and that is a real concern.

Mr. Cash: Does the hon. Gentleman recall that both Opposition parties divided the Committee on the question of the way in which the fees are being levied, not because of any grave objection to the principle of trying to ensure that we balance the fee structure, but because we wanted to ensure that, when the new structure begins to operate, we do not see threefold increases in fees?

Mr. Heath: The hon. Gentleman is absolutely right, but the Government would respond by saying that this Bill is an attempt to remedy precisely that evil. As we know, under the 1906 Act, the present fee structure has to

> "produce an annual amount sufficient to discharge the salaries and other expenses incidental to the working of the Act and no more."

It is hard to discern the intention of the Attorney-General, Sir John Walton, almost 100 years ago, but I suspect that it was to limit the fees so that they did not become excessive. The words "and no more" are the key. What has resulted, however, is a restriction on the Lord Chancellor's Department which is unsustainable in the present circumstances, particularly in the light of the new role of the office.

I welcome the power to mitigate the fees. The Parliamentary Secretary has set out how essential it is to provide protection for the vulnerable people who are the recipients of this service, so that we do not allow their capital to be eroded, particularly in the direction of the Exchequer.

According to the explanatory notes, the Government intend to reduce the current working deficit of £1.9 million and achieve recovery, less remissions, in three years. I find it a little difficult to reconcile that intention with the Bill's adduced purpose of protecting the recipient of such activities from excessive fee increases, but perhaps the Minister will offer an explanation. The suggestion is that a new cross-subsidy will be introduced, and that—excluding those who are unable to pay—people

[Mr. Heath]

will have to pay for the reduction in the subsidy. In other words, they will pay more than they would otherwise have paid.

It would help if the Minister could confirm that the fee structure will be devised by order, and that the matter will be debated in the House. Will the total fee structure of the Public Trust Office form part of the departmental annual report to the House, or will it be reported in some other way? A key point—I hope that it is not spurious—is that the Bill's impact is not retrospective. It appears that the Government are currently acting illegally, outwith the 1906 legislation. What would happen if a legal challenge were mounted against the actions of the Lord Chancellor's Department, up to the point at which the Bill becomes law? That is not entirely impossible.

When I spoke on matters agricultural, the analogous situation of the White Fish Authority was mentioned. In that case, such a challenge was mounted, and the fee structure was deemed unlawful and outwith existing legislation. Retrospective charges had to be applied unless new primary legislation were enacted to correct the problem. What would happen if such a challenge were made in this case? Would the current shortfall have to be made up between its first coming to light and its correction by means of the Bill, and a retrospective charge imposed on recipients of the Public Trust Office's services?

I am perfectly content that the Lord Chancellor's Department should set the fees, rather than the Treasury, inasmuch as a member of the judiciary, the Lord Chancellor, should set any such fees. It is entirely proper that the Parliamentary Secretary to the Lord Chancellor's Department should set those fees, but I am less content that a member of the judiciary should have that Government function.

In terms of abuse of the process, if liability were established and such sums were recovered from the budget of the Lord Chancellor's Department rather than from the Treasury's contingency funds, would they form part of the operating costs of the Public Trust Office, or of the Official Solicitor? In other words, will any costs be in effect recoverable from those who receive the service? Would such costs have to be recovered to meet Treasury rules? My suspicion is that they might, but I hope that they will not, and that contingency funds will be available from the Lord Chancellor's Department's overall vote. Perhaps the Parliamentary Secretary can confirm that point.

I conclude by pointing out that the Liberal Democrats have no intention of dividing the House, and we wish the Bill good progress.

5.9 pm

Mr. George Osborne (Tatton): It is a novel experience to be called to speak so early in the afternoon, although not so novel to be called at the end of our debate.

Like my hon. Friend the Member for Stone (Mr. Cash), I support the Bill, and wish to speak as a member of the Public Accounts Committee. Sadly, most other PAC members are in a hearing at the moment, although I notice that a new PAC member, the Financial Secretary to the Treasury, is in the Chamber. She may not be aware that my constituency is supposed to provide mutual aid to the Conservatives in her Bolton, West constituency, although that has proved spectacularly unsuccessful recently—witness the fact that she is here. Indeed, the Conservatives were providing that financial aid when they lost my constituency.

The Bill is needed to protect the vulnerable people mentioned by the Minister—the elderly, the mentally incapacitated, families with vaccine-damaged children and so on—who benefit from the work of the Public Trustee. Many would be unable to afford the increased fees which would be imposed if the existing law remained unamended. The Bill has all-party support, as has been demonstrated this evening. It has been dealt with quickly, and was dispensed with in just seven minutes in the House of Lords, as my hon. Friend the Member for Stone pointed out. However, with contributions from him and the hon. Member for Somerton and Frome (Mr. Heath), that was never going to be the case in the House of Commons.

Before the Bill is rubber-stamped and reaches the statute book, it is worth reflecting that chronic mismanagement of the Public Trust Office by the Lord Chancellor's Department under two successive Governments—so I am not making a party political point—led to its introduction. We should congratulate the PAC under the chairmanship of both Robert Sheldon, now Lord Sheldon, and my right hon. Friend the Member for Haltemprice and Howden (David Davis), whose work, along with that of the National Audit Office, has exposed many of the poor financial practices which plagued the Public Trust Office. The PAC produced various reports, one of which was mentioned by my hon. Friend the Member for Stone. The second report of the Session for 2001 to 2002 says:

> "Public bodies that manage or regulate their clients' money, especially for people disadvantaged through mental incapacity, must meet the highest professional standards. The Public Trust Office fell below those standards."

It also says:

> "Departments should have effective mechanisms for overseeing the work of Agencies for which they are responsible. The Lord Chancellor's Department acknowledged that its oversight of the Public Trust Office should have been better."

As a result of that mismanagement in an office which, as the Minister said, should have commanded the highest degree of public confidence, many fees were not collected on time and it became almost impossible to trace large unclaimed balances. Members of the public had to go through filing systems or read back issues of the *London Gazette* dating back to 1726 to see if they were eligible to claim certain moneys. No attempt was made to alert people to the fact that they were entitled to payment. Indeed, there was even a failure to reclaim about £125,000 in VAT, which the clients of the Public Trust Office paid for in increased fees. The staff were overstretched and unable to cope and eventually the office's chief executive was asked to leave early. However, she collected a hefty bonus, which the Department was unable to do anything about.

Mr. Cash: In fact, as was mentioned in Committee the other day, there have been three chief executives in the past year or so. I believe that the Minister will confirm that.

Mr. Osborne: I am grateful to my hon. Friend. I was referring in particular to Chief Executive Ms Lomas, who received a bonus.

Ms Rosie Winterton: Before my time.

Mr. Osborne: I believe that it happened after 1997.

The failures highlighted by the PAC over a number of years were reinforced by the Department's quinquennial review, to which the Minister referred. It noted:

> "Corporate development, business modernisation, high quality client service and comprehensive, reliable financial management information systems have not materialised".

That is Sir Humphrey-speak for a complete mess. As a result of the review, the Public Trust Office was abolished and its trust work transferred. I suspect that a sorry history of poor management and lack of financial accountability led to the current position—the Government have had to accept that the work of the Public Trustee, which has been self-supporting since 1906, cannot remain so in future. I accept that. There is no mileage to be made from making vulnerable people in our society pay for the mistakes of Whitehall.

I end with a couple of questions which I should be grateful if the Minister would consider. The explanatory notes state rather vaguely:

> "The Bill will enable fees to be set which allow for a level of public subsidy where fee remissions are justified".

Before we give the Bill a Second Reading, I should be interested to hear from the Minister what level of public subsidy she envisages as a result of the Bill.

The explanatory notes also state that the current deficit is about £1.9 million. The hon. Member for Somerton and Frome, speaking for the Liberal and Liberal Democrat parties, made a good point. The Government state in the explanatory notes that they intend to reduce the deficit, but how will that be achieved? By how much will fees increase? Even if they do not increase by 100 per cent., which would have been the case if the law had not changed, by how much will they increase in order to reduce the deficit?

Finally, Baroness Scotland pointed out in the other place that, as a consequence of the administrative changes that led to the abolition of the Public Trust Office,

> "the accommodation and other overhead costs attributed to trust work increased significantly from 1st April 2001, while the income from trusts work has reduced".—[*Official Report, House of Lords*, 27 May 2002; Vol. 635, c. 1050.]

Can the Minister say why the accommodation and overhead costs increased so dramatically, so that we can be sure that we are not still suffering from poor financial management in her Department, and so that we can be reassured that the culture change about which the hon. Member for Somerton and Frome spoke will take place?

5.16 pm

Keith Vaz (Leicester, East): I shall speak briefly in a very brief debate—so brief that when I saw the Minister's name appear on the annunciator I rushed in, but by the time I arrived she had finished speaking. I apologise to my hon. Friend for not being present during her speech.

It is unusual for both sides of the House to support a measure, and I am glad that we are supporting it. I welcome the Bill, which will provide for the necessary changes to ensure that the work of the office and the trustee is made more efficient. The hon. Member for Somerton and Frome (Mr. Heath) said that we should be cautious when we seek to amend an Act of Parliament that has been around for 100 years, but I think that that fact itself makes it ready for amendment.

Mr. Heath: I said that it was not the Act's longevity that gave it added value, but the fact that it was introduced by a Liberal Government.

Keith Vaz: Liberals are always claiming credit, especially for their own Acts.

I see my hon. Friend the Member for Ealing, North (Mr. Pound) in his place. He has the Adjournment, and I do not want to detain him or the House. I shall make three quick comments. First, I am glad that the Government have responded so positively to the points made in the quinquennial review. They have acknowledged that errors were made. However, when the Government create executive agencies, as the Conservative Government did in 1994, the degree of ministerial involvement will inevitably be less effective than if that body were part of the Government's work. With executive agencies, Ministers and officials must wait until matters are brought to their attention. We should not criticise the officials of the Lord Chancellor's Department for what they have done. They reacted as they ought to have reacted when matters were brought to their attention.

Secondly, it is important that the work of the Public Trustee should be publicised. The fact that not many people know of the existence of that office may be due, in part, to the fact that when things go wrong, we do not get to hear about it unless we sit on the Public Accounts Committee or the matter is brought to our attention in some other way. I hope that we will hear from the Minister that the Lord Chancellor's Department will provide more information about the office, so that its work can be brought to the attention of the public, especially those who are vulnerable and who need the support of the Public Trustee. If we publicise such information, we will be much more careful about the way in which organisations and executive agencies are reviewed. That will mean that more ministerial attention is directed to that area of policy.

As for the quinquennial review, there were resource and other recommendations. I know that the Government have accepted the recommendations, and I hope that they have all been implemented. At least we can hear from the Minister that she hopes that they will be implemented in the near future. There has been a change of name and there has been a relaunch, but it is not enough to change a name. It is necessary also to change the ethos, the structure and the way in which things are done. I hope that my hon. Friend will tell us that the process will continue.

5.20 pm

Mr. Cash: We have had a short but useful debate. To take up the remarks of the hon. Member for Leicester, East (Keith Vaz), I had some slight misgivings about the fact that, as the Minister said in another place, the office has been relaunched as the Public Guardianship Office with effect from 1 April 2001. There is a problem because we have the Public Trustee Act 1906, we have functions that are repeatedly referred to as Public Trustee functions, but we have a relaunch as a Public Guardianship Office. There could be some confusion in the mind of the public. There has been an example of that with the rebranding of the Post Office as Consignia, with a return to the previous name.

In the spirit of co-operation and good will that has been generated during the debate, some significant points have been made. My hon. Friend the Member for Tatton

[Mr. Cash]

(Mr. Osborne) raised some important points about the Public Accounts Committee and the way in which it has conducted its functions. We have also heard some criticisms about the practical operations of the office.

I conclude by requesting the Minister to consider the uncertainty and confusion that can arise, especially when we are dealing with people who are not necessarily learned in the law. They merely want to have their affairs dealt with properly. If names are not consistent with the Act and if we do not have clarity, there may be some confusion.

5.23 pm

Ms Rosie Winterton: With the leave of the House, I shall respond to the debate. As has been said, it has been short but thoughtful.

I am grateful for the support that Opposition Members have shown so as to give the Bill a fair wind. My hon. Friend the Member for Leicester, East (Keith Vaz) suggested that the work of the Official Solicitor and the Public Trustee is perhaps not widely known. I take on board his points about seeing whether we can give wider publicity to the work that is undertaken. I assure him that a considerable amount of information is available on the internet. I accept, however, that clarity is important.

During the debate, there has, perhaps, been some confusion about the work of the Public Trustee as opposed to that of the Public Guardianship Office. I can assure the hon. Member for Somerton and Frome (Mr. Heath) that our changing the 1906 Act implies no criticism of the Act. It suited the times, but obviously things have moved on.

My hon. Friend the Member for Hornchurch (John Cryer) referred to one of his constituents—he works assiduously on behalf of his constituents. I think that the issue to which he referred would have been dealt with by the Public Guardianship Office. Following the 1999 report and the quinquennial review, the trust work was transferred through the Public Trustee to the Official Solicitor's office. The Public Guardianship Office dealt with people who had mental incapacity problems and, perhaps through the enduring power of attorney, had receivers or needed receivers to be appointed. The work of the Public Trustee is somewhat different, as it will administer funds that have come through the trusts. As I mentioned, the Public Trustee will be responsible for administering the compensation awarded to vaccine-damaged children. None the less, in the light of the specific problems that my hon. Friend's constituent may have experienced with the Public Guardianship Office, I shall take up the matter. I think that he has written to me once already, but if he would care to do so again, I shall certainly look into the matter.

Many hon. Members, including the hon. Member for Stone (Mr. Cash), mentioned the relationship between the Public Guardianship Office and the Official Solicitor. The hon. Gentleman also spoke of the efficiency of the Public Guardianship Office and enduring powers of attorney. He mentioned the fact, as he did in Committee last week, that some fees were increased but that a number of fees went down. I was disappointed that the Opposition chose to divide the Committee on that matter, as I believe that the remissions policy that we introduced is extremely important and protects some of the least well-off people.

Mr. Cash: I am sure that the Minister will not be disappointed when I say that what I am seeking to do in this debate—I did so when I assisted in pressing the Committee to a Division—is to ensure that a proper balance is struck between what goes up and what comes down. That is the key point. The difficulty was that we were faced with the knowledge that there had been a threefold increase in fees, which we thought was too much.

Ms Winterton: I think that the hon. Gentleman would also accept, however, that there was a great deal of criticism of the previous cross-subsidy, and that it was important to achieve the right balance in terms of one client paying for another's services. That was affecting some of the least well-off, so we wanted to ensure the proper balance.

I shall now turn to the issues raised by a number of hon. Members, including the hon. Member for Tatton (Mr. Osborne), who is a member of the Public Accounts Committee. As I said, I could not quite remember all the previous chief executives of the Public Trust Office, as some of them were before my time as a Minister. The point about the Bill—this is where some of the confusion may have arisen—is that in setting the future fees, we hope to establish that there is not a statutory requirement for full cost recovery. We will consider how fees may be increased to meet certain of the Treasury criteria and to ensure that we do not face criticism from the Public Accounts Committee. We certainly want to ensure that we can have an element of public subsidy to protect the very poorest clients if necessary.

The hon. Members for Somerton and Frome and for Stone mentioned overheads and the way in which the trust function previously operated. Prior to the transfer of the trust function to the Official Solicitor and Public Trustee, that function of the office was already operating at a deficit in cost recovery of some £500,000. Overhead costs originally increased by about £1.2 million in April 2001. That was the result of two factors—first, the higher cost of accommodation at Chancery lane, which the hon. Member for Stone recalled nostalgically, as compared to the costs of Stewart house and, secondly, the share of the higher overheads that had to be borne by the trust function at the new office. Recent discussions with my Department about projected forecasts for the current financial year suggest a further increase in overhead costs of about £700,000.

The hon. Member for Somerton and Frome asked whether there would be retrospective liability in terms of costs not being recovered. We believe that it is highly unlikely that we would face a legal challenge from somebody who wished to pay more than they had previously paid, so it is unnecessary for the Bill to apply retrospectively. It is extremely unlikely that someone would say, "We want to take action in order to ensure that we could have paid more previously." Consequently, there will be no such liability.

The hon. Member for Somerton and Frome mentioned fees orders. Those are made by the Lord Chancellor and are not laid before the House, but they will be considered by the Joint Committee on Statutory Instruments.

Mr. Heath: May I return the hon. Lady to the potential confusion between the various offices? Can she confirm whether the legal person of the Public Trustee is now identical to the legal person of the Official Solicitor, and whether that is set out in any statute or might be incorporated into the Bill?

Ms Winterton: Yes, they are the same person. I do not believe that it is necessary for that to be covered by the Bill, but if it is I shall write to the hon. Gentleman to confirm it.

Mr. Cash: On the question of confusion arising in respect of legal capacity or legal personality, the use of such expressions may create confusion in itself. I am worried about people's perceptions. Many of those involved would not necessarily be able easily to make such distinctions. The same probably applies to many Members of Parliament, but that is another matter.

Ms Winterton: I am sure that few Members of Parliament could be confused about anything. That was an extraordinary comment.

The debate has been thoughtful and I am grateful for hon. Members' support for the Bill. I am pleased that the House has recognised the valuable work of the Official Solicitor and Public Trustee, especially that of protecting some of the most vulnerable members of our society. The Bill will enable us to continue to provide that vital protection, and to modernise some of the financial and other procedures in government.

Many people will benefit from the Bill, and I commend it to the House.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

PUBLIC TRUSTEE (LIABILITY AND FEES) BILL [*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Public Trustee (Liability and Fees) Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable out of money so provided under the Public Trustee Act 1906.—*[Mr. Jim Murphy.]*

Question agreed to.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Tuesday 9th July, if proceedings on the Police Reform Bill *[Lords]* have not been completed before Seven o'clock, Private Business set down by direction of the Chairman of Ways and Means for consideration at that hour shall stand over until the conclusion of proceedings on the Bill and the Private Business may then be proceeded with, though opposed, for three hours after it has been entered upon.—*[Mr. Jim Murphy.]*

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Wednesday 24th July, the Speaker shall not adjourn the House until any messages from the Lords shall have been received and he shall have notified the Royal Assent to Acts agreed upon by both Houses.—*[Mr. Jim Murphy.]*

Madam Deputy Speaker (Sylvia Heal): I call Mr. Rosindell to present a petition. He is not here. I call Mr. Pound.

Antisocial Behaviour

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jim Murphy.]*

5.36 pm

Mr. Stephen Pound (Ealing, North): I regret that the hon. Member for Romford (Mr. Rosindell) was not in his place. The speed of our proceedings has been such that we have not so much debated as waved at legislation as it passed by. I understand why the hon. Gentleman was not present.

I am grateful for the opportunity to speak on the subject of tonight's debate. I cannot believe that many hon. Members who are present are not as exercised as I am by the increase in complaints from their constituents that fall within the broad ambit of antisocial behaviour. Clearly, it is not a new problem. I believe that some Sumerian clay tablets were recently unearthed and that they were translated to reveal the statement: "The youth of today have no control and are causing mayhem on the streets." That was a few thousand years ago. However, we clearly have a problem and we need to deal with it.

We owe it our constituents and the wider electorate to be thoughtful about antisocial behaviour. Simply saying that people should be locked up and swept off the streets is not good enough. We lock up more people than any other European country and we owe it to our electorate to examine the causes a little more deeply. I should like to narrow the focus slightly to concentrate on teenagers and young people, and my area of north-west London.

When people complain about the antisocial behaviour of teenagers and young people, they must accept that the young people responsible for graffiti, vandalism, noise nuisance and all the other problems that worry us have not leapt on to the streets fully formed in their feral shape; they have a background. I understand that some, who have all the advantages in life and could be described as "A Clockwork Orange" generation, will still commit the foulest antisocial activities with no possible excuse, but we castigate and criticise many people who have been victims and are often the product of unfortunate and unhappy backgrounds.

Tonight, I want to concentrate particularly on looked-after children—children who were until recently described as being in care. Until 1934—certainly within living memory—in my constituency, there was a huge building, which is now Hanwell community centre, into which were swept any young boys and girls who happened to be found wandering the streets of an evening. Charlie Chaplin was one famous example. He was found on the streets of Southwark and ended up in Hanwell, which I would say was a step upwards, although he did not see it that way. These young children were trained, in the case of girls, to be downstairs maids or between-stairs maids, and, in the case of boys, to be buglers or carpenters.

We have moved on a bit from the idea of warehousing young people, and from the old idea of the children's home, and the reason that I am raising this matter tonight is that we are in transition. We have a lot of very needy young people, and we have a range of responses to their needs. We must be absolutely sure that we are proceeding sensibly and logically towards meeting their needs and the needs of the communities in which they live.

In my area of north-west London, we had a commercial organisation that placed vulnerable young children on behalf of a number of other London boroughs. I want to ask the Minister whether she would be prepared to examine the issue of cross-borough placements in this context, from the point of view of both inspection and monitoring. There is a temptation for boroughs to place young people in other boroughs, and for the old principle of "out of sight, out of mind" to apply.

An additional problem, which I shall come to in a moment, is the definition of the term "hostel". In these circumstances, we are talking about small, residential units above shops. They are not hostels. In planning law, the definition of a hostel includes shared provision for cooking and eating. A group of small units does not constitute a hostel; therefore there can be no licence. There can, therefore, be no local authority locus, so when the local people turn to the council for assistance, the council is unable to help because the premises in question are not a licensed hostel.

People turn to the local councillors in these circumstances, but, in many cases, they are unable to respond to their needs. Had this taken place in Victorian times, when Mr. Bumble strolled the streets, those people would at least have had a figure to go to. Now they have my colleagues, Councillors Richard Porter, Fred Varley and Shital Manro, who are just as responsive as Mr. Bumble and far more approachable than he ever was. They are, however, unable to assist.

It is appropriate that we are considering the issue of vulnerable, fragile young people—whose needs must be considered at the same time as those of the community in which they live—at this time, because this is foster care fortnight. I would like to pay tribute to the Fostering Network for providing the lapel badges that I see many right hon. and hon. Members wearing, and for its work in raising the profile of fostering. We know that it needs 8,000 more foster carers, and that there are 45,000 children being fostered on any one day in this country.

If those children are not fostered, they end up in the sort of accommodation that I have described. The commercial organisation to which I referred earlier is now working in partnership with the local authority. It has agreed to reduce the number of young people placed in the hostel, and I hope that the partnership between the organisation and the local authority will continue, to the benefit of all the young people concerned.

I am also optimistic about the general thrust of Government policy in this direction, which is considering in depth the needs of young people in parallel with the needs of the local community. This issue is not capable of resolution by a simple sweep of the kind that we find described in the red-top tabloids; it is one that we have to address in some detail. I would particularly like to share with the Minister some of the developments in Ealing's children's services, and, in all honesty, to pay tribute to the Government's impressive programme of reform for better futures for vulnerable children and looked-after children in our society.

The House does not hear often enough of the advantages and the benefits of the innovative national quality protects programme or of the significant extra resources for children's services, which we would all agree have made a real change in the lives of children and their families. That work, as we know, links in with the

Government's wider programme of commitment to education and social inclusion through education and training. It also aims to do that most marvellous and most noble of things—break the cycle of poverty and exclusion that has marginalised so many people in our society.

Twenty years ago, when I was first elected a councillor, a 16-year-old woman came to see me with a baby in her arms. She had a terrible housing problem, which I was able to address, as we had council housing in those dim and distant days. Sixteen years later, that baby, grown to maturity, came to my surgery with her baby in her arms, but I was unable to assist. That is the cycle of deprivation that we must address, because it leads to exclusion and marginalisation. I pay particular tribute to the Government for their work on that.

It is not necessary, I would have thought, to state that the provision of a stable, loving and secure home for children with substitute families, should no parental family exist, is the clearest way to ensure that they have the opportunity for a positive future or that successful outcomes in terms of education, health and career opportunities as well as emotional stability with such a family base to return to is more likely to succeed.

I am delighted to tell the Minister that 80 per cent. of Ealing's looked-after children are now placed with substitute families—a very significant increase over the past three years. That is the result not just of extremely hard work by people such as Judith Finlay and Professor Norman Tutt OBE, director of housing and social services in Ealing, but of the active and ongoing publicity campaigns and outreach work with local communities to recruit local carers and reduce the number of children placed outside the borough, thereby obviating precisely the cross-borough placement problem to which I referred.

I am also delighted to share with the Minister the fact that foster carers are actively sought and recruited in Ealing. We do not wait for them to come to us; we go out and find them. We value the important and challenging work that they do. Each year, I am honoured to attend the foster carers' awards dinner and ceremony, which celebrates their important contribution to our local community and rewards their achievements with certificates for one, 10, 20 and, in one case that I recall, 30 years of service to vulnerable children.

We celebrate a special award for the outstanding contribution from an individual carer, nominated by the children themselves, in recognition of Ealing's first-ever black carer. I am particularly pleased to tell the Minister that Ealing, which has a population as diverse as that in any borough, matches that diversity with the diversity of its carers, who come from all ages and backgrounds and from all communities.

The number of children placed for adoption recently reached the highest ever in Ealing—22 adoption orders were granted last year and a further 44 children are currently placed for adoption. Those figures reflect implementation of the Prime Minister's review of adoption and the establishment of the national taskforce on adoption to share good practice, on which Ealing's director of children's services is represented.

Another development, for which my hon. Friend the Member for Redditch (Jacqui Smith), the Minister of State, Department of Health, was present, was the launch last month of the Westminster and West London Consortium on Adoption. That returns us to the theme, which I am trying to establish tonight, that local authorities need to work together on the issue, especially in London. They have tried to go it alone in assessing potential adopters and identifying suitable matches for children.

The new consortium is an absolute breakthrough in that it provides a wider pool of adoptees and children to match up across the central and west London area. As the Minister knows, that will be further facilitated by the establishment of a national register of adopters and adoptees. The consortium model is already contributing to a marked increase in the speed of adoption and the number of children placed for adoption in Ealing and across west London.

The Government's agenda on improving education outcomes for children in public care, following the issuing of national guidance—the Minister formerly held the relevant role—is also leading to the raising of expectations and achievement in Ealing. I do not often stand here and blow a trumpet for the London borough of Ealing, but when we do something well I think the country needs to know it. I hope that the House will allow me to say that the percentage of children leaving care in Ealing with at least one GCSE rose from 16.7 to 35.2 per cent. in 2001–02, and we are currently on course for more than 50 per cent. of year-11 looked-after children achieving that target this academic year.

Those figures are still nationally too low, but they show the progress that can be made with a concerted effort, additional resources and partnership between children, social workers, carers and schools. A positive education is clearly the best opportunity we can give vulnerable children, especially those who grow up in the care system. Those children may be diverted from what we consider antisocial activities into useful, productive activity for the benefit of society, themselves and the community at large.

In Ealing, we currently have five specialist teachers to help looked-after young children with their educational needs. They provide a short-term service for children not currently in school placement, and integrate them back into mainstream school places. They also offer additional support for schoolteachers and carers. In addition, they run homework clubs and SATs and GCSE pre-exam holiday clinics. The council has made a clear commitment to providing financial support for looked-after children in higher education.

Members will probably be aware of the appallingly low number of looked-after children nationally who make it to higher education. My hon. Friend the Member for Tottenham (Mr. Lammy) was once quoted as saying that in his constituency in any one year more teenagers go to jail than go to university. That is a horrific and terrifying statistic, and we need to take great and careful heed of it.

In Ealing, we are not quite in that position. Thirteen young people who were care leavers are currently at university. That is 13 more than we had a few years ago, and the number is expected to rise to 25 over the next two years. That is a real response to the needs of young people, and a real diversion away from the antisocial behaviour of many young people in the past. The figure includes a young man who is a 4th-year medical student, and a young woman who I am delighted to say will start this September at the world's finest university, the London School of Economics, of which I am an alumnus. Another outstanding young

[Mr. Stephen Pound]

woman is studying politics at Cardiff university. Despite the fact that she has undertaken work experience in my office, she is still interested in politics.

In addition, Ealing was very involved in the Department for Education and Skills teenagers to work programme in May this year, in which 28 young people took part, including three Ealing young people in care who had a two-day placement in Brussels with MEPs and three who had placements with fellow MPs at the House of Commons. Others chose such settings as the fire station. I cannot comment on that: the young person I had working with me seemed to enjoy herself. Opportunities for children who are often excluded from the chances that many young people in mainstream families take for granted can only increase their understanding and ability to exercise real choices about their own future, to be involved in the wider society, and to be diverted from antisocial behaviour.

Mr. Peter Luff (Mid-Worcestershire): I am most grateful to the hon. Gentleman for giving way, as I did not give him notice of my intention to intervene. I welcome what he is saying about education. Will he join me in welcoming what the Government are doing by broadening vocational education to GCSE level, which is likely to engage the young people that he is talking about much more in school-based activities? It is a constructive approach. Children who are at present alienated by an excessively academic curriculum may be re-engaged as a result of that initiative.

Mr. Pound: I thank the hon. Gentleman for that intervention. People of my generation who were divided into sheep and goats at the age of 11, who suffered the agonies of the grammar versus secondary modern school system and were often marked for life by one afternoon when they were 11 have concerns about a wholly vocational alternative in secondary education. Hon. Members may be amazed to hear me say this, but I think that the Government have got it absolutely right. They have managed to find the via media between those old extremes. They have recognised that vocational training meets the needs of particular groups of people, and by making that available while at the same time not making it a matter of stigma, they have managed to excite the support of even the hon. Member for Mid-Worcestershire (Mr. Luff)—and I never thought I would be able to say that in this place. I am delighted to join him in that.

Two years ago, we were extremely fortunate to have the Minister's predecessor, my right hon. Friend the Member for Barrow and Furness (Mr. Hutton), open our one-stop shop for children in care and for care leavers. The Ealing drop-in centre has gone from strength to strength and underpins Ealing's approach to the Government's new legislation, the Children (Leaving Care) Act 2000, which has been implemented with additional Government resources from last September. The drop-in centre is led by young people in partnership with staff and Ealing's elected Members.

Furthermore, Ealing's commitment to improving outcomes for children in care through the corporate parent panel, which is chaired by my old friend and colleague, John Cudmore, the leader of the council, has been an innovative and very successful model of ensuring that joined-up local government delivers the best possible services and outcomes to children in care. I sometimes cavil at phrases such as roll-outs, initiatives and joined-up government, but in this case it actually is joined-up local government. That ensures that looked-after children are seen not just as the responsibility of the social services department, but of the whole council, which provides access to education, housing, leisure, sports and arts opportunities. Ealing council takes very seriously its responsibility to the—I pause to allow the significance of this figure to sink in—380 children in its care. That is one London borough. Ealing acts as a good parent should.

This is the third year that young people in Ealing are organising their own consultation day: a day to demonstrate their talents and abilities. The event is called the Ealing outerlimits day and takes place at the Questors theatre. It is a mixture of serious events, such as a drama production on children's experiences of the care system and how it can be improved, and a presentation on their educational achievements. It was extremely successful last year Marks and Spencer agreed to lend a lot of new clothes for a fashion parade, but unfortunately we were bombed two days before and its shop was inside the exclusion zone. A number of people, including myself, had to produce some of our older and more exciting garments, which the children could wear with some humour, not as high fashion. The day shows their talents in dance, arts, sports and music, and culminates in a talent contest of—dare I say it—"Pop Idol" style and a barbecue and party. The event also ensures that all children can access information that they need on education, health and housing issues as well as arts, sports and music.

I suspect that the Minister knows what is coming. This year's event takes place on Saturday 10 August. I appreciate that she may have a prior engagement with the Salford motor cycle club on that day, but if she is able to drag herself away from her two-wheeled weekend pastime, I would be delighted to invite her to attend and open the event and to meet some of Ealing's talented looked-after young people. She will also see the Government's radical policy programme translated into real action.

I started by talking about the components of the wider problem that we describe as antisocial behaviour. I said that we should consider what makes up the groups of children and young people whom we stigmatise and, let us be honest, from whom we sometimes suffer. We do not deserve to suffer, but they do not deserve to have us lump them together in one group.

Mr. Luff: I welcome the hon. Gentleman's comments, especially what he said about not stigmatising a particular group. In Droitwich Spa, where there are real concerns about antisocial behaviour, it is clear that we cannot categorise the young people who are causing the problem of bad behaviour. They come from across the social spectrum, and not from one particular group. We must not assume that just because a child is underprivileged, he or she will necessarily be a leading light in antisocial behaviour in a town. That is certainly not my experience in Droitwich.

Mr. Pound: I am slightly worried that my membership of the Labour party may be in doubt if I continue to agree with the hon. Gentleman. I remember a group of overpaid City-employed hooligans known as the Flaming Ferraris.

They came from an elegant background—indeed, I think that the father of one of them was a Conservative peer. In the 18th century, the Mohawks, young aristos from the Hellfire club, terrorised the streets of London, setting fire to watchmen—and possibly Labour canvassers, for all I know.

I agree with the hon. Gentleman that social background is no determinant of antisocial behaviour. However, there is ample statistical evidence, particularly in the work done by Louise Casey in the rough sleepers unit as recently as two years ago, that an enormously high percentage of people who are homeless and suffer from drug and alcohol abuse problems are products of what we call the care system. We owe it to that group of people to identify their needs and present solutions. We owe it to this country and this Parliament not to stigmatise them and lump them together.

In Northolt in my constituency, the problem was, I sincerely hope, one of transition. Young people were moving away from the warehoused care homes and orphanages of the past into a modern, more specific and better tailored way of resolving and addressing their needs. In transition, severe problems were caused. I reiterate my earlier comment that the organisation is now in partnership with the London borough of Ealing and the local residents, which will, I hope, be in the interests of all people.

I ask the Minister to consider the points about hostel definition, cross-borough accreditation and the assessment and checking of standards. I also ask her to accept my assurance that in Ealing we address the needs of young people as well as the concerns of the community, because ultimately they make up society. If antisocial behaviour confronts and affronts society, we need to remember that these vulnerable young people are not only a part of society but a part that we should value, cherish and recognise.

6.2 pm

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I am delighted to congratulate my hon. Friend the Member for Ealing, North (Mr. Pound) on raising an extremely important issue with his usual sensitivity and common sense. He commended many things to us this evening, particularly the practices in Ealing. His description of Ealing seeing itself as a corporate parent was extremely interesting. He has brought a great deal of new information to the debate.

The Government recognise that many communities are concerned about antisocial behaviour by young people. There can be no Members who do not regularly see people at their surgeries who suffer from such problems. As the hon. Member for Mid-Worcestershire (Mr. Luff) said, these problems are not confined to people from particular social backgrounds—they are many and varied. That is one reason why, since 1998, we have introduced a range of initiatives to tackle antisocial behaviour, along with various programmes to tackle crime. Crucially, the fear of crime caused by low-level antisocial behaviour often does more damage to communities' sense of self-confidence than more serious and isolated criminal behaviour.

This is about getting the balance right. Throughout our period in office, as well as introducing initiatives to tackle antisocial behaviour, we have tried to demonstrate our commitment to improving opportunities for young people who have been living in and leaving local authority care. It is a matter of doing both; these objectives do not need to conflict when tackling antisocial behaviour and trying to support people who have left the local authority system.

Those policies are expressed in the quality protects programme and the Children (Leaving Care) Act 2000. Both measures have promoted support for care leavers so that they have the same opportunities as other young people. My right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) introduced the Act with passion and common sense. He said that families do not suddenly stop taking responsibility for children when they are 16; that responsibility continues until they are 18, 21 and even beyond, when children regularly come back home looking for support. My right hon. Friend said that if our children come back and ask to borrow a tenner, we respond quite naturally, as we do if they come back with their washing or looking for emotional support. Equally, our responsibility as corporate parents means that we must continue to give support to children who leave care.

We try to ensure that children leaving care can fully participate in the life of their local community as citizens, through education, training and opportunities to work. The quality protects programme has been welcomed by local authorities. I was particularly interested in my hon. Friend's description of what has been happening in his council. The quality protects programme has not only been delivered as a central Government policy but has been owned by the local authorities, which have been able to build on the principles in that programme to come up with ways of working that suit their community. The author of a report on evaluating local responses to the programme, Diana Robbins, has said

> "quality protects is an effective tool for developing local work on specific priorities; but it has already achieved changes"

in way that local authorities work. Some of those changes may be a bit slow, but they are beginning to show through in terms of measurable outcomes.

Our most recent data show that more children in care are being adopted and that looked-after children are experiencing fewer changes of carer—for many children in the care system, having different sets of foster parents and home settings has been extremely disruptive. There has been a complete reversal of the trend that had seen more and more young people discharged from care when they reached 16, whether or not they were ready for independence. We are now assessing young people on their skills and potential and providing them with the right level of support.

We have also introduced the Adoption and Children Bill, which will overhaul the outdated Adoption Act 1976. It will modernise the existing legal framework for domestic and inter-country adoption. That change underpins our drive to speed up the process and provide many more looked-after children, who cannot return to their families, with a fresh start and the opportunity to live in and be part of a new family.

The Care Standards Act 2000 established the National Care Standards Commission to ensure that vulnerable children and adults get the protection they need and that all care providers have high standards. There are now national minimum standards for the services to be regulated, and we hope that that will ensure that vulnerable children will have confidence in the quality and safety of the care that they receive.

[Ms Hazel Blears]

Local authorities have a duty to ensure that they place children in accommodation that conforms to national standards and meets their needs. That applies whether the placement is in their own authority, elsewhere across London or in any other part of the country. The Children (Leaving Care) Act 2000 transformed the powers that councils had to support young people into duties. It became mandatory for local authorities to make sure that they followed through their responsibilities. That is relevant to the issues raised by my hon. Friend because the 2000 Act requires local authorities to assess and meet the needs of care leavers and, crucially, to stay in touch with them, not simply abandon them when they reach the age at which they can leave care. The duty continues wherever a young person moves to.

The Act also provides that young people should have a pathway plan, setting out the support they will need and what help the local authority will offer them if things go wrong, so that they have confidence that they will continue to be looked after even when they are living independently. The plan has to include arrangements for young people to live in suitable accommodation.

Councils should take steps to ensure that young people have the best chance of succeeding where they are living. Arrangements for their accommodation should be linked to other arrangements for support. As my hon. Friend has said, in his own local authority, the support is keyed in to issues of accommodation, education, transport and housing. All those services need to be connected and in place to give young people the best possible launch into their adult life.

My hon. Friend mentioned some of the difficulties that had occurred locally and I entirely understand his concerns about the impact of young people on local residents. A group of young people left local authority care and almost all of them were placed in Ealing by other local authorities. That sends a key message: we must ensure that those authorities continue to take responsibility for the children whom they have placed. They must also share information with each other; they should work together in such situations rather than acting in isolation.

Local people living near those youngsters associated their presence with nuisance, intimidation, vandalism and other criminal acts. Although it may be hard to prove a direct link between the young people and every incident that has occurred, the residents have real concerns and they were right to express them.

I appreciate the fact that it seems to local people that an entirely new establishment housing nine young people has been imposed on their neighbourhood. Unfortunately, the status of the property is of nine self-contained independent flats, each with its own entrance and facilities, so the service is not defined as a hostel under current planning regulations. The scheme is thus not covered by planning law and would not qualify for inspection by the National Care Standards Commission.

My hon. Friend raises legitimate concerns about a group of nine young people leaving care who are all vulnerable and need intense support, yet difficulties are caused because their accommodation does not fall under the narrow definition of a hostel. I can reassure him that the Government are considering ways to establish best practice in all publicly funded accommodation, including hostels. At present, they are not covered by the legislation, but I undertake to raise the issue with my colleagues in the Office of the Deputy Prime Minister so that we can reassure local people that regulation will be introduced.

Through the quality protects programme and the other initiatives to which I referred, the Government stress that councils should try to take the same interest in the young people whom they have looked after as a reasonable parent would take in their own children who face the challenges of adulthood. It is important that the local authorities which placed those young people in my hon. Friend's constituency assure themselves that those young people are being offered adequate support. Like any reasonable parent, the local authorities should ensure that the young people can engage in constructive activity so that they are not left to drift and get involved in antisocial behaviour. They should be offered sufficient education and training to achieve their potential. Any parent will understand that even if support is available, young people inevitably push at the boundaries of behaviour, but it is important that local authorities which place young people maintain consistent contact and continue to provide regular support.

The issues raised by my hon. Friend are not of the sort that can be easily and neatly resolved by central Government policy. They need to be resolved locally by all the parties getting together and involving local people. Young people are entitled to suitable accommodation with appropriate support, but their neighbours are equally entitled to go about their business free from harassment and intimidation and not to be subject to antisocial behaviour. The young people themselves have a responsibility to behave properly. They must recognise and act on their responsibility to be good neighbours.

Where there is evidence of crime, antisocial behaviour and vandalism, the police have obligations to uphold the law and to protect the local community. Tackling antisocial behaviour locally requires co-ordinated action and the full use of all available resources. That could include the use of antisocial behaviour orders, if necessary, as well as acceptable behaviour contracts, which are being piloted in my hon. Friend's constituency. Young people enter into a contract about their future behaviour—a structured way of achieving the right balance.

Mr. Luff: As the Minister said, this matter is of real concern throughout the country. In Droitwich Spa, I recently held a survey on the causes of antisocial behaviour and constituents' responses to it. There were several distinctive elements in those responses—including policing, antisocial behaviour orders and the need for tough sentencing. There was a strong emphasis on the need to provide more facilities for ordinary young people; there is just not enough for them to do in the average British town. Will the Minister ask local authorities and public bodies to support schemes to help young people, such as, for example, the Droitwich Spa adventure playground, which provides an outlet for the energy of young people, and the Droitwich fusion centre, which is an advice centre for kids who get into difficulties?

Ms Blears: The hon. Gentleman is right: we need enough facilities in our communities so that young people have plenty of things to do and do not get involved in antisocial behaviour. In my own constituency, we have the street to stadium scheme: youth workers go out on the streets and offer young people the opportunity to take part in sporting activities—such as five-a-side football and basketball—which they try to provide at reduced prices. It is often too expensive for many young people to hire time in leisure centres. The workers try to ensure that young people can use such facilities or those in local schools. Sometimes, simply setting up a basketball net in some empty space can help to engage youngsters in constructive activities. It is also important to ensure that we involve girls as well as boys. There are many successful programmes that use dance to engage girls, who may not want to play five-a-side football—although many play it and are extremely good at it. A great deal of imagination is being used to set up schemes to support our young people.

Only a minority of young people are involved in antisocial behaviour; the vast majority want constructive activity. They are a credit to their community and make a huge contribution by helping people locally.

I am pleased to say that things are improving dramatically in my hon. Friend's constituency, due in no short measure to his personal intervention in trying to resolve a difficult situation. He has made tremendous efforts to mediate between the young people and local residents. I was glad to learn that only last Friday agreements were reached that were satisfactory to all concerned. From now on, the flats will offer accommodation only to five young people instead of 10. I hope that those young people will, therefore, be better supported and managed and that not so many of them will congregate in the area. They will be offered a more individual support service. I am delighted that peace has broken out in the community, and I hope that things will continue to improve during the next few weeks and months.

The Government recognise the need to offer young people leaving care adequate and reliable support. We are also determined to tackle antisocial behaviour by young people, and to ensure that they are diverted both from that behaviour and from serious crime and that communities are properly protected. Those objectives need not conflict; they are intended to build healthy and safe communities. I am sure that we all share that aim.

The way to make progress is to admit the problem and to work together. In Ealing, local council staff, the police and the owner of the flats held meetings over a lengthy period to try to manage the situation. Local residents, the young people and the local authorities which originally housed them in Ealing were also included. That is crucially important: they all shared the solution so they all have a stake in making it work in future.

There has been a fruitful outcome to the open and frank discussion of the situation that led to my hon. Friend calling this debate. It should be possible to ensure that only the young people best suited to benefit from the support available in those flats are placed there in future. Placements must be appropriate. I hope that, in future, the local community will have the reassurance that it has sought for some time. The parties have come together and they mean to ensure that people can live in peace in their neighbourhood and make a contribution to their community. I have no doubt that the practice adopted by Ealing is some of the best in the country, and I am delighted that my hon. Friend was able to share some examples of that good practice with us.

I am extremely grateful to my hon. Friend for his invitation to the open day on 10 August. I shall check my appointments and will try to be there. In any event, I am sure that it will be an excellent showcase for the abilities, talent and potential of many of the young people who are leaving care in his local authority.

Question put and agreed to.

Adjourned accordingly at nineteen minutes past Six o'clock.

House of Commons

Tuesday 2 July 2002

The House met at half-past Two o'clock

PRAYERS

[Mr. Speaker *in the Chair*]

Oral Answers to Questions

TRANSPORT

The Secretary of State was asked—

Bus Services

1. **Ms Joan Walley** (Stoke-on-Trent, North): What action he is taking to improve co-ordination of bus services. [63711]

The Minister for Transport (Mr. John Spellar): I am encouraging all the stakeholders to work together fruitfully to improve co-ordination of bus services. The Transport Act 2000 provides the framework through local transport plans, bus strategies, ticketing schemes and information strategies.

Ms Walley: I thank my right hon. Friend for that answer, and I hope that he will make his mark on transport in the new Department. It is important that we consider buses as part of an integrated transport system, but we cannot improve bus services when as many as 50,000 bus journeys are being lost in Stoke-on-Trent, as well as a large number in north Staffordshire. Will he look closely at the Transport Act 1985, which deregulated bus services, and at whether we need a quality contract in that part of north Staffordshire? Will he also look closely at the issue of revenue funding, bearing in mind the report of the social exclusion committee and the Chancellor's current comprehensive spending review?

Mr. Spellar: My hon. Friend rightly draws attention to the review of funding announced in the Budget. Yesterday, we met the Local Government Association—including the passenger transport executive group—and the bus operators. I am very pleased with the positive work being undertaken between them. There is a very mixed picture across the country, but I take my hon. Friend's points on board. We will have a look at them and try to put them into the discussions, so that they can inform a wider examination. I must also say to her—as I have to a number of colleagues as well as to local authorities and to the bus operators—that there is clearly a diverse picture across the country, and we cannot take the position of one size fits all. We shall look at the points that she has raised, and I thank her for drawing them to our attention.

Mr. Douglas Hogg (Sleaford and North Hykeham): There is clearly scope for improving public transport but, for most people in rural areas, private transport is not only the preferred but the only viable form of transport to and from work, shopping and so on. Bearing that in mind, will the Minister please be careful not to tilt the balance yet further against the rural motorist?

Mr. Spellar: I was surprised that the right hon. and learned Gentleman uncharacteristically omitted to congratulate us on the rural bus challenge, which has increased substantially the percentage of people in rural areas who have access to bus services. I acknowledge that there are different problems in rural areas, which is one of the reasons why we are considering flexible bus routing in those areas, for example, and greater provision of demand-generated community transport. All those issues are extremely important and are part of the programme. As he rightly says, car journeys form the majority of journeys—in urban as well as rural areas—and are extremely important. We need, and we have, a balanced transport policy, unlike that of the previous Conservative Government, whose extremely unbalanced transport policy was biased against public transport.

Mr. Graham Stringer (Manchester, Blackley): Does my right hon. Friend agree that the competition authorities in this country are often a barrier to improving the co-ordination and integration of bus services? In the north of the Greater Manchester conurbation, First Group almost has a monopoly, resulting in my constituents having to pay 20 per cent. higher bus fares. The competition authorities do not investigate such issues, yet when local authorities want to introduce quality bus partnerships, the competition authorities perversely say that that would be anti-competitive. Does my right hon. Friend agree with me on this? What can he do about it?

Mr. Spellar: Actually, it is more a question of "What have we done about it?", because we have already held discussions with the Office of Fair Trading. One of the complaints of bus operators and local authorities has been that the provisions of the competition regulations—as interpreted by the OFT—were preventing them from engaging in sensible co-operation in the interests of providing an improved service. The legislation provides for exemptions in those areas. I was pleased that, as a result of the discussions before yesterday's meeting, there has been engagement with the OFT, which is doing away with a number of misconceptions. Many people certainly used to believe that the OFT would take a particular position; in some cases, people did not even bother to ask the OFT what its position was. The dialogue that is now being undertaken shows a more proactive approach by the OFT, which is to be welcomed. That will lead to an improvement in services and in dealing with the kind of problem that my hon. Friend has just outlined.

Mr. John Baron (Billericay): Despite the initiatives that the Minister has highlighted, the fact remains that bus passenger usage is still declining in rural areas. Many people believe that the money that has been directed into these areas has been both negligible and badly targeted. What will the Government do to put that right?

Mr. Spellar: It is a widely differentiated picture. In some areas bus passenger usage is rising, whereas in others it is declining as ownership of motor cars increases, which is also happening in some urban areas. As I said, funding fixed routes may not be the most appropriate mechanism for dealing with this issue. Flexible routes may be more appropriate, and we are considering that capability within the regulations and from the traffic commissioner's viewpoint.

We are also examining enhanced community transport with a more flexible role. All those schemes have to deal with an inherently difficult situation, but we have redressed that to some extent with the rural bus challenge, which has had an effect in a number of areas. However, I fully accept that there is an outstanding problem.

Bus Regulation

2. **Mr. Chris Mullin** (Sunderland, South): If he will consult on the re-regulation of buses; and if he will make a statement. [63712]

3. **Helen Jackson** (Sheffield, Hillsborough): What action he is taking to promote better regulation of local public transport. [63713]

The Minister for Transport (Mr. John Spellar): We do not believe that it would be right to return to the regime that was in place before 1986. It would distract the industry from focusing on improving the provision and quality of services to attract more customers. The Transport Act 2000 gave local authorities various powers to influence provision. We will consider specific changes if necessary to overcome particular problems. For example, we will soon be consulting on proposals to remove obstacles to registering flexibly routed local bus services.

Mr. Mullin: Is my right hon. Friend aware that bus companies such as Stagecoach and GoAhead Northern, which operate in Sunderland, are becoming increasingly ruthless in their search for profits and increasingly brazen in their demand for public subsidies? They are also abusing their near monopoly position to run small operators off the road. Is he also aware that in the past few weeks in Sunderland they have drastically cut bus services after 6.30 pm and on Sundays, leaving whole communities isolated? Has not the time come to consider re-regulating bus services with a view to having them take into account the public interest as well as their own profits?

Mr. Spellar: Once again, I say to my hon. Friend that there is a mixed picture across the country, and that has been clear from my discussions with the Local Government Association and the bus operators. When we look into the route changes posted by the bus operators, we see that quite a number are marginal changes to timetables; some are about a reduction in services, as my hon. Friend rightly said, which is a particular problem in areas of social exclusion, especially those on the fringes of conurbations; and others are to do with enhancement.

We are working together on those issues, which is precisely why I have asked local authorities and the bus operators to form a joint committee to work their way through this problem to ensure that we maintain a proper network across the bus system, and that we deal with issues of social exclusion. We should also recognise the substantial increase in the cab trade in many areas, which is providing a flexible transport service and may be more appropriate. In some areas it can be funded from the public sector.

It is a mixed picture, but if my hon. Friend's local authority wants to make representations to the LGA that we can include in these discussions that would be worth while.

Helen Jackson: Does my right hon. Friend understand that, in places like Sheffield, we remember the time prior to 1986 when buses were sensibly regulated and fares were sensibly organised so that there was integration of fares and services between buses, local trains and trams, if there was a tram? Does he understand how irritated people get when one operator can put its fares up, as First Group did recently, throwing into confusion all the integrated ticketing arrangements that exist between tram and other operators? In Sheffield, we think that a degree more regulation covering both fares and services would do nothing but good.

Mr. Spellar: As my hon. Friend says, there are considerable arguments for through ticketing and for the integration of ticketing arrangements. One aspect of our discussions with the Office of Fair Trading involved doing away with misconceptions that that can be prevented. We are happy to consider individual cases and to put them into the general examination. The key point is that we want to achieve a modal shift on to buses, always remembering that bus travel represents some 4.3 billion journeys compared with only 2.1 billion by rail. The figure for rail includes the London underground, as well as Sheffield trams.

Considerable changes in patterns of demand have occurred in many areas. For example, in the north-east there has been a steady demand in bus usage, but that is matched by the region's beginning to approach the levels of car ownership enjoyed by the rest of the country—thanks to the more progressive economic policies of this Government compared with those of the Conservative lot opposite. We have to deal with a complicated picture, but I am more than pleased to look at the details that my hon. Friend described.

Mr. Steve Webb (Northavon): My constituents, too, see the bus companies as latter-day highway robbers. Fares are high, services are unreliable and the notion of a quality bus partnership would give rise to a hollow laugh among many of those who use the services. Is it not the case that a lightly and inadequately regulated private monopoly—that is essentially what the bus companies are—will never deliver quality, reliable public services?

Mr. Spellar: Many areas are experiencing considerable increases in bus usage. For example, West Yorkshire showed a 4 per cent. increase last year and, with a different regime, London showed an increase of some 5 per cent. As regards London, it is interesting that having supported the Mayor, Liberal Democrat Members are now trying to dig him into a hole. That just shows what unreliable allies the Liberals can be. If they are so keen on public transport, I am surprised that they have not managed to sort out a sensible arrangement on the light rail between Bristol and south Gloucestershire.

Mr. Malcolm Moss (North-East Cambridgeshire): The Minister seems more than happy to become involved in regulating public transport everywhere—that is, everywhere except London. Does he agree with his erstwhile colleague, now the Mayor of London, who said not so long ago,

"I hate cars. If I ever get any powers again, I'd ban the lot."?

Does the Minister have any sympathy with the thousands of motorists, bus drivers and taxi drivers in London, who each day face ever-increasing delay and congestion because the Mayor has tinkered with the phasing of traffic lights and the alignment of bus lanes and road junctions to soften up the public for congestion charging? Does the Minister condone what the Mayor is doing and, if not, what is he going to do about the situation?

Mr. Spellar: One of the matters for which, fortunately, I am not responsible is the Mayor of London. I detect, as I did last week, the considerable enthusiasm for the Mayor that is felt by Opposition Members. However, I have a far longer track record in opposing him, in his previous incarnation as Ken Livingstone, than they do.

Andy Burnham (Leigh): It is typical—you wait for ages for a question on bus services and a load come along at once.

The Minister will be aware that Leigh is the largest town in the country without a railway station, but he may not know that we, too, have lost crucial bus services in recent weeks—one to Leigh infirmary and one to the Westleigh estate. I urge him to press in the spending review for funding to support bus services in areas where there is no other transport provision. In the longer term, does he agree that the solution is to tackle that other great Tory transport folly—bus deregulation?

Mr. Spellar: We have doubled the moneys going to local authorities through local transport plans. My hon. Friend referred to health facilities, and the social exclusion unit, in its report, expresses concern about access to employment facilities, education facilities and, particularly—following their consolidation—medical facilities. We are keeping a careful eye on these issues right across the country, along with the social exclusion unit, to see how we can get the right balance of public and private transport in various modes to ensure that we have mobility for all.

Network Rail

4. **Chris Grayling** (Epsom and Ewell): If he will make a statement on the accountability of Network Rail. [63714]

The Secretary of State for Transport (Mr. Alistair Darling): As I set out in my statement last week, Network Rail will be accountable to its members as well as to the rail regulator. Its board and management will be incentivised to meet performance targets and its outputs will be aligned to the Strategic Rail Authority's strategic plan. It will also have obligations under its network licence both to its funders and its customers.

Chris Grayling: Is it true that the National Audit Office has ruled that Network Rail should be treated as a public sector body?

Mr. Darling: The position is exactly as I set out when the hon. Gentleman asked the same question last week; nothing has changed. The NAO has said that Network Rail's accounts will appear on the books of the Strategic Rail Authority. That means that the accounts will be transparent and open. Everyone will see where the money is going and how it is being spent; something one could not always say with Railtrack. It seems to be an entirely sensible arrangement, so that we see where the money is going and the benefit coming from it.

Lawrie Quinn (Scarborough and Whitby): In view of the great skills shortages in the railway industry, will the Secretary of State spell out exactly what requirement Network Rail will be given to make sure that we make up for the great gaps in the key jobs in technical and other areas that we need to build a railway fit for the 21st century?

Mr. Darling: My hon. Friend raises an important point. There are skills shortages in engineering across the board, but particularly in transport and the railway industry. The Strategic Rail Authority is concerned about that and is consulting on setting up a national scheme—an academy—to increase the amount of skills available to the industry. As I said to a meeting with the railway industry today, it is important that we as a Government play our part, together with the SRA. It is important also that the industry does more to sell the career opportunities that undoubtedly exist in this important industry.

Mr. Don Foster (Bath): How will Network Rail be held to account if, within a reasonable period, Lord Cullen's recommendations on standards and monitoring of maintenance contractors are not in place? Given that, in his speech today, the Secretary of State said that this issue needed to be sorted out, what is he doing to sort it out and what will he be requiring of Network Rail?

Mr. Darling: I have met John Armitt, the chief executive of Railtrack, and I have impressed upon him the importance of making sure that there is end-to-end accountability in relation to the operation of contractors. I repeat that it is not the use of contractors that is the problem, because contractors were used in the British Rail days and, indeed, have been used throughout industry. The problem is that although the processes for checking that someone ought to have done something are often in place, in too many cases nobody actually checks whether the job has been done and done safely. I know that John Armitt is concerned about that and, as I said to the industry today, I want to make sure that Network Rail and the other operators are far more firmly focused on the importance of safety and that they make sure that their subcontractors do what they are supposed to do.

I have said today that, later this month, I shall publish proposals for setting up the rail accident and emergency board that Lord Cullen recommended. I am anxious that we have, for the first time, an independent investigative body that can find out what happens and learn lessons as quickly as possible.

Mr. Michael Jabez Foster (Hastings and Rye): Will Network Rail become responsible for the decisions of Railtrack, such as the electrification of the Hastings to Ashford line that it had promised?

Mr. Darling: Network Rail will be responsible for the ownership and maintenance of the track. Under the Transport Act 2000, the Strategic Rail Authority was set up to bring together the railway industry and to provide some coherence in relation to its planning. As I mentioned last week, there are a number of railway projects that the SRA is looking at, with Network Rail and the train operating companies, to make sure that the money that we spend is spent rather more effectively than it is at present.

Among the problems that are striking from the legacy of Railtrack are not only the massive debts but the fact that there are too many projects for which the costs and the scale were not properly examined, resulting in things falling behind. The advantage of Network Rail is that it is completely focused on maintaining and improving the railway network and is there to carry out the objectives set by the Strategic Rail Authority and to ensure that we have greater coherence in the railway system.

If my hon. Friend wants to pursue the specific matter of the route to Hastings, along which I travelled last summer, I will be happy to oblige him, but I do not have time to go into the details now.

Mr. Bernard Jenkin (North Essex): Does the Secretary of State share my relief that nobody was hurt in the train accident at Lawford in my constituency earlier this week? Does he also share my concern that, had there been a derailment and a passenger train involved, as in a similar accident at Great Heck last year, there could have been fatalities once again? I welcome his announcement that there will be independent rail accident investigation, which I first called for before the Cullen inquiry reported. How many times will he have to make this announcement before it actually goes ahead? Two Queen's Speeches ago, the Government announced that there would be a rail safety Bill, but we are still waiting for it.

Mr. Darling: As far as I am aware, I have announced proposals to set up the rail accident investigation board only once, and that was this morning. I am glad that the hon. Gentleman welcomed it.

On the accident that the hon. Gentleman mentioned, fortunately it was possible for one freight train approaching the lorry to stop in time, although unfortunately it was not possible to stop the other approaching freight train. It was indeed lucky that there were not more serious injuries and that the lorry driver was away from his lorry by the time that it happened. I am sure that the industry will learn from this case. On the broader point, we all consider it important to get an independent investigatory service as quickly as we possibly can.

Mrs. Theresa May (Maidenhead): Will the Secretary of State confirm that, for accounting purposes, Network Rail will be treated as a subsidiary of the Strategic Rail Authority?

Mr. Darling: I do not know whether the hon. Lady is hard of hearing or whether she was not paying attention last week. I have today confirmed what I said in my statement last Thursday, namely, that the National Audit Office has decided that Network Rail's accounts will appear on the books of the Strategic Rail Authority. That means that we can see where the money is going and how it is being spent: something that did not happen under Railtrack, which, as far as I know, she still thinks is a good thing—she must be about the only one in Britain who still does.

Mrs. May: Protest as the Secretary of State may, the one question that he refuses to answer is whether Network Rail will be treated as a subsidiary of the Strategic Rail Authority. Its business will be included in the SRA's accounts and its £21 billion of funding will be backed by the taxpayer, but still he tries to spin that it is not a Government body—that it is nothing to do with the Government. Meanwhile, not a penny of that £21 billion has been set aside for real improvements to network capacity and hence to services for passengers. The spin continues: £21 billion of taxpayers' money and no real improvements—is that what he calls a fresh start?

Mr. Darling: I took the trouble to read what the hon. Lady has said over the past few months, and I cannot be the only one who is still none the wiser as to what her policy on the railways actually is. Railtrack could not carry on trading. It had left about £7 billion of debt, it had come to the Government asking for more money, it had asked for a suspension of the regulatory regime and it was asking us to underwrite its share values. No one in their right mind could have thought that that was a viable proposition to keep Railtrack going.

As I said last week, no matter who took over from Railtrack, it would be necessary to provide the finance to take over its debt, to meet the cost overruns and to ensure that there is money to spend day to day on the railways.

Yes, the Government have made sure that the Strategic Rail Authority can provide credit facilities, without which there would be no successor to Railtrack. I respectfully suggest to the Conservatives that it is high time that they cared more about future investment in the railways, rather than trying to go over old ground. Frankly, in doing so they expose the bankruptcy of their thinking, and remind the country yet again that it was the Tories who introduced Railtrack and this botched privatisation, which has left so much mess and damage. It is us who are rebuilding and ensuring that new investment is going into the industry.

Wales and the Border (Franchising)

5. **Mr. Simon Thomas** (Ceredigion): If he will make a statement on the progress of the Wales and the border franchising process. [63715]

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): The Strategic Rail Authority has invited initial proposals from the companies that were pre-qualified to submit bids for the new Wales and the border franchise. The SRA hopes to have the new franchise in place in early 2003.

Mr. Thomas: I hope, too, that this time that date will be adhered to. However, will the Under-Secretary take this opportunity to reiterate the evidence that he gave to the Welsh Affairs Committee, in which he acknowledged that, as a franchise area, Wales was short-changed in terms of funding? When can we expect funding for railways in Wales to follow the example of funding for other public services by meeting something like the Barnett proportion? Moreover, when can I expect the improvements that we have demanded for several months to on the railway line to Aberystwyth, at Dyfi junction?

Mr. Jamieson: I am pleased to say that there has been strong interest in the Wales and the border franchise, and we hope that it will deliver the services that, in our view, the people of Wales deserve.

As the hon. Gentleman knows, there have been substantial increases in funding for Wales. The rail passenger partnership, developed with local authorities and local people, has delivered 20 per cent. of all funding to Wales—a sum far greater than that given to many other areas.

Mrs. Jackie Lawrence (Preseli Pembrokeshire): There is massive concern in west Wales, particularly in the Fishguard area, about the Fishguard service and the new franchise. It appears that the franchise's passenger service requirements will not even match the standard of the previous franchise. My hon. Friend mentioned the money going into Wales, but will he ensure that the Strategic Rail Authority puts a proper proportion of it into services for west Wales, rather than simply stopping at Cardiff?

Mr. Jamieson: When the franchise is awarded, it will be for the SRA to ensure that all areas of Wales receive the funding that they wish to receive. We have improved the quality of the franchise, to give the people of Wales what they really want. At the moment, the timetable often includes trains that do not arrive, and which are not being delivered. The people of Wales want a timetable that delivers the trains listed in it, and trains that arrive at the stated times.

10-Year Transport Plan

6. **Mr. Geoffrey Clifton-Brown** (Cotswold): If he will make a statement on the recommendations in the recent report from the Transport Select Committee relating to the investment programme in the 10-year transport plan. [63716]

The Secretary of State for Transport (Mr. Alistair Darling): We will respond to the Select Committee report in the normal way. In addition, as I said when I was appointed to this job, I am looking at all the Department's policies, and I will keep the House informed of policy developments as and when appropriate.

Mr. Clifton-Brown: Paragraph 84 of the Select Committee's stingingly critical report on the Government's 10-year plan states:

> "The Committee remains concerned about the lack of clarity surrounding the financing of the rail improvements in the 10 Year Plan . . . The lack of any detailed implementation plan is a major barrier to improving the railways."

When can we expect from the Government some interim targets and a defined work programme? Indeed, when will the Government respond to the report, will a revised plan be produced, and will all such matters be smuggled out during the summer recess when Parliament is not sitting?

Mr. Darling: The report will be tabled in the normal way, when the House is sitting. In times past, particularly under a Conservative Government, funding for the railways—and, indeed, for everything else—was arranged on an annual basis. This Government have, for the first time, made clear the money available for 10 years through public and private sector sources. The Select Committee welcomed the Government's putting in place a 10-year plan as a major step forward for transport planning.

That gives a degree of certainty that the industry never had in the past.

On the specific problems that the hon. Gentleman raises and to which the Select Committee refers, now that Railtrack is in the course of being taken out of administration and Network Rail is being put in place, it will be possible to be far clearer about what the individual projects are and how we can deliver improvements year on year. However, I come back to the point that I made to the hon. Member for Maidenhead (Mrs. May). The difference between us and the Tories is that we are putting in place money for investment that was never available under Conservative Governments. The railways are having so much difficulty now because they are suffering from years of underinvestment.

Clive Efford (Eltham): I welcome my right hon. Friend's commitment to the railways and investment through the 10-year plan. Although I support schemes such as crossrail and the extension of the East London line, may I draw his attention to south-east London and the wider area, which also need increased capacity on the railways? Upgrading the electricity supply on the North Kent lines in particular would be a very significant improvement, adding capacity, increasing comfort and encouraging more people to use the railways.

Mr. Darling: I am aware of the problem referred to by my hon. Friend. As he will know, there is a substantial investment programme to introduce new railway carriages. I am also aware of the problems of electricity supply on a number of railway lines south of the river, and the Strategic Rail Authority is working to address them. Again, it comes back to the same point—the problems that we are encountering with the railways could have been foreseen 20 or 30 years ago, and we are paying a very high price for successive Governments' underinvestment.

I share my hon. Friend's frustration about crossrail, or what is now the rather inappropriately named Thameslink 2000, considering that we do not have it yet. There is no doubt that the demands on London transport are substantial and are likely to be far greater as more expansion takes place, particularly in the east and the south-east of the city. I am anxious to ensure that we have both the money and workable plans in place. Sadly—I said this a few moments ago but the hon. Member for Maidenhead does not always listen to what I say, so I will repeat it—one of Railtrack's legacies is an appalling lack of planning, which needs to be addressed.

Mr. Gary Streeter (South-West Devon): In their 10-year plan, the Government have high hopes for rural bus services. However, the Secretary of State knows full well, and the Minister for Transport mentioned it earlier, that local councils such as the South Hams district council are prevented from entering into a local arrangement with bus companies and other partners, such as Age Concern, to provide tailor-made, demand-led services for needy people in rural areas. When will the Secretary of State come forward with proposals to remove these unnecessary regulations so that councils such as South Hams can provide the quality bus services that rural people really need?

Mr. Darling: Listening to the exchanges earlier between right hon. and hon. Members and my right hon. Friend the Minister for Transport brought back memories of the last time I really dealt with buses when, in 1986, I and other people had to pick up the pieces of bus deregulation introduced by the last Conservative Government.

I am very sympathetic to calls from Members on both sides of the House for greater use of the bus. I believe that we can do an awful lot with bus services that cannot be done with trains or cars, and I want to encourage their greater use. I am aware that some councils can do and have done a lot to improve bus services, rural as well as urban, whereas councils in other areas are not doing so. That is one of the issues that I want to look at over the next few months to see whether we can improve the level of bus provision, not only in rural areas but in those which are not well served under the present system. I believe that bus transport could enable more people to move around than at present. We are not exploiting it enough and should do more about it.

Mr. Kelvin Hopkins (Luton, North): Does my right hon. Friend agree that the Central Railway scheme could make an enormous contribution to rail freight, provide vital economic links between the north, the midlands and the continent of Europe and make a great contribution to achieving the Government's 10-year transport plan?

Mr. Darling: As my hon. Friend knows, we want more freight users to use rail services. The Strategic Rail Authority is currently considering this and should provide us with advice and a report later this year, but I will keep my hon. Friend informed.

Mr. Christopher Chope (Christchurch): The Select Committee in effect condemned the plan as a confidence trick. The previous Secretary of State promised that there would be a revised plan this July. Will a revised plan be published this July? Furthermore, does the Secretary of State have confidence in the present Chairman of the Transport Committee, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), and does he extend that confidence in her to endorsing her continued membership of the RMT?

Mr. Darling: Happily, the hon. Gentleman's last point lies outside my responsibility. I suspect that my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) and I share exactly the same view of the hon. Gentleman—we are united on that.

On what might be described as the hon. Gentleman's more substantial point—the 10-year plan—I made it clear in an earlier reply that I want to look at all aspects of the Department's policies and I am currently doing so. I do not envisage making revisals to the 10-year plan in July. We should build on what we are doing; the 10-year plan has set out an investment strategy that will bring much benefit across the board. What I shall do, however, is to respond to the Select Committee, as I have just said, and over the next few months I shall keep the House informed of the improvements and developments that will be necessary in relation to the plan.

The 10-year plan is, in essence, an investment strategy and any such strategy must be capable of development and improvement. That is what we intend to do. When the hon. Gentleman next comes to the Dispatch Box, I hope that he will say whether he is prepared to match the investment that we are making or whether the Tories are still committed to cutting it, as they have been suggesting so far.

Motorway Signs

7. **Paul Flynn** (Newport, West): What proposals he has to increase the number of motorway variable signs. [63717]

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): Currently, there are about 880 variable message signs on the English motorway and trunk road network. As part of our commitment to providing motorists with better information about traffic conditions, we plan to increase that number to 1,400 by spring 2005.

Paul Flynn: Last Friday afternoon, there were two accidents on the M4—one near Reading and one near Swindon. Because there are hardly any variable message signs between the outskirts of London and the Severn crossing, drivers approaching those hold-ups had no advance warning. The Minister will be aware of how distressing it is—especially for young families and the vulnerable elderly—to be stuck in traffic jams with no idea of their likely duration. Can he confirm that the acceleration in the provision of variable message signs that he just mentioned will include that section of the M4?

Mr. Jamieson: Like my hon. Friend, we, too, are distressed to hear about such jams. We realise that they not only cause people inconvenience, but create a greater road safety risk. Handling traffic after major incidents on motorways is something that we can and will do better during the next few years, especially as the new national traffic control centre comes into being. That will provide motorists with information so that they can, where necessary, take avoiding action. Furthermore, as part of the 10-year plan, the Highways Agency is installing automatic hold-up warning systems on the most congested 30 per cent. of our motorways. They will be in place by 2005. We certainly hope that such measures will help to reduce accidents at the back of queues and, of course, the inconvenience that, as my hon. Friend pointed out, people must have suffered last week on the M4.

Michael Fabricant (Lichfield): I hope that the national traffic control centre does not use the same computer system as National Air Traffic Services.

The Minister will be aware of the value of variable speed limits on motorways such as the M25. Associated with them are, of course, speed cameras. Can the Minister confirm that the Government have no plans to introduce speed cameras on the rest of Britain's motorways?

Mr. Jamieson: I congratulate the hon. Gentleman on sliding from signs to speed cameras. I can assure him that we shall be using the variable signs to give motorists up-to-date information that will help them to take avoiding action where appropriate, especially where traffic is blocking part of the motorway. As Transport Direct unfolds, motorists will also have good-quality information about road conditions before they set out, so that they can decide whether to switch to public transport if appropriate.

Dr. Brian Iddon (Bolton, South-East): Like my hon. Friend the Member for Newport, West (Paul Flynn), I recognise the value of variable motorway signs. Does my hon. Friend the Minister agree, however, that the confidence in those signs is proportional to the timeliness of the information that they provide? Will he ensure that when that information is out of time it is revised or the signs are switched off?

Mr. Jamieson: My hon. Friend is absolutely correct. That is why the new national information system will give contemporary information to motorists. There is nothing more frustrating than seeing signs that warn of a lower speed limit or of an incident ahead that does not exist. We will make sure that the new information system gives up-to-date contemporary information that is of genuine help and use to motorists.

Motorway Improvements

8. **Mr. James Gray** (North Wiltshire): How much will be spent on motorway improvements in the 10-year plan for transport. [63718]

The Secretary of State for Transport (Mr. Alistair Darling): Road improvements are important. Some £59 billion has been set aside to be spent on roads, and 55 schemes—including 6 motorway schemes—are currently in the programme of improvements, one of which has been completed.

Mr. Gray: I am grateful to the Secretary of State for that informative answer. He will know of the proposals of the south west area region multi-modal study, which include substantial work at junction 16 at Wootton Bassett in my constituency. The study cost some £1.5 million, and, I think, a total of some £30 million was paid to Messrs. Halcrow for carrying out these extensive studies. First, will the Secretary of State explain from which budget that £30 million comes? Secondly, will he tell us how much of the SWARMMS report, and of the other similar multi-modal reports elsewhere in England, will be funded? We all suspect that there will be warm words and more studies, but not much action.

Mr. Darling: The study to which the hon. Gentleman refers is being considered at the moment, and a recommendation will follow shortly. The money in relation to all that work comes from my Department.

Mrs. Anne Campbell (Cambridge): When my right hon. Friend is considering future investment in motorways, will he examine carefully the balance between spending on motorways and spending on public transport schemes? I am thinking in particular of the proposed project to provide a guided bus between Cambridge and Huntingdon, which could be very effective in taking traffic off motorways and main trunk roads and putting people on public transport.

Mr. Darling: My hon. Friend raises an important point. It is important to strike the right balance between transport by car—road transport—and public transport, whether guided bus, rail or light rail. I have said on many occasions in the last month that it is important that we invest in both forms of transport. For some people, particularly those living in rural areas, a car is a necessity, and there are other people who need to use their cars to go to work. At the same time, it is important that, where we can encourage people to use public transport, we put in the investment to do so. The scheme to which my hon. Friend refers—the Cambridge to Huntingdon proposal—is one that we will consider, but it is important that we have a balanced approach.

National Air Traffic Services

9. **Mr. John Randall** (Uxbridge): What recent representations he has received with regard to safety issues relating to NATS; and if he will make a statement. [63719]

The Secretary of State for Transport (Mr. Alistair Darling): I have not received any direct representations. Aviation safety is critical and is the direct responsibility of the Civil Aviation Authority.

With your permission, Mr. Speaker, it might be appropriate for the House to send its condolences to the families of all those who died in the air crash over Germany last night.

Mr. Randall: I am sure that all Members agree with the Secretary of State's sentiment.

Can the Secretary of State tell the House how many systems failures there have been at Swanwick since it went live?

Mr. Darling: The hon. Gentleman is no doubt referring to the three failures this year. Two of them were in the old computer system at West Drayton, and one was at Swanwick. I visited Swanwick last week, as I know that hon. Members have expressed concern about it. It is striking that the two biggest problems occurred in the old computer system, and there are plans to upgrade and replace it. There was one problem only with the new computer system, and that fault was rectified. On 17 May, at the time of the fault at Swanwick, the situation was compounded by another failure at the control centre in Brussels, which controls slots right across Europe. When one considers the overall picture, one sees that some of the criticism directed against Swanwick is entirely misplaced. A great deal of investment has been put into it, and it is a very good air traffic control centre that will serve this country well in years to come.

Sandra Osborne (Ayr): Will my right hon. Friend report on progress on the new Scottish centre at Prestwick and, in his new role, visit Atlantic house in my constituency to address the work force on the future of NATS?

Mr. Darling: I am very happy to visit my hon. Friend's constituency and hope that something can be arranged over the coming months. The air traffic control system in this country, including the two centres at Swanwick and Prestwick, has received a great deal of investment. As I said to the hon. Member for Uxbridge (Mr. Randall), that is absolutely essential, if not very long overdue. I will be happy to visit the centre at Prestwick as I have already visited the one at Swanwick.

CABINET OFFICE

The Minister was asked—

Civil Service (Ethnic Minorities)

32. **Mr. Ben Chapman** (Wirral, South): If he will make a statement on ethnic minority recruitment to the civil service. [63747]

The Minister of State, Cabinet Office (Mr. Douglas Alexander): Government Departments have delegated responsibility for most recruitment. However, the Government are strongly committed to equality of opportunity and to creating an open and modern civil service that fully reflects the society it serves. Government Departments have set themselves challenging diversity targets for their people at all levels of the service, nationally and regionally. Each year heads of Department account personally to Ministers on their progress and on their future plans.

Mr. Chapman: Given that the Government have set a doubling target of 3.2 per cent. for the representation of ethnic minorities in the senior civil service by 2005, and accepting for the moment that that is sufficiently ambitious, how near are we to achieving that target? What measures are we taking to recruit people mid-career from both within and without the civil service to fill that deficit?

Mr. Alexander: I am grateful to my hon. Friend for raising that important point. The senior civil service target is indeed 3.2 per cent. The level at present is 2.4 per cent., which is up from the 1.6 per cent. achieved previously in April. However, further work needs to be undertaken to attract people mid-career and we are looking at schemes to facilitate an exchange between the public and private sectors to achieve exactly that purpose.

Mr. Henry Bellingham (North-West Norfolk): Does the Minister agree that there is a huge pool of talent within the ethnic minorities in this country, so talk of quotas, targets and positive discrimination is insulting? What the Government should do is reach out to those communities and explain why a career in the civil service is worth while.

Mr. Alexander: The hon. Gentleman makes an important point and I can tell him exactly what we are doing. In conjunction with the Council of Ethnic Minority Voluntary Sector Organisations, the civil service has piloted seminars to do what he describes in Bristol, Leeds, Birmingham and Reading to raise awareness among regional ethnic minority community leaders of the career opportunities available in a modern civil service.

Mr. Andrew Dismore (Hendon): Have the Government any plans to review the citizenship requirements for the civil service? Under present rules, one in six Londoners who are not United Kingdom or Commonwealth citizens are precluded from applying for the job of even the most lowly benefit clerk even if they speak perfect English and have lived here most of their lives. If we are serious about serving the communities we represent, should not we look at reviewing and reforming those requirements so that those Londoners are entitled to serve the people of London?

Mr. Alexander: I can assure my hon. Friend that we are sincere in wanting to create both a more open and a more modern civil service. On that basis, I will be happy to write to him on the particular point that he raises in relation to London.

Scottish Executive (Staffing)

33. **Pete Wishart** (North Tayside): What assessment he has made of the staffing requirement in the civil service of the Scottish Executive. [63749]

Mr. Alexander: Responsibility for staffing levels below senior civil service level is devolved to the Scottish Executive. The Cabinet Office publishes statistics on staffing levels within the civil service and is made aware of significant changes in staffing numbers and the reasons for those changes.

Pete Wishart: I am grateful to the Minister for that reply. Although I appreciate that the appointment of civil servants is a matter for the Scottish Executive, I am sure he appreciates that the civil service is very much reserved to this House. That might account for the undignified and unseemly spat between the First Minister and the head of the civil service in Scotland about the appointment of some 40 policy analysts in the run-up to the Scottish parliamentary elections next year. Is it the responsibility of this House or the Scottish Parliament to ensure that the appointment of 40 policy analysts is in the public interest and not in the interests of the Labour party in Scotland?

Mr. Alexander: On the constitutional point raised by the hon. Gentleman, Sir Muir Russell, the permanent secretary of the Scottish Executive, serves Scottish Ministers, as do all civil servants in Scotland. The hon. Gentleman's point is much overblown. Only eight of those 40 policy analyst posts are new; there are 32 vacancies at present. Some of the criticism levelled at us is therefore unfair, and it reflects the desperation of the hon. Gentleman's party rather than reality.

Sandra Osborne (Ayr): Is my hon. Friend aware of the hundreds and hundreds of questions, some extremely trivial, tabled by SNP list MSPs, who seem to have nothing much else to do with their time? Does he think that that may account for any increase in the number of civil servants required to answer questions?

Mr. Alexander: I find myself in wholehearted agreement with my hon. Friend. In anticipation of this issue arising from the question tabled by the hon. Member for North Tayside (Pete Wishart), I looked at the figures and found that there has been a fivefold increase in parliamentary questions since devolution. It was therefore inevitable that there would be an increase in the number of civil servants charged with assisting in the development of answers. The hon. Gentleman's question may be better directed at his colleagues in Holyrood than at this Government.

Mr. Tim Collins (Westmorland and Lonsdale): May I belatedly congratulate the Minister on his thoroughly deserved promotion? Does he stand by the explicit commitments made by the Deputy Prime Minister, not only to members of the civil service for the Scottish Executive but to all civil servants in the United Kingdom, that the Government will shortly introduce a Bill to secure the independence of the civil service?

Mr. Alexander: I am grateful to the hon. Gentleman for his kind remarks of congratulation, and I commend him for his ability to raise that matter in relation to this parliamentary question. The Government remain committed to civil service legislation, but we have also made clear our priorities, and it is simply not possible to do everything at once. It is vital to reform health and education, as we made clear at the election. The Government welcome all the discussion about the civil service that is taking place. I understand that both the Public Administration Committee and the Committee on Standards in Public Life are carrying out work on this issue, and I, for one, shall be interested in their deliberations as we take this policy forward.

Delivery Unit

34. **Brian White** (Milton Keynes, North-East): What recent progress has been made by the delivery unit in securing the Government's objectives. [63750]

Mr. Alexander: The delivery unit continues to be responsible for working in partnership with Departments to ensure that the Government achieve their delivery priorities across the key areas of public service. After the spending review, it will expand its scope to include priorities in other main domestic service delivery departments.

Brian White: As one of the few people who claim to understand the Cabinet Office's previous organisation chart, may I welcome the changes made by Sir Andrew Turnbull? The delivery unit has worked well because it has been extremely focused, so does the Minister share my concern that the plans to expand its remit may result in its existing work becoming less effective?

Mr. Alexander: I commend my hon. Friend for his understanding of the previous organogram. I hope that Sir Andrew Turnbull's proposals for structural changes, which were announced recently, will give my hon. Friend confidence that we now have a strategic and focused centre that can drive forward the work on delivery and reform. After the spending review, the delivery unit will take forward its vital work within that structure.

I make it clear to the House that we see the delivery unit as having a key role in supporting, rather than supplanting, the work of Departments. We are determined to ensure that as it expands its role, it continues to work in support of Secretaries of State and Ministers throughout Whitehall as we advance our agenda for reform and delivery.

Mr. A. J. Beith (Berwick-upon-Tweed): Is it the case that the delivery unit monitors between four and six targets in each of the policy areas of health, education, transport and law and order, selected from the Departments' public service agreements? Will the Minister tell us which particular targets are selected at the moment? Perhaps he could give us examples and put a note in the Library so that we can know what all the targets are and what the future priorities will be.

Mr. Alexander: I can assure the right hon. Gentleman that the delivery contracts have not been published because they contain no new commitments and do not represent a new list of Government priorities. There have been many other equally important priorities throughout Government, and publication might be wrongly interpreted as suggesting that there was a wholly new set of priorities. The work of the delivery unit reinforces pre-existing work taken forward by the Treasury and individual Departments in advancing the public service agreements, which are, of course, published and available to the right hon. Gentleman.

Margaret Moran (Luton, South): I welcome my hon. Friend to his position, and I also welcome the radical simplification of the Cabinet Office. When he addresses the delivery unit, will he ensure that it considers the performance of local authorities in delivering our 2005 e-government target? As I am sure he is aware, a number of reports, including those from Socitim and IDeA, express concern that we are not on target to deliver the quality of e-government services necessary to ensure that our constituents are able to access the full range of services to which they are entitled.

Mr. Alexander: I am grateful to my hon. Friend for those observations. Given my background in the Department of Trade and Industry, I am fully aware of the important work being done on getting services online. I am also aware that some of the most innovative and exciting work has been done at local government level. That is why I, with responsibility for e-transformation, will work closely with colleagues at the newly configured centre to ensure that we learn from what is best in local government and take the opportunity share best practice across the country.

Points of Order

3.30 pm

Mrs. Alice Mahon (Halifax): On a point of order, Mr. Speaker, of which I have given notice. You will have seen the media reports of the latest bombing blunder committed by the United States in Afghanistan. A group of civilians celebrating a wedding, including women and children, were bombed; dozens have been killed or injured. It is the fifth bombing incident since October that we know of in which the United States has bombed civilians with consequent loss of life.

Anger is growing at a strategy of waging war from 20,000 ft. It is threatening the fragile peace process, alienating many members of the coalition against terrorism, and it is simply a wrong strategy. Has either the Secretary of State for Defence or the Foreign Secretary indicated that they will make a statement on the latest tragedy?

Mr. Speaker: No approach has been made to me by any Minister on that matter.

Mr. Andrew Robathan (Blaby): On a point of order, Mr. Speaker. In May 2000, the then Parliamentary Commissioner for Standards ruled that a subject that I raised was not a matter for her. It was the Rent Acts (Maximum Fair Rent) Order 1999, issued by the Department of the Environment, Transport and the Regions. It allows the Deputy Prime Minister to benefit now, by up to £15,000, from an order issued from his office. I seek your guidance. What further action can a Member of Parliament take when a Minister changes the rules in a manner that benefits him personally?

Mr. Speaker: I cannot advise the hon. Gentleman on how he can raise such matters. It is up to him to acquire some expertise in that respect. He has raised this matter on several occasions under the terms of a point of order, but I cannot help him.

Committal to Prison in Default of Fines, Local Taxes, Etc. (Abolition)

3.32 pm

Andy King (Rugby and Kenilworth): I beg to move,

That leave be given to bring in a Bill to abolish the penalty of committal to prison in default of payment of community charge, council tax and other local taxes; and for related purposes.

The opportunity to abolish imprisonment for council tax default is provided in the Green Paper "Towards Effective Enforcement" published by the Lord Chancellor last July. It proposes a single piece of bailiff law and a reformed, regulated structure for enforcement. In addition, imprisonment should be abolished for default of fines relating to television licences and parking offences.

The High Court has declared unlawful more than 1,000 of the 5,000-plus cases of people jailed by magistrates courts for local tax default in the 12 years since the poll tax was introduced. It is worrying that none of the relevant Departments knew the number of unlawful imprisonments until they were told by the Zacchaeus 2000 Trust that one of its barrister trustees, Ian Wise, had taken 1,000 such cases through the courts.

One thousand is the minimum number of unlawful imprisonments because there is no legal aid for local tax or fine defaulters in the magistrates courts. The connection between people imprisoned for default of a local fine and a group of concerned lawyers was made by chance. It was not until after the Benham case reached the European Court of Human Rights in 1996 that magistrates were required to call the duty solicitor if they were minded to imprison.

Ilkeston justices jailed George and Doris Smedburg, aged 74 and 80 respectively, for 28 days in February 1994. Mr. Smedburg suffered from severe epilepsy and arthritis. Mrs. Smedburg suffered from asthma and rheumatoid arthritis, and was doubly incontinent and wheelchair-bound. The police, to their credit, refused to execute the arrest warrant. The local authority claimed that the Smedburgs had refused to pay £600. The High Court discovered that they in fact owed only £349, and that the couple had been up to date at the time that the committal warrant was issued.

Dorothy Pittaway, 64 years old, was jailed by Oldbury magistrates court for 14 days in 1994. She was in hospital suffering from tuberculosis, and at the time of arrest weighed only six stone. The police surgeon discharged her from prison into council care. The High Court reduced the sentence to one day and subsequently commuted it entirely following the intervention of her Member of Parliament and a campaign by the *Daily Mirror*.

In 1996, Barnet justices unlawfully jailed Marjorie Ribbans, an elderly woman with a learning disability and suffering from terminal cancer.

Sarah, a 51-year-old single woman living in Lambeth, receives £53.95 a week in income support. She has a learning disability and suffers from chronic anxiety and panic attacks. Research at the London school of hygiene and tropical medicine suggests that her income should be £84.76 a week if she is to have enough for healthy living. Her doctor in Lambeth writes:

"I am quite clear that were the Bailiffs to proceed with the seizure of her goods, the effect would be catastrophic for her and would seriously compromise her health".

[Andy King]

There is a council tax debt of £468. The bailiffs, who are based in Northampton, blindly threatened Sarah with computer-generated letters. For example, on 9 May 2001, they wrote:

> "We have arranged for our bailiff to call at your home this weekend to seize your goods and transport them to auction rooms for sale".

Two days later, Zacchaeus 2000 Trust became involved and Lambeth council withdrew. However, the computer kept running and sent further letters threatening the sale of Sarah's furniture.

News of such imprisonments spreads throughout deprived communities because council enforcement officers and bailiffs threaten vulnerable people, many of whom then borrow from door-to-door lenders—including such household names as Provident finance—at extortionate interest rates, ranging from 100 to 300 per cent. APR.

A seismic fault in current procedures is the absence of any statutory means inquiry by local authorities before they start enforcement. The Inland Revenue knows the means of the income tax payer before it starts its processes, and magistrates enforce fines through means inquiries, but when local authorities are required to attempt distress before they issue a committal warrant, they are often blind to the means of the council tax defaulter.

The committal hearing at the magistrates court is the only part of the enforcement process at which the means of a debtor must be taken into account. Owing to the absence of means inquiries by local authorities before they begin enforcement, bailiffs are sent to collect money from vulnerable people who have little or nothing, and things are made worse by bailiffs adding their costs to the debt. Such debts could and must be dealt with more fairly and efficiently through reductions from wages or benefits according to means.

England and Wales remain the only countries in Europe to continue to jail people for local tax default; Scotland abolished imprisonment for debt in 1987. It is high time that England and Wales did the same. I ask the House to consign the Dickensian practice of sending the poor to debtors' prisons to history once and for all.

Question put and agreed to.

Bill ordered to be brought in by Andy King, Mr. Bill Olner, Mr. Peter Kilfoyle, Mr. Tony Clarke and Mr. Joe Benton.

COMMITTAL TO PRISON IN DEFAULT OF FINES, LOCAL TAXES, ETC. (ABOLITION)

Andy King accordingly presented a Bill to abolish imprisonment for default of payment of community charge, council tax and other local taxes: And the same was read the First time; and ordered to be read a Second time on Friday 19 July, and to be printed [Bill 159].

Opposition Day

[16TH ALLOTTED DAY]

Funded Pensions

Mr. Speaker: We now come to the main business, an Opposition debate on funded pensions. I inform the House that I have imposed a 12-minute limit on Back Benchers' speeches, and have selected the amendment in the name of the Prime Minister.

3.40 pm

Mr. David Willetts (Havant): I beg to move,

> That this House agrees with the Government's stated aim of increasing from 40 per cent. to 60 per cent. the proportion of pensioners' incomes that comes from the private sector, but condemns the Government for failing to pursue policies which would achieve this objective and instead imposing a massive £5 billion annual tax on pension funds, and for presiding over the lowest savings ratio since records began; notes that fewer than four in ten final salary schemes are now open to new members and is shocked by the Government's complacency in the face of widespread concern about the future of funded pensions; and therefore calls on the Government to cut the burden of regulation on pension funds, reverse the spread of means testing among pensioners, reform annuities and provide better incentives for people to save, so that they can enjoy a prosperous retirement.

I declare my interests, which appear in the Register of Members' Interests.

I welcome the Secretary of State for Work and Pensions to his first debate in his new post. I approach his appointment in a spirit of optimism, and hope that he will use this afternoon's debate as an opportunity to signal a radical shift in the Government's approach to the crisis facing funded pensions.

The time has come for the Government to abandon their complacent denial of a problem. For too long, Ministers have had their heads in the sand: now is the time for the new Secretary of State to admit that there is a problem. I am sure that he has now been made aware of the evidence, which is compelling. The latest figures from the Association of Consulting Actuaries show that fewer than four in 10 final salary pension schemes are still open to new members, and that half of those are contemplating closure.

A wide range of well-known companies have closed their final salary schemes to new members—Barclays, British Airways, British Telecom, ICI, Lloyds TSB, Marks and Spencer, and Sainsbury. We know from the Government's own statistics that 59 per cent. of recently retired pensioners now have an income from an occupational pension, against 67 per cent. of recently retired pensioners when Labour came into office. Fewer pensioners are now retiring with an income from an occupational pension. The number of employees without a funded pension arrangement has grown from 40 per cent. to 44 per cent in the past two years alone. No wonder the latest policy document from the Trades Union Congress on the subject begins with a stark statement:

> "The UK's pension system is in crisis."

Ministers used to ignore that evidence by citing statistics that purported to show how much we were saving. I hope that after his salutary experience in the past 24 hours the Secretary of State will not make that mistake this afternoon. I welcome his announcement that he will review the Government's statistics on pensions contributions, but I hope that he will give the House a full account of what has gone wrong in his Department, not once, but twice. First, it got the assets in our pensions funds wrong, and more recently it got the annual flow of savings into our pension funds wrong as well. One mistake might be regarded as a misfortune, but two from the same Department on the same subject looks like carelessness.

Mr. John Greenway (Ryedale): Is my hon. Friend aware that the Association of British Insurers informed the all-party group on insurance and financial services this morning that it calculates that the savings gap is now £27 billion, most of which relates to pensions? Will he look carefully at proposals to encourage employers to operate better schemes?

Mr. Willetts: I am grateful to my hon. Friend for that intervention. He is correct about the scale of the savings gap that we face.

I wish to press the Secretary of State for more information on the two serious errors made by his Department in the past few months. The first mistake was in respect of the assets in our pension funds. Originally, the Government said that at the end of 1999 we had £784 billion in our pension funds—quite a lot of money. Then, without any explanation or prior notice, they produced a revised set of figures that showed that at the same date—at the end of 1999—they had reduced their estimate of the assets in our pension funds to £679 billion. That is a reduction of £104 billion—probably the biggest single change in the history of British economic statistics.

The sum that the Government managed to lose is equivalent to the entire national output of Portugal, but, fortunately, three and a half months later we discovered that the money had only been mislaid, and it popped up again. The Government put out a new set of figures, announcing that they had discovered, after all, that in 1999 our pension fund assets were worth £812 billion. So the figure for the value of the assets at one date in time had moved around by £150 billion. Then the Government carried forward the series, to show that having been £812 billion in 1999, the figure was down to £765 billion in 2000 and, on the latest estimates from UBS in the City, £684 billion in 2001.

That would mean that the assets in our pension funds peaked in 1999 and have been in decline ever since. It might be that 1999 was the peak year of our funded pension assets, not to be seen again. That was the first mistake: the Department revealed a £104 billion reduction in the value of the assets in our pension funds, with no explanation whatsoever. That surely should have set the alarm bells ringing about how unreliable the Government's statistics were, but no.

We investigated the figures that the Government were producing for the annual flows into our pension funds. Ministers were saying, "Don't worry. Everybody else might say that there is a crisis in our funded pensions, but we know that everything is all right, because we are saving £86 billion a year in our pension funds." If that figure were true, if the Government had stood back and thought about it for a moment, it would have meant that almost 9 per cent. of the entire national output of our country was going in savings in our pension funds—enough to buy for every worker in Britain a two thirds final salary pension, index-linked with inflation. The Government were saying, "Don't worry, £86 billion a year is being saved."

We warned the Government, and we were not alone, that those figures were not credible. Let me quote from the chairman of the Association of Consulting Actuaries, who said:

> "We are extremely worried that the impact of the changes that are taking place in terms of future pensioner incomes is being under-estimated by the Government and, as a result, there has been an inadequate policy response."

The Secretary of State was quoted in the papers this morning as saying that within 72 hours of being told that there was a mistake in the statistics, he acted. Let me tell the Secretary of State that I wrote to his predecessor on 8 March 2002, telling him about the mistake and setting out in considerable detail exactly how I believed the mistake had arisen. It is not the case that the Department acted within 72 hours; it took 72 days for it to address the fundamental points that I made in the letter to the right hon. Gentleman's predecessor.

There is now an unseemly row going on between the Secretary of State and his own officials. The Secretary of State, in a way that is all too typical of Ministers nowadays, is happy to blame everybody but himself. Referring to statistics on pension contributions, he said yesterday in the House:

> "We have now been informed by the Office for National Statistics that there are problems with the series from which they have been estimated in the past".

He was blaming the Office for National Statistics, but in this morning's *Financial Times* the Office for National Statistics states:

> "The national statistician is not known for his apologies, and there won't be one here."

The ONS is busy briefing that it is Ministers' fault and telling the press that it warned Ministers that the information was unreliable, but that they nevertheless kept on producing the figures.

I hope that the Secretary of State will today give us an end to that briefing and counter-briefing between him and his officials and a clear explanation of when they were first warned by the ONS about the mistakes in the figures, what steps they took to correct them as soon as they heard about them and what advice he was given by the ONS when the Department received my letter of 8 March.

Mr. Patrick McLoughlin (West Derbyshire): My hon. Friend referred to the letter that he sent on 8 March. Presumably, a letter sent by the shadow Secretary of State for Work and Pensions containing such serious accusations would have had an immediate reply from the Secretary of State. Can he tell me when he received the reply and what it said?

Mr. Willetts: I received a reply that was prompt, but brief and uninformative—exactly the sort of reply with which we are all too familiar.

Of course, this is not just a matter of whether Ministers have confidence in the advice of their statisticians and whether statisticians have confidence that Ministers will take heed of their warnings. It ranges beyond that, as it also raises the question whether the structure of pensions

[Mr. Willetts]

in our country is right. Many Ministers were trotting out amazing statistics showing how much we were saving in our pension funds and cited them as evidence that the "structure of pensions" in Britain is "right". If the evidence is wrong, is the conclusion that they drew from that false evidence wrong as well? I hope that the Secretary of State will also refer to that issue.

Mr. Douglas Hogg (Sleaford and North Hykeham): My hon. Friend is coming to the question of the structure of pensions. Will he confirm that a pensioner would have to accumulate a fund of about £100,000 to be better off than he or she would be having saved nothing at all? That is the case because of the deprivation of top-up payments on the basis of the fund.

Mr. Willetts: My right hon. and learned Friend makes a very important point on which we have regularly pressed Ministers. The least that people who are considering taking out a stakeholder pension, for example, are entitled to expect is information from Ministers about how much they believe that they need to build up in that pension during their working lives to float them off means-tested benefits. That is the $64,000 question; indeed, the answer might be $64,000, but we have never had any answer from Ministers. The level could be £100,000, but they have never been willing to address the important point that he makes. Again, I hope that we will hear about that from the Secretary of State.

The real question is not just misleading statistics—something with which we are all too familiar from this Government—but what is going on with the pension funds and pension savings of the people of this country. That is the central question that the House is debating. Before the Secretary of State points it out, I accept that there are many reasons for the decline of final salary pension schemes in this country. I understand that there is a range of factors, some of which are not in the Government's control. We are seeing improvements in longevity, and I am sure that hon. Members in all parts of the House will welcome that as good news. The fact that people are living longer is a success that we can celebrate. There have also been changes in the labour market that will change the pattern of pension provision.

We understand that not everything can be controlled by Ministers, but that very fact makes it even more important that the things that they do control are got right; and that, in so far as the Government control the environment in which people plan for their retirement, they get that right. Our central criticism of the Government is that Ministers have got the things that they control—above all, the burden of tax on occupational pensions—catastrophically wrong.

Mr. Michael Connarty (Falkirk, East): While the hon. Gentleman was recounting some of the things that might have had an effect and which Ministers controlled, did he not think that the Conservative Government's decision to encourage and allow withdrawal of contributions and the taking of holidays by pension fundholders might have caused the massive deficit in the pension funds on which people are now looking to draw for their retirement?

Mr. Willetts: I undertake to cover that point later in my speech, but I want to set it in the context of the other changes. If the hon. Gentleman then thinks that I have still not addressed his question, he can come back to me.

I want to set out the background to the tax decisions that the Chancellor has taken. At the time of the 1997 Budget, when he introduced his notorious stealth tax on our pension funds, he said:

> "Many pension funds are in substantial surplus and at present many companies are enjoying pension holidays,"—

he was celebrating the very thing that the hon. Member for Falkirk, East (Mr. Connarty) just mentioned—

> "so this is the right time to undertake a long-needed reform."—[*Official Report*, 2 July 1997; Vol. 297, c. 306.]

The Chancellor explicitly linked the tax imposition on pension funds to the fact that those funds were in surplus.

Last year, when the Prime Minister was challenged on this matter, he told the House of Commons:

> "The value of pension funds has gone up dramatically as a result of the success of the economy. The abolition of payable tax credits was done for the reasons that we stated at the time. It is the right reform, and as a result of the buoyancy of the stock market the value of people's pension funds has gone up."—[*Official Report*, 7 March 2001; Vol. 364, c. 285.]

The Government justify their tax increase by saying, "Don't worry, the stock market is going up and share prices are rising; it's all okay." But the value of the stock market has now fallen below the level that it was at when the Chancellor originally made that tax announcement in 1997; it has fallen almost to the level that it was at at the 1997 election. Since the justification for the tax has gone, will the Secretary of State tell us what possible reason he can have for imposing this tax on our pension funds?

Mr. Steve Webb (Northavon): The hon. Gentleman has criticised the £5 billion tax on pension funds. Will he tell us how much of that £5 billion would have been put back under the manifesto on which he stood at the last election?

Mr. Willetts: Our manifesto made it clear that we wanted to encourage people to save for their retirement. [HON. MEMBERS: "Aah!"] I would very much like to be able to reverse the tax, but the fact is that that money is now being spent. That is why we cannot pledge to reverse it.

Mr. Chris Pond (Gravesham): Conservative Members continually repeat the figure of £5 billion. Will the hon. Gentleman confirm that the Conservative Government took £10 billion out of the state pension scheme while they were in office?

Mr. Willetts: I am coming to this important point: we are not talking about a one-off £5 billion. It is £5 billion a year—year after year, ad infinitum. The figure is now £25 billion and rising every year. That is the point.

Mr. Frank Field (Birkenhead): Will the hon. Gentleman give way?

Mr. Willetts: I will give way to the right hon. Gentleman because I greatly respect his expertise in this area, but then I would like to make some progress.

Mr. Field: Given that the country is worried about its future pension provision, may I make a plea that, once the hon. Gentleman has made these points, he quickly moves on to what the Opposition will contribute to the evolving debate? It is understandable that he will point out the effect of changes in advance corporation tax on the prosperity of occupational pension funds, but does he agree that that was the second blow, and that the first blow was delivered when the Conservative Government changed the tax laws so that funds that were in surplus had to run their surpluses down to 105 per cent. of their liabilities or face penal rates of tax for not doing so?

Mr. Willetts: The fact is that all the other changes that have affected pension funds are dwarfed by the scale of the tax increase that the Chancellor imposed in 1997.

Mr. Field *rose—*

Mr. Willetts: I would like to make some progress now.

Mr. Field *rose—*

Mr. Willetts: I will give way to the right hon. Gentleman in a moment, but I want to give him one more figure. I respect his expertise and, as he knows, I am very happy to contribute in a constructive spirit to debates on his own imaginative ideas on pension reform.

I want to make two points. First, it is incorrect to compare the capital value of the loss of the value of shares—the capital effect—which may be hundreds of billions of pounds, with the flow of £5 billion as a tax hit. We have to realise that this is not just a one-off tax hit; it is £5 billion a year. That is why it is so significant. If we calculate the current cost of a £5 billion-a-year tax, we get a very large sum indeed.

My second point is that Labour Members regularly mention enormous figures for the total fall in the value of the stock exchange. They now seem keen to tell us how much value shares have lost under their management—that is the point that they like to make. They talk as if those shares all belong to pension funds. Pension funds own only about 18 per cent. of British equities, so it is not correct to compare the £5 billion, which is merely the annual effect of the tax, with the £450 billion, which is the total loss in value of all shares, of which only a small proportion are held by pension funds. That is why the tax impact was so great.

Mr. Field *rose—*

Mr. Willetts: I shall give way to the right hon. Gentleman one more time, then I shall make some progress.

Mr. Field: I am doubly grateful to the hon. Gentleman. Is not it true that ACT has had the effect that it has because the Conservative Government forced pension funds to run down their surpluses? Had they not been forced so to do, many more funds would have had greater buoyancy to enable them to withstand the ACT changes. The running down of surpluses pushed more pensions nearer to the precipice. Most people would say that both sides have made mistakes, but the country wants to hear what constructive proposals the Opposition have.

Mr. Willetts: I should now like to make some progress, during which I hope to answer the right hon. Gentleman's specific question about what proposals we would make.

I shall move from abstract statistics to something vivid and direct. I cite a Member of the other place, who is well known to Labour Members because he is a Labour supporter, a Labour donor and a Labour peer: Lord Paul of Caparo Industries. I shall quote what he said about the decisions that his steel company is making in its attempt to close its final salary pension scheme. When asked why he was closing his final salary scheme, he said:

> "You see the main reason is we had this so-called final salary scheme . . . but in view of the tax on dividends"—

that is the first point he mentions—

> "and also the stock market going all over the place there is no way one can really guarantee a final salary scheme".

At the end of his list, he refers to

> "government action like the dividend tax".

That is what a Labour peer who runs a business says. He is trying to use a Labour tax to close a final salary pension scheme, and instead put his workers into the Government's pet pension scheme, the stakeholder pension. He wants them to have one of the Government's stakeholder pensions.

What do members of the Labour-supporting steelworkers' union do in response to a Labour peer trying to impose a Labour pensions policy as a result of a Labour tax? The Labour-supporting trade union goes out on strike. That is what its members are threatening to do as a result of the measures that the Government have taken.

That is not the end of the story, because there is another stealth tax, perhaps even stealthier than the £5 billion a year tax on dividends, and that is the miserly uprating of the contracted-out rebates that was announced in April. The actuaries William Mercer estimates that those rebates are now about 15 per cent. below the level necessary to provide the contracted-out benefits that companies are obliged to provide as a condition for contracting out.

With rebates for pensions running at about £11 billion a year, the actuaries are saying that the contracted-out rebate is £1.5 billion a year short. It is not just the £5 billion a year tax on its own, but the £5 billion a year tax plus another £1.5 billion, because the value of the contracted-out rebate does not match the cost of providing the pension that has to be provided in return.

The Government have taken the two main forms of financial support that Governments have historically given to occupational pensions—the tax relief and the contracted-out rebates—and imposed an extra £6.5 billion a year burden on our pension funds.

I can now answer the question put by the hon. Member for Falkirk, East. The entire value of the contribution holidays taken by companies between 1987 and 2000, which has exercised Labour Members, works out at £1.4 billion a year. That has a far smaller impact on the value of company pension schemes than the tax and rebate changes made by the Government. I hope that the hon. Gentleman therefore accepts that it is no good turning to employers and blaming them for the effect of their contribution holidays.

Mr. Connarty: As an economist, I know that £1.4 billion invested in 1979 would be worth a lot of money now. Because it was not earning money, it is not

[Mr. Connarty]

in the fund. I have just done a little calculation. Some £81 billion has been lost in the value of pension funds if they hold 18 per cent. of the shares that have lost £450 billion in value, as the hon. Gentleman just told us.

Mr. Willetts: The hon. Gentleman is in a hole, and he should stop digging. I am comparing a £6.5 billion imposition by the Government with the £1.4 billion a year impact that is the maximum that can be calculated to be the effect of pension contribution holidays.

Several hon. Members *rose—*

Mr. Willetts: No, I shall not give way. I want to make progress, because many hon. Members wish to speak.

The effect of the changes—the tax increases and the reduction in the value of contracting-out rebates—is to drive pensioners, now and in future, on to means-tested benefits. That is where they will end up; there will be lower pension saving and more dependency on welfare. In the early 1990s, the Chancellor famously told the Labour party conference:

> "I want the next Labour Government to achieve what in 50 years of the Welfare State has never been achieved. The end of the means test for our elderly people".

Well, that is not what the Government are doing. In fact, they will have more than half the entire pensioner population dependent on means-tested benefits. Our vision is very different—it is of a country in which more and more people build up funded savings so that they can enjoy a prosperous retirement that is not dependent on state benefits or means testing, but a source of pride in that they have built up their own savings during their lifetimes

That is what we believe in, and that is what is being damaged and destroyed by the Government—although the Prime Minister pledged, in one of their first documents after coming into office, that his aim was to change the balance of pensioners' dependence on benefits and funded pensions. He said that he wanted to reverse the situation whereby pensioners get 40 per cent. of their income from funded savings and 60 per cent. from the state, so that they get 40 per cent. of their income from state benefits and 60 per cent. from funded pension savings. That is an objective that we completely endorse. However, typically of this Prime Minister, despite having that grandiose objective, he has done absolutely nothing to implement it. If one asked him to do the washing up, he would announce that he had a 20-year plan for a cleaner kitchen on which he would undertake widespread consultation—but a pile of dirty crockery would be left at the end of the day. That is what he is like. He has a grandiose objective and no means of implementing it.

Conservative Members, by contrast, know how that vision should be delivered. We are committed to the reform of annuities. My right hon. Friend the Member for Skipton and Ripon (Mr. Curry) has introduced a private Member's Bill that would do so. We have voted for such a provision time and again, but the Government tried to stop it every time. We have called for reform of the accounting standard FRS17. I was pleased to hear about today's announcement whereby, in line with our requests, there will be a delay in implementing it until we know what the European standard will be.

We have called for less means-testing of pensioners. We worked with the right hon. Member for Birkenhead (Mr. Field) and with the Liberal Democrats to propose an alternative to the pension credit, suggesting that that money could instead have been put into a higher pension for older pensioners, who tend to be poorer, to offer more help to poorer pensioners without more means testing.

Mr. Barry Gardiner (Brent, North): Will the hon. Gentleman give way?

Mr. Willetts: No, I want to make more progress in dealing with the perfectly reasonable challenge issued by the right hon. Member for Birkenhead as to what our policies are.

Another policy is based on our view that the burden of regulation on pension funds is too high and needs to be radically cut back. We strongly support the Pickering review, which I am sure that the Secretary of State will talk about in his speech. However, since the announcement of the Pickering review, which was supposed to reduce the burden of regulation on pension funds, we have had, in the past nine months, another 251 pages of regulations, including 67 pages of statutory instruments and 81 pages from the Inland Revenue. Those have been churned out while the Government have boasted of their review to cut the burden of red tape on pension funds. That is the reality of what they do, despite their claims.

Over the past five years, the Government have, in a display of hyperactivity, comprehensively messed up the provision of funded pensions in our country. The Government have taxed them more heavily, cut the value of the contracted-out rebates to which they are entitled and abolished SERPS. The Government have brought in more means-testing and introduced a stakeholder pension whose take up by the eligible target group has been pitiful.

We now face a Labour environment for pension provision, which means less saving, low funded pensions and a poorer retirement for millions of British people. Labour Members should be ashamed of themselves.

4.11 pm

The Secretary of State for Work and Pensions (Mr. Andrew Smith): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

> 'welcomes the Government's framework for pensions which will reduce pensioner poverty and encourage saving; recognises that pensions are best provided on the firm foundation of the sound economy the Government has put in place, with partnership between employees and employers, pension providers and Government; congratulates the Government on the extra £6 billion paid to pensioners from April of this year and its intention to bring in the Pension Credit which will increase the incomes of around half of all pensioners; further welcomes the introduction and progress of stakeholder pensions; recognises that there is still more to do and looks forward to receiving the Pickering and Sandler Reviews and consulting on proposals for reform in the Autumn.'.

I want to stress that the Government not only recognise the pension challenge that the country faces but, through the steps we have taken to reform the structure of pensions—tackling pensioner poverty and rewarding those with modest savings and occupational pensions—and the reviews that we have initiated of pensions regulation, retail savings and tax simplification, we are addressing the very issues that are key to making it easier for people to build up savings for retirement and for employees to contribute.

Mr. David Ruffley (Bury St. Edmunds): If Government policy on savings is working, can the Secretary of State explain why the savings ratio has plummeted by half since new Labour came to power?

Mr. Smith: As the hon. Gentleman ought to know well from looking at trends in the savings ratio, it tends to vary inversely with economic conditions. Characteristically, the savings ratio goes up in recessions and down in periods of prosperity. Actually, he is pointing to the fact that we have had a period of stability, thanks to the stewardship of the economy by my right hon. Friend the Chancellor and the tough fiscal and monetary disciplines that we have stuck to. That is responsible for the savings ratio.

Like the hon. Member for Havant (Mr. Willetts), I very much welcome the Accounting Standards Board announcement this morning that it is delaying the introduction of FRS17, pending a decision on the international standard. I hope that there is agreement on both Front Benches that although it is vital that there be openness and transparency in accounting, FRS17 has been blamed for some of the closures of final salary schemes. Providers have put the case that the standard forces pension liabilities to be disclosed as a snapshot, when those liabilities may be spread over a longer period.

Ministers in the Department have been conscious of the impact that some providers believe FRS17 has had on schemes. My predecessor had a meeting with the ASB, drawing its attention to the advantages of aligning FRS17 with the international standard, which allows a smoothing of pension liabilities over time. I am pleased that the ASB will look at the international standard and I welcome the decision that our companies do not have to change their accounting practices twice, in 2003 and again, possibly, in 2005.

Of course, FRS17 is not the whole issue; of course more needs to be done to raise levels of saving for retirement. As the hon. Member for Havant said, people are living longer. That is something to celebrate, but it means that pension funds have to go further than ever before.

Mr. Hogg: On current figures, what fund would a pensioner have to possess in order to be better off than he or she would be with no fund at all?

Mr. Smith: The reforms to which I have already referred, and especially the pension credit, reward people for saving. The Financial Services Authority has made that clear. Stakeholder pensions make an invaluable contribution in adding to the convenient vehicles that people can use. *[Interruption.]* Conservative Members ask how people are better off. With the introduction of the pension credit, where the Conservatives penalised people with modest savings and occupational pensions, we will reward them.

We accept that more needs to be done. That is why we set up the reviews, which the Opposition say that they welcome, and why we need to consider bold and radical action to sustain pension schemes and raise the level of pension savings. Our approach and the principles on which it is based are clear. First, there is the basic state pension as the foundation. Secondly, there is our responsibility towards those pensioners who have saved all their lives. Thirdly, there is our continued commitment to tackling pension poverty. Fourthly, there is radical reform to support occupational pensions. I want to deal with each of those issues.

Mr. John Redwood (Wokingham): When the Chancellor imposes a tax on dividends and further substantial taxes on the cash flow of companies, would the Minister expect the value of shares in people's pension funds to go up or down?

Mr. Smith: As ever, the right hon. Gentleman misunderstands the purpose of that corporate tax reform, which was to correct the perverse incentive in the previous tax arrangements for distribution in the form of dividends rather than for reinvestment. The impact of such reform can be judged only over a period, but the level of investment in industry is now higher, having reached the highest level for many years, at 14 per cent., whereas it averaged about 11 per cent. in the years of Conservative government. The reform was designed to strengthen British industry and our wealth-generating capacity, which is what enables us not only to enjoy higher living standards but to boost the strength of the foundations of our economy so that we can pay decent pensions in retirement.

I listened very carefully to the speech by the hon. Member for Havant to try and catch one glimmer of what the Opposition's policy is. He mentioned annuities and said that he agreed with us on regulation, but that was about it. Under the Conservatives' stewardship, we had pensions mis-selling on a massive scale and the introduction of much of the burden of regulation on pensions that they now complain about. Their leader said that the minimum income guarantee, which is taking pensioners out of poverty, had "nothing to recommend it"; and the hon. Member for Havant said that the pension credit, which rewards modest savings and occupational income, should be "reconsidered".

On the basic state pension, which should be the foundation of security in retirement, the Conservatives tried to say nothing in public—and we heard nothing about it today. According to the reports of the Opposition's so-called summit last Thursday, their spokesman refused to say anything about what their policy would be, but we have, and can share with the House, not just a memo or a note but the formal letter that the shadow Secretary of State sent to the hon. Member for Sutton Coldfield (Mr. Mitchell) on 7 March. Let us remind ourselves of what it says:

> "Here is the material I promised you about a funded alternative to the basic state pension."

It continues by stating:

> "the vision of moving to a funded alternative to the basic state pension is a powerful and compelling one which you and I share."

That means that their vision is to privatise the basic state pension.

Several hon. Members *rose—*

Mr. Smith: The dividing lines in this debate— *[Interruption.]*

Mr. Speaker: Order. I do not think that the Secretary of State is giving way.

Mr. Smith: The dividing lines in this debate are very clear. We believe in a partnership, in a balance between state and private funding; the Tories believe in privatising the basic state pension.

We have set out our policy, but what about the Opposition's?"

Lynne Jones (Birmingham, Selly Oak): Did my right hon. Friend notice how the Opposition spokesperson regarded the loss on the stock market of £405 billion in less than two years as unimportant in relation to the problems with private pension schemes? Does that loss not show the importance of having a sure foundation of state provision, so that people are not subjected to the vagaries of the stock market that we have witnessed in recent years? In that regard, what is the Government's justification for the 60:40 split?

Mr. Smith: I hear what my hon. Friend says. She underlines the importance of partnership, of a balance between private and state provision, and of not privatising the basic state pension.

Mr. Mark Francois (Rayleigh) *rose—*

Mr. Oliver Heald (North-East Hertfordshire) *rose—*

Mr. Smith: We need to talk about the basic questions of pension policy and the pensions framework. First, should we believe in the basic state pension as the foundation for pension provision in retirement? We say yes, but what about the hon. Member for Havant and his colleagues? They say that they have a compelling vision of privatisation.

Mr. Heald *rose—*

Mr. Smith: Secondly, should we believe in rewarding people with modest pensions and savings with a top-up—the pension credit—rather than the old means-testing of pound-for-pound deductions? We do, but what about Conservative Members?

Several hon. Members *rose—*

Mr. Smith: Thirdly, should we believe in a guaranteed minimum income to continue to tackle pensioner poverty—a minimum that we have increased by 30 per cent. since 1997? We do, but what about them?

Mr. Michael Jack (Fylde) *rose—*

Mr. Smith: Fourthly, should pensioners continue to receive the £200 winter fuel payments, and should those over 75 continue to receive free television licences? *[Interruption.]* A Conservative Member says "Come on!", but those provisions make a great deal of difference to many pensioners throughout the country. It ill behoves Opposition Members to dismiss them as gimmicks, as they have done in the past.

Mr. Jack: I am disappointed that the Secretary of State has so far been unwilling to accept any responsibility for the crisis in our pension schemes. In a letter to me, the Church Commissioners confirmed that the Chancellor's tax on pension funds was costing the Church of England some £7 million a year. Many less well-off vicars are about to retire, uncertain of their financial future. Given the difficulties that churches experience in raising money, could the Secretary of State explain how the Church of England is to make up for the deficit in its pension funding that was caused by his Government?

Mr. Smith: I would set more store by such comments—I accept that they are well intentioned—from the right hon. Gentleman and his colleagues about dividend tax credits and corporation tax credits if they said that they would reinstate them. However, when challenged time and again, they will not say that.

Yesterday the shadow Chancellor gave a major speech on these issues. We have scoured the reports for the commitment that surely would not have escaped the attention of journalists that he was pledging to reinstate the tax credits. So the Tories are crying crocodile tears. Their approach is to keep quiet, hoping that the voters will not notice that they are same old Tories, and more extreme than ever. The policy of not owning up to what they believe in will not work.

Mrs. Angela Browning (Tiverton and Honiton) *rose—*

Mr. Smith: In the end, we will have an open debate about policies in the House and the Tories will have to come forward with their proposals.

Mrs. Browning: Will the Secretary of State give way?

Mr. Smith: Not at the moment.

We inherited a pension system in chaos, riddled with disincentives, which did nothing for the poorest pensioners and penalised those with modest occupational pensions and savings.

Andrew Selous (South-West Bedfordshire) *rose—*

Mr. Smith: The Tories presided over a growing gap between rich and poor pensioners. They left millions in poverty. They did nothing to help the low paid, those in part-time work, carers and disabled people.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I understand that blame allocation is an important part of this process. However, may I go back to the important point made by the right hon. Member for Birkenhead (Mr. Field)? No one in the Chamber can be in any doubt that we are in the middle of a crisis of confidence regarding funded pension schemes. I think that there is a six-month window of opportunity, and the Government have put some useful reviews in place that might assist that process.

I do not think that people listening to the debate will be satisfied simply with blame allocation. The key question for me this afternoon is whether the Secretary of

State will lead a debate on what will eventually have to be a complete reconstruction of a settlement for funded pensions in the future, because that is what the country is looking for a lead to achieve.

Mr. Smith: I respect the contribution of the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), not least as the Chairman of the Select Committee on Work and Pensions. It is important to have a debate. That is one of the reasons why I was so disappointed that we heard so little by way of constructive proposals from the Opposition.

Mrs. Browning *rose—*

Mr. Smith: We want to have that debate and establish a consensus.

Mr. Richard Bacon (South Norfolk): Why does the right hon. Gentleman not give way then?

Mr. Smith: I have given way on several occasions already.

We believe in building partnership for pensions in this country. As well as the steps that we have taken to help today's pensioners, we are putting in place steps to help tomorrow's pensioners, such as long-term reforms to prevent poverty in the future by encouraging people to save for their retirement.

Mrs. Browning: Will the right hon. Gentleman give way?

Mr. Smith: The hon. Lady is very persistent; I will give way to her.

Mrs. Browning: The right hon. Gentleman is too kind. He expresses his concern about future generations; the most important thing is that younger people have an incentive to recognise that they must put money away today for when they eventually retire. When the Conservatives left office, there was more in funded pension funds in this country than in the rest of Europe put together. We had savings vehicles such as personal equity plans and tax-exempt special savings accounts—which the Government scrapped—so that there was an incentive for people to put away money for a rainy day and for their retirement through taxation vehicles as well as through pensions.

What possible incentive is there in the Government's taxation policy, which sees tax as being used only as a penalty as far as pensions are concerned, and not as an incentive? Will the right hon. Gentleman give us one good reason why the younger generation should believe that his policies will deliver for them, because they do not?

Mr. Smith: The hon. Lady raises an important question about raising the level of savings among the young. The answer is the ISA, a more flexible vehicle which is attracting more savings, especially from younger people. *[Interruption.]* The hon. Lady specifically asked what we could offer to younger people to ensure that they were saving, and I quite reasonably pointed to ISAs, just as I can point to the reward that we have built into the pension credit system for the future to ensure that saving is rewarded and not penalised. However, we must also continue to increase incomes by building a stable economy, making work pay and helping people into jobs—something that the Conservatives were not so good at when they were in government.

All those measures build on the historical partnership that we have enjoyed in this country—*[Interruption.]*—between the state, individuals and employers, and between the funded and state sectors. In that partnership, the state provides a basic pension on which people should build. It also provides the state second pension, so that from this April, 18 million people will start to gain from the changes that we have made.

Mr. Jim Cunningham (Coventry, South): Has my right hon. Friend noticed that Opposition Members have not mentioned the mis-selling of pensions that took place during their tenure of office? Will he reiterate that it is the Government's intention to defend the state pension, while working for improvements towards a decent income for pensioners?

Mr. Smith: I did indeed note the omissions from the remarks of Opposition Members. As I have reached the passage of my speech where I look to the future and to the forging of partnerships and consensus, I shall not dwell on the first point raised by my hon. Friend. What went wrong under the previous Tory Administration, as well as their failure to apologise for it, is evident to the public.

It is clear that to enjoy a secure income in retirement people need to build up more savings. Over 1.5 million more people are in work than in 1997. Having more people in work means that more people have the opportunity to save for their future. For those of working age who have never had the opportunity to join a company scheme—about half the work force—we have introduced new options for saving for retirement.

People need to be able to make informed choices. At present, pension provision and planning is an incomprehensible maze for far too many people—something that is easier to put off until another day. That must change.

The Government have an obligation, working with providers, to help people to obtain the information that they need to make informed choices.

Several hon. Members *rose—*

Mr. Smith: Last October, in partnership with volunteer employers and private pension providers, we launched combined pension forecasts that will allow people to see more clearly what pension they can expect to receive when they retire. That will form a crucial first step in raising—

Mr. Francois: Will the right hon. Gentleman form a partnership with me and give way?

Several hon. Members *rose—*

Madam Deputy Speaker (Sylvia Heal): Order. The Secretary of State has made it clear that he is not giving way.

Mr. Smith: We have taken a crucial first step in raising awareness to ensure that people have enough income

[Mr. Smith]

when they retire. All too often at present, they have a rude awakening when they realise that they will be getting less than they expected. Inevitably, it is also a lot less than they were getting while they were at work. It is a scandal—*[Interruption.]* Opposition Members are grinning, but when they were in government, they never did anything to enable people to estimate their retirement income.

We shall build on our approach from April next year when members of money purchase occupational schemes, stakeholder pensions and personal pensions start to receive an annual illustration of their future pension rights.

Those are important steps, but we need to go further still. I want talking about pensions and financial planning to be more of an everyday issue. The attention received by this debate about the situation facing the country on pensions will do some good if more people realise that they must consider their pension prospects. They have a right to expect reliable information about how they can save more for the future. To that end, we are working closely with the Financial Services Authority and others in the industry to promote the need to save and to ensure that people have the information that they need to make savings choices that are right for them.

Lynne Jones: Does my right hon. Friend agree that it is vital that people are given information in pensions statements about the impact of their own savings on their likely receipt of state benefits? Would not it be better if we rewarded pensioners who save by setting the basic state pension at the same level as the guaranteed pension credit, as proposed by the Institute for Public Policy Research? Would that not offer a more robust system for the future?

Mr. Smith: No, I do not believe that. [HON. MEMBERS: "Why?"] For reasons of cost and the effectiveness of the scheme in concentrating available resources on those who need them most. That is the merit of the minimum income guarantee and the pension credit reform that we have introduced. I must now make some progress.

I was outlining the key drivers in these matters, one of which is ensuring that people have the right incentives. It should pay to save, yet, until we introduced reforms, that had not always been the case. That is why we are introducing the pension credit from next year, and why the Inland Revenue, as part of the review that we are carrying forward, will report later this year on tax simplification. Simplification, of course, is a third key principle.

Mr. Gary Streeter (South-West Devon): Does the Secretary of State see any connection at all between the Chancellor's £5 billion a year tax on dividends and the increasing number of final salary pension schemes that are closing their doors to new members? Is there any connection—yes or no?

Mr. Smith: I have already explained the reason for that policy and the impact that it has had on raising levels of investment in this country, thereby strengthening British industry and services and putting in place a stronger economic foundation, which, surely, is the way to ensure that we can pay higher pensions in the future.

On simplification, we need to make sure that as much goes into the pension pot as possible, avoiding excessive costs in selling or in running schemes. The key next step will be the Pickering and Sandler reviews, which are due to report shortly. As I said, the Inland Revenue will report on its review of tax simplification later in the year. Alan Pickering's report will consider how we can strip away unnecessary legislation and make pensions much simpler, thereby making it easier for employers who run a company scheme, easier for the industry to sell pensions, and, above all, easier for people to save.

Mr. Julian Brazier (Canterbury): The Secretary of State referred again to encouraging saving. He will know that, for nearly 40 years, a measure has been taken of savings across the economy—the savings ratio. Will he tell the House why it is now at an all-time low—a miserable 3.5 per cent.?

Mr. Smith: The hon. Gentleman was clearly not listening, or did not comprehend fully, when I explained this matter to Opposition Members. I shall give the short version: the savings ratio tends to go down when the economy is doing well, and it tends to go up when the economy is doing badly. That might explain why it was often higher under the previous Administration than it is now, as the economy has been doing so well.

On simplification, we need to take a hard look at the regulations surrounding pensions and make a conscious decision to simplify the system. We need to make sure that pensions are accessible to the people who need them.

David Winnick (Walsall, North): Would not large companies find it useful to use as their model the pension scheme that exists in the House of Commons? We now have—it may have been different in the past—a very good pension scheme. What I cannot understand is why we should have that scheme, which is right and proper, when it is denied to many other people. Every effort should be made to ensure that large companies have—or introduce—a final salary pension scheme. What is good for us should be good for others.

Mr. Smith: We recognise the contribution that final salary defined benefit schemes make more widely in the economy, as well as in Parliament and across much of the public sector. It is important to explain, however, that the final salary or defined benefit scheme is not the most appropriate vehicle for everyone, especially more mobile workers and those who do not have the prospect of progressing up the salary spine, for whom a defined contribution system can offer more. The crucial consideration is the amount of contribution that goes into the pot and the security and return on the investment.

Gregory Barker (Bexhill and Battle): Will the right hon. Gentleman give way?

Mr. Smith: I have given way many times and I must finish my remarks.

Another aspect of the debate is important in informing the national consensus that we need to build. As well as making it easier for people to save, we need to provide more and better opportunities to prepare them for retirement. We need to reverse the trends of the 1980s and 1990s in which, for example, the proportion of men between the age of 50 and state pension age not in work doubled. We need to get rid of perverse incentives to retire when it might suit people to carry on working, perhaps part-time, for longer. Far too many people experience a cliff edge between work and retirement—

Mr. Redwood: Like Ministers?

Mr. Smith: The right hon. Gentleman should know.

On Friday, someone could be deemed a valuable member of the work force, but the following Monday find himself shuffled off to retirement.

Youth unemployment was the focus of many Government efforts to get people into work in the 1990s. The focus now must be on the over-50s. Progress has been made. The rate of employment for the over-50s has risen every year for the past four years and is now one of the highest in Europe. Already 900,000 more people aged over 50 are in work than in 1997, but there is still more to do. With increasing longevity, people should be able to choose to combine work with income from retirement not just in the years up to state retirement, but beyond.

Mr. McLoughlin: Will the right hon. Gentleman give way?

Mr. Smith: No, I am concluding my remarks.

I firmly believe that our framework is based on a combination of state and private provision that strikes the right balance. Like the Conservatives, I do not believe that state pay-as-you-go pensions should dominate, but unlike them I do not believe that we should rely exclusively on funded private pensions. Privatising the basic pension, as the Conservative party proposes, would force everyone to put their retirement nest egg into one basket.

The future is risky and we need a balanced strategy to spread those risks—a partnership between the state and the private sector. We will continue to build on the changes we have made to enhance that partnership. The principles on which our approach is based are clear: first, the basic state pension as the foundation; secondly, our responsibility to those who save; thirdly, our continued commitment to tackle pensioner poverty; and, fourthly, radical reform to support occupational pensions. We will carry forward our work, building on what has been achieved to help people gain security and fulfilment in retirement.

4.44 pm

Mr. Steve Webb (Northavon): Sometimes we have had cause to agree with the Conservatives' analysis of the pensions issue. One phrase in their motion— "shocked by the Government's complacency"— jumps out because it puts its finger on the pulse of the pension problem. The Government are indeed guilty of complacency on funded pensions. It is striking that relatively little of the Government amendment, on which we will vote later, is about funded pensions. Instead, the Government pat themselves on the back for £6 billion of state spending.

That goes to the nub of the problem, which is that the Government have set a target for increasing funded pensions, but appear to have almost no policy levers to deliver it. It is a paradox that for several years it has been Government policy to increase funded pensions from 40 to 60 per cent. of income in retirement, yet there appears to be no method of delivering that policy goal.

That, I regret to say, is where the consensus between the Liberal Democrats and the Conservatives breaks down. When I look at their motion, I see hand-wringing over measures that they oppose but would not reverse, and a very thin set of proposals for reform, some of which are agreed throughout the House and are not distinctive, and most of which are rather vague and do not amount to a row of beans.

The motion condemns the

> "massive £5 billion annual tax on pension funds",

but does not propose to reverse it. When we challenge the Conservatives to say whether they would reverse it, they reply that they cannot make spending pledges this early in the Parliament and that they will produce a manifesto. They produced a manifesto a year ago, after the dividend tax credit was abolished, and there was no pledge to reverse that move. The Conservatives had the chance to say what they would have done if they had been elected, and they said nothing, so instead of criticising measures taken several years ago that they have no intention of reversing, they should move forward with a positive agenda, which seems sadly lacking this afternoon.

Mr. John Butterfill (Bournemouth, West): Is the hon. Gentleman telling me that reversing that £5 billion of taxation is a Liberal Democrat policy, along with all the other pledges that they will never have the opportunity to implement?

Mr. Webb: Not at all. None of the three main political parties has included a reversal of that policy in its manifesto, and that is the point. It is dishonest of the Conservatives to keep whingeing, "Oh, it's terrible but if we had the chance to be in government, we wouldn't do anything about it." It is also a waste of our time. Let us talk about what they would do.

The Conservatives are in favour of cutting the burden of regulation, almost all of which they wrote. As for the regulations introduced since Labour was elected, will the hon. Member for Havant (Mr. Willetts) list which of them the Conservatives voted against? I put it to him that his party has supported the vast majority of pensions regulations introduced in recent years. I would give way, but there is no response. The Conservatives are weeping crocodile tears. They will not reverse the tax change to which they object; they voted for or waved through most of the extra regulation that they claim to oppose, and they wrote all the rest of it.

The Conservatives say that they want to reverse the spread of means-testing, and we share that desire. But is there a Conservative proposal to put money into the basic pension? When the pension credit was introduced, there was a suggestion that the money might go, quite properly in my view, to older pensioners through the basic pension. Is that current Conservative policy? Is it Conservative policy to put up the basic pension? It has suddenly gone very quiet. There is no such policy. There is a lot of hot air on this issue. The Conservatives complain about measures that they would not reverse or to which they have agreed.

James Purnell (Stalybridge and Hyde): Has the hon. Gentleman noticed that the Conservatives are rather less

[James Purnell]

coy outside Parliament? At a conference that we attended last week, the hon. Member for Havant (Mr. Willetts) speculated about getting rid of the state second pension and the state earnings-related pension scheme. Is that Liberal Democrat policy, or do the two parties part company on that point too?

Mr. Webb: We diverge on a number of points. The hon. Gentleman, the hon. Member for Havant and I addressed that conference, and the hon. Member for Havant said something intriguing that has not been picked up. I know that saying something on the Floor of the House is not a good way to get it publicised, but I will have a go.

The hon. Gentleman said on the record that pensioners currently get three means-tested benefits: income support, or whatever name it is known by these days; housing benefit, and council tax benefit. His view, and I am sure he will correct me if I misrepresent him, is that three is too many. The Conservatives would prefer there to be two benefits, and housing benefit is the one that he has in mind. The Conservatives are thinking of ending not only the basic state pension but housing benefit. If he wants to correct the record, I am happy to give way, but he explicitly said that we should go from three benefits to two, which, according to my arithmetic, must mean doing away with one.

The Conservatives suggest that there should be simplification. Alan Pickering, for whom I have a great deal of respect, has shrewdly spent a lot of time with the hon. Member for Havant, myself and people who have some influence in the pensions world—perhaps the hon. Gentleman and I do not—gathering a consensus. I strongly suspect that when he makes his proposals they will attain cross-party support. It is true that we want simplification of regulation, but that is not a distinctive policy. Once that is done, what will be left of the Conservative proposals? They are getting a bit thin—and we are nearing the end of the motion.

What is left? On reform of annuities, there is a specific proposal that will benefit a small number of people. We supported that proposal when it was set out in a private Member's Bill, but it will be largely irrelevant to the vast number of people who are suffering the loss of funded pensions now.

Mrs. Browning: I have to disagree with that statement. My constituency experience is that when it is explained to younger people being offered a stakeholder pension that they have to take it as an annuity, it puts them off signing up. That is why the take-up figures for stakeholder pensions are so small. I am talking not about people on high salaries, but about garage mechanics and people like that.

Mr. Webb: The hon. Lady misses the point. The private Member's Bill that I mentioned would not deal with such people—it would be of absolutely no value to them. That is because the sort of pension pot that such folk could accumulate would not put them in the range of those who would benefit from having draw-down or greater flexibility. That proposal was the only example of innovative reform that the hon. Member for Havant gave, but it is largely peripheral to the problem of the big falls that we are now seeing in funded pension provision.

Mr. Butterfill: Will the hon. Gentleman give way?

Mr. Gardiner: Will the hon. Gentleman give way?

Mr. Webb: I have given way already to the hon. Member for Bournemouth, West (Mr. Butterfill), and I want to make some progress, but I give way to the hon. Member for Brent, North (Mr. Gardiner).

Mr. Gardiner: I am grateful. Is the hon. Gentleman aware that the Association of British Insurers has published data on the low earnings of those taking out stakeholder pensions, in contradistinction to the remarks made by the hon. Member for Tiverton and Honiton (Mrs. Browning)? The ABI says:

"Where earnings data is known the majority of purchasers earn between £10,000 and £29,000"

a year. Does not that give the lie to the hon. Lady's comment?

Mr. Webb: Not only do the majority of those taking out stakeholder pensions earn between £10,000 and £29,000, but the earnings of the majority of the working population range between those two figures. It is an extremely wide band, and it was not the original target for stakeholder pensions.

One of my concerns about the stakeholder scheme is that the ABI figures show that only one in three stakeholder pensions have been bought by a woman. One of the key features of the pensions debate is that women are almost invisible. Among today's pensioners and people approaching retirement age, it is always women who have grotty pensions or poor pension rights. My concern about the change from 40 to 60 per cent. private provision, which the hon. Member for Birmingham, Selly Oak (Lynne Jones) is right to challenge, is that it is likely to be detrimental to women. Greater reliance on funded but money-purchase pensions, in which people buy an annuity—which is less for women than for men—is likely to be detrimental to women's relative position.

Mr. Tom Levitt (High Peak): Is not that point addressed by the state second pension, which will specifically help women who have broken or reduced contributions records?

Mr. Webb: The state second pension will build up over a 45-year period, and it will help only women whose children are now aged five or under. Even in 45 years' time, the poorest women in retirement will not be those who have just hit pension age at 65; they will be the 80-year-olds. Even in 45 years' time, a full basic pension and a full state second pension—which will be quite hard to accumulate—will not lift a woman above the means test. The glory of the Government's goal—the full fruition of their policies—is that in 45 years' time, even if she is good and has a full basic pension and a full state second pension, a woman can be rewarded by needing to claim a means-tested top-up because she does not have enough to live on. That is not a goal that I would set.

If a simple target not of 40 per cent. but of 60 per cent. funded provision is arbitrary and inappropriate, what should be the Government's target? What should they measure to determine the progress of their pensions policy? The answer is so blindingly obvious that it is hardly ever said. Instead of measuring the numbers of billions in funds, which the Government appear to have great difficulty doing, they should measure how many people in the current work force are heading for an income in old age that will give them a decent standard of living. The target of policy should be to deliver that decent income to each individual in the most effective way—whether through state provision, private provision, or a combination of the two. It should not be an arbitrary figure—40 per cent., 60 per cent., or whatever—picked out of the air, because that might not be consistent with the right number of people getting a decent income in retirement.

Such an exercise has been undertaken. NatWest Life produced a pensions index. It asked retired people what sort of income they needed for a decent standard of living, then projected how many of the current work force would, as things stand, attain such standards, and came up with a figure of 21 per cent. A year later, it found that that figure had fallen slightly. We can argue about thresholds and measures, but the principle must be right. We should be debating the proportion of people of working age who are heading for poverty or comfort in old age, not having obscure discussions about hundreds of billions of pounds and inflows and outflows. We have lost sight of the goal.

If we agree that there should be such a goal, the question is what should be done. As the right hon. Member for Birkenhead (Mr. Field) said, we have a duty not merely to whinge about the Government's performance, disappointing though it has been, but to say what should be done. I enormously welcome the fact that the Secretary of State for Work and Pensions is talking about flexible retirement and getting rid of arbitrary barriers. He even used a phrase that I have used for a long time, saying that he wanted to get rid of a cliff-edge notion of retirement. I heartily support that.

I hope that, following its review, the Inland Revenue will allow people partly to retire, partly to work for the same employer and partly to draw a part pension. It is absurd to assume that 99 per cent. of the work force are tax dodgers and to set the rules for them. Let us presume that people want to order their affairs to their own advantage but not to exploit the taxpayer. Let us assume that they want the system to allow flexibility in retirement, get rid of arbitrary rules that cut people off at 60 or whatever age, and provide choices. That would help funded pensions and would help to make the sums add up.

Geraint Davies (Croydon, Central): As the hon. Gentleman is moving toward making recommendations, will he say whether he favours the Australian occupational pension scheme, in which a certain level of coercion on employer contributions is matched by increases in productivity and tax breaks? That gives rise to much higher predictable income in later life.

Mr. Webb: I shall come to that very issue. Ideally, we want to enable people who are willing and fit to work longer. The question is how we complement that and get more saving done—the stick and the carrot. We can either force people, as the hon. Gentleman has suggested, or incentivise them. I shall return to compulsion.

The ABI has written to a number of us proposing an interesting scheme. Where, say, two thirds of a company's employees are in a scheme and the employer is contributing, say, 5 per cent., there could be a pension contribution tax credit—not a pension credit but a Government top-up. There could be some subsidy of good company schemes in which employers contribute a fair whack and to which a decent proportion of the work force belong. That idea seems to be well worth pursuing.

The Government may think that the decline in final salary schemes and the amount that is going in are problems, yet they have no control over that amount. It is determined by the entirely private decisions of employers. If the employer decides to cut the contribution rate, the Government cannot say, "No, you can't." They just have to sit and watch. That is my key point. The Government do not appear to have policy levers to stop the problem arising. Why not look at incentives such as the ABI suggests? There could be some reward for employers that run good schemes to which they contribute a decent amount. That could perhaps be financed by reductions in higher-rate pension contribution relief.

John Robertson (Glasgow, Anniesland): Will the hon. Gentleman give way?

Mr. Webb: I should explain that this is me speaking; this is not yet official party policy. [HON. MEMBERS: "Ah."] It is important that we put on the table the ideas that are kicking around and see what reaction we get. Should not that, rather than reading out prepared speeches, be the point of a debate?

Mr. Frank Field: Surely what is sauce for the goose should be sauce for the gander. If the hon. Member for Havant (Mr. Willetts) wants to discuss what we do with housing benefit, should he not be encouraged, rather than penalised, for doing so? Similarly, we should encourage the hon. Member for Northavon (Mr. Webb) to discuss ideas of redistributing tax privileges.

Mr. Webb: Absolutely. If the hon. Member for Havant had repeated in the House what he said at an IPPR conference, I would have been delighted. We could have kicked the idea around, but it has disappeared. We would not even have to get rid of all the higher-rate relief. The ABI has costed one of its proposals at £900 million; higher-rate relief costs substantially more than that. Higher-rate relief is not delivering a penny of extra pension savings to people who are not saving enough. That is the key. If a finite amount of Government subsidy is going into the pension business and we want people who are not saving enough to save more, it may be worth looking at redistributing money from people who are saving quite well and can look after themselves by putting it into good company schemes over which the Government have no sway. If that eventually becomes Government policy, you heard it here first.

John Robertson: Is the hon. Gentleman saying that he would like to introduce legislation to force companies to make a contribution to pensions? If so, will he say what should that contribution be, and develop an idea in which I am interested?

Mr. Webb: There are two strategies—the incentive strategy, which provides a tax break to encourage firms

[Mr. Webb]

to make such provision or, alternatively, as the hon. Member for Croydon, Central (Geraint Davies) mentioned, the Australian model, in which employers are required to make a contribution. A typical employer contribution to a scheme is 5 or 6 per cent. Obviously, there are some big variations, but that figure is not atypical. An advantage of a mandatory contribution from employers is that the good guys do not mind because they are already making contributions, and we prevent them from being undercut by the bad guys who are not contributing.

Obviously, the Australian situation is different because there is far more collective labour organisation—national labour unions can offer a deal in return for a pension contribution. The Australian system has achieved a huge increase not just in the proportion of male full-timers with pensions but women part-timers. We must therefore take a serious look at compulsion—we must not be afraid to use that word. It is hard to compel new young workers to pay for a pension. Even for me, telling a 21-year-old with a £10,000 student debt, "By the way, you've got to pay for your pension," is not a saleable proposition. However, we might tell people in their late 20s, before the onset of family responsibilities, "Now is the time to start thinking about a pension." The earlier that we do so, the less severe will be the contribution demanded of them.

John Robertson *rose—*

Mr. Webb: I am afraid that I shall not give way. There is a time limit on subsequent speeches, so I do not want to take up too much time.

Do the Government regard incentives as part of the solution, without which they have no lever on employers? Or do they regard compulsion as part of the solution? The Secretary of State is wary of that option, but does not seem to have ruled it out completely, which is probably the right approach. I hope that he will keep an open mind, as there is a widespread view in the industry that we may need to go down the route of compulsion.

I am concerned about where we are heading. The time bomb is not about paying for pensions—it is about pensioners living in poverty. As the hon. Member for Havant said, the Government have just published figures showing that newly retired people are less likely to have an occupational pension than they were a year or two ago. I asked the Secretary of State about those figures at Work and Pensions questions yesterday, but his response concerned a different set of figures, perhaps because my question was not clear enough. However, I was referring to the Department's own pensioner income series, which shows that in 1999–2000, 48 per cent. of single females had a company pension, but in 2000–01 only 39 per cent. had one—a huge fall from one year to the next. In a written answer, the Minister for Pensions told me that that might because of the selection of an atypical group. That may be true, although a sampling variation alone cannot account for a shift of that size. We know what the scale of uncertainty is in samples, and it cannot explain such a big difference. Either the figures are wrong—someone has done something wrong with the questionnaire or survey and, if so, I hope the Department looks into it—or something more significant is going on.

Sandra Osborne (Ayr): I am one of the women whom the hon. Gentleman is talking about. Before I came to the House, I did not have an occupational pension as I was working in the voluntary sector—that is typical for both men and women in that field. I am always interested in the hon. Gentleman's remarks about the position of women in relation to pensions. Precisely what are his proposals for a rapid improvement in the situation?

Mr. Webb: I shall address that point in a second.

Either something dramatic is going on that warrants proper investigation or the data are dodgy, which also warrants investigation. The Government cannot continue to take the approach that they have taken in written answers to me—they cannot say that they will collect data for a few more years, then think about the position. By then, they will have been in power for seven or eight years. If something serious is going on in declining occupational pension receipts from women pensioners, -eight years is a long time to let that continue.

The hon. Member for Ayr (Sandra Osborne) quite properly asked what the Liberal Democrats would do about the situation of women. We want the basic state pension to be far more of a foundation than the Secretary of State suggested, which means that there would be price indexation. We particularly want the basic state pension for older pensioners substantially increased; the majority of older pensioners are women.

The hon. Lady may say that before she is old, she will be newly retired, and that group of women need providing for, as well. With a substantially better pension at 75, women with small amounts of saving could buy a much better pension with it if they had to buy it only for the years between 65 and 75, instead of for the rest of their life. They would get roughly double the pension from a 10-year pension than from a lifetime pension. If the state guaranteed a good income for women at 75, they could get double the private pension at 65. That is one of the possibilities that we want to consider.

There are no easy answers. Making sure that contributions were mandatory at some level over the longer term might ensure that some women were provided for. Also, many women have paid at the married women's reduced rate, and there are still a huge number of them working their way through the system who do not know what pension rights they will accumulate. We believe that the Government should contact those women now to alert them to that fact.

Kali Mountford (Colne Valley): Will the hon. Gentleman give way?

Mr. Webb: I am about to conclude, if the hon. Lady will forgive me.

The Conservative motion wrings its hands about aspects that it would not reverse and offers practically nothing of substance to take the debate forward. Yes, the Government have been complacent. There are just the stirrings of one or two movements in the right direction. We welcome the Pickering review, such as we know of it, and the prospect of Inland Revenue reform to encourage people to be more flexible in their retirement.

When the Minister looks at funded pensions and the overall pension regime, I urge him not to forget women. I urge him to look at where women are heading and the trouble that is building up for them—which the state second pension will not address for 40 years, and even then, only in a very limited way—and not to condemn women to a retirement of means-testing, but to help women in particular, and people of working age in general, to have a decent income in old age. That should be the goal, and it should be the measure of progress in pensions policy.

Madam Deputy Speaker: I remind all hon. Members that Mr. Speaker has imposed a 12-minute limit on Back-Bench speeches.

5.7 pm

Paul Flynn (Newport, West): Those of us who are old lags at pension debates must have listened with incredulity to the opening speech from the Opposition. It is curious that there was such excitement among Opposition Members about a tax change that has resulted in a £5 billion loss to the pension industry, yet we are to ignore entirely 18 per cent. of £450 billion, which is a result of factors beyond the control of any Government—the change in the stock exchange. We are expected to get excited about £5 billion a year, and ignore the sum of £86 billion that has gone the same way.

I listened with amazement to the idea that 1997 was year zero. I shall deal with more positive developments later, but the wreckage of the pension prospects of a whole generation—people in their 20s, 40s and 60s—originated mainly during the years from 1979 onwards. In 1980, the break was made in the link between pensions and earnings. In 1985–86, SERPS was cut in half. That wonderful scheme was one of the great achievements of the Labour Government, and was introduced by the Minister, Barbara Castle, whose life we shall celebrate a week today at 12.30 pm in Central hall. I hope to see everyone there, and we will bring our banners along. SERPS was one of our major achievements, but one that we neglected to respect and nurture under the present Government.

Mr. Butterfill: The hon. Gentleman is perpetuating the myth that it was the Conservatives who first broke the link between pensions and earnings. He neglects to remember that it was Labour who did not implement it. Labour Back Benchers, some of whom are present today, to their credit castigated their own Government for not implementing that link because they fiddled the figures. All the Conservatives did was to formalise what Labour was already doing.

Paul Flynn: I did not suggest for a moment that the Tories were the first to break the link, but they broke it in every year from 1980 until the time that they went out of office, so it was a continuous period and the result was a huge loss. However, they did worse things than that.

One of the points in the thoughtful speech of the hon. Member for Northavon (Mr. Webb) was that many people who are not involved in the pension debate—those who are working, between the ages of, say, 25 and 50—face a bleak future. The main reason for that is that in the 1980s, occupational pension schemes were compulsory for employers. The Conservative Government decided in the name of choice to make them voluntary. Many young people, in the belief that they were immortal and would never grow old and need a pension—they were likely to have been in the child-rearing, furniture-buying days of early marriage—did not contribute to their occupational pensions, even though they were good pensions; they were not only final salary schemes, but were index-linked in many cases. Millions of those people now find themselves without the benefit of any contributions made in those years, and if they start contributing in their 40s and 50s, it is almost impossible for them to catch up without paying 20 or 25 per cent. of their salary. There is a massive crisis on the horizon, and the problem was the result of the actions of the Conservative party.

The great crime was on personal pensions. I fondly remember a golden moment when I was sitting on the Benches where the hon. Member for Bournemouth, West (Mr. Butterfill) is sitting now and challenging the then Prime Minister about personal pensions, which were being wickedly oversold by very deceptive advertisements. Mrs. Thatcher told me that I was against choice because I was a socialist, but the choice that she gave people was that of jumping over the cliff and abandoning guaranteed schemes that would have given them a final salary pension that was index linked in many cases, and moving on to the hopeless gamble of personal pensions. That was the great sin of the Conservative party.

Mr. Francois: I shall not contest for a moment the suggestion that the hon. Gentleman is a socialist, as his record is perfectly clear. I have listened to his argument, but does he accept that many people rely on a final salary scheme from their employer? Whatever he says about the 1980s, it is undeniable that in the past year to 18 months, company after company has been abandoning those final salary schemes. There must be a reason for that. We would argue that it has happened because of the different tax treatment introduced by the Government. Does he not accept that the abandonment of a large number of those schemes is a very serious issue for the people who work in the companies in question?

Paul Flynn: The hon. Gentleman knows that there is a stampede away from final salary schemes. I agree with the hon. Member for Tiverton and Honiton (Mrs. Browning) that that is likely to be irreversible and will continue. It is very difficult for us to say to young people in their 20s that they should invest in schemes that will lock up their savings for several decades, which will turn out to be money purchase schemes and will be likely to provide very poor value. What we currently tell our young people—I am sure that we all do so—is that their best way of ensuring prosperity in old age is to go into property. That is another reason why the savings ratio has gone down. The advice is that it would be sensible for grandparents to have stakeholder schemes for their grandchildren, but that it would not be sensible for the young people themselves to do so, for reasons that we know about and because of the way in which things have developed.

SERPS and the basic state pension were the two firm foundations and they have both crumbled a little in recent years. The Labour Government, to their credit, have given increases across a range of benefits for retired people. The amounts are far greater than anything that has been given for at least 30 years, so we can take credit for that, but what retired people now want is the promise, which no party is currently giving to them, that the basic pension that they receive will not fade away with inflation. They are rightly terrified of a disappearing income that will reduce their ability to buy.

[Paul Flynn]

SERPS was our creation and I appeal to my right hon. Friend the Secretary of State to re-examine it and rediscover its virtues, which were summarised by the National Pensioners Convention in evidence given to the 1997 pensions review. First—he made the same comment in answer to one of my hon. Friends—it gave this point as one of the main virtues of SERPS:

> "Compared with salary-related occupational schemes, it offers total portability and a fairer method of calculation than final salary."

That is what everyone wants—a bit of security. The NPC also said:

> "Compared with money-purchase schemes, it offers defined benefits . . . Compared with either, it offers the possibility of . . . enhancing pension rights during periods of non-earning."

We can now add a fourth advantage:

> "as a pay-as-you-go scheme, it is not dependent on the vagaries of investment markets."

So what are the Government doing about SERPS? A change of name to "state second pension" has been accompanied by two major improvements, a much better deal for contributors with low earnings and credit both for disabled people and for carers. The 1998 Green Paper, however, proposed a more fundamental change—that from about 2006 the state second pension should cease to be earnings-related for most people, becoming a flat-rate pension like the basic pension. The assumption was that by then stakeholder pensions would be firmly established, and that there would no longer be any need for earnings-related pensions provided by the state.

It is not yet clear how successful stakeholder pensions are likely to be in reaching the low-to-middle earners for whom they were intended, and about whom many of us are very concerned; but the need for a high-quality state earnings-related pension scheme has never been more obvious. The debate gives the Minister an opportunity to clarify the Government's intentions. Do they still intend to destroy the best of what remains of SERPS in a few years' time? If not, will they consider seriously what changes are needed to re-establish it on a firm financial basis and restore public confidence in the scheme?

Poor old SERPS has never been sold. It has never been promoted. Indeed, during the 1980s there were campaigns running it down. The Midland bank, for instance, urged people not to take it up when they could have a £5,000 gift from the Government. But here we have a scheme of quality with guarantees at the end—a scheme that we are allowing to be run down.

The other part of the foundation is the basic state pension. Over the last five years, we could have increased it by the top level of inflation or the level of earnings. We have done that with a number of other benefits—we have delivered for pensioners—but if only we had taken the small step of restoring the link for as long as possible, and given the current inflation rate we could probably have done so for the foreseeable future, today's pensioners would feel much more secure.

I believe that the main lesson of the past 30 years is the failure of the private pension industry. A vast amount of money is lost in administration, selling and commissions, whereas the basic pension scheme represents good value in that less than 1 per cent. is lost in administration. We should recognise the multiplicity of crises affecting all the groups of people involved, and realise that we can tackle them only by restoring the basic state pension, restoring the link and restoring SERPS to its old level, and by investing in that. We should not depend on the private pension industry: we have seen the way in which the wolves in some of those companies have ravaged the pensions of millions over the past few years.

The only way in which we shall achieve a pension guarantee for the future is by using compulsion at many levels of society. I do not believe that, without that compulsion, we can convince the young and middle-aged generations of the need to make the massive contribution to their pensions that will assure them of an adequate income in retirement. We must also face up to something which, although it is obvious, we rarely address—the need for a flexible retirement age. The Queen, who says in her mid-seventies that she intends to go on and on, is a magnificent example to us all as she approaches the prime of life. Many of us have similar ambitions. To achieve them we must go on earning and not raid our pension schemes, allowing others to take advantage of them.

5.19 pm

Mr. James Arbuthnot (North-East Hampshire): I declare my interest, happily, as a barrister and, rather less happily, as a policy holder of Equitable Life, among other pension companies.

I have already found this debate extremely interesting, particularly the exchange between the hon. Members for Croydon, Central (Geraint Davies) and for Northavon (Mr. Webb) about the virtues of the Australian pension scheme. The virtues of compulsion in Australia were funded in the first year by the trade unions agreeing to at least partially forego any pay rise for that year. That is something that this country ought to examine with interest.

This is a vital debate, and I shall be extremely complimentary, if I may, about my Front Bench for choosing to spend the entire day on this important subject. This issue is central to the whole world: how do we cope with the fact that we are all living longer? If one puts it as simply as that, it looks as though there ought to be a pretty simple answer. Unless we want to live in increasingly abject poverty, we must either work longer or save more money—or, preferably, a mixture of both. It would be preferable for the individual to be able to choose the extent to which he or she worked longer, or saved more, but I believe that there must be an element of one or the other, or both.

It will be up to the Government to decide whether to achieve this by encouragement, compulsion, or, perhaps, a mixture of both. What we should not do is retire earlier, save less, or—still worse—both. Unfortunately, however, that seems, in many cases, to be precisely what is happening now. I would be happy to see an increase in the element of compulsion. I personally prefer the idea of encouragement, but if that is not going to work, we have no alternative but to go down the route of compulsion.

I am disappointed that the Government continue to give the impression that the structure of pensions is basically right. After the important announcement by the Secretary of State yesterday about the difficulties that his Department is having with his figures, it may be that he will wish to revisit the question of whether the structure of pensions is basically right. I hope that he does. There is a massive problem in this country, and in the west, but I hope that he will also treat this as a massive opportunity.

In relation to the fact that we need to work longer, my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) grasped that nettle when he raised the working age of women to 65 in the Pensions Act 1995—when I was a junior Minister in his Department. That was obviously right; women live longer than men, and for them to be retiring earlier than men was daft. With that one action, my right hon. Friend saved more money for the country than any other Minister or Government in history. Looking back, however, I think that we can ask whether we went far enough. We are still living longer. Every decade, we seem to live another year longer. We are not, however, gradually raising the retirement age on an automatic basis to take account of that. That is something that we ought to consider.

I did not get the impression from the Secretary of State's speech that he was focusing on that need. He said at one point that the increase in life expectancy means that pension funds have to go further than ever before. I am not sure that that is the right way of looking at it. We need to increase pension funds, and make sure that they do not have to go further than ever before, because we are working longer.

Kali Mountford: The right hon. Gentleman makes an interesting point about people living longer. Is not that a good reason why people should not draw down on annuities early?

Mr. Arbuthnot: That may be a good reason why people should not draw down on annuities early, but I am making a different point, which is that the Government should focus far more on the future. This is a question of sentiment. We should encourage people to look forward to their old age, which they naturally do not like doing. People put off thinking about it, because they do not want to envisage growing older. They prefer not to think about their retirement age. If they have a pot of money, they may be tempted to spend it now. We should encourage them to leave money for their old age and to save as much as possible.

The trouble is that we do not seem to be saving more money: we seem to be saving less under this Government. Opinion polls suggest that most people think that there will not be a state pension by the time they retire. At a time when we are living longer, we are saving less and retiring early. It seems as though the world is going mad.

We think that we are superior to other European countries because we are saving more in funded pensions, but the position is not much better in this country. We have an extremely serious problem. When I was in the Department of Social Security, as it was then, I said that we always had more money in funded pensions than the whole of the rest of Europe put together. How complacent that was. Although that remains true, we have a major problem. I did not envisage the coming into office of a Government who do not appreciate the need to encourage people to put money into pensions.

The reason I say that is because one of the first and most important steps that the Government took was to withdraw ACT relief. When they came to power, they could have taken up the idea of my right hon. Friend the Member for Hitchin and Harpenden of basic pension plus. They could still take up that idea and adapt it in a sophisticated way to the state second pension, as my right hon. Friend has suggested. I think that they should do so, because that would provide every young person with a fund, guaranteed by the Government, as they come into the work force.

James Purnell: Will the hon. Gentleman give way?

Mr. Arbuthnot: I am afraid that I do not have much time left, so I cannot give way.

Such a scheme would build up a fund for young people to give them dignity and choice in their old age. That would be enormously beneficial to the economy of this country.

The Secretary of State has said that the withdrawal of ACT relief was to get rid of a major distortion relating to investment by companies. That may have been a stated reason, but we know that he wanted the money. The effects of the withdrawal of that relief were huge.

Mr. Levitt: Will the hon. Gentleman give way?

Mr. Arbuthnot: I am afraid that I cannot give way, because we have a limit on the time we can speak.

Tesco announced in March 2000 that there would be a 15 per cent. increase in employee contributions to final salary schemes. I agree that there should be increases in contributions to final salary schemes, but that increase was eaten up immediately by the Government's withdrawal of ACT relief.

People are reluctant to think about their pensions. They need to be cajoled into thinking that the Government believe that it is a good thing to invest in funded pensions. When someone like Robert Maxwell comes along, it takes years for the country to recover in pensions terms. When something like mis-selling comes along, it takes years for the country to recover. My right hon. Friend the Member for Hitchin and Harpenden sorted out the problem of Robert Maxwell, and he began to sort out the problem of mis-selling. But when a Government remove £5 billion every year from pension funds, it will take years to recover from it. Unfortunately, the Government have no intention of allowing the country to recover, because they do not intend to change the situation.

We do not have to look into a crystal ball—we can see the effect of the Government's withdrawal of ACT relief in the fall in the savings ratio from 9.5 per cent. of earnings to 3.75 per cent. of earnings. I applaud the Government for saying that funded pensions should move from 40 per cent. to 60 per cent. of pension provision, but we have come to learn that it is necessary to look not at what they say, but at what they do. When we say to the Government, "Stand and deliver", we mean, "Stand and deliver on your promises." Their commitment to move from 40 per cent. to 60 per cent. is excellent, but they should deliver on it. Unfortunately, I suspect that they take it to be an invitation to act as a highwayman and to get rid of the benefits of the strong pensions structure that we had under the Conservative Government.

5.31 pm

Kali Mountford (Colne Valley): Today, we have been offered a rare treat—an opportunity to debate policy with Conservative Members. I congratulate them on that. It is rare because, in many such debates, the Opposition's interest is not in public policy, social policy or anything to do with what interests people outside this House. According to my recollection, this must be my eighth Opposition day speech on pensions.

The debate has drawn us once again into our old comfort zones. We have returned to the old class struggle that we are so used to, and Conservative Members have fallen back on their faithful comfort zone of the markets. In talking about what they would do with funded pension schemes, no Conservative Front Bencher mentioned poverty, people in middle-income brackets, people who have no income because they are carers, people who are living in dire straits because of a failed previous scheme, people who lost all their savings under Conservative Governments, or the need for better regulation. Although Conservative Members seem to have no memory of their 18 years in power, they have a clear memory of the past five years—but not of what has changed in that time. They have forgotten about the complete change to the way in which we deliver support to elderly people in our society. That forgetfulness is the result of the narrow scope of their thinking, which comes down to one change in tax regulation.

Conservative Members do not have a wider vision of how the markets affect funded pension schemes overall, so what sort of vision are they offering us? Advance corporation tax schemes, which were so beloved of them, benefited the shareholders of pension schemes. They were made an offer: "If you take your dividend you'll get a 20 per cent. rebate off the taxpayer." That did nothing to help people to get a better pension when they retire.

Conservative Members made much of the £5 billion a year that is being lost—that is arguable, because it should be offset by the 3 per cent. cut in corporation tax—but they should have looked at the measures as a whole. We are trying to introduce some sense into the market by saying, "If you are going to use our money, which we have invested in your fund, at least put it into long-term investment and do not waste it on shareholder dividends, because that is the wrong thing to do." We cannot ignore markets and their actions—or, sometimes, inactions. Stock markets will have periods of volatility. It is sheer folly to consider a pension period such as this in isolation, because it is narrow in the context of the whole history of funded pension schemes. There has been market volatility before, and there will be again.

The current market volatility is not surprising. Let us look at the markets. What happened with Equitable Life? There was a complete ignorance, or an "ignore-ance", of its duty. *[Interruption.]* I wonder how *Hansard* will deal with my pronunciation—it has a problem. There was an "ignore-ance" of its reinsurance duties. From as long ago as 1983, the company ignored its clear and obvious duty to behave properly; the problems did not occur magically in 1997.

Enron cannot have escaped our notice. We now have WorldCom, and there will be others. When the Treasury Select Committee took evidence on the various problems in marketplaces, we found, again and again, that there was over-optimism, a complete failure to ensure duties and a failure by accountants to ensure that people's investments were being taken care of properly. Is it any wonder that there is now no faith in markets?

Mr. Redwood: What would the hon. Lady say to the workers of Caparo, who tonight are facing the closure of their final salary scheme and a substantial worsening of their pension conditions? Would she deny that their fund is being closed because of the dividend tax, or is she saying that they are rich enough to be able to stand it?

Kali Mountford: I would say to the right hon. Gentleman and to everyone having problems with final salary schemes that to try to narrow the debate and to blame one mechanism is complete folly. We must look at schemes and the markets as a whole.

John Robertson: Does my hon. Friend agree that the companies who are winding up these final salary schemes seem to be using that as an excuse not to plough money into their employees' pension funds?

Kali Mountford: In my experience, it is not unusual for any company that is failing on any ground whatever to avoid the real and honest issue and to try to blame somebody else, or another simple mechanism. That is easier for them than being honest with the people whom they are letting down.

James Purnell: Is my hon. Friend aware that the hon. Member for Daventry (Mr. Boswell) said exactly that in Committee recently? He said:

> "There appears to be a growing propensity among employers to pull out of the business of providing contributions themselves."—[*Official Report, First Standing Committee on Delegated Legislation*, 14 May 2002; c. 4.]

Companies are doing exactly what my hon. Friend says—using Government policy to hide the fact that they are trying to cut the salaries of their employees.

Kali Mountford: They are not the first and they will not be the last. I suspect that we will see more of that. That is very disappointing, but what should we do about it? There are mechanisms that we should employ and I hope that Pickering will pick up on some of the market failures and start to look at better regulation.

The Conservative party is usually very resistant to better regulation, which it regards as a burden on employers. However, it is a bigger burden for pensioners, who, as we are now witnessing, have to pick up the pieces of failed market activity.

There is also complete "ignore-ance"—I use that word again—of what has happened with pension holidays. I have heard a few figures bandied around on the issue today, and I will throw one into the pot myself. Tax office figures show that an estimated £19 billion was taken out of pension schemes through contribution holidays by employers and employees—

Several hon. Members *rose*—

Kali Mountford: I seem to have caused a stir. I shall give way to my hon. Friend.

Sandra Osborne: I was puzzled when the hon. Member for Havant (Mr. Willetts) mentioned a figure of less than £2 billion. However, the TUC has said that, according to Inland Revenue statistics, employers took contribution holidays or reductions between 1987–88 and 2000–01 to a value of £18.57 billion. Does my hon. Friend agree that that is a more accurate figure?

Kali Mountford: It is very close to my own figure of £19 billion.

The TUC should take some cognisance of this, because it, too, encouraged pension holidays, as it believed that they would keep companies going that in fact needed more investment, rather than short-term mechanisms such as using pension funds to prop up a failing business.

Mr. Butterfill: While the hon. Lady is talking about pension contribution holidays, she may care to reflect on the fact that the Government have taken a holiday on the parliamentary contributory pension scheme for the past 10 or 11 years, and that in the past year alone it was 11 per cent.

Kali Mountford: That did not really take the debate any further forward.

Mr. Bill Tynan (Hamilton, South): Does my hon. Friend recognise that, in addition to pension holidays, many companies took the opportunity to raid the funds of pension scheme surpluses, using them for their own ends? Is not that a tremendous problem that should have been resolved at the time?

Kali Mountford: That neatly takes me back to the point that I am trying to make. We really need regulation that will safeguard funds if we are to tackle the issues rightly raised by the right hon. Member for North-East Hampshire (Mr. Arbuthnot). Not only do we have an ageing population but the number of people in work will continue to fall, because of demographic change. Currently, we have a high number of people in employment, but the problem is that the total population is falling, so the gap between the number in work and the number who have retired will continue to grow. We must take real cognisance of what the right hon. Gentleman said.

People in work will have to pay a larger proportion of their income to support those who have retired. It is folly to keep peddling the myth that we ever had properly funded pension schemes. The truth is that all schemes were pay-as-you-go, although some were dressed up in different ways. Today's workers pay for today's pensioners, whether in the state or in the private system. If we are to tackle that thorny issue, we must take account of the sort of savings that we should be encouraging young people to build up today.

I am only sorry that time is so limited that I cannot say any more.

5.42 pm

Mr. John Butterfill (Bournemouth, West): I was interested to hear what the hon. Member for Northavon (Mr. Webb) said about encouraging a wider discussion on this important topic. Such wider discussions have been going on for a long time. People have been talking about the Australian proposal, which some of us have advocated since before he came into the House. We should remember that the Australian scheme is quite complex. As my right hon. Friend the Member for North-East Hampshire (Mr. Arbuthnot) said, it requires the trade unions to agree to forgo their annual pay increase in the year in which it is brought in, and then to moderate their pay increases in subsequent years. It also includes a proposal whereby the employees are gradually pushed into compulsory contributions. That has not yet been implemented. I wonder why. It was also accompanied by massive mis-selling, on a scale that dwarfed anything that happened here. Before we rush into any such scheme, we must examine it with more care and deliberation.

The problem is that the whole pension system—especially for private pensions—is in crisis. There is a massive loss of public confidence, and it is essential that it be restored. There is no evidence that that is happening. Only 25 per cent. of companies are now inviting new entrants into defined benefit schemes, the Government's pension figures are wildly wrong, as they now admit, and the savings ratio is down to its lowest since records began. The Minister said that that is a reflection of the wonderful state of the economy. The economy was wonderful when the Government inherited power, but we now have a record and massive balance of payments deficit, the lowest—and declining—growth in the whole of the European Union, and a manufacturing industry that is in recession. That is not my definition of a wonderful economy, and nor is it true to say that a precise correlation exists between the savings ratio and the health of the economy. I urge hon. Members to be cautious. As all independent commentators agree, the Chancellor's growth forecast will not be met. Substantial tax increases are therefore likely, which will prove painful in years to come.

The point is that the public are losing confidence in this sector. Many are buying property not because doing so brings a tax benefit—it does not—but because they consider property the only safe place in which to put their money. There has been a failure to regulate the system properly; indeed, the case of Equitable Life constituted a massive failure of regulation. The actuary for that scheme should have known that the commitments taken on by the company required far greater reserving, and the Treasury that was responsible at the time for prudential supervision should have so required it. People have blamed the Financial Services Authority, but it came rather late to the case; it was the Treasury that failed to regulate.

Some hon. Members say that nothing was right before, and they utter the mantra of mis-selling, but only a minority of personal pension schemes were mis-sold. Had we not introduced them, the sum total of pension provision would be very much lower than it is. Moreover, they were mis-sold in relation to the occupational schemes that people were taken out of. Of course, as we now know, some occupational schemes are failing. Those who thought that they had been mis-sold a scheme might be glad that they bought a personal pension, now that they see their former occupational scheme failing. It all depends on what point in history one considers.

The Association of British Insurers estimates that the pensions savings deficit is about £27 billion. There is a great need to bolster public confidence, and perhaps to move to compulsion. In that regard, I agree with many Labour Members. In a speech to this House nearly two

[Mr. John Butterfill]

years ago, I cautiously advocated compulsion for everybody, not just employers. At the same time, the Government must themselves do something to boost pension savings. What have they done so far? They have introduced a stakeholder scheme that had one beneficial effect: it reduced costs. As the right hon. Member for Birkenhead (Mr. Field) pointed out to me, the effect was major, and we agreed that reducing costs to an industry average of about 1 per cent. was a marvellous achievement. However, the scheme has not proved efficient in reaching its target audience.

The problem is that linking a scheme such as the stakeholder scheme with a minimum income guarantee creates a considerable disincentive to save for those on the lowest incomes. Despite what the Minister said, that problem is not met by the pension credit, which, as he knows, is an extremely complicated scheme. Many of those representing elderly people say that it would be beyond the wit of most of them to work out how to implement it, and that they will not necessarily claim it.

What else have the Government done to encourage people to save? Much has been said about the £5 billion a year that they have taken out in respect of advance corporation tax. Some say that that does not constitute a huge sum, but those with money purchase schemes have to increase their contributions by about 20 per cent. just to stand still. That is a lot of money for most people who are saving, but more important is the message that that sends—a message that has been reinforced by, for example, underfunding of the contracting-out rebate to the tune of £1.5 billion a year. It has been reinforced by other Government taxation and stealth measures. For example, people with personal schemes can no longer take advantage of carry-back arrangements. One advantage of the personal schemes was that people could pay in when they could afford it; when they had a lean year they did not need to pay in, but if they then did better they could claw back from previous years. That arrangement has been prevented by the new Inland Revenue rules. What sort of message is that to send to people who want to save for their retirement?

The Inland Revenue is the villain of the piece. One message that I should like to get across to Ministers is that they should have the courage to face up to the Inland Revenue, which thinks that every pension scheme devised—indeed, almost every savings scheme—is a tax avoidance device for the rich. It is perfectly easy to frame legislation to prevent tax avoidance. The Revenue fears loss of income to the state, but it forgets that if it encouraged people to save for their old age, the state burden would be so much less as to outweigh any temporary disadvantage. That is why it should consider annuity reforms. We need worry less about the type of person who has an annuity than the overall message that it gives. Young people on modest incomes say to me that they will not enter a scheme if it means that they must buy an annuity at the end of it. They want greater flexibility.

The Government should tackle the Inland Revenue. They should take up the very good proposals made today by the Association of British Insurers, to which the hon. Member for Northavon referred. Some of them are excellent and the ABI thinks that, if implemented, they would produce an aggregate of about £10 billion of savings.

I believe that the Government are doing one thing right in asking experts to advise them. What Ron Sandler and Alan Pickering are doing is extremely worth while. I just hope that when the reviews are completed, the Government will have the courage to implement the recommendations.

5.52 pm

Mr. Frank Field (Birkenhead): For the past two days the House of Commons has been reflecting feelings in the country. At Question Time yesterday, the Order Paper was dominated by questions on pensions. As for today, I cannot think of a previous debate on pensions that has had a time limit on Back-Bench contributions. The House is reflecting the urgency that is felt in the country, and in following the comments of the hon. Member for Bournemouth, West (Mr. Butterfill), it is thinking about what can be done so that our constituents do not face a leaner and meaner retirement.

There have been two significant changes with the change in the holder of the office of Secretary of State for Work and Pensions. The first is that, during this debate and on other occasions, he has called for a new consensus. In looking for that new consensus, I make a plea for us to look at the Order Paper. Constituents who may be watching the debate and seeing the normal way in which we behave may not have the opportunity of reading the motions and amendments on the Order Paper. I suggest that much of the consensus that the Secretary of State wishes to see in this area of policy is on the Order Paper, and I should like to highlight those points.

The official Opposition talk about the need to increase savings and funded provision. Although one or two people with eccentric views on this side of the House believe that that is not the way forward, the consensus is that we should pursue that policy. The Opposition's other suggestion is to cut regulation. Indeed, we are looking for the Pickering and the Inland Revenue reports to give a framework within which the Government can begin that process.

The Liberal Democrat motion breaks new ground by arguing that we should not have arbitrary targets regarding funding or pay-as-you-go schemes but should instead ensure that an increasing number of people are on a decent pension. I would enter a small amendment, in that we must think about how those pensions are delivered. My hon. Friend the Member for Colne Valley (Kali Mountford) was right to say that, ultimately, pensioners are making a claim on this year's national income. We have to debate the most effective way of delivering that claim. In this country, generally speaking, people have a greater chance of that claim being delivered if they have ownership of capital than if they rely too heavily on pay-as-you-go schemes. However, there needs to be a balance.

The hon. Member for Northavon (Mr. Webb)—I call him my hon. Friend, because he is in these matters—said that we must increase the state element in our retirement package. Although some people not too far from the Chamber quite properly claim that the existing pensioner population should have a much larger increase in the state pension, I think that a consensus will emerge, at least in the first instance, that we need to weight the increases in state provision towards the oldest pensioners who are, in general, our poorest pensioners.

My hon. Friend the Member for Northavon also made the point that we need to simplify pension provision because we are strangling occupational pensions, the one big welfare success of the past 100 years. In doing so, we need to reduce the numbers of people on means-testing.

In the Government's amendment to the motion, they rightly draw attention to the extra resources that they have made available to today's pensioners. No other Government's record can compare. The problem is that we are giving that form of help in a way that is undermining long-term provision of savings. Clearly, some changes have to be made; so the Government's recognition in their amendment to the motion that

"there is still more to do"

is very welcome.

I conclude with a suggestion about what "still more to do" might mean. It comes back to the point that my hon. Friend the Member for Northavon made about compulsion. This is not a debate about whether or not to have compulsion. There is already compulsion, in that taxpayers pay 4p in the pound on the standard rate of tax to finance means-tested benefits for people who, for reasons that are sometimes very good and sometimes not so good, have been unable to provide adequate pensions for themselves. Under the Government's projections, that compulsion will rise to 12p in the pound when the pension credit is fully operative. That form of compulsion is not sustainable.

The Government say that there is still more to do. I make a plea that, when the door is open to the reviews by Pickering, Sandler and the Inland Revenue, we should recognise that our biggest failure as a country has been our failure to provide people with an adequate basic pension in the first place. I believe that such a pension cannot be delivered simply through a pay-as-you-go scheme. We need to roll up our pay-as-you-go scheme with funded provision so that we offer an adequate pension for everybody.

If we begin to achieve that objective, many of the problems that we have spoken about will be resolved, because we will need less regulation. We will not have to regulate schemes to ensure that they deliver the funds to make good the failure to provide an adequate pension. The worries about mis-selling will be fewer, although not eliminated, because people will know that every penny they save will be added on to their basic, adequate pension rather than being subtracted in the way that governs so much of our current provision.

For two days running, we have reflected the concerns of our constituents, many of whom are genuinely worried that what they thought was to be a decent pension provision and a pension promise will be stolen from them, and who fear that unless the House of Commons acts soon, they will have a leaner and meaner retirement.

I very much welcome the comments made by the Secretary of State during the past few days, because he has called for a national consensus, the beginnings of which are on today's Order Paper. The cornerstone will be to implement an adequate first pension that is part funded and part pay-as-you-go. Would not it be a treat if, instead of our having to go through the Lobbies later on, the Government accepted that there is good in all the motions on the Order Paper, and if all the parties decided that the important thing was to begin to establish that national consensus instead of having three rather boring Divisions at 10 o'clock?

6 pm

Mr. John Redwood (Wokingham): I have declared my interest in the Register, and in the course of my remarks I shall draw on some of my experiences before I became a Member, as a director in charge of investment research and a pension fund manager in charge of considerable funds in the City. That experience seems very relevant as current events unfold.

As I listened to the Secretary of State's remarks, I found it curious that the man who has just managed to get out ahead of the private finance initiative and public-private partnership disasters that are likely to implode in the Treasury—under the rigged accounting that the Government are going in for—should be given the rather difficult task of picking up the unfolding pensions crisis so nimbly left to him by his predecessor. I congratulate the Secretary of State; I admire him for many reasons, but this challenge will prove extremely difficult. It may concentrate his mind to realise that if he fails, he will be off, like his predecessor, to try to sort out the railways, which will prove an even more difficult task for the Administration.

Mr. Peter Viggers (Gosport): Not only would the right hon. Gentleman be in charge of sorting out the railways, he would also have to sort out the air traffic control system, having previously told the Labour party conference that our air was not for sale.

Mr. Redwood: My hon. Friend is right. That is one of the PPPs that will cause continuing hassle and call into question some of the accounting techniques.

The Secretary of State used curious arguments. He said that the low savings rate was a sign of great success in our economy. He seemed to imply that when we had higher savings rates and people were making much better provision for their retirement and other events in their lives, that was a great failure. I would rather swap our failure—higher savings rates—for his success. Extending his argument, if we took 20 per cent. off his salary—as the Government took 20 per cent. off the dividends going into pension funds—the Secretary of State would feel richer. It would not feel like that to anyone else, but that is the topsy-turvy world of the Secretary of State's economics, which seem to invert everything known to the rest of us.

The Secretary of State also told us that the dividend tax had been extremely good for British businesses; it had been wonderful to take some of their money away and that was one reason they were investing far more money. If that is the way to attain higher investment targets and raise productivity, why do not the Government take even more money away from companies?

Opposition Members are shaking their heads—they know that the Secretary of State's argument was fatuous. The Government have made a series of tax raids on pension funds and companies and they have suddenly woken up to the awful fact that the money is running out. There simply will not be enough money to pay all the promises, meet all the expectations and pay all the bills that the Government blandly assumed would be paid and met by the private sector, despite their tax policies.

Let us consider some of the figures. As some of my colleagues had to point out to the Government, the £5 billion is £5 billion a year deliberately removed from

[Mr. Redwood]

pension funds by the Government—money that the funds could otherwise have invested. Worse than that, the removal of that money must have an impact on the value of all the shares held in the portfolios of those pension funds. That is why I intervened to ask the Secretary of State a simple question: if the Government decide to take £5 billion away from companies, will that lead to share prices rising or falling?

Everyone outside the House—with or without investment experience—could give the Secretary of State the answer. I will give him the answer—based on 15 years' experience at senior level in a leading investment house: all things being equal, it will lead to lower share prices. That is exactly what has happened in recent years as the full consequences of the dividend tax have worked through the investment markets in Britain.

When the tax was imposed, companies were expensively rated. For example, if we take a modest rating of 16 times below the market average reached as the market rose, we would expect £80 billion to be wiped off shares in Britain as a direct result of imposing a tax of £5 billion a year on company profits and dividends. A similar figure is reached by a calculation based on dividend yields. I am sure that colleagues understand how the arithmetic would work.

I have consulted people outside who have told me that my figures were rather modest. Many people would expect £100 billion or more to be wiped off share prices as a direct result of the £5 billion tax. There is a double whammy for the pension fund; it is short of the income to reinvest and the capital value of its underlying assets is falling.

The Government made the extraordinary decision—the Chancellor of the Exchequer again—to impose a substantial tax on telephone companies that wanted to remain in business and continue to develop the mobile telephony that is so important to their future. The Government worked out such a clever system that they managed to relieve the leading telephone companies in Britain of £22.5 billion. Does the Secretary of State think that taking away £22.5 billion would make those companies stronger or weaker? Will it lead them to invest more or less? Will it be good or bad for their share prices? Drawing again on my past experience, I can give the Secretary of State the clear answer that he was unable to offer the House: it is bound to lead to a sharp reduction in the share prices of those companies.

These matters are important, because when the Chancellor imposed that tax, those companies were extremely popular with investors and pension funds in the City, which had massive positions in leading companies such as Vodafone and British Telecom. The share prices of those companies have fallen far more sharply and devastatingly than the market averages, partly because of the Chancellor's clumsy intervention and the deliberate reduction in shareholder value that he created.

If that £22.5 billion—a one-off amount—is spread over a five-year period and we apply a multiple well below that on which telecoms were then selling on the stock market, we would expect their shares to fall by at least £90 billion, as a direct result of the £22.5 billion being removed from their coffers. What happened in practice? Overall, share prices fell by much more than that. At its peak value, Vodafone was worth more than £240 billion in the stock market; pension funds had very large positions in that company. Today, it is worth about £60 billion. About £180 billion was wiped off the shareholder value of Vodafone, some of which is directly attributable to the decision of Her Majesty's Government to lift so much money off the company.

The situation was similar for British Telecom, which also held a large and favoured position in many pension funds; it reached a peak value of about £100 billion. Today, the value of BT and mm02, a spin-off of the company, is about £26 billion. About £74 billion has been wiped off the value of BT. Again, part of that is the direct result of that very expensive tax imposed by the Government.

Mr. Gardiner: Will the right hon. Gentleman give way?

Mr. Redwood: Briefly—I have plenty to say.

Mr. Gardiner: I am grateful to the right hon. Gentleman for giving way, especially in view of the time limit.

I have been listening carefully to the right hon. Gentleman. Surely he would accept that, especially in the case of the two companies in the telecoms industry to which he has referred, other extremely significant factors had a far greater impact. For example, they over-extended themselves in the amounts that they paid for band wave. To blame the whole fall in share price on the introduction of the ACT regulations is beyond the pale.

Mr. Redwood: The hon. Gentleman has not been listening. In the case of Vodafone and BT, I have been putting more blame on the tax raids specific to the telecoms industry in the United Kingdom. The UK raid had the biggest impact on Vodafone and BT. Furthermore, it was mimicked in Germany, which did not help. As I explained—if the hon. Gentleman had been listening—the fall in Vodafone and BT was far greater than the amount I should have expected as a direct result of the Chancellor's actions. My modest calculation blames the Chancellor for £90 billion of the fall. A lot of that loss was incurred by British pension funds, so they will find it difficult to pay the pensions—*[Interruption.]* Labour Members seem to think this is great fun, but I warn them that many of their constituents are members of those schemes. Many of their constituents who do not have high incomes depend on those schemes for their future earnings in retirement.

Rob Marris (Wolverhampton, South-West): Will the right hon. Gentleman give way?

Mr. Redwood: I wish I could, but there is not enough time.

Many people out there with modest life prospects and far less generous pensions than we receive in this place, courtesy of the taxpayer, must today face up to a crisis. Perhaps their scheme has been closed to new members, perhaps its terms are being worsened, or perhaps it is being wound up because it cannot meet its obligations. That is happening because of the combined effect of taking money away from pension funds, taking money away from companies and the dramatic reduction in share prices.

Of course, international factors affect share markets, too, but much of the drop in British stocks and shares has been made in 11 Downing street by a Chancellor of the Exchequer who did not know when to stop taking money away from people. That is a disaster for pensions and for savers, and it goes some way to explain why the savings rate is so low and why companies such as Caparo, which is presided over by a chairman who is a Labour peer, must face extremely difficult choices, which I am sure that they would prefer not to face. The money is running out, the shares are not worth enough, the incomes are not flowing in, the Chancellor has squeezed the pips too much and it is beginning to hurt very badly.

The Government have launched new types of pension: stakeholder pensions. Many people think that they are mistake holder pensions—they do not seem popular, and they do not seem to be touching the parts of the income scale that they were designed to help. They, too, will struggle for exactly the same reason. The Government are creating an atmosphere that is hostile to enterprise, to profits and to dividends. I fear that the market has not yet adjusted fully to the massive national insurance hike coming next year. Let us hope that it has discounted some of it. Some £8.6 billion a year will go out of companies. Let us say that half that—£4.3 billion—is directly attributable to and payable by the leading companies quoted on the stock exchange. One would expect a further £50 billion or £60 billion to be wiped off share values as a direct result of that money going out of companies.

Do the Government care? Will they cancel the measure at the last minute? Do they not see that a tax on jobs is the last thing that is needed in the current parlous situation? Pensions are in a funding crisis, much of which is the result of bad policies at No. 11 Downing street.

6.12 pm

Mr. Terry Rooney (Bradford, North): It is good to see that Vulcan economics lives on. There is a danger in debates of this nature that we try to resolve policies on the basis of the last three weeks' headlines. Much of the Opposition's contribution has been on that basis. Given the nature of the subject, however, we need to take an extremely long-term perspective on pensions and on how people arrive at the pensions entitlement.

Looking back, the biggest single advance in pension provision for the majority of people was probably made by the 1975 changes that introduced SERPS. For the first time, compulsion was introduced into the system for a second pension. Of course, many of the benefits that accrued from that were wiped out by the disastrous changes that took place in the mid-1980s. Notwithstanding that, people retiring today who have contributed only to SERPS on fairly average earnings are getting about £60 a week extra. In half a working life, that is a significant advance, which should not be knocked.

If we consider the three different elements of the state second pension, personal pensions and occupational schemes, the biggest disaster for occupational schemes was caused by the 1988 changes, which led to 2 million people coming out of occupational pension schemes, becoming the victims of mis-selling, and, to date, receiving £13 billion in compensation. With the best will in the world, taking £13 billion out of the asset base of pension companies has an effect on their reserves and on the amount that they can afford to pay out in future years. That has also had a significant impact on, for example, so-called low-cost endowment policies.

Ultimately, the key must be a significant element of compulsion as well as a significant incentives arrangement. Most people do not know about the incentives that already exist in the schemes. They are totally unaware, for example, of the national insurance rebates and tax relief on contributions, which are not sold well enough. That is partly because the whole focus and emphasis—especially following the 1988 changes—is on the personal pension. That puts the public in the hands of dodgy sales people who are not driven by the future needs of those to whom they are selling but by commissions.

The sad thing about personal pensions is that so many are taken out and cancelled in the first three years, at which point the individual concerned has lost every penny that they have put in, as it has been wiped out by charges and so on. As the hon. Member for Bournemouth, West (Mr. Butterfill) highlighted, the beauty of the stakeholder pension scheme is that it has fixed those costs and driven them down across the entire life assurance sector. They will never return to their previous levels.

Mr. Arbuthnot: The hon. Gentleman makes a good point about driving down costs generally. Is it not a real problem that some costs have been driven down so far that many of the new stakeholder pensions are being issued at a loss? That is not sustainable, and it cannot continue.

Mr. Rooney: I would always call into question people like pension providers and the Association of British Insurers when they start talking about losing money, in the same way as I question their definition of the shortage in pension provision, bearing in mind how much of that they will want to keep for themselves. We need to recognise that they are seeking business. None of the big providers of stakeholder pensions has stopped selling them—that is the acid test. When they stop selling them, there may be a problem, but they are all in the market, and they all want them. A key change has been made to what used to be an evil level of charges. That regime has gone for ever. Charges have been fixed at 1 per cent., which everybody said could not be done. Magically, however, once the change comes into force, the market adapts. That key change must be driven through.

Nobody has so far had the courage to grasp the balance between incentives and compulsion. That is a massive challenge for Government—to grasp the nettle of compulsion while being brave enough to match that with incentives that add up to a decent package. Young people—especially those under the age of 25—are, and always have been, a phenomenal problem. At that age, they are first setting up home, getting married, having children, and buying their first three-piece suite. If one tries to explain to them the necessity of starting pension provision, one finds that the issue is so far over their horizon it is not even on their radar. That is always a problem with occupational schemes, as young people have the option of whether to join up to the age of 25. One cannot get them to join. They say, "What's in it for me? Do you want me to lose 5 per cent. of my salary at a time when I have all these expenses, all these bills?" There must be an element of compulsion that matches that in the state second pension. The carrot must be equal to the stick, however, to give people genuine hope and a reason to save at the appropriate levels.

I am sorry that the hon. Member for Bournemouth, West has left the Chamber, as he has an incredible faith that pension providers will make the right decisions. In

[Mr. Rooney]

1988, a major pension fund manager in charge of about £44 billion of funds decided to opt out of the equities market totally, and to convert all its funds into cash holdings. Over the next three years, it lost £7.5 billion of income for the funds that it managed.

There are some incredible differences in the track records of pension providers and insurance companies. The returns of some of them—it is the same companies year after year—are such that they should be closed down and barred from the investment business. In general, those companies have paid the highest levels of commission, but their returns are horrendous. There can be as much as a 70 per cent. gap between the best and worst investment houses. The Government need to examine that structure.

It has been only 10 years since the House clamoured for a raft of regulations on pensions to stop the practices that occurred in the Maxwell scheme. There is a great danger in getting rid of all regulation to simplify matters. We only need to lose 1 per cent. of £870 billion, or whatever the figure is, through abuse or weak regulation to have a serious problem. We know what happened with WorldCom and Enron and should be alive to the fact that there are people in this world who will seek any opportunity and use any means available to deprive other people of their money.

It will always be the case that the private sector has cleverer lawyers and accountants than the Government. We need an appropriate level of regulation to protect the interests of our constituents and their future. A landmark judgment by the European Court of Justice in 1994 has not been translated into legislation. The Coloroll judgment said that pensions are deferred wages: they do not belong to the employer or the pension provider but are the property of the individual. Individuals need to know that the state will provide the appropriate regulation to protect their funds so that when they retire they get not a shock but a pension.

6.22 pm

Mr. Peter Viggers (Gosport): I hope that the debate does not disappear into a black hole, because Parkinson's law tends to apply to such matters. The numbers are so large and the time scale so long that the press do not pay much attention. That is wrong because the debate is important. I am pleased that my party chose to allocate a whole day to it and I hope that its importance is reflected in the press.

In a fiercely competitive field, pensions are the Government's greatest failure. They are condemning millions to inadequate pensions and means-testing. I declare an interest in the general subject as the chairman of a pension fund who has taken an interest in such matters for many years.

From a global perspective, the United Kingdom does not stand too badly against our European colleagues. About £1,270 billion is invested in pension funds in Europe, 90 per cent. of which is invested in three countries—the UK, the Netherlands and Ireland. The disparity is that we value our investment in pension funds in a way different from that of most of our European colleagues and there is a serious funding crisis in the UK.

The right hon. Member for Birkenhead (Mr. Field), to whom we owe a great deal, quoted the Lombard Street research group in an article in *The Times* on 3 June. He said that new inflows into pension funds since the Labour party was elected in 1997 have fallen by three quarters. In other words, the net inflows into pension funds are only one quarter of what they were in 1997. That is staggering.

We also face the problem of outflows caused by longevity and fluctuations on the stock exchange. We all know, however, that actuaries can and do take account of longevity. They tabulate their projections on a very long-term basis, which also takes account of variations in stock exchange values. One cannot attribute the crisis in pension funds simply to those two issues. There is the further problem of FRS17, which requires companies to include a reference to their pension fund situation in their annual accounts. I am pleased that that has been delayed while further discussions take place. There is also the problem of the miserly uprating of the contracted-out rebates, which cost each contracted-out pension fund member about £130 a year.

Those problems pale into insignificance, however, when compared with the Chancellor's raid on pension funds in his first Budget. The £5 billion-a-year raid on pension funds has been the major single factor in causing the crisis in pension funds. It adds up to a £27 billion shortfall, which pension funds cannot sustain.

The pensions debate takes place against a background in which companies find it appropriate to phase out their final salary schemes partly because of projected underfunding and FRS17. It also reflects a changed employment system. It is unusual for someone to stay with a firm for his whole career. Individuals are more likely to move from company to company, which is why many employers regard money purchase schemes as more appropriate.

John Robertson: Does the hon. Gentleman agree, as other hon. Members have, that some companies are deliberately winding up final salary schemes to save money on their costs?

Mr. Viggers: That practice is a reflection of FRS17, which requires companies to take account of their pension fund situation, and of changed employment practices. It is still appropriate in some firms to have the advantageous final salary schemes, but if individuals are not staying with companies for long periods one has to accept that the final salary scheme does not suit such an employment system. A money purchase scheme also has advantages for employees who work for longer periods but who are not expecting to move further up the ladder in their firms, perhaps because they decide to work in a different capacity at the end of their employment, which means that they earn less than when they were younger.

Firms with final salary schemes—this relates to the hon. Gentleman's question—were in the habit of paying 15 to 20 per cent. to the pension fund of each employee, but employers tend to pay 5 to 10 per cent. towards money purchase schemes. If an employer pays 6 per cent. to the pension scheme, the employee contributes about 3 per cent. on average. That 9 per cent. contribution is less than half of what will be needed to allow for a reasonable pension at the end of the employee's period of work.

Those problems add up to a crisis. We need leadership, encouragement from the Government to contribute to pension schemes and incentives. It has been mentioned that people in their 30s and 40s who are concerned with child care and furniture buying think that they can defer making a payment to their pension fund, but an early payment would allow a larger fund to build up.

Something needs to be done. What is the way ahead? First, I have no doubt that compulsion in pension funding is necessary. It is not possible to envisage a sensible scheme unless there is compulsion across the board. Compulsion can be supported for those who cannot afford to pay, but compulsion there must be. Secondly, there must be an admission that the guaranteed minimum pension is unfair and unsustainable. It cannot be continued indefinitely. The right hon. Member for Birkenhead referred to the percentage of national product that it will take if it continues.

Thirdly, the Government need to take decisive action to simplify pension schemes and to ease contributions. There must be tax support for contributions to reverse their collapse to only a quarter of what they were when the Government came to power.

I turn now to an area that has not been mentioned. It is one in which we would have expected a reforming Government to be active, and in which this Government have been supine. They have failed to take account of problems in the "trough", whereby individuals employed in government service find that at a time of pay restraint the Government hold back wages, which means that their pensions are also held down. If someone retires on a low wage held back by the Government for their own purposes, their pension will for ever be lower than that of someone who retired when wages were higher. That trough in public sector pensions is unfair and should be rectified.

The hon. Member for Brent, North (Mr. Gardiner) looks uncertain. There are cases in the armed forces where, because of a period of pay restraint, a person of a certain rank retires at a wage lower than that of someone of the same rank who retired before or after him. That individual's pension will be permanently affected, and that is unfair.

Mr. Gardiner *rose—*

Mr. Viggers: I am afraid that I cannot give way because time is very restricted.

The Government have also failed to reform by upgrading the pensions of those who have retired abroad. It is monstrous and unacceptable that those who retire within the European Union have their pensions upgraded, while those who retire to the old Commonwealth of Canada, Australia and New Zealand do not. That is unsustainable, and any fair, reforming Government would seek to tackle the situation.

The Government have also failed to reform the provision whereby widows sacrifice a public sector pension when they remarry. I had a case recently in my constituency surgery concerning a woman who has been widowed more than once. When she was first widowed she received a pension, which she sacrificed on remarriage. When she was again widowed, she applied for her pension to be restored, and after she had filled in a rather complicated form, it was restored on a means-tested basis. She has now been widowed again, and although her income and circumstances have not changed, she has been told that she cannot have her widow's pension restored. It is wrong that this elderly and dignified lady should not have her pension restored.

Finally, on a point made by one of my colleagues, the oldest pensioners also deserve further support. Many of them retired after a long period of service and are now very poor. They may be unable to fill in the forms for the various means-tested benefits that might be available to them, and they lose out.

I submit that this Government have failed. They have damaged funded pensions and introduced a massive increase in means testing.

In a pertinent question, my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) asked the Secretary of State what amount an individual will need to have saved to escape means-testing, and suggested that the amount may be £100,000. My own calculation is that an individual who has saved for his retirement and is not eligible for means-tested benefits will be ineligible for council tax benefit and housing benefit, which come to about £100 a week. That is £5,000 a year, and if one takes an average actuarial calculation and multiplies it by 16 to subtend the capital amount required to produce £5,000 a year, the answer is £80,000.

In other words, under this Government, if people can save £80,000, they will be okay, but if they can save less than £80,000, they are better off blowing the whole amount and not trying to save at all. That is monstrous and unacceptable. The pension credit will not resolve the problem because it is far too complicated and many pensioners cannot cope with the amount of paperwork involved. I therefore condemn this Government for their utter failure on funded pensions.

6.34 pm

James Purnell (Stalybridge and Hyde): The Opposition seem to operate on the basis that if they assert something often enough in pained tones, it will become true. Unfortunately, that will not happen because the facts undermine their case. The decline in the number of people covered by an occupational pension has been going on for a long time. Since 1991, that number has fallen from 5.6 million to about 3.8 million, and the pretence that it is due to changes made since 1997 will not wash for several reasons.

First, the change to advance corporation tax in 1997 has not had the effect that the Opposition allege. Like other changes made then, it was part of a policy to get rid of a perverse incentive in the system which encouraged companies to distribute money as dividends rather than to reinvest it. If, as the Government argue, their policy encourages people to reinvest in their company and to raise productivity, even by only 0.25 per cent., the profitability of pension funds will be far higher over the long term than it would have been if the perverse incentive had remained in place.

Mr. Levitt: One element that seems to have been forgotten, as I am sure my hon. Friend is aware, is that when ACT was abolished, a 3 per cent. cut in corporation tax made it the lowest in Europe.

James Purnell: I am grateful to my hon. Friend. He has saved me from making that point.

Secondly, the real cause of the decline in occupational pensions lies elsewhere, as the hon. Member for Daventry (Mr. Boswell) said in the Standing Committee that I

[James Purnell]

quoted. There are several reasons for the changes in occupational pension funds, the main one being that employers face exactly the same pressures as the Government—people's longevity. People live longer, so the cost of maintaining a pension fund is becoming greater. Is that an excuse for companies to close their pension funds?

Andrew Selous: The hon. Gentleman is right to say that there has been a gradual decline in the membership of funded schemes, but does he accept that it has been far steeper since 1997?

James Purnell: The figures do not justify that because, as I understand it, the latest ones are projections rather than facts.

Between 1991 and 2000, the stock market was booming, so companies were taking holidays from pension contributions. My hon. Friend the Member for Ayr (Sandra Osborne) quoted stark figures: out of the almost £19 billion taken by funds at that time, the figure put into pension holidays was 16 times higher than the amount put into reducing employee contributions. In that period, pension schemes were getting a large surplus because of the performance of the stock market, but companies used it to profit themselves, and now that the stock market is going through a more difficult period, they are using the excuse of Government policy to reduce their contributions, which effectively reduces their employees' pay. If they directly reduced people's salaries to that extent, there would be absolute outrage.

It is no surprise that when the TUC surveys people about their conditions of work, it now finds that pensions are their greatest worry. That may start to make a difference to people's attitude to this issue. Employers will find it much more difficult to reduce contributions if individuals begin to treat their pension as part of their salary.

John Robertson: Does my hon. Friend agree that pensions are in people's thoughts so much because the Government have raised awareness of the issue and taken the debate to the people?

James Purnell: Absolutely.

There are legitimate issues to be discussed. Unfortunately, the main ones are not those raised by the Opposition today. We never hear what their policies are. The hon. Member for Havant (Mr. Willetts) claimed that he would come on to Conservative policy, but he spent 25 minutes talking about statistics, rather boring those on the Benches behind him. He may come to regret the large attendance that he enjoyed today. He then spent one minute talking about his policies, one of which is to support the Government's policy on Pickering. The only other two that he mentioned were support for annuities, which overwhelmingly benefits the rich, and a reduction in means-testing, but he did not tell us how he would achieve that.

Luckily for us, the hon. Gentleman is rather less coy outside the Chamber. He is fond of being expansive at seminars or in print, as the hon. Member for Northavon (Mr. Webb), whom I am glad to see is still present, and I found at the conference I mentioned earlier.

Kali Mountford: Did my hon. Friend glean from the speech of the hon. Member for Havant (Mr. Willetts) the telling point that he hoped that there would be less reliance on, and indeed no need for, the basic state pension?

James Purnell: That is deeply worrying. The hon. Gentleman wrote the last Conservative manifesto, and after his great success at the election he may have a hand in writing the next one. If we cobble together his policy from the indications that he has given, we find that the manifesto is likely to include opting out of the basic state pension, which may be paid for by getting rid of SERPS and the state second pension. That is what he seemed to be saying at the conference that the hon. Member for Northavon and I attended last week.

The hon. Member for Havant said that other Opposition Front Benchers were already enviously eyeing SERPS and the state second pension, especially now that it had been made into what he described as a "rather odd system", with a flat rate. The reason it has been made into a flat-rate system is to make it redistributive, so that those who benefit from the state second pension are those with broken career records or caring responsibilities who have not been able to build up the same entitlement as those who work their whole life.

It is not surprising that the one pensions policy for which the Conservatives—who claim suddenly to have discovered the vulnerable and the poor—voice clear support is a change to annuities, which would overwhelmingly benefit the rich, and the one area that they are prepared to raid to fund their pensions policy is one that overwhelmingly benefits the poor. People outside will notice that.

It is worth wondering what would have happened had the plan proposed by the hon. Member for Havant been introduced—if we had a system in which people opted out of the basic state pension—and the stock market had fallen by £270 billion or £480 billion. People who, because they had opted out, relied on the stock market for the whole of their pension would suddenly have found on reaching retirement age that the value of their pension had been decimated—that it had fallen by 20 or 30 per cent. Our current pensions system would be regarded as a triumph compared with that. People would be beating down Downing street's doors demanding that their pension entitlement be restored to the level it would be under the current system.

Under the hon. Gentleman's plans, this country's entire pensions system would be dependent on the fluctuations of the stock market; that is an extremely strange position to want to be in. The hon. Member for Sutton Coldfield (Mr. Mitchell), who is supposed to be responsible for this policy area, shakes his head. Presumably, in the Conservatives' system the state would guarantee a fixed sum that people would receive. In that case, in the scenario that I have described, the Government would have to find a huge sum to make up the shortfall. As the stock market fell, the Chancellor would be faced with having to find a huge sum to make good the difference. That is not a sensible policy.

Mr. Webb: The hon. Gentleman describes the 100 per cent. funded scenario, but he supports the Government's aim of getting one third of the way there—going from 40 to 60 per cent. funded provision. Is he not at least one third vulnerable to that criticism?

James Purnell: Of course I support Government policy, but I thought that the hon. Gentleman's suggestion of monitoring how many people will have sufficient income in retirement while pursuing that policy was interesting.

The real question is how we can further stimulate private saving. According to some estimates, we are saving 50 per cent. less than we should be. The TUC produced a thoughtful document on whether we should look again at compulsion, pointing out that although employees are already obliged to contribute through SERPS and the state second pension, there is no such obligation on employers. It would be worth debating such a proposal. Or perhaps a tax incentive could be used, as the hon. Member for Northavon suggested. I hope that the Work and Pensions Committee, of which I am a member, will consider that important matter soon.

I urge the Minister to consider how to encourage stakeholders further. The last time but one that we debated this subject, the hon. Member for Havant bemoaned the failure of stakeholder pensions. Unfortunately the facts have undermined his case again, because in the six months that have elapsed since that debate the number of people in stakeholder pension schemes has more than doubled. He claimed during that debate that most of those pensions were being sold to children or people who did not benefit from them; in fact, most are sold to people on incomes of between £10,000 and £30,000—precisely the middle or low-income earners who we want to save more. I believe that that policy is developing into a success. Individual savings accounts took a while to get off the ground but then acquired a momentum of their own, and I hope that the same will happen to stakeholder pensions.

I encourage the Minister to consider a couple of suggestions about how to build on that success. One idea is to allow employers to promote the system more actively to their work force. If they have opted into a scheme, they should have more freedom to promote it and encourage people to join it, but they are currently held back from doing so by regulation. I hope that such a recommendation will emerge from this summer's reviews.

Last week, Adrian Boulding of Legal and General made the interesting suggestion that instead of tax incentives remaining as they are now, they should be changed, so that, for example, a lower-income worker saving £100 a month would receive £50 a month in direct cash contributions. Tax incentives should be brought up front. Everyone likes free money, and the way in which incentives currently operate is too complicated for people to realise what benefits can accrue from saving and what help the Government will give.

This is an interesting time in pensions policy—if I can say that with a straight face. There are genuine issues that we should consider, and we shall continue to focus on them. Meanwhile, the Conservatives try to distract people from the substance, and by so doing give cover to those employers who are cynically closing schemes and cutting their contribution rates. That is a genuine issue, and it would have been a much better subject for today's debate.

6.45 pm

Mr. Andrew Mitchell (Sutton Coldfield): It is a great pleasure to follow the hon. Member for Stalybridge and Hyde (James Purnell), with whom I sit on the Select Committee on Work and Pensions. He mentioned that I shook my head at his comment that falling markets would lead people to rush to the doors of No. 10 demanding to get back into a state scheme. Markets are more sophisticated than he describes, and he knows very well that an examination of long-term stock market trends around the world is encouraging. He should not take a snapshot view of such matters. Furthermore, although I do not know much about the pension investment industry, I do know that as people near their retirement years, the level of risk that their advisers will allow them to undertake becomes much lower. That is why I was shaking my head.

I draw the House's attention to my interests, which are clearly registered. This is an extremely important debate and the Opposition deserve considerable credit for spending a day of their time on it. The Government should have held the debate in their time. My hon. Friend the Member for Havant (Mr. Willetts) made an excellent opening speech, taking time off from correcting the Government's figures, as was made necessary yesterday. The debate takes place against a background of crisis in the pensions industry. For millions of our fellow citizens this debate is extremely important, and crisis is not too strong a word.

It is a pity that the bipartisan approach that often characterises the House's discussion of very long-term issues has broken down to some extent on pensions. I remember proceedings on the Pensions Act 1995, when I was the Government Whip and my right hon. Friends the Members for North-East Hampshire (Mr. Arbuthnot) and for Richmond, Yorks (Mr. Hague) were the Ministers responsible for taking through that complicated legislation; we were faced by Donald Dewar, sadly now deceased. Those were the days. There was a high degree of bipartisanship then, and I am sorry that I shall not be able to do full justice to that spirit during the first part of my speech.

I start by absolving the Government of responsibility for the demographic factors that several of my right hon. and hon. Friends have highlighted. In every other respect, however, the Government have failed to notice the great difficulties. There was an elegant exchange between the hon. Member for Stalybridge and Hyde and my hon. Friend the Member for South-West Bedfordshire (Andrew Selous). Surely the Government must have noticed that between 1997 and 2001 the number of people retiring with a funded pension fell from 67 per cent. to 59 per cent. of the total. The Government must have noticed the tremendous disadvantages arising from the closure of defined benefit schemes. Not only did defined benefit schemes give UK citizens the largest funded pension provision of anywhere in Europe, but the great advantage of such schemes is that they have allowed the country to restructure much of British industry in recent years.

[Mr. Andrew Mitchell]

The Government were warned extensively by the industry and the Opposition about FRS17, but they remained blithely indifferent, only taking action extremely late in the day. The £5 billion per annum raid has been mentioned. The full effects of that were concealed while markets were rising, but they are now revealed in ghastly technicolour. My right hon. Friend the Member for Wokingham (Mr. Redwood) discussed what that £5 billion a year really means. The net present value of £5 billion a year is more than £105 billion—a very large amount of money.

The Government are guilty of woeful negligence in their inattention to the way in which the degree of complexity in the system has increased. It is now so great that almost no one can understand the system. It is the result of the hopeless over-regulating of the selling of pension products—a reaction to the mis-selling scandals and to Robert Maxwell. In the face of such complexity, the industry is grinding to a halt. The Government have been warned, but have done nothing about it. They are doubly to blame bearing in mind the very cushy pensions that we in this House, including Ministers, enjoy.

Mr. Gardiner: The hon. Gentleman criticises the effect that he believes FRS17 might have when it is introduced. In the present climate, following Enron and WorldCom, does he seriously mean to maintain that it is not right that companies should show in their books the full extent of liabilities to which they and their shareholders are subject?

Mr. Mitchell: The hon. Gentleman misunderstands my point. The right answer to FRS17 has now been arrived at, but the Government were much too late to support the move given that the original announcement did such damage.

The Government's policy is inadequate, complacent and excessively complicated. It started well enough with the pledge to swap the 60:40 role, which we have discussed, but the state second pension will not work. The highly respected Andrew Dilnot said of it:

> "It won't last much beyond the introduction of pension credit".

We discussed pension credit in the House in March. A highly respected practitioner from Northern Pensions Resource Group, Sue Ward, said of that:

> "It reduces the Government's pensions strategy to incoherence".

Several hon. Members *rose*—

Mr. Mitchell: I am sorry but I cannot give way; time is against me.

The stakeholder policy has been a complete flop. The reason is that there is no compulsion. People can say, "It's not my problem; it's the Government's." Therefore, take-up among the target group has been derisory. Under the law, an employer must have a stakeholder pension scheme, but as there is no compulsion, that is merely a box-ticking exercise. The stakeholder pension scheme has been revealed as a great tax break, but it is certainly not a contribution to a comprehensive pensions policy.

There has been a massive increase in means-testing, to which reference has been made. The 1998 Green Paper rightly inveighed against it, but as a result of the Government's policy, nearly 70 per cent. of pensioners are subject to means-testing.

I want to be reasonably constructive and take up the injunction of the right hon. Member for Birkenhead (Mr. Field). My advice to the Government is to recognise those problems and to do something about them. Let us consider the effect of defined benefit schemes closing down. The unions responded long before the Government. As my hon. Friend the Member for Gosport (Mr. Viggers) said, employees' contributions to either defined benefit or defined contribution schemes are estimated to be around 5 per cent., but employers' contributions are expected to reduce from 20 per cent. to 8 per cent. The long-term effects of that for tomorrow's pensioners are absolutely awful, and the Government would do well to listen to the advice of the Association of British Insurers and the TUC about ways of encouraging defined benefit schemes to continue and, if anything, to be enhanced.

My right hon. Friend the Member for North-East Hampshire said that he was a fan of the pension-plus scheme, which the outgoing Conservative Government launched in 1997. I too am a fan, having been a Minister in the Department responsible at that time. I want more funded pensions. If I were starting out in the labour market today, I would not want to place my trust in the words of feckless politicians when it came to my security in old age. I would want to put my trust in a tangible pot of money, which I owned and could see grow throughout my lifetime.

I hope that the Government will introduce a defined benefit scheme for all, which, effectively, they will guarantee. I shall describe a proposed scheme that has seven parts to it. It would be a simple national system, under which we all had ownership of our own fund. Everyone under the age of 25 would join it. On retirement, it would pay out, say, 50 per cent. of the national average wage. A schedule would be published each year by the Government Actuary to determine how much and at what age each individual should contribute. A national insurance rebate would be paid into the funds. There would be 40 per cent. tax relief for everyone involved in the scheme. It could be an annuity. There would be no selling fees. Funds would be approved and registered, and have trustees. Those over the age of 25 could transfer into the scheme and the Government would enhance such funds with an uplift of, say, 10 per cent. as an incentive.

Such a scheme is designed to help those who are currently doing nothing for the sake of their retirement funding. It seeks to answer the question of how we get the mass of our fellow citizens into a defined benefit scheme. It would be a personal fund and could therefore possibly be used for life events such as unemployment or care in old age.

I do not suggest for a moment that what I have described is a perfect scheme—much cleverer brains than mine could work on it—but it meets our concern that our fellow citizens should across the board be able to enjoy some of the advantages that we as MPs enjoy. It is critical that we address the issue. The Government will pay a very heavy price for their neglect of this important area of policy. As the difficulties have mounted over recent weeks, I have been staggered at the Government's inability to grasp some of the concepts, let alone take action. That is why I am particularly grateful to my hon. Friend the Member for Havant for launching this debate.

6.56 pm

Mr. Jim Cunningham (Coventry, South): This debate is part of a larger debate, although I realise that we cannot talk about the wider issues. However, the general public tend to look at the value of pensions and ask what other assistance they might get in their old age with, for example, the funding of care. We should also bear it in mind that people in some parts of the country get free bus passes, but pensioners in others do not. There is a catalogue of such examples.

We must recognise that the Government have done a lot, particularly for poorer pensioners. It would be churlish to say that they have not done so. However, I think that the Government would accept from the Back Benches that we still have a long way to go in considering the welfare of future pensioners.

Kali Mountford: Has my hon. Friend seen the statement by the Institute for Fiscal Studies, which in congratulating the Government says that pension credit is the most progressive action that it has seen from a Government, and that the income of the poorest of the pensioner population will rise by 8.1 per cent., while the richest will gain only by 0.5 per cent? Is not that the sort of action on poverty that we need?

Mr. Cunningham: I am perfectly aware of the statement to which my hon. Friend is drawing my attention, but I will move on.

Most politicians in the 1970s and 1980s knew that we would have a problem in the 1990s and beyond because of an ageing population and early retirement. I remember the big desire of people many years ago to retire in their 50s because they wanted to enjoy leisure and pleasure having come through the war years. Therefore, the problem with funding pensions should be nothing new to the House. Politicians over the years, particularly in the 1980s, did not do very much about it. In fact, instead of helping the situation, they created an aggressive climate.

The hon. Member for Sutton Coldfield (Mr. Mitchell) said that he would not put his trust in state schemes. Considering recent events and the history of the private sector, I am not so sure that I would place too much trust in private schemes either. The issue is very much about striking a balance.

Some of my hon. Friends have said that, on the one hand, the Opposition have accused the Chancellor of taking £5 billion a year out of pension funds, but on the other hand have omitted to say that that was in taxes on dividends. Opposition Members should also remember that the public have a big grievance over privatisation of the water industry, for example. They have seen exorbitant profits made and previous Governments did nothing about it. The Chancellor used that money to fund a number of social schemes, including the fight against drugs, better education to get kids off the streets, and better social services, which were welcomed by many people outside the House. The money was therefore put to good use—it should have been spent in the 18 years in which the Tories were in power.

Employers gained pensions holidays and the £18.5 billion that one of my hon. Friends mentioned earlier. We have not discussed this, but employers in the 1980s were virtually allowed to do what they liked with pension surpluses—contributors did not have much of a say. Some years ago, I introduced a private Member's Bill that would have given pensioner trustees a say in how such money was spent by companies. Indeed, in some areas, people did not receive a pension—they lost it because companies plundered pension schemes, then went bankrupt. I am sure that hon. Members remember some of those companies.

There was also what I call a big sell in the mid to late 80s, when some of the largest companies in the country encouraged the labour force to leave the state scheme and go into a private one. In the past two or three years, people have retired only to find that they have not got the pensions that they thought they would get. The Opposition may attack us, but I have not heard them propose anything—I may be interpreting them wrongly—except for privatising the state scheme. That may be why the hon. Member for Sutton Coldfield does not trust the state scheme—that is all part of the Opposition's psychology.

The Liberal Democrat spokesman drew attention to the fact, slipped in by the Conservative spokesman, that the Conservatives would reduce the number of benefits for pensioners from three to two. Which one will go? Will it be housing benefit? Will it be amalgamated with another benefit and then reduced? The Opposition owe the House an explanation of exactly what they intend to do. The Opposition agree with certain things that the Government are going to do, but they have not spelt out their policy to us or the country. It is no good them criticising us if all that they can say is, "Well, we are only two or three years away from a general election. We are just working up our policies." I am afraid that that does not wash.

In the west midlands, new employees at a number of companies—including the Caparo Group, which has already been mentioned, and Peugeot—are not allowed to enter the company scheme. Moreover, existing occupational schemes are being changed—I know that trade unions are involved in negotiations on that. We can see the trend that major companies are following—they want to ditch occupational pension schemes which, by the way, were a component of wage deals many years ago. When the Opposition talk about the proportion paid by the employer and the employee, they should remember that that calculation came into wage deals. Someone would ask for an increase of 7 or 8 per cent., but would settle for 4 or 5 per cent. On that basis, they would either get extra holiday or a decent occupational pension. The Opposition tend to forget that.

In conclusion, our debate has been worth while. It could have been part of a broader debate, but no doubt we shall return to these issues when we discuss the general welfare of pensioners and proper packages for them, which I touched on earlier. However, I welcome this Opposition debate. Usually, when someone calls for a debate, they have some policies that they would like to introduce but we have not heard anything apart from agreement, and minor disagreements, with the Government. All in all, the debate was long overdue and well worth while. I hope that the Government take note of what Back Benchers have said, although I do not expect them to introduce changes overnight. However, I hope that my colleagues

[Mr. Cunningham]

realise that we can offer all sorts of pension schemes, whether private or state, but people want a decent pension to live on.

7.4 pm

Paul Holmes (Chesterfield): We have heard a great deal about the Government's overall pensions policy and its failings. By contrast, I want to focus on a specific aspect of pensions policy—what happens to company pension schemes when a company hits financial difficulties and perhaps goes into receivership? How transparent are those schemes and are they adequately regulated? I shall give two examples from my Chesterfield constituency, which are relevant to every individual who pays into a company pension scheme anywhere in the country. They are also relevant to Government policy, which aims to encourage greater reliance on private pensions while running down the inadequate basic state pension.

The Minister for Pensions, for example, told Parliament on 12 November:

> "We are committed to encouraging private saving to meet the long-term demographic challenge of an ageing population."—[*Official Report*, 12 November 2001; Vol. 374, c. 568.]

The Minister said that that would be achieved with a package of measures, better information for current and future pensioners and better regulation of the pensions industry. The experience of United Engineering Forgings and Dema Glass in my constituency, however, shows that at the moment, company pension schemes are not transparent enough and are not adequately protected. If those examples are added to the scandalous mis-selling of pensions in place of SERPS, the mis-selling of endowment mortgages and the failures of Equitable Life, it is clear that people's private investments and savings for their retirement are not adequately protected. How can the Government expect private individuals to invest more and rely more on private schemes?

At UEF and Dema Glass in Chesterfield, the final salary pension schemes were initially in surplus—by 120 per cent. in UEF's case—and were used to fund early retirement with an enhanced pension as a way of streamlining the work force. When the companies began to experience economic difficulties, causing a shortfall in the pension funds, the work force were persuaded, through misleading information, to continue and even increase their payment into the funds, with assurances that that would safeguard the schemes for the future. When the companies closed or went into receivership, the funds were inadequate to pay pensioners the money that they were owed from pensions that they had paid into—in some cases, for nearly 40 years. To add insult to injury, the administrators of the respective schemes took their extensive fees and costs from the dwindling and inadequate pension funds.

I shall give some examples of the way in which people in Chesterfield were hurt by those scandals. On 11 September 2001, I visited a constituent on her 60th birthday. She was not celebrating, however, as she had discovered that far from retiring at 60 with a lump sum from the Dema Glass pension scheme, she would not be paid that money and would only be paid a reduced pension after she reached the age of 65. She told me:

> "The Government preaches, 'Take out a private pension,' but they have failed to put into place legislation that prevents the employer from taking the employee's money. After the Maxwell shock, the employer should never again be allowed to do this."

My constituent's daughter was also present at our meeting. She is in her early 20s—exactly the person, we are constantly told, who is being targeted by the Government to save for retirement. She was about to start paying into a company pension scheme run by the reputable international retail firm for which she worked in Chesterfield. However, she asked me what was the point—the company, which seemed successful, might not be able to pay out in 30 years' time, just as Dema Glass, once a major Chesterfield company, had seemed a safe bet for many years, but was now bankrupt and could not pay out from the pension funds. So much for the Government encouraging more private pension savings, especially among the young.

An employee at UEF Chesterfield Cylinders wrote to me:

> "The loss of pension will cost my family, based on the last company pension statement I received, thousands of pounds per annum at sixty-five. These figures apply to most people approaching thirty years' service. How can it all disappear? We wait to see what the final figure will be, but estimates vary widely between 50 and 70 pence in the pound . . . We hear all the time that people must stand on their own feet and make provision for their retirement, which is totally opposed in my view to the actions of the same Government who seem bent on destroying the whole system of company pensions."

Finally, another employee of UEF Chesterfield Cylinders branch—a Labour councillor, by the way, which shows that this is not a partisan issue—told me of his disillusionment at the fact that after nearly 40 years of paying into the company pension scheme to guarantee a secure retirement, he had effectively been robbed, when it was too late in his working life for him to do anything about it.

I have raised these matters in detail on a number of occasions. For example, I wrote at length to the Minister for Pensions on 26 November, and I asked him a question on the Floor of the House on 28 January. On those and other occasions, I have simply received assurances from the Government that measures already existed to protect such pension schemes.

The Minister for Pensions (Mr. Ian McCartney): I would not normally intervene in the debate, but the hon. Gentleman should be absolutely honest in his remarks. I held a debate in the House, met the workers and met a group of Members of Parliament who are working on behalf of the workers. The hon. Gentleman never turned up to the debate. When he raised the issue on the Floor of the House, I offered to co-operate with him on these matters, and I do so now. I received a letter from the work force thanking me for the work that I am trying to do on behalf of them and their Members of Parliament in an extremely difficult situation. I do not mind the hon. Gentleman backing up what he is trying to do in support of his constituents, but he should not do so by misrepresenting what I am trying to do on their behalf and on behalf of the other Members of Parliament who have raised the matter with me.

Paul Holmes: The Minister speaks of misrepresentation. If he is referring to the debate in Westminster Hall, I was there and I took part.

On the occasions to which I referred, and others, and in several letters to two Ministers, I received assurances—which I can read out word for word, if the right hon. Gentleman wishes, as I have them with me—that measures already existed to protect such pension schemes. However, the point that has been made repeatedly by me and by other Members of Parliament who have UEF-owned firms in constituencies from Scotland to Lincoln to London is that no law was broken in either the UEF case or the Dema Glass case.

In both cases, clever use of existing regulations allowed the company pension schemes to be legally plundered. That was legalised robbery. The regulation and public transparency of such schemes must be improved. Again, I ask the Secretary of State or the Minister for Pensions to consider the suggestions and questions that I put to them, for example on 26 November. What action do the Government intend to take to ensure that company work forces receive much clearer guidance on the dangers, as well as the attractions, of final salary pension schemes?

In both the Chesterfield cases quoted, the work force were persuaded to keep the schemes going last year, and even to increase their payments into the scheme in the case of UEF. Had they known the real business position and financial situation of their companies, they probably would not have agreed to that. What action will the Government take to ensure that work forces are provided with all relevant financial information in similar situations?

Should the actuary for a company pension scheme provide annual reviews, rather than just three-year forecasts? In the UEF case and the Dema Glass case, the forecasts seemed to suggest that if workers continued to pay into the scheme or increased payments by 2 per cent., the scheme would be safeguarded. When the figures finally became available, after the firm went into receivership or closed down, it became apparent that that was not the case.

Should actuaries be required to make new forecasts whenever a new issue arises that could seriously affect the viability of the pension fund—for example, when a company faces financial problems, when a company encourages workers to take early retirement as an easy form of redundancy, and so on?

Following the Maxwell affair, the mis-selling of endowment policies, the Equitable Life problems and now the examples related to company pensions, it is imperative that the Government undertake a major review of the financial services industry, if they are to restore public confidence in the schemes on which the Government insist people should rely to look after them in their old age.

7.14 pm

Sandra Osborne (Ayr): I welcome many of the positive measures that the Government have taken for pensioners, particularly poorer pensioners, but I shall concentrate my remarks on final salary pension schemes, largely based on a tragic situation in my constituency. In that regard, the hon. Member for Chesterfield (Paul Holmes) has rather stolen my thunder, as the case also involves United Engineering Forgings, which is located in my constituency, his constituency and four others throughout the United Kingdom.

I shall not dwell on the comments that have been made about the possible reasons for the current problems with final salary pension schemes. I am worried that, with constant talk of crisis, an atmosphere is developing in which employers may feel vindicated and even encouraged to walk away from long-term commitments and responsibilities that were entered into in good faith, as part of the terms and conditions of employment based on a short-term view.

For those who have benefited from occupational schemes, they can be said to be one of the most positive social developments in the post-war years, encompassing a partnership in retirement between the private sector, employees and the state. That is why the Government must take steps to ensure not only that final salary schemes are preserved, but that the millions who do not currently benefit are brought into an effective, workable and fair system. As other hon. Members have said, if it is good enough for Members of Parliament, it is good enough for the rest of the work force. I echo the comments in relation to compulsion that have been made this evening. That is well worth serious consideration.

I shall elaborate on my constituency problem, on which I have been working for some time. My right hon. Friend the former Secretary of State for Work and Pensions, who has taken on the task of sorting out the transport system, often said that occupational pensions are part of the remuneration package agreed by employers and their employees or their representatives. It should therefore be seen as part of a contract that one party cannot just abandon at will.

I have previously raised the matter in a Westminster Hall debate, to which my right hon. Friend the Minister for Pensions referred. I have a copy of the debate, and I do not see any record of a contribution from the hon. Member for Chesterfield (Paul Holmes), and he certainly did not raise with me the possibility of taking part. It is unfortunate that he has failed to recognise the efforts of other hon. Members in that regard. I make no apology for raising the issue again this evening, as it is extremely important and involves more than 1,000 people. As was obvious from his intervention, my right hon. Friend is well aware of the situation. I thank him for meeting me and other hon. Members, and for his helpful response so far.

The UEF workers had a final salary scheme introduced in 1974 as part of the annual wage award. As my hon. Friend the Member for Bradford, North (Mr. Rooney) said, many people regard their contributions to their occupational pension as part of their terms and conditions. The workers from UEF in my constituency call it their wages for retirement.

The work force include many long-term employees who believed that they were following the advice of successive Governments in making provision for their retirement. That has not come about in the past couple of years; it has been on the go for 20, 30 or 40 years. People have faithfully contributed over that time, but as matters stand, they will not get their expected pension from their accrued final salary scheme when they most need it, as they enter retirement and old age.

As the hon. Member for Chesterfield stated, it was not until the company went into administration in June 2001 that a shortfall of £12 million was identified by the independent trustee and the pension scheme was wound up immediately. Time does not allow me to recount the whole sorry tale, but a number of aspects are relevant to the debate and have wider application. I shall try not to repeat what he has already said.

[Sandra Osborne]

The majority shareholder was Prudential Portfolio Management Ventures Limited, a member of the Prudential Group that, as hon. Members know, has a major involvement in pensions. It is rather strange that the hon. Member for Chesterfield did not even mention the role of Prudential. I can assure him that the work force feel that it is crucial. I would have welcomed him, had he joined me at the various meetings with Prudential management and at the protests outside the company to try to get it to live up to its moral responsibility to the work force. If he wants to join the campaign in future, he is more than welcome to do so.

The company took short-term decisions to benefit its shareholders and, I believe, had a conflict of interests that meant that it did not take responsibility for the proper management of the pension scheme, as it should have done even under current regulation. As the hon. Gentleman said, an important factor in the demise of the UEF pension scheme was the abuse of early retirement benefits as a carrot for voluntary redundancies, which ensured that many employees of 55 years and more received their fully accrued pension when they accepted redundancy. Many hon. Members have commented on the added pressures on pension funds that are caused by increasing life expectancy. We are all aware of that issue, but the problem is made worse if the number of people who receive their full pension at a lower age is greatly expanded, even if there is no health reason for them to retire early, and if the fund does not have sufficient assets to withstand the extra pressure.

The final decision in the UEF case lay not with the Government, but with the company, as it decided to allow people to go for early retirement in order to cut its wages bill—and that is exactly what happened. The misuse of funds is deterred by restrictions on the amount that can be invested from the fund to the employer's business, but what if the fund is over-burdened and due account is not taken of future requirements? As things stand, it appears that that is not illegal. The bottom line is that, after paying in all their working lives, the former UEF workers will be entitled to a greatly reduced amount and may have to rely on state benefits. Despite all that has happened, and much to the surprise and consternation of those who will suffer, there is nothing illegal about that.

I and representatives of the work force from throughout the UK met Mr. Jonathan Bloomer, group chief executive of Prudential, on 13 March to try to salvage something from the situation and get Prudential to face up to its moral obligations. I received a very timeous reply—I do not think—on 19 June. Mr. Bloomer stated that Prudential could not redress the shortfall in the pension fund by drawing on the assets of policyholders of Prudential products, which is fairly obvious. He has apologised for the fact that PPMV did not manage its relationship with the union as he would have expected. I do not know how all that squares with the reputed £18 million bonus that Mr. Bloomer will receive over three years, but I can tell the House that it is of scant consolation to my constituents, who will continue to campaign for justice. We will welcome anyone who wants to join us in that campaign.

I await with eager anticipation the publication of the various pension reviews that are currently under way. I hope that they will encourage the retention and development of occupational schemes, which are far better than the available alternatives, and that they will point to early legislation. I hope also that the Minister will give an indication as to when we can expect legislation to be introduced to ensure that what has happened to the UEF workers will never happen again to other workers.

7.22 pm

Andrew Selous (South-West Bedfordshire): Many Opposition Members fully support the Government in their intention to try to shift the balance of pension provision so that 60 per cent. of pensions are provided by the private sector and 40 per cent. by the public sector. We give that support not because there is any magic in a particular ratio, as the hon. Member for Northavon (Mr. Webb) pointed out, but because we want as many pensioners as possible to benefit from the independence and security that they have built up through their own provision. We also want sufficient money to be left over to allow Governments of years to come to concentrate on the genuine fight against pensioner poverty and to fund all our other public services.

There is much support on the Opposition Benches for the general direction in which the Government have set out, but we must recognise the startling situation in our country today. Most social conditions have improved for the people of this country over the years: their pay has gone up and their working conditions and other entitlements have improved. The next generation of pensioners who retire with the benefit of occupational schemes will be in a very much worse position than the generation that is retiring now.

I do not feel that the Government have fully grasped that situation. Indeed, I am afraid to say that there is an element of complacency on their part—they have given us a 70 per cent. overstatement of the funds going into occupational schemes. One would have thought that someone had conducted a reasonableness test, but it appears that the conclusion drawn was that everything in the garden was rosy. We have also heard from the Government the assertion that the stock market is massively up on 1997 levels, but, again, we know that that is not the case. The Opposition are genuinely concerned that the scale and depth of the problem have not fully been appreciated.

In particular, I point to the demise of defined benefit schemes. Many hon. Members have said that it is outrageous that we, as Members of this House, are privileged enough to be members of an extremely generous and excellent scheme, while others face serious difficulties. We should want the benefits of similar schemes to be as widely available as possible to our constituents.

I take issue with an assertion made by my hon. Friend the Member for Gosport (Mr. Viggers), who suggested that we may not need to be too concerned about the demise of defined benefit schemes because the world of work is changing, people have a portfolio of careers and so on. Indeed, the Government have sometimes given a similar impression in recent years. According to research from the Economic and Social Research Council, however, the average job tenure is increasing, and did so by almost 20 per cent. in the 1990s. The evidence, which is quoted in the current issue of *Pensions World*, suggests that people are not necessarily moving from job to job, but are spending longer in one job than in the past. Defined benefit schemes are, therefore, as relevant today as they ever have been and provide a tremendous advantage to employees who are lucky enough to be members.

It would be churlish not to accept that two of the major factors in the pensions crisis are wholly outside the Government's control. We all know that people are living longer—it is a worldwide phenomenon for which we are all grateful—and that the effect on pension funds is severe. We also know that we are currently in a period of extreme market volatility; I do not think that there has been a similar example of the stock market falling for two and a half years, as it has done for the past 30 months or so. Market volatility and increased life expectancy cannot be blamed on the Government.

There are other factors, however, for which the Government must take some responsibility: the complexity faced by the pensions industry today, the tax situation and the failure to get to grips with encouraging people to save. Labour Members have criticised the Opposition on the basis that they have not heard us give any positive policy proposals, but I intend to devote the rest of my speech to what I think should be done about the pensions crisis. I should like to raise four different areas in which I think that we can make strides to deal with the problem.

First, we should help employers whose costs have risen because of extra tax on pension funds and extra national insurance contributions. The cost to employers of employing people and providing pension schemes has gone up, so, like the hon. Member for Northavon, I think that there is great merit in the scheme proposed by the Association of British Insurers, which has suggested the introduction of a pension contribution tax credit. The ABI also proposes certain requirements in that regard. It suggests that employers should make a contribution of at least 5 per cent.—I hope that Labour Members will welcome that—and that the schemes should have a membership of at least two thirds of all eligible employees.

To recognise the cost to employers of providing pensions in a competitive market by introducing a form of tax credit would be a step in the right direction, and the expression on Ministers' faces suggests that they are not wholly ruling out that idea. I hope that it will be given serious consideration as a way of recognising the difficulties that employers face. As we are a responsible Opposition who realise that a tax credit will have a corresponding reduction in expenditure, my proposals for recouping that cost are an increase in VAT and perhaps a reduction in parts of the DTI budget. We heard no suggestions from the Liberal Democrats about where the money should come from. As the Government in waiting, the Conservatives always cost their proposals carefully, and will continue to do so.

David Taylor (North-West Leicestershire): Will the hon. Gentleman give way?

Andrew Selous: I cannot resist doing so just once, very briefly.

David Taylor: I am reluctant to interrupt such a thoughtful and non-partisan speech, but perhaps I can help the hon. Gentleman by describing the faces of his two Front-Bench colleagues, the hon. Members for Daventry (Mr. Boswell) and for Hertsmere (Mr. Clappison). "Stony" would imply too much warmth.

Andrew Selous: One of the advantages of not being a Front Bencher is that Back Benchers have slightly more freedom to expand thoughts that may or may not be taken up by the Front Bench. I will of course abide by my party's decisions as and when they are made, but I hope to contribute to debate on them.

My second proposal is for a reduction in complexity. When the National Association of Pension Funds asked its members what single factor would most help the industry, they said "Simplicity". Friends of mine who work in the industry say that they would go into meetings a few years ago with a slim A4 ring binder; now they must take several lever-arch files full of regulations and so forth. Those of us who are not involved in the industry probably cannot fully appreciate the demands that MPs have made on it. Of course we want regulation—good regulation, to ensure that employees are not ripped off—but we must consider all its consequences. It must be effective, but it must not reduce supply and make employees worse off.

My third proposal is to help those near retirement to bridge the gap between the world of work and the world of retirement. There is no reason, for example, why such people should not be able to take part of their pension in advance while continuing to work part-time.

It is also ridiculous that someone who has worked for Tesco all his or her life cannot push trolleys there in retirement. The same does not apply at Sainsburys. Why is there a rule preventing pensioners from working for their former employers? The Minister for Pensions nods; perhaps progress will now be made.

Mr. McCartney *rose—*

Andrew Selous: I am afraid I cannot give way. I have only one minute left.

My fourth proposal is intended to encourage saving, which is vital. I support the statutory money purchase illustration that will be produced from next year, but why should it not apply to all types of saving? Let us look seriously at inheritability. Young people in particular should have a real sense of ownership of their pension savings.

We should ensure that it always pays to save. Elements of pension credit, unfortunately, prevent that from being the case. Steve Bee, Scottish Life's pension chief, said recently on Radio 4 that about 1 million people might not be better off because of means-tested benefits.

[Andrew Selous]

Improvements could be made in stakeholder pension regulation. We should also ensure that those looking for pensions receive the best possible advice. Independent financial advisers are having a tough time at present because of polarisation in their industry, and there is a desperate need for good advice for employees. This is a complicated area. Employees need much more impartial advice that they can trust, and I hope the Government will take account of that.

7.34 pm

John Robertson (Glasgow, Anniesland): I am pleased to have an opportunity to contribute to this excellent debate. Let me first congratulate the Government—surprisingly—on the measures they have introduced to help pensioners. As my constituency contains a higher percentage of over-60s than any other part of Europe, pensions have a special meaning for me. I congratulate the Government on the minimum income guarantee, the pension credit and free eye tests, to name but three of many useful measures.

The hon. Member for Gosport (Mr. Viggers), who is unfortunately not here now, said that he wanted to be part of a reforming party. Perhaps he should cross the Floor, for he will certainly not achieve that on the Conservative Benches.

What concerns me, however, is ensuring that the pensioners of the future do not fall into poverty. For the benefit of those who have heard part of this speech before, I shall concentrate on final salary pension schemes, and discuss ways in which the Government can try to protect employees as more and more companies—sadly—end such schemes.

A final salary pension scheme is a defined benefit scheme guaranteed to pay a person who retires a pension based on that person's final salary. It allows people to plan for the future: they know exactly how much money they will have, where it will come from and, if it is index-linked, by how much it will increase. Membership of such schemes has declined in recent years, but final salary pensions are still the dominant type of occupational pension. The problem is that the schemes have become more expensive for employers, for a number of reasons. As has been said, there are demographic factors such as the increase in life expectancy. Other factors are policy changes, such as the introduction of the minimum funding requirement and FRS 17, and economic events such as the fall in stock market returns.

Those economic conditions and policy changes have had an enormous impact on employers who used to offer final salary schemes. We need to consider how the Government can instigate policy changes to remove some of the pressure. I fear that if we do not remedy the problem now, the full impact will not be felt for 20 or 30 years.

The alternative being adopted by companies is a defined contribution or money purchase scheme that transfers any investment risk to the individual and away from the company. If the stock market underperforms, the employee's pension is likely to be smaller than it would have been under a final salary scheme. Pensioners in my constituency, and those approaching pension age, will want to know exactly what they will receive. They do not want to be involved in a gamble or a lottery, in which they buy the right ticket on a Saturday if they are lucky.

The TUC has conducted some interesting research whose compelling results illustrate the difference in employer contribution rates between the two types of scheme. For example, in the case of someone earning the average wage, the difference accrued in one year is more than £2,000—or £40 a week. Nearly half the companies running defined contribution pension schemes put in 5 per cent. or less of employees' salaries. In a typical final salary scheme, companies contribute 10 per cent. or more. According to the National Association of Pension Funds, the long-term average employer contribution to a final salary scheme is 15 per cent., while the average employer contribution in a defined contribution scheme is a mere 6 per cent. Without final salary pension schemes, retired workers could be 30 per cent. worse off.

A vast number of companies have closed their final salary schemes to new employees, citing the aforementioned factors individually or collectively. BT closed its pension scheme—as a member of that scheme, I declare an interest—to new employees on 1 April. I do not know whether the fact that it was April Fool's day was a coincidence. Many others, such as HSBC, Marks and Spencer, Abbey National and Barclays—all reputable companies—have also closed their schemes. Some companies, notably Iceland, the Caparo Group, and Ernst & Young, have even closed their schemes to existing employees, and I fear that that may become commonplace. I will say more about Ernst and Young later.

Bob Spink (Castle Point): Does the hon. Gentleman accept that the suspension of final salary schemes by companies has been caused in part by the £5 billion tax that was imposed by the Labour Government, which caused the returns on those companies' investments to fall?

John Robertson: I thank the hon. Gentleman for that contribution. I shall completely ignore it, as I should. I will say, however, that many withdrawals of money and opt-outs happened when his party was in power.

David Taylor: Will not my hon. Friend be relieved when that particular example being used by the Opposition crawls out of the Chamber and dies? It is a very minor matter compared with the cost to 10 million pensioners of the breaking of the link by Mrs. Thatcher in 1980, which costs them a minimum £15 billion a year. Does my hon. Friend agree that the hon. Member for Castle Point (Bob Spink) should be ashamed of that?

John Robertson: If the hon. Gentleman is not ashamed, he certainly should be.

With money purchase schemes, the size of an individual's pension pot on retirement determines the size of the pension. If the individual has not put in enough, or if investment returns have been poor, there may not be enough to fund a decent pension. At the moment, that situation is made immeasurably worse by the very high price of annuities. The law currently obliges people to use their pension fund to buy an annuity.

If we look up annuity rates in the financial pages of the newspapers, we find that, to buy a half-decent pension at the moment, someone would need an absolutely huge pot of money. For example, for someone to obtain a retirement income of £10,000 a year, and a half pension for their partner should they die first, plus inflation-proofing of up to 5 per cent. a year, they would need a pension pot of at least £250,000. For the vast majority of people, that is a non-starter. The pension industry is currently saying that, to ensure a reasonably decent pension, we need to save between 20 and 25 per cent. of our salary for the whole of our working life. For all but the very rich, that is just not feasible.

There are also implications for employee relations in the closure of final salary schemes. While it may not be a breach of contract to close a final salary scheme, it could be regarded as the breaking of an implicit promise in the employer-employee relationship. Apart from the obvious damage to the commitment that employees have to their company, the loss of a guaranteed pension and reduced contributions may increase wage demands as employees seek to maximise their pensions. A disturbing tendency is also emerging—directors are keeping their own final salary schemes while removing them from their employees. That must be stopped. I ask the Minister to ensure that, if there is no law to cover this, there will be in future. There cannot be one law for directors and no law for employees.

The unions are very concerned about the dangers of closing final salary schemes, and I pay tribute to Amicus and Connect, the union for professionals in communications—I draw to the House's attention the disclosure of my membership of Connect in the Register of Members' Interests—for the work that they have been doing to inform people of why final salary schemes are needed and must be brought back. Earlier, I mentioned that Ernst and Young was one of the employers who had closed the scheme to existing employees. This company has now been forced to reopen the scheme owing to the sheer pressure that it faced from its employees. Do we really want to go down the industrial action road? Who would win in those circumstances? I also have to ask how the company can go back into a final salary scheme once it has come out of it.

The problem with the minimum funding requirement is twofold. First, the test for the schemes is too onerous. Secondly, a scheme that is fully funded under the MFR rules—one that can meet its pension obligations—is in fact overfunded. In other words, the MFR is too cautious. It might seem absurd to make that statement, but actually it is not. Under the MFR rules, schemes have to be returned to fully funded status within a fairly short time—now 10 years. The only way that that can happen is through employers making sizeable payments to their pension schemes. That is the nature of the second problem, because it places the onus on employers to make up the shortfall, although in many cases the shortfall is really nothing of the kind.

Another problem is FRS17. This is a new accounting convention, designed to force companies to show any shortfall in their pension scheme funding as a liability on their balance sheet. I disagree with some of my colleagues on this, because I do not agree with the measure. We should either modify it or get rid of it. It is supposed to aid transparency in company accounts, but all it does is add the money in one fell swoop to the liability of a company. That can drastically affect the company's share price, which can also have a knock-on effect.

Funded pensions are important to every person, not only in the Chamber but in the whole of Britain. This is not an issue to be taken lightly, and it is certainly not an issue on which to score points. I have tried not to do that. The Government are trying hard, and they have gone a long way, but—as my colleagues have said—there is still a lot to do.

7.46 pm

Hywel Williams (Caernarfon): As we have heard, the funded pension system is in considerable difficulties. The amount already saved is unclear, as is the amount being saved, and employers are opting out of occupational pension schemes. Pensioners and future pensioners are uncertain as to their future pension incomes, and many people are uncertain about their entitlement, not least because the system for income maintenance in retirement is so complicated.

Conservative Members have referred several times to the complicated nature of the pension system. Last Friday, I had the daunting task, as a relatively new MP, of trying to explain part of the pension system to a puzzled constituent. I will certainly not go into it again today, except to list some of the features that I was trying to explain: the state retirement pension; the minimum income guarantee; the state second pension; the stakeholder pension; occupational pensions; private pensions; and the pension credit. That was without going into disability or housing benefits. Many pensioners are bemused—as, occasionally, are Members of Parliament, when trying to explain all these various provisions.

Final salary schemes are in considerable difficulties. The TUC estimates that there are 1.8 million fewer people in such schemes today than there were 10 years ago. Only 200,000 of those people are likely to have transferred to money purchase schemes. What has happened to the other 1.6 million? The assumption must be that they now have no form of occupational pension. The Association of Consulting Actuaries estimates that only 37 per cent. of final salary schemes now remain open to new members.

The hon. Member for Glasgow, Anniesland (John Robertson) referred to the case of BT, which closed its scheme some 14 months ago. New workers will now be lucky to have a pension worth 25 per cent. of their final salary. Since the scheme closed, about 3,000 workers have joined BT, and a Communication Workers Union official has estimated that the average contribution of new joiners to their pension was 4.7 per cent. in that period, matched by 4.7 per cent. from BT. That represents a considerable saving to the company, and, as the hon. Member for Stalybridge and Hyde (James Purnell) said, it means a pay cut in the future.

That is the situation for new entrants, but people who are already in the scheme are worried that it will be closed, forcing them, too, into a money purchase scheme. The hon. Member for Glasgow, Anniesland mentioned that the average employer contribution into final salary schemes was 15 per cent.—I understand that it was actually 15.4 per cent.—whereas the contribution to a money purchase scheme is 6 per cent.

The Government have a policy of changing the ratio of state to private pensions from 60 per cent. state and 40 per cent private to 40 per cent. state and 60 per cent. private by 2050. There must be serious concerns about that. Future pensioners are suspicious, not least because of the pensions mis-selling scandal, the Maxwell scandal and now the Equitable Life debacle.

[Hywel Williams]

A change in the ratio is not guaranteed to provide pensioners with a decent income in retirement, which must be our aim. There are particular difficulties for people in areas such as my own and throughout Wales, where incomes are lower and the ability to save is much more restricted. There are difficulties for individuals, and a difficulty for Welsh society as a whole. We have an employment structure that is skewed towards lower paid jobs, which are much more common. The difficulty in the pensions system is a difficulty for the community in general.

The Government make great play of the stakeholder pension. The Welsh economy is overwhelmingly made up of small businesses with fewer than five employees, so those employees will not necessarily get access to stakeholder pensions. Take-up may be a problem in Wales, especially among the lower end of the target group—those on incomes of £10,000 up to about £18,000. We in Plaid Cymru look forward with great interest to the publication of the comprehensive take-up figures in October.

We need a better system of funded second pensions that will reach the lower paid, especially those in small enterprises such as those I have mentioned in Wales. We also need a proper retirement pension, and a redistributive rise in that pension is essential.

7.52 pm

Mr. Tom Levitt (High Peak): We began the debate with a contribution from the hon. Member for Havant (Mr. Willetts), who is back in his place. He had a packed audience on his side of the Chamber, and there was an air of expectation. I think that Conservative Members were looking for the man to put "fun" back in "FUN-ded" pensions, but his contribution fell flat and it was more like putting the "dead" back in "fun-DED" pensions. He gloated about what is happening in the stock market. In the last two Prime Minister's Question Times, the Leader of the Opposition—once in person and once by proxy—gloated over what has happened to the stock market. As many of my hon. Friends have said, it is what has happened to the stock market that has most damaged funded pensions in recent times, not the actions of the Government.

Andrew Selous: Will the hon. Gentleman give way?

Mr. Levitt: May I make a little progress, and if I have time at the end I shall come back to the hon. Gentleman?

The irony is that, according to Tory philosophy, everyone's pension entitlement should be dependent on the casino of the stock market. That is how private pensions work. The hon. Member for Havant said that his party's vision is that older people should not be dependent on state benefits. If they should be independent of state benefits, presumably that means that they should be totally dependent on benefits from other sources, so they would be dependent on the whims of the stock market

As the hon. Gentleman knows, the formula of private funded pensions plus the element of compulsion that some of his colleagues have called for would enable the providers of private schemes to have a field day. Many tears were shed by Conservative Members for the actuaries and investment managers, whereas little was said—in the hon. Gentleman's opening speech nothing was said—about pensioners, their living standards and their expectations.

Private funded schemes have suffered because the value of the stock market has gone down. It has gone down so far that a few days ago it was back to 1997 levels. That has been painted as a tragedy, but in another context the economic situation of 1997 was described by Conservative Members as a golden legacy. If we are starting off with a golden legacy at worst, with the stock market already improving, it is to be hoped that this hiccup is almost over.

The stock market fell in recent days not because of actions by Governments, but largely because of fear in the markets as a result of the signals that have been sent from WorldCom, Enron, Xerox and others, from a sky darkened with greedy, fat cat chickens coming home to roost—if I may mix my metaphors. *[Interruption.]* One takes a risk when mixing metaphors.

The reason why we in this country need not be so concerned as people elsewhere—although we should not be complacent—is because our economy is not a free for all. We have regulated our economy, successfully combated inflation with a healthy target of 2.5 per cent., reduced interest rates to a manageable level, and stabilised the economy. We have recognised that unbalanced distribution of income and wealth is destabilising, and we have combated the forces, such as unemployment, that feed economic instability. The actions that we have taken in the past five years have put us well on the way to conquering poverty at home and in the developing world.

The Conservative party does not want to talk about the economy. The reasons for that are obvious. We have created a situation in which investing in enterprise is safe, because interest rates are reliable, the stock market can operate fairly, and savings can grow faster than inflation. We remember the days of 15 per cent. interest rates, 4 million unemployed, and the scandal of pensions mis-selling, which was worth £34 billion to pension holders and was too long ignored. That exploitation of the gullible by the greedy, connived at by the friends of the Conservative party, damaged people not just for today but for the rest of their lives, especially for their retirement. We remember Black Wednesday, Black Monday, black every day of the week, when the Tories were running our economy.

Bob Spink: Will the hon. Gentleman give way?

Mr. Levitt: I am on a wave, so if the hon. Gentleman does not mind, I may come back to him later as well.

The Tory years were not bad for everyone. It has to be said that there were some winners. Between 1979 and 1997, the average net income of pensioners rose by 64 per cent., compared with the rise in real average earnings of 36 per cent. That sounds good for pensioners, but whereas the top fifth of pensioners saw their incomes rise by 80 per cent. in that period, the bottom fifth saw theirs go up by just 34 per cent. Eighty per cent. of a lot is much more than 34 per cent. on the income of the poorest, which is very little. In 1997, the richest fifth of our pensioners had three times the income of the poorest fifth. Rich pensioners got richer under the Tories, and poorer pensioners got poorer.

Occupational pensions are only part of the story. We must consider the background, pensioner incomes and pensioner needs in general. Pensioners get income from six different sources: state retirement pension; income from investment; occupational funded pensions; income-related benefits; disability benefits; and earnings. Ninety-eight per cent. of all pensioners receive the state retirement pension. I believe that the Government's policy for the state retirement pension and the undertakings that have been given are right. I would not favour the restoration of the link with the rise in earnings, because we have done more since 1998—£3 billion more—for the poorest pensioners than a simple restoration of the link with earnings would have done.

In 1997, after 18 years of Tory government, four workers in 10 were still making no voluntary provision for their entitlement over and above the state pension, which was then only £68 a week. Two million pensioners were living in poverty. In the past two years alone, we have increased the state retirement pension by £8 for a single pensioner and £12.80 for a couple. Many over-75s claim a free television licence, which is worth £2 a week, and the winter fuel allowance for all pensioner households and men over 60 brings in an extra £200, which is equivalent to £4 a week, at a time of the year when fuel costs are highest.

The second category was investments. In 2000–01, 70 per cent. of pensioners had income from investments. That sounds great. It sounds as though they are looking after themselves. They are playing the market, taking the risk and investing in their future. Or are they? Of those people who had income from investments, 57 per cent. had incomes from investment of less than £10 a week, so presumably those investments are largely post office and building society accounts. They are exactly the people who were penalised by the benefits system. For every £1 that they received, they lost £1 in benefit entitlement—in marginal cases, they would lose more than £1 for every extra £1 from their investments. But not any more. Many have been picked up and helped by the minimum income guarantee, and 5 million people will get help of around £8 per week—up to £13.80 per week—from the pension credit when it is introduced next year. Nobody will have to live on less than £100 a week when the pension credit comes into effect.

I was interested to hear the speech of the hon. Member for Sutton Coldfield (Mr. Mitchell), because one of his predecessors said in another place that pension credit

> "is long overdue, and my hope is that it will provide support for some of the most deserving people in this country."—[*Official Report, House of Lords*, 18 December 2001; Vol. 630, c. 165.]

That was Norman Fowler, the former Secretary of State for Social Services. It is worth adding, as regards investment income, that 5 per cent. of pensioners—those who need no help, and should expect no help, from the state—have investment income of more than £200 per week.

On the third category, 60 per cent. of pensioners receive income from occupational pensions. Of those, more than half had an income from occupational pensions of more than £50 a week, and one in six had an income from occupational pensions of more than £200 a week. Clearly, those pensions have taken a long time to build up, with a lot of money put into them as an investment. Not everyone is offered or can afford occupational pensions. So we introduced stakeholder pensions, of which 815,000 have been sold so far. Stakeholder is holding its own in the market and is clearly going to be a success, as even Conservative Front-Bench Members have conceded in unguarded moments.

About a third of pensioners received income-related benefits in 2000–01. Many, but not all, of those would formerly have been on income support, but can now get the minimum income guarantee. I should say for the record, "Telephone 0800 028 11 11 for more information, and get your claim in now." Some 800,000 people claimed the minimum income guarantee last year, and the Department for Work and Pensions has details of another 100,000 who did not qualify then, but qualify now because of the relaxation of capital rules. That is very welcome for them.

Income-related benefits are necessary because the system as it stands fails too many people, particularly: women who paid a reduced married women's stamp, often because they had been wrongly advised to do so over the years; women with broken contribution records owing to their commitments as parents; 2 million disabled people unable to work full time or permanently; 2 million carers—often women—dedicated to family members, but unable to care for themselves; and 4.5 million workers—again, often women—who do the dirtiest, most miserable and often most thankless jobs on full-time incomes of less than £10,800 a year. Since April, those people have had available the state second pension, which will build on the experience of the state earnings-related pension scheme—SERPS—in the past. For the categories that I mentioned, we will assume an income of at least £9,500 a year and credit them as such into the state second pension to ensure that they will have more then they could expect under the previous system.

The fifth category of income is disability benefits, which are received by about one fifth of pensioner households. They will not be taken into account as they are supposed to meet the added costs of dealing with disability.

Between 1979 and 1997, investment income rose by 103 per cent.—

Mr. Deputy Speaker (Sir Michael Lord): Order. The hon. Gentleman has had his allocation.

8.4 pm

Mr. Hugo Swire (East Devon): I am left with the almost impossible task of following the high oratory of the hon. Member for High Peak (Mr. Levitt), but I shall attempt to do my level best. Indeed, I wish to emulate the hon. Member for Glasgow, Anniesland (John Robertson), who at the commencement of my speech vacated the Chamber. Were he here, I would point out to him that my constituency, East Devon, is also home to many pensioners. I think that it has one of the greatest concentrations of pensioners in the country—that is, of course, of those who are not in Glasgow, Anniesland.

It is perhaps worth remembering the hopeful words of the 1997 Labour manifesto, which stated:

> "We believe that all pensioners should share fairly in the increasing prosperity of the nation. Everyone is entitled to dignity in retirement."

That is a lofty aspiration, but alas, like so many other Labour promises, it has remained just an aspiration—although I begin to doubt even that.

[Mr. Hugo Swire]

For pensioners, the problem with pensions is that they are too complicated. According to Government estimates, 1.7 million pensioners receive payments under the minimum income guarantee, but Help the Aged estimates that some 2.5 million pensioners are entitled to such support. In other words, only one in five of those eligible claim the minimum income guarantee. Some suggest that that equates to as many as 770,000 people, all of whom are losing an average of £22 a week, thereby saving the Government nearly £900 million a year. That is a poor reflection on a flawed system.

Mr. Andrew Love (Edmonton): Will the hon. Gentleman give way?

Mr. Swire: I am afraid that I will not.

Pensioners are, rightly, proud. Many do not wish to be in receipt of benefits when they would be satisfied with what they regard as an entitlement. That is often at the root of it all. The minimum income guarantee claim system, which is designed to overcome the stigma of means-testing pensioners, is not working. It has cost more than £50 million to date, with no significant increase in the number of pensioners taking up their entitlement. The introduction of the pension credit is expected further to add to the complexity of the means test, and will bring more than 50 per cent. of pensioner households into the claims-led process of the minimum income guarantee or the pension credit. How does that square with the Department for Work and Pensions information sheet, which clearly states:

> "The dependency culture in social services needs to end. They should be refocused to promote independence, helping people to live in their own homes and do as much as possible for themselves"?

That statement is all about the independence of pensioners, yet the Government's strategy is seemingly to make them ever more dependent. Far better the alternative that was well articulated by my hon. Friend the Member for Havant (Mr. Willetts) at the start of the debate. He suggested, among other moves, arresting the spread of means-testing by putting the cost of the pension credit into a higher-rate pension for older pensioners. That would be welcomed by many of my constituents. The elderly feel very let down by the Government. Many of them are people who have saved all their lives and were brought up in a perhaps more frugal—certainly a more responsible—age, when they were taught to be accountable for their own behaviour and certainly for their own retirement. That is the attitude that gave rise to the maxim, "Look after the pennies and the pounds will look after themselves."

This afternoon, the Secretary of State said that the Government have a responsibility to those who save. Dead right they do, but there is precious little evidence of their practising what they preach. What about those who saved all their working lives to take out private medical insurance and not be a burden on the state, only to see the tax benefit swept away, forcing many of them back on to an already overstretched national health service? That was one of the incoming acts of a pernicious Government. What about those who have suffered as a result of being forced to purchase annuities at the age of 75? It has taken a Conservative Member, my right hon. Friend the Member for Skipton and Ripon (Mr. Curry), to introduce a Bill to reform that requirement.

In my constituency I have many pensioners and many pensioner activists, not least Mr. Venison and Mr. Applebee, whom I warmly congratulate on their forming of the Devon and Cornwall pensioners convention and the Devon action forum. A Minister promised some time ago on a radio phone-in programme that he would go to visit them, but they are still waiting.

Mr. McCartney: I promised not only a visit, which I will make, but a further interview on local radio, which has now been arranged.

Mr. Swire: I am extremely grateful to the Minister; as usual one must wait for a public announcement, rather than a response to a private letter. None the less, I am grateful for an answer for which the pensioners to whom I referred have been waiting for a year and a half or two years.

The Minister will be aware of the grey power of these pensioner conventions and forums. They are getting increasingly fed up with not being listened to and, as they see it, with being preached at. They are no longer happy to remain a silent minority.

At the end of the conference on better government for older people, the Prime Minister said:

> "We can make a real difference to the lives of older people by engaging them in strategic planning and policy making. We can ensure that our services are delivered in the right way by consulting with and listening to them."

Those are Empty words to the tens of thousands of pensioners who now live in a state of heightened anxiety.

Help the Aged has said that the Government's approach to pensioners reflected widespread discrimination against older people in public policy. Research has shown that one in two Britons believe that older people are treated as if they were on the scrap heap. That is not exactly a ringing endorsement of the Prime Minister's approach and I suspect that that is a sentiment shared by his father-in-law, who is active in these matters.

Another worrying factor is the crisis of confidence that the Government have now created. There was the derisory 75p rise in the pension and, as we have heard this afternoon, the £5 billion a year raid on pensions resulting from the reforms to advance corporation tax. We have also seen the acceleration in closures of final salary pension schemes resulting from that short-sighted act. The Prime Minister has argued that the market has compensated because the stock market is now doing so well. My belief is that the stock market has come off another 130 points today, so that argument now rings rather hollow.

Yesterday, we had the most recent admission: that the Government have been working on grossly over-estimated figures for the level of contribution to funded pension arrangements. All these factors are making the savers of today—the pensioners of tomorrow—deeply cynical about the idea of a pension at all.

When that is combined with the worrying drop in the savings ratio—which is at its lowest since records began in 1963—we begin to get some idea of the scale of the problem. There is a very real possibility that millions of people will retire without enough money to live on.

It is not just the pensioners whom the Government must now seek to convince. It is all those people in work who are thinking about their retirement and do not wish to be dependent on the state, which, to my way of thinking, is always an unreliable source of largesse.

It is perhaps timely to remember what the last great Liberal, David Lloyd George—

Mr. George Osborne (Tatton): The only great Liberal.

Mr. Swire: My hon. Friend corrects me; the only and last great Liberal. When introducing old age pensions in 1909, Lloyd George said:

> "How we treat old people is a crucial test of our national quality. A nation that lacks gratitude for those that have honestly worked for her in the past whilst they had the strength to do so does not deserve a future for she has lost her sense of justice and her instinct for mercy."

We are a prosperous country, but today's pensioners are not sharing in that prosperity. The Government must, as a matter of urgency, look at ways of rectifying that.

The value of assets in our pension funds is falling. The proportion of recently retired pensioners with occupational pensions has declined from 67 per cent. to 59 per cent. between 1997–98 and 2001. The proportion of workers without a funded pension has risen from 40 per cent. to 44 per cent. in the last two years.

Of course we understand the demographic problems and the fact that people are living longer. Of course we appreciate that radical solutions are now needed. I am interested in the possibility of raising the age of retirement and being more flexible about the dividing line between being in work and being retired. But this crisis is a crisis of the Government's own making and solving it requires a commitment that, to date, has been sadly lacking.

8.14 pm

Mr. Barry Gardiner (Brent, North): Thank you, Mr. Deputy Speaker.

> "Means-tested benefits for the poorest have rarely, if ever been more generous. With the introduction of the pension credit next year they will become more so. Serps, the state earnings related pension scheme, is paying out the most generous second-tier pensions that the state will ever provide. And millions of pensioners are benefiting from the mighty growth in occupational pension schemes that happened in the 1950s and 1960s.
>
> There are still plenty of troubling cases of poverty among pensioners—not least the failure of all those entitled to means-tested help to claim it. But average pensioner incomes have risen faster than the rest of society in recent years, and the average newly retired pensioner has never had it so good."

Mr. Swire *indicated dissent.*

Mr. Gardiner: The hon. Gentleman shakes his head, but those are not my words; they are the words of Nicholas Timmins in yesterday's *Financial Times*.

The present growth in pensioner incomes, partly from the Government, has come on the back of a beast of burden that is rapidly becoming extinct. I refer to the occupational pension schemes that give defined benefits in relation to final salary. We have heard that those schemes are closing and the hon. Member for Havant (Mr. Willetts) has provided two clear reasons why he considers that to be so; one for each of his brains, perhaps.

First, the hon. Gentleman blames the reforms to advance corporation tax by this Government and the £5 billion a year taken in tax. This, he says, has inevitably damaged the value of defined-benefit funded schemes. The Secretary of State has already explained that the advance corporation tax reform levelled the playing field to encourage better investment decisions by removing the distortions of the asymmetry of the tax burden between retained profits and dividends paid. The point is that money previously paid as dividend is now being reinvested in the company to increase productivity. Previously, the tax concession distorted that decision.

Mr. Tim Boswell (Daventry): Will the hon. Gentleman give way?

Mr. Gardiner: Not at the moment.

The current policy, by putting reinvestment on a level with shareholder dividend, actually enhances shareholder value in the long run and serves to eliminate distorting red tape, as the Opposition motion demands. A shareholder can always realise any future dividend stream in a capitalist market simply by selling their shares.

It may surprise the House to know that a company such as Microsoft has not issued a dividend in 15 years. Indeed, its official policy is:

> "Microsoft does not currently issue dividends on common stock or have a direct stock purchase plan, choosing instead to reinvest profits into operations. Although our Board of Directors periodically reviews this policy, Microsoft has announced no plans to change the policy."

Yet no fund would think on that basis that it was unwise to hold Microsoft stock. Indeed, most fund managers would say that they cannot afford not to hold Microsoft.

Conservative Members like to use ACT as a stick to beat the Government. The fact is that they fail to understand the workings of the market and how shareholder value is measured in more ways than dividend income.

The real test that the hon. Member for Havant needs to apply to ACT is the integrity test; would he abolish it? He would not, and he will not. As such, his two brains may blame it for the demise in occupational schemes, but his two faces want to retain it for the revenue that it brings to the Exchequer. That is a fundamentally dishonest position to adopt before this House.

The second accusation that the hon. Gentleman made is that the savings ratio is too low. I agree with that. What he did not do was explain what he saw as the causal link between Government action and that low savings ratio. He did not do so because he could not. The report by Oliver Wyman and Co., entitled "Targeting the Savings Gap", has identified a £27 billion gap in the savings provision that we as a nation require to fund a comfortable retirement.

The hon. Gentleman was gracious enough to accept that the provision by Nigel Lawson in the Finance Act 1986 to cap occupational schemes at 105 per cent. of value was a disastrous measure that led to employers taking superannuation holidays that the hon. Gentleman calculated at £1.4 billion per year. Over the intervening period, that is £21 billion that employers have taken from their employees. He will, I am sure, accept that that is £21 billion at 1984 values. The compound effect on occupational schemes has been simply enormous.

There are real problems facing our pensions system. Demographic shift is real, with males living on average eight years longer than they did 20 years ago. That brings increased liabilities for pension funds and tends to lower annuity rates. The demography is a critical problem,

[Mr. Gardiner]

but real incomes have far outstripped the rate of growth in life expectancy, so it is not that the money is not there, simply that it is being spent on different priorities and, I might conjecture, different savings vehicles that members of the public are now choosing to use rather than putting their money into pension schemes.

The hon. Member for Sutton Coldfield (Mr. Mitchell) was good enough to absolve the Government of responsibility for the demographic shift. I would have said that if there is one thing that it is possible to lay at the Government's door it is the fact that people now live longer, given the improvements in public health, employment and social conditions. However, I wonder whether he will join me in blaming those employers who are using the ending of final salary schemes to reduce their contributions to their workers' new money purchase schemes. The House will be appalled to find that, typically, workers now see only between 6 and 11 per cent. of their pay going into their defined contribution scheme, where previously it was 15 to 20 per cent. going into a defined benefit scheme.

Much is made of the savings ratio, but I am surprised that more hon. Members have not spoken about the savings distribution across the population. Within limits, I would far rather that we had a lower savings ratio that comprised a much wider distribution across the population, showing more people saving for a comfortable and adequate retirement rather than fewer people saving for a wealthy and luxurious retirement.

The savings ratio is of course important, and statistics show that in this country we put about 5.5 per cent. into our pensions savings, while in other countries in Europe the figure is up to 16.5 per cent. Even if we made up the full £27 billion, we would not catch those countries up, so much more needs to be done on the savings ratio, but equally we must see the effect of the distribution pattern.

The savings ratio is important, but the savings distribution is what addresses the real evil faced by our constituents: poverty in old age. I welcome the steps that the Government have taken to tackle poverty in old age: the reduction of VAT on fuel; the £200 winter payment; the minimum income guarantee; the stakeholder pension; and the introduction, when it comes, of the pensioner credit. Those are real and valuable changes that target £6 billion of resources on the many who are not well off, rather than the few who are.

I want to look forward to the future changes for which the Pickering and Sandler reports may call. Flexibility is a requirement of any pension system that is to meet a labour market that now expects to have mobility to a new employer at least every decade of one's working life. Flexibility and portability must be built into pension products.

I warmly welcome the courageous and thoughtful speech of the hon. Member for South-West Bedfordshire (Andrew Selous). I am happy to agree with him that incentives to employers would capture positive externalities for the Government by encouraging more people to save for retirement. I urge him to be more radical, however, and to embrace compulsion. I urge Ministers to consider making tax concessions available only to those employers who contribute double their employees' contributions, up to a combined maximum of 15 per cent., so rewarding employers who encourage their workers to save up to 5 per cent. of their wages by topping that up with 10 per cent. employers' contribution.

Clarity and transparency are vital, and are sadly lacking throughout the financial services industry. That is nowhere more so than in pensions, where the financial benefits are so long deferred and mature only at a time when, by definition, other earned income has largely ceased. If people's pensions fail, they are vulnerable in a way that they are not at any other time of their life. That is why the disaster that is Equitable Life has had such a dramatic effect on public confidence in the industry.

In today's *Financial Times*, we read of yet another increase in Equitable's market value adjustment—the penalty that members must pay to take their own money elsewhere. The article says:

> "Equitable has no fat at all. It is now cutting into the flesh and will eventually get to the bone. They are looking down the back of the sofa for 50p bits to put in the meter to keep the lights on."

The problems at Equitable were complex, but at heart they relate to actuarial failure properly to represent the company's liabilities. In such an environment, I find it disturbing and distasteful that some Opposition Members have criticised measures such as FRS17 that will force companies to record properly in their accounts the full liabilities that they face. I welcome the better regulation that is being brought to the financial services industry and look forward to reading both the Pickering and Sandler reports.

One of the most important recommendations in the Oliver Wyman report about the savings gap is that provision of personalised financial advice is absolutely essential if we are to encourage people to save. I commend to Ministers the suggestion that a nationwide system of financial advice bureaux should be inaugurated, along the lines of citizens advice bureaux throughout the country, to ensure that people have access to advice as recommended by the Financial Services Authority's consumer panel.

My time is up, but I am grateful for the opportunity to speak to the House on a most important issue.

8.26 pm

Mr. George Osborne (Tatton): I apologise for not having been here for the whole debate. I feel a little cautious about contributing, partly because I have been preceded by a host of former Conservative pensions Ministers, as well as the distinguished former Minister, the right hon. Member for Birkenhead (Mr. Field). Collectively, they have forgotten more than I ever knew about pensions. I was preceded also by my hon. Friend the Member for East Devon (Mr. Swire), who made an excellent speech. I am also cautious because, as the youngest member of the Conservative parliamentary party, and one who has been here only a year, I am uneasy about talking about retirement—but I suppose that that is one of the hazards of politics.

I have great respect for the right hon. Member for Birkenhead, and even more so now that I sit next to him on the Public Accounts Committee. He talked about the need for consensus. Among the party political brickbats of this debate, there has been much consensus, as expressed in the opening speeches my hon. Friend the Member for Havant (Mr. Willetts) and the Secretary of State.

One consensus is that, whatever our good intentions as politicians, we cannot rely on the state indefinitely to provide a secure income in retirement. On all the polling evidence, that consensus is shared by most people of my age or younger. It is even questionable whether the amount provided now is adequate.

The second point of consensus for most people, including most Government Members, is that the answer is to increase the contribution of the private sector—by how much is an issue that I will return to later. The Opposition support the Government's target, stated in their 1998 Green Paper, to increase private sector contributions to the nation's pensions from 40 per cent. to 60 per cent.

I hope that we can also agree that, sadly, progress towards that target has hit choppy waters in recent years, although we may disagree about the causes. The evidence is there. The right hon. Member for Birkenhead was right to say that there is a sense of urgency among our constituents about the pensions crisis, which now appears every day in our newspapers, and a feeling that the people whom they elect need to tackle it urgently.

The evidence is clear. The Association of Consulting Actuaries produced figures showing that fewer than four in 10 of final salary pension schemes are still open to new members. The parliamentary scheme is an exception—as I can say as a new Member. The Department for Work and Pensions' own long-term prediction for the pension credit suggests that 65 per cent. of pensioners could be receiving it by 2050. That is hardly evidence of that Department's confidence that we are moving in the right direction in terms of reducing dependence on state provision.

As I have said, I suspect that the consensus starts to break down when we consider the causes of the crisis in funded pensions. Although hon. Members do not all agree on those causes, there is a great deal of agreement within the pensions industry. Some of the causes are outside the Government's control. The hon. Member for Brent, North (Mr. Gardiner), my hon. Friend the Member for South-West Bedfordshire (Andrew Selous) and others talked about growing life expectancy, but life expectancy is increasing at only about one year per decade. In terms of the existing £1,000 billion-worth of pension liabilities, that represents an extra liability of only some £3 billion—a large sum, but not that impossible to deal with in relative terms.

Of course, we must also consider the recent problems in the stock market, and the double whammy—to use a very good phrase—of a falling stock market and low gilt yields. As a result, people have not only smaller final pension funds but low annuities. However, they are not the only factors. Earlier this year, the Minister for Pensions himself conceded in *Personnel Today*—a publication of which we are all doubtless avid readers—that the

> "layers of regulations have been loaded on to the pension regime resulting in too much red tape".

I welcome the Government's efforts to deal with that. As Conservative Members have pointed out, almost everyone accepts that the pension tax, which was introduced in 1997, has impacted on pension funds. The accountancy firm Chantry Vellacott calculated that someone of my age needs to save an extra £200 a year to make up for that tax.

If Labour Members are a little suspicious of Chantry Vellacott, they should at least take note of Tesco, which gave the pension tax as the reason for increasing contributions to its final salary scheme by 15 per cent. As Peter Thompson, chairman of the National Association of Pension Funds, said last month, the Government's actions since 1997 have

> "led to a scenario where employers can be forgiven for taking a view that the Government is at best neutral about whether they make pension provision for their employees".

What can be done to make the Government better than neutral—or, as some have suggested today, not hostile—about expanding personal provision? How can they be helped to meet their 1998 target of a 60 per cent. contribution to pensions from the private sector? Several suggestions have been made today, including some particularly bold ones from my hon. Friend the Member for South-West Bedfordshire. I am not entirely convinced that I want to enter the next election campaigning for an increase in VAT, but I am happy to listen to his arguments in the coming years. The hon. Member for Brent, North—another member of the Public Accounts Committee—also came up with some interesting ideas.

The consensus is that we need to look again at the FRS 17 rule, which has clearly damaged company confidence in pension schemes, particularly in the current financial market. As the Minister accepted, we need to reduce red tape dramatically, and to clear the current mine field of Government pension schemes that almost no one—except perhaps my hon. Friend the Member for Havant—can understand. The Government also need to acknowledge the impact of changes such as the 1997 pension tax, and to see what can be done to address it. Conservative Members believe that the annuity rule also needs to be dealt with. In that regard, my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) has introduced an excellent Bill, which has consistently been voted for at various stages during its legislative passage.

Those important steps would go a long way towards tackling the current crisis, but I wonder whether we should think more boldly than that. This is the point at which the young Back Bencher usually gets into trouble, but there we go. One of the greatest divisions in our society is between those who have capital and the security and confidence that that brings, and those who do not and who, as a result, lack security and are exposed to some of the cold winds of life. The Government talk about raising people out of poverty, but all their measures are directed at increasing people's weekly income. Important though that is, it does not address their lack of capital—by which I mean property, savings, a private pension and the resulting security and confidence. The introduction of the right to buy council houses was a massive boon to those people, as even Labour Members now accept. It gave many thousands of people a chance to own their own home, and we can see the difference on visiting most council estates. We can tell almost with the naked eye which properties are owned by people and which remain owned by the council, because people often take a lot more pride into property that they own. That is a visible example of the pride and some of the benefits that ownership brings.

However, that policy is more than two decades old, and precious few new policies have been introduced to address capital poverty since then. The Government's now forgotten, half-hearted and ill-conceived baby bonds scheme was originally intended to address precisely the problem that poorer people do not have a capital base to help them as they start out in life. Is it not time that we

[Mr. George Osborne]

turned to personal pensions as we consider how we can give everyone a stake in the future and the security of a decent income in retirement?

Mr. Love: The motion before us calls for

"better incentives for people to save".

Given what the hon. Gentleman has said so far, does he think that, in line with the comments of my hon. Friend the Member for Brent, North (Mr. Gardiner), those incentives should be concentrated at the lower end of the market, where savings are least?

Mr. Osborne: I certainly want to increase savings among the poorest in society, but how we do that is another matter. Although it became lost in the election battle, the Conservative party had the very good idea of taking all savings out of tax, so that people are taxed only once on their saved income.

Before the 1997 general election, my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley), as Secretary of State for Social Security, produced a breathtakingly innovative scheme that was of course misrepresented in the party political battle. I suppose that that is just a hazard of democratic politics, but the scheme showed us the way forward. Indeed, my hon. Friend the Member for Havant came up with a voluntary version of it at the last general election.

Given that the political consensus has moved on and there is now recognition that a problem exists with pension provision, it is time to look again at how to provide a personal pension for all, without preconceptions and accusations of privatisation. We need to give people real security in retirement, the confidence that comes with capital ownership, and a real stake in society. The Government once said that they were prepared to think the unthinkable on welfare reform, but they have not had the courage to match that early rhetoric. The greatest prize of all in welfare reform is giving everyone a funded personal pension. That prize is within our grasp, and we should reach out and take it.

8.38 pm

Ian Lucas (Wrexham): I am glad to have this opportunity to discuss pensions, for two reasons. First, the issue is raised increasingly by my constituents and has always been very important to them. Secondly, as my hon. Friend the Member for Colne Valley (Kali Mountford) said, it heightens the distinction between the Labour and Conservative parties. When we discuss pensions in the House, Conservative Members always talk about advance corporation tax, stocks and shares, annuities and equities, while Labour Members talk about relieving poverty and supporting the weakest in our society.

We need to concentrate on the gaps in the speeches of Conservative Members. I listened carefully to the detailed proposals of the hon. Member for Sutton Coldfield (Mr. Mitchell). I tried to intervene on him, but—because of lack of time, I am sure—he did not give way. I wanted to ask whether his proposed scheme would replace the state pension scheme. That is the hole that exists in everything that has been said by Conservative Members. I would like a clear statement from the Opposition about whether the pension schemes that they are discussing would replace a state-funded pension scheme.

Mr. Arbuthnot: If a scheme were to be additional to the state-funded pension scheme along the lines of the original Beveridge vision that there should be a good funded pension scheme for everybody, with a basic state pension, would the hon. Gentleman accept it?

Ian Lucas: I would certainly accept that, but I am not convinced that that is what the Conservative party is proposing—quite the contrary, in fact.

This is a vital issue. I believe that the pensioners in my constituency who voted Labour in the last general election did so because they were pleased with the pensions policies that had been pursued between 1997 and 2001. By the time the last Conservative Government left office in 1997, a single pensioner was supposed to live on £68 a week. Pensioners recognised that substantial steps had been made by this Government in improving the lot of the poorest pensioners and of pensioners in general. They did not like the Conservative proposals at both the 1997 and 2001 elections for privatisation of the state pension scheme.

My voters had experienced the private sector before with regard to pensions. I make no apology for returning to the record of the Conservative Government in the 1980s when they presided over the most appalling shambles in the pensions industry. First, they removed the link between earnings and the basic state pension. Secondly, they allowed a completely unregulated private sector to persuade people who were involved in defined benefit schemes to switch over to defined contribution schemes. That was commission-driven, and poor advice was given to individuals at the time that the transactions were made. As a result, it was necessary for the Labour party, when it came to power in 1997, to put together a scheme to solve the pensions mis-selling problem. That cost the pensions industry £34 billion in total. That is the scale of the Conservative party's incompetence. It will have had a substantial effect on the viability of the pension funds that we are discussing today.

We have heard a lot today about advance corporation tax. I genuinely believe that any scheme that encourages long-term investment rather than the short-term swapping or selling of shares is a good thing. One of the weakest aspects of the British economy over many years is that we have invested in the short term far too much and in the long term far too little.

The Chancellor's proposal in 1997 and the action that he took was right. We must remember what he did with that money. He supported the poorest pensioners in our society and increased their income. That was the right thing to do; it was perceived by the public as the right thing to do, and it is why the Government were returned to office in 2001.

It is no good for the Conservatives to try to blame the Government for the present difficulties with final salary pension schemes. Most companies involved in, or terminating their involvement in, such schemes do not seem to understand that the scheme imposes obligations on them. The companies promised to pay their employees a decent pension and they should honour that promise. That means making consistent payments to pension funds—not taking contributions holidays that last for years.

My constituents have been affected by the actions of Iceland and the Caparo group. In the 1990s, both companies took substantial contributions holidays that greatly affected their pension funds. During this debate, I have not heard one criticism from Opposition Members of individual companies which have acted in that way.

Kali Mountford: I am grateful to my hon. Friend for pointing out to the House the folly of drawing out funds too soon. Is he as horrified as I am at the current scam—recently revealed on television—which has affected some of my constituents? People are being encouraged to give up their pension rights by selling them on to another company which gives them a lump sum but they receive a smaller pension later. People do not realise that they can ill afford to do that. Should not such loopholes be covered by regulations?

Ian Lucas: I agree with my hon. Friend, and I am certain that my right hon. Friend the Minister for Pensions will look into that matter if she gives him the details.

Mr. McCartney: Yes.

Ian Lucas: I have heard no condemnation from the Conservatives of companies that have taken long contributions holidays. Individual employees are being heavily penalised. Companies are merely notifying their employees that the schemes are ending. There is no consultation and no discussion—no partnership at all. That is where blame really lies for the shortfall in pension funds.

As we all know, pensions are complex and difficult. The debate has been interesting—I have sat through all of it—and there have been shafts of light and some consensus on both sides of the House. We all agree that, if possible, pensions should be simplified and we are looking forward to the proposals of the Pickering inquiry in that regard.

I am sure that my right hon. Friend the Minister will take note of the general feeling that is developing that compulsion is a coming idea in the pensions sector. Choice was the mantra in the 1980s, but that did not lead to a happy outcome. We have to accept that there should be compulsion on employers and employees alike to support individuals in their old age. If individuals are not supported in old age by contributions that they made earlier in life, the state will end up footing the bill. Although encouragement is always more popular with our constituents, the time is right for us to listen to the calls on both sides of the House for the introduction of compulsion. It should start with those companies that promised to pay into pension funds and failed to do so.

Mr. Arbuthnot: I am listening with attention to the sensible things that the hon. Gentleman is saying. Does he agree that it is not a question of whether there should be compulsion—it already exists—but of how much that compulsion should be extended?

Ian Lucas: Everything I say is sensible. [HON. MEMBERS: "Hear, hear".]

I am certain that the Minister has listened to all that I have said. The debate has been interesting and I am certain that he will have seen the shafts of light that have been thrown on the subject—although there have been some dark clouds. I am certain that he will take on board the fact that a consensus is developing on a serious issue that we must all address.

8.49 pm

Mr. Julian Brazier (Canterbury): Over the years, I have been privileged to have the opportunity to speak on this subject on several occasions, both in the Chamber and in various Bill Committees. I have also written papers on it. I shall not follow the hon. Member for Wrexham (Ian Lucas) very far: sadly, I do not think that a consensus is emerging at all—far from it—although there is consensus that something needs to be done.

What I found very sad about the Secretary of State's speech was an absolute unwillingness to come to terms with two desperately serious crises—arguably, they are alternative sides of one coin—that have happened on his watch. I shall not try to pretend that either is wholly the Government's fault, although both are partially the Government's fault—my hon. Friend the Member for South-West Bedfordshire (Andrew Selous) split what is the fault of the market from what is the fault of the Government rather neatly. Both these crises have happened on the Government's watch, however, and, before the Government can seek to address them, they must acknowledge that they are happening.

The first crisis is the collapse—not the fall, but the collapse—in the savings ratio. When I intervened on the Secretary of State to ask him how he accounted for the fact that the ratio was 9.5 per cent. when the Government took office and that it is now 3.75 per cent., he brushed it off as a cyclical factor. As for the current state of the economy, it has a modest growth rate and a relatively low unemployment rate—*[Laughter.]* Almost a quarter of children in Britain live in households in which there is no wage earner, so there are question marks over the unemployment rate. Even if one were to accept that the economy were booming, which no commentator suggests, how is it that at no point since records began almost 40 years ago has this ratio ever been down at the level of 3.75 per cent.? Surely, it should be manifestly clear that we cannot continue in that way.

The second crisis, which is very much the other side of the coin, is the deterioration—which is sliding quickly into what may become a collapse—in the pension expectations of middle-aged and younger people across a wide spectrum of earnings. The hon. Member for Wrexham made the point, which I think has been raised by every Member who has spoken today—I was absent during the middle of the debate—about pension mis-selling. Whatever mis-selling may have taken place—there is no doubt that it existed to a degree—the last Government left behind two immensely powerful statistics. First, more than two thirds of all people on the cusp of retirement had private or occupational pensions. Secondly, we had more pension assets saved than all the other countries in the EU put together. The contrast between that and the position today could hardly be greater.

Already, in just five years, the first of those figures—67 per cent.—has fallen to between 59 per cent. and 60 per cent. The figures for comparability of pension assets are not available because the Government cannot even provide information about our own pension assets at

[Mr. Julian Brazier]

the moment. The hon. Member for Brent, North (Mr. Gardiner), who made an interesting speech, quoted figures that were undoubtedly wrong. Had they been true, however, they would have been a damning indictment of how that comparability has slipped. When we do have some real figures, we will no doubt see how badly that comparability with the rest of Europe is slipping.

When the Conservative party was last in government, the one area of our pension provision that, as an occasionally rebellious Back Bencher, I sought to attack, was the changes that we introduced in 1988 that combined a more generous income support arrangement for the poorest pensioners with stringent capital testing for their counterparts who had managed to save a little. *[Interruption.]* I see the Minister nodding—

Mr. McCartney *indicated dissent.*

John Robertson: The hon. Gentleman obviously needs glasses.

Mr. Brazier: We all have problems with eyesight. It is one of the signs that we are approaching pension age. The Minister and I still have some way to go.

Although our record on pensions across most of the earnings spectrum was by far the best of any Government, the message was that we had a problem at the bottom with a rapid growth—about a sixth—in the proportion of people who became dependent on income support within three years when they saw the penalties for having a bit of capital and the extra rewards for not. What is extraordinary is that the Government seized on the only big mistake that the last Conservative Government made: they introduced the minimum income guarantee, a greatly expanded version of income support, that relies heavily on means-testing and on which the new structure of the pension credit is built. At the same time, they introduced a range of measures, listed by one of my hon. Friends after another, that undermined occupational and private pensions.

Of course the markets have slipped, for a variety of international reasons, but £5 billion a year in tax removal capitalises at about £100 billion, an enormous sum to take from the capital value of our pension funds. Other of hon. Friends, including my hon. Friend the Member for Havant (Mr. Willetts) in his excellent speech, referred to the progressive squeeze on the contracted-out rates for those choosing to contract out of state pensions. That is an extraordinary measure for a Government who say that they want to reverse state dependence from 40:60 to 60:40.

We have to step back when we consider policy and look at the bigger picture. My hon. Friend the Member for Havant was right to the allude to the bold policy proposal, encased in an amendment taken on the Floor of the House which had the support of the Liberal Democrats and the right hon. Member for Birkenhead (Mr. Field), to scrub the plan for the means-tested pension credit. Under the Government's measure, pensioners face not only a combined tax and withdrawal rate of 40 per cent., but extremely intrusive forms and a complicated set of conditions. For example, people who go abroad for more than four weeks lose the credit and have to start again.

The measure also penalises people who want to work, which brings me to the second policy point outlined so clearly by my hon. Friend. We have to find ways to encourage people to work longer. Labour Members poured a great deal of scorn on the annuity measure introduced by my right hon. Friend the Member for Skipton and Ripon (Mr. Curry). The Government's great mistake is that they have focused on the relatively small percentage of people on whom their measure would have an impact now. As people live longer and those of working age become more prosperous, it is inevitable that the percentage who could benefit from liberalisation—who could do more to provide for themselves—will rise. My father has just celebrated his 75th birthday. He continues to run his own small business and provides full-time employment for three young men, all with young families. He is livid that some bureaucrat has forced him to take out an annuity when he had continued to make pension contributions year after year.

I mentioned that great legacy of the last Conservative Government—the 67 per cent. rate of those retiring with pensions of their own provided by occupational or private schemes—which has fallen seven or eight points, an average of one and a half points for each year of this Labour Government. I also mentioned the collapse in the savings ratio. The markets may well recover. I do not know; I am not a pundit. What I am certain of is that the crisis in the collapse in the savings ratio, and the crisis in the fall in the proportion of people who are members of pension schemes and of people who retire each year as members of pension schemes, will not reverse on its own unless three broad areas of policy change. Let me remind the House of those. They have all figured in my speech.

First, we have to get away from means-testing. The most elegant and simple method is the one that was encapsulated in our amendment to the State Pension Credit Bill: instead of a creating another means-tested benefit, we should put the money into a better basic pension and focus it on the over-75s.

Secondly, we have to stop penalising those who wish to work. For goodness' sake, we need people to work longer, and the present annuity arrangements penalise those who do, as indeed does the pension credit, by the back door.

Finally, above all, the Government have got to get the figures right. We have had enough debate, and I am not going to attack the Government again for getting their figures wrong. But until we have proper, accurate statistics that reveal what is going on, it will be almost impossible to formulate decent policies, and the Government owe it to the House to straighten that out. Pensions matter, not only to the generation coming up to retirement but to the whole generation behind them.

9.1 pm

Mr. Bill Tynan (Hamilton, South): I apologise for being absent for some of the debate because I was at a meeting in the House. This has been an interesting debate, and there has been much consensus between Members on both sides of the House, which is important.

The title of the Opposition motion is "Funded Pensions", but we will miss a wonderful opportunity if we talk only about funded pensions. The TUC calculated that 5.8 million people were in funded pension schemes in 1991, but it is vital that we recognise that a vast number of people have no funded pension at all and no opportunity to join an occupational pension scheme. If we are to move towards compulsion, it has to operate with the aim that, in the long term, everyone will have a pension on which they can survive. If that is not the case, compulsion will not be accepted.

All previous Governments have failed the pensioners of this country because they have not created the conditions in which people do not need the likes of the pension tax credit or the minimum income guarantee. There are poor pensioners who, without the minimum income guarantee, would find themselves in abject poverty. I sincerely believe that this Government should be applauded, not denigrated, for having targeted those people. I believe also that the pension tax credit will make a difference to people in small occupational pension schemes, many of whom are excluded from housing benefit and council tax benefit.

It is unfortunate that people think about retirement only towards the end of their working life. We do not encourage young people to think about the funds that they will want when they retire. We have to find a way to convince them that there is a need to save for retirement because it is only when they find that they have no pension that they will realise that their standard of living will dramatically reduce and that they must depend on state benefits.

Occupational final salary schemes are the best, whether the pension is based on a 60th, an 80th or a 100th of the salary. Benefits are defined, so people understand that for every year that they work for the company, they will receive a 60th, an 80th or a 100th. We should tell companies that are considering abolishing their occupational pension scheme that if they need to make a move, it should be to a scheme based on 80ths or 100ths, but they should continue to provide a final salary scheme.

I worked in a company a long time ago. People say that I was only employed in that company, but I worked at times. I was a full-time union convenor. We were aware that there were two different forms of provision for staff and manual workers in that company: one group paid 2.5 per cent. and the other 5 per cent. We set up a pensions advisory committee, sat down and discussed how we could best rectify the problems and arrive at a common scheme. We were successful.

Horrifically, the women in that company were not allowed to join the pension scheme unless they had 10 years' service. The equal pay legislation allowed us to tackle and eliminate the belief that women should not be part of a pension scheme because they were not providers. It is important that we understand that women have been neglected. The hon. Member for Northavon (Mr. Webb) made that point tonight. We have to do something to improve the lot of women who, because of their circumstances or bad advice paid the small stamp and found themselves living in poverty.

Recent events are not unique. British Airways decided to close its final salary scheme in 1984, and an 18-year battle to establish who owned the surplus ensued. The question of who owns a surplus is always an issue with any pension scheme. The company claims that it owns it, but employees say that it represents deferred earnings and that they should have a say. Last month the Court of Appeal ruled:

"the situation in which the whole of the surplus can be said to be permanent is likely to be exceptional and may only occur when the fund is close to dissolution".

In effect, the court said that no pension surplus can be considered sufficiently permanent to warrant its removal during the life of the fund; it can be removed only when the fund is being wound up, because it cannot be clearly identified before then.

The Finance Act 1986 made a difference to final salary schemes. It was decided that 5 per cent. overfunding would lead to any surplus in excess of that being taxed at, I think, 35 per cent. or more. The overfunding had to be got rid of within five years. The company I worked for told us that there was a £270 million surplus in the scheme and that it intended to take out £150 million. We argued strongly that benefits should be improved instead—and they were, to such an extent that we moved to a 60th scheme and introduced early retirement for people who were seriously ill. Such people's pensions were calculated as though they had reached 65 and were beneficiaries of the scheme. We also made the scheme non-contributory, so everyone who was a member of the scheme prior to 1987 became a free member of the scheme.

It was a very good scheme. Now, however, the company realises that the position is serious. It has decided that all employees—even those who were members of the scheme before 1987—will have to contribute 6 per cent. of their salary. There will be no new pensioners with a minimum 3 per cent. annual increase in their pension, and there are to be changes to all forms of early retirement. Active employees and deferred pensioners will now be subject to actuarial valuation reductions—they were not when we negotiated the scheme.

In the current circumstances, some schemes are in trouble, but I believe that by deciding not to take the easy option of closing the final salary scheme, but instead looking for ways to solve the problems, the company I worked for has shown the way forward. We have to protect this country's final salary schemes. If we do not, people who are currently middle aged may well lose out and face great difficulties when they reach pension age, and the Government at that time will have to support them. It would be better to remedy the problems now than to allow them to continue. That is why I have been critical of all previous Governments. We have taken our eye off the ball, and we seem to be doing the same thing tonight by concentrating solely on funded schemes.

Many issues have been raised in respect of how we might do business in future. It is true that an overwhelming number of companies decided that they would take contribution holidays. When the sun shone on the stock market, that was the right way to go as far as they were concerned. When taking those contribution holidays, companies often did not apply them to their employees. Employees have suffered a double whammy—they have not had the pension scheme that they should have had, and they did not enjoy a contribution holiday. They have been badly affected. One of the saddest and most distasteful aspects of the episode of closures of final salary schemes has been the retention of the schemes by top-level management. We must address that. What is good for the employee is good for the employer.

That behaviour is another example of the corporate greed that seems to be infesting our economic system at the moment. According to the TUC, between 1987–88 and 2000, employers took contribution holidays—reductions in the value of pensions—worth £19 billion.

[Mr. Bill Tynan]

That might not mean a lot on a yearly basis, but if that money had been invested and used properly, we would not be in the position we are today. The TUC has also said that the scrapping of final salary schemes has saved employers £4 billion since 1995, as contributions to money purchase schemes are on average 9 per cent. lower.

There is no doubt that we have tried to address some of the problems through the stakeholder pension scheme, but I do not think that those pensions will be sufficient for employees when they become pensioners. We must consider the question of compulsion and how we can maintain and continue to develop final salary schemes. If we do that, we will have success.

9.12 pm

Rob Marris (Wolverhampton, South-West): Much of the debate has focused on the word "crisis". I dispute that there is a crisis in pensions in the United Kingdom—and that is partly because of the steps taken by the Government in the past five years.

We have heard much in this debate—I will not go into detail—about the state second pension, which is being introduced to give better provision to the 18 million people who have been unable to build up pension rights, particularly those who have been unable to work because they are caring for others or have disabilities. The state second pension is skewed towards the low-paid.

The pension credit will also assist pensioners of modest means. We have the minimum income guarantee, which has vastly raised the living standards of a certain section of our poorest pensioners. We have the winter fuel allowance and free television licences for the over-75s. The Government have restored free eye tests for pensioners, too.

There has also been a massive increase in national health service funding. I have been present for almost all the debate, but I do not recall hearing the point—it is often overlooked—that two thirds of NHS spending is on pensioners. The more money that the Government put into the NHS, the more they help pensioners.

Stakeholder pensions have been introduced. I do not accept the Opposition's suggestion that they have been a complete failure. These things take time to build. More than 800,000 people who did not have a pension vehicle a year ago now have one. More than 90 per cent. of employers who did not provide access to a pension scheme now do so.

Mr. Butterfill: Does the hon. Gentleman accept that an awful lot of those 800,000 people have transferred money from other schemes? The investment is not new money. An awful lot of them were buying stakeholder pensions for their grandchildren. The number of those in the target audience that the Government want to reach is very small.

Rob Marris: I am not sure that that was a brief intervention, but I do not accept that the position is as the hon. Gentleman described.

The hon. Member for Canterbury (Mr. Brazier) mentioned the situation in the European Union. Certain organisations often spread the canard that the United Kingdom has the worst pension provision in the European Union. I shall cite statistics, which, for the benefit of the Opposition, are not from the Office for National Statistics, but from Eurostat. They show that for expenditure on social benefits for old age in European Union countries in 1999—the position in the United Kingdom has undoubtedly since improved—we were above the EU average and were the fifth highest of all EU members.

Mr. Brazier: I said that there were more savings in the rest of the EU put together when the Government took office. According to the unreliable figures available, the position has since deteriorated substantially.

Rob Marris: I do not accept that the position has deteriorated, although it may have a changed a bit. My understanding is that the UK still has more provision than the rest combined because of the way in which pensions are structured in this country.

On the Conservatives' record, past performance is not always a good indication of future performance, but in this case it just may be. The Conservatives want to get rid of state provision. The Leader of the Opposition said:

> "Basic pension provision should become a function of the private sector."

In a letter to the hon. Member for Sutton Coldfield (Mr. Mitchell), the hon. Member for Havant (Mr. Willetts), who opened the debate for the Opposition, said:

> "The vision of moving to a funded alternative to the basic state pension is a powerful and compelling one which you and I share."

At the general election a year ago, the Conservatives floated the idea of getting all young people to have a private pension, and receive nothing from the basic state system. We need to be aware of the direction that the Conservatives are taking on pensions.

The hon. Member for East Devon (Mr. Swire) talked about a crisis of the Government's making. I do not accept that there is a crisis and I certainly do not accept that it is of the Government's making. Someone who entered the labour force, as many did, aged 14 in 1951, and retired at 60 in 1997, when the Government came to office, would have had only 11 years under a Labour Government but about 35 years under a Conservative one. In many cases, their pension provision came from the Conservatives or, sadly, did not come from them. In the mid-1980s, the Conservative Government removed the requirement that employees should join an employer's occupational pension scheme if they had one, and there was a free-for-all. Ironically, some Conservative Members are now asking for compulsion in pension provision.

In the mid-1980s, as has been said, the scandal of pensions mis-selling was building up. The bottom line is that it cost billions of pounds to put that affair right, but we have not seen the end of its confidence-destroying aspects. Many people, especially the young, are reluctant to save for old age because their parents, aunts and uncles were ripped off. Many of the 2 million who were reimbursed had to go through hell and high water to get compensation and only got it after pressure from the Labour Government.

A national bus company was ripping off its workers by taking their surplus—that problem was only sorted out under the Labour Government. Conservative Members have spoken about people working longer and retirement being phased in. I fully support that. Ironically, however, the Conservative Government were busy getting everybody to retire early so that they could fiddle the unemployment figures, whereas there are more than 1 million more jobs under Labour, and it is a realistic prospect for people over 65 to continue working, perhaps part-time, because jobs are available.

I shall turn to an issue that has featured in our debate—the stock market—and the remarks of the right hon. Member for Wokingham (Mr. Redwood). He said that he had been a pension fund manager in the City, so his economics may be better than mine, but I am not so sure. He seemed to suggest that the decline in the sale values of stocks had adversely affected people's pensions. It does not. What affects people's pensions from stocks is the dividends that they get from those stocks. The key issue is whether the dividends have gone down. He was speaking about the absolute value of those stocks, not simply about the taxing of them. I do not accept that the stock market has gone down because of Government policies.

The other issue is much more important in terms of the regulation of the pension industry. FRS 17 has been mentioned repeatedly in the debate. Many, many companies took pensions holidays, particularly with the 105 per cent. rule about which we have heard. They took the money in the good times, but they do not want to pay it up now that the bad times are here.

It is clear from the way in which those companies have operated that their propaganda has been extremely successful. The propaganda machine of those large, greedy corporations suggests that FRS 17 was already compulsory, but it will not be compulsory until 2003 or 2004. The companies suggest that the reason for the difficulties with their pensions was that crazy Government regulation, but the regulation was not crazy, and it was not in force as a compulsory measure.

I accept the need to simplify the regulation of pensions, but I do not accept the flavour of the Conservative Opposition's argument about lessening the burden of those regulations. That leads us back to the Maxwell saga. Also, lessening the burden of regulation would mean, to the Conservative Opposition, that we are out of step with our friends in America, who are going the opposite way.

A Standard and Poor's report released recently shows that for many years many big corporations in America have not had transparency at all. They have been fudging the figures and some, like WorldCom and Enron, have been lying. They have been boosting their profit figures by including income from their pension funds, ironically, by adding back charges when they are buying companies, and by not allowing for the cost of share option plans. Some of those big companies are household names now, such as Enron and WorldCom, but they also include Microsoft, General Electric, The Gap, Apple, Yahoo! and IBM.

If General Electric's profits are correctly reported, for example, they come down by $1.93 billion from $2.23 billion in 2000. That is a huge drop. Cisco Corporation is another example. We must be careful with funded pension schemes and with the transparency of their figures. That requires tight Government regulation. I hope that Ministers will assure me that we will continue to have tight Government regulation of pension funds, in spite of the exhortations from the Opposition.

Finally, I hope that Ministers can reassure me that the intersection of pensions and the Transfer of Undertakings (Protection of Employment) Regulations will be looked at. Pensions are excluded from the acquired rights directive, but that does not mean that the United Kingdom must exclude them. I hope that we can consider that issue again.

9.24 pm

Mr. Tim Boswell (Daventry): We have had an interesting debate characterised by 24 Back-Bench speeches, on my count. The great majority of them were thoughtful, though not demonstrative. In their totality they show a degree of concern about the growing problems in relation to pensions that is eloquent in itself.

There are basically two reasons why Government policies, and ultimately Governments, can fail. The first is when they are caught out in malice. Under new Labour, markets are supposed to be accepted. The euthanasia of the rentier is out of fashion, and we have not heard too much about it today. Under the surface, however, in some of the contributions made by Labour Members—for the avoidance of doubt, I stress that they came from the Back Benches—there was a certain return to the mean and a distrust of the capitalist system that far exceeded any of its measurable excesses.

Nevertheless, much more common than that especially pathological characteristic of left-wing Governments is the reluctance of Governments of all colours and times to face reality, arising from a mixture of what may be complacency and may well be arrogance. The proposition of Her Majesty's Opposition in our motion is not about Government malice. Indeed, we open the motion with a generous and specific endorsement of the Government's own aim, as stated in their 1998 Green Paper and repeated thereafter,

> "of increasing from 40 per cent. to 60 per cent. the proportion of pensioners' incomes that comes from the private sector".

I should perhaps add in parenthesis that that still leaves the 40 per cent. that comes from the public sector, which is entirely relevant to the position that we will develop in future, despite some of the hares that have been started from the Government Back Benches.

James Purnell: The hon. Gentleman referred to hares being started; he can kill one off straight away. Can he guarantee that the state second pension and SERPS will remain part of his party's plans and that he will not allow it to be raided to pay for the priorities of the other spending Departments represented on his Front Bench?

Mr. Boswell: I have already dealt with the generality and made it clear that, on the specifics, we shall consider the best measure of approach. That is why we have been taking the advice of all parties that have a contribution to make. Sadly, I was not present to hear the hon. Gentleman's speech, but I am quite ready to read it in *Hansard*. Of course, we take advice from the TUC, just as we do from the CBI. Indeed, I shall refer to them later.

This debate is in ample measure directly about this Government's complacency and arrogance in the face of a "deepening crisis" on pensions. If Ministers object to our using that phrase, I hope that they will reflect that it is not ours, but that of the TUC. In the Government's first term, the only pensions crisis that they wanted to

[Mr. Boswell]

acknowledge was the conveniently soft target of those who had mis-sold pensions. Today, however, the boot is on the other foot. Yesterday, when the new Secretary of State—we wish him well—came to the Dispatch Box, his first public act was to admit to mis-statement of pensions statistics on a truly heroic scale.

I may say that responsibility for the matter is still being argued in the briefing battle between the Office for National Statistics and the Department. It is an internal matter for the Government, but it might never have come to light without the assiduity of my hon. Friend the Member for Havant (Mr. Willetts). At any rate, as this Secretary of State is new to his post, he has the chance to make a fresh start and leave his unfortunate legacy behind. The position on funded pensions, although it is indeed serious, as hon. Members in all parts of the House have acknowledged, is not irretrievably hopeless, provided that Ministers drop their complacency and take positive action now.

In a thoughtful article published this week, which has already been mentioned, Nicholas Timmins pointed out that many of those retiring today on occupational schemes may still be relatively well off. That colours our view of the situation, but I doubt whether the same could be said for those with final salary or personal pensions who are trying to secure an annuity at today's low rates with their pension pot, unless they were safeguarded by a timely switch to a bond-based fund—although all pensions have sadly been battered by the slide in stock markets.

The real crisis, however, is not for today's pensioners, but for those of tomorrow. I gather that I am not the only member of my generation—those of a certain age—who remembers the famous Pearl Assurance advertisement concerning the desirability of having a pension. For the sake of greater accuracy, I have procured a copy. The advertisement gave five age-based viewpoints covering four decades, beginning with that of a sleek 25-year-old: "They tell me the job is not pensionable." And so it went on—the same person reporting every 10 years, with fewer hairs and more worry. At 45, he was saying, "How I wish I could look forward to a pension."

That advertisement appeared from my childhood until my early working years, from 1951 until it was last used in 1970. That is 32 years ago, I am ashamed to say, but I remember it vividly. It long pre-dated the introduction of personal pensions, and even the explosion of company schemes that took place in the 1950s; but if a warning bell was required then for entrants to the labour force who I hope now enjoy the fruits of their retirement, it is required no less now for the labour force entrants of the 2000s, who must also be looking forward at least 50 years.

Mr. Gardiner: Will the hon. Gentleman enlighten us as to whether the advertisement worked, and whether he took out a pension with the company?

Mr. Boswell: I have made reasonably adequate provision, although like most of us, I think it is not as much as I might have hoped, and it is certainly not worth as much as it was a week or two ago.

As responsible Members of Parliament on both sides of the House, we recognise that pensions, as the longest term of all businesses, need the greatest possible consensus. It is quite unlikely that the present Government will continue for the next 50 years, as I think that even they would acknowledge. That is why we have been willing to involve all interests in our policy building. My simple request to the Government is this: drop the soundbite in favour of sound policies for the future.

The debate has already documented the decline in occupational pension schemes and in the overall savings ratio. So far, Ministers have gone around oozing complacency and even suggesting that such schemes have been on the slide since 1967, but it is clear that only now, after a long period of relative stability, are there real and evident signs of decline. The number of schemes being closed to new members, as reported to the NAPF, rocketed from 18 to 46 in one year. Other studies have shown that up to half the remaining companies are contemplating closure. The debate has revealed widespread concern about the implications of the new accounting standards for the viability of future schemes—not least for their acceptability to financially hard-pressed companies.

One aspect of the current situation that is often overlooked is the growing disparity in size and even interests between the existing labour force and former pensioned employees. That may be one reason why until recently the TUC and member unions did not engage as assiduously as did the hon. Member for Hamilton, South (Mr. Tynan)—as was clear from his account—in negotiations on behalf of staff.

One well known company that briefed me for the debate has 900 employees contributing to its pension scheme; yet it has 2,000 members with deferred benefits, and 2,500 pensioners receiving payments. It described its action to repair an estimated £30 million deficiency in its scheme as a draconian recovery programme involving annual lump sum payments by shareholders, increased employee contributions and/or reduced benefits, and a shift in future investment policy away from the United Kingdom stock market to bonds, or even abroad. Some companies, of course, cannot do that.

Conservative Members do not mind the Prime Minister's reference to the stock market going up or down, but we do object to Ministers' using it as a yo-yo. One minute it is a justification for the tax raid on pension funds when markets were booming; the next minute they lapse into silence because, as has happened now, the markets have fallen below their original level.

The one clear discretionary policy intervention by Labour Ministers has been the withdrawal of advance corporation tax relief on pension funds. At the time, they thought that no one had noticed. Modestly, I have been re-reading some of the speeches that I made in the Standing Committee of that five-year-old Finance Bill, in 1997; in one of them, I said:

> "The guts of the issue is that the Government have been sold a package to raise £5 billion through a device that they believe will not hurt individuals. They believe that it is sufficiently obscure and difficult to pin down that nobody will notice what damage they are doing . . . It will damage the interests of investors and, therefore, in the long term, those of Great Britain."—[*Official Report, Standing Committee A*, 21 July 1997; c. 270.]

We warned people, and now, after the longest fuse in history has been lit, the hand grenade is going off in the hands of the Ministers who wanted to throw it. Our pensioners are suffering collateral damage, and the low savings ratio that has resulted is a desperate threat to future prosperity. All this has been compounded by the regulatory complexity that the Government must urgently and fully address in the light of the various reports—those of Pickering, Sandler, and the Inland Revenue—and the other reviews now in place. In the present circumstances, it is hardly surprising that the Government have admitted that half of all working-age people have no more than a "patchy knowledge" of pensions. Perhaps the fact that their knowledge is patchy suggests that they are the luckier ones.

The Government are on their own in claiming that their flagship stakeholder scheme is a success. In fact, they have even overtaken their new Secretary of State on that matter. In an intervention today, he was asked what advice he could give to younger people. He did not say that he would tell them to take out a stakeholder pension; he said that he would tell them to take out a PEP or an ISA. Even now, six months after the legal requirement came into force, an estimated 10 per cent. of employers have not designated the scheme. With fewer than 1 million pensions sold in the first year—not all, by any means, to new investors—the Government are experiencing the same stock and flow problem in which they entrapped themselves over the overall pension savings figures: they are simply failing to hit the target.

This debate cannot be separated from that on the Government's own state pension provision. I would like to make it clear that I have given the Opposition's commitment to the principle of a public involvement in pension policy. It is amazing, however, that Ministers who came in with a pathological aversion to means-testing have ended up as its greatest advocates.

Mr. Levitt: I was fascinated by the hon. Gentleman's rather condescending reference to public involvement in pension policy. Is that distinct from public involvement in the provision of pensions—which is quite different—because that is not what he said?

Mr. Boswell: The hon. Gentleman should not judge me by the standards of spin that apply to his own Ministers.

Ministers are already preparing to put more than half the pensioner population on to the pension credit. If, however, the recent experience highlighted in the Help the Aged survey on benefit helplines is realistic, and I fear that it is, pensioners may have a long wait for service. The new pension service—to which, for the avoidance of doubt, we wish no ill—is going to have its work cut out to serve them adequately. The prospect of 5.5 million pensioners on means-tested benefits is an administratively challenging one.

On some estimates—or assumptions, because the Government have still not disclosed their final hand—the combination of basic and state second pension and pension credit will land two out of three pensioners on means-tested benefits by the time today's entrants retire. It was interesting that, when my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) invited the Secretary of State today to tell us how big a pot would be required to avoid losing out by saving, he declined to give us a figure.

What we know, because these are Government estimates, is that the total cost of the pension credit by mid-century will be anything up to £26 billion a year. By deterring adequate self-funded provision, and by offering the possibility of an overall outcome as generous for those who do not save as for those who do, we run the risk of pauperising future generations. That will be so particularly if the state's financial obligations cannot be met. Many young people fear that that will be the case. That alone demands an urgent root-and-branch rethink of the Government's whole approach to pension provision.

In that famous Pearl Assurance advertisement to which I referred, at age 65 the pensionless retiree—he is a little greyer and his hair is a little thinner than it was when he was 25—says:

> "Without a pension, I really don't know what I shall do."

With any pension failure, whether it is mis-selling, the Maxwell scandal, the closure of a fund or the removal of expectations, whatever goes wrong with a pension is a disaster for the individual. That is why it is incumbent on the Government to bestir themselves and to take the necessary action. If they fail, they will not be forgiven.

9.41 pm

The Minister for Pensions (Mr. Ian McCartney): I sat through the whole of the debate, and listened not only to the speeches of Front-Bench spokesmen for the Conservatives and the Liberal Democrats, but to the other 24 contributions—11 from Opposition Members and 13 from my Labour colleagues. I say that not to curry favour, but because we are serious about what my right hon. Friend the Secretary of State said to the Trades Union Congress and what we were saying before he arrived at the Department. Following publication of the Sandler review and the Inland Revenue tax simplification review, the Government intend to engage in a wide-ranging debate about the future strategy and partnership arrangements between the state, the private sector, employers and employees. I assure my colleagues that I shall take seriously what has been said in the debate and the ideas that have been suggested. I shall encourage my right hon. Friend to take them into account when we respond to the review later this year with the publication of a document.

I grew to like the hon. Member for South-West Bedfordshire (Andrew Selous) during my travails with him on the State Pension Credit Bill. I hope that that does not do him any harm. He commented on value added tax. The last time that the Conservative party put up value added tax it caused a great deal of fuel poverty among pensioners, and it took this Government to reduce it and introduce a winter fuel payment, which we are continuing to provide. Conservative Members may want to get rid of that if they get their hands on power again.

The ABI tax credit is an idea worth considering, and I give the hon. Gentleman an assurance that we will do so. My right hon. Friend and I have a long record on flexible retirement and age-positive issues in opposition and in various positions in government. I am glad that the Liberal Democrats and some in the Conservative party now see the sense of an age-positive strategy not just for pensions and employment, but for goods and services across the whole spectrum of society to ensure that we have a positive image of older people and their contribution to society. Older people are not a burden: they are an asset. We need to enhance and engage with that asset. I give the hon. Gentleman that commitment. I tried to intervene on him to say that his proposal was in the Government's last manifesto.

[Mr. Ian McCartney]

The hon. Member for Northavon (Mr. Webb) and I have had many debates in the past few months. Indeed, he may be fed up with looking at me. I do not want to over-rehearse our debates of the past few months. However, one of the basic divides between us is that the Liberal party is extremely simplistic in remaining wedded to the principle that poverty is age-related, because it is overwhelmingly income-related. Liberal Democrat policies are flawed as regards putting investment into helping poor pensioners. Someone who is poor and 60 cannot wait until they are 75 to get income-related benefits and support from the Government.

The Tories had 18 years in government and have had five years in opposition—almost a quarter of a century of paralysing incompetence. During the debate, the hon. Member for Havant (Mr. Willetts) showed no recognition of the harm caused, no understanding of the need for partnership and consensus, and no long-term vision. He represented simple short-term opportunism.

We are not a Government of crisis or complacency. We are a Government who have tackled the incompetence of the Tory years, attacked pensioner poverty and begun to improve state pension income for millions of pensioners through the minimum income guarantee, the pension credit, the state second pension and changes to tax and capital rules, ending the "give with one hand, take away with the other" approach of the Tories. Yet Conservative Front-Bench and Back-Bench Members clearly indicated that if they ever got their hands on power they would get rid of all those reforms that have benefited millions of pensioners.

Mr. Redwood: Will the Minister give way?

Mr. McCartney: Can the right hon. Gentleman wait? I am not quite warmed up yet. I know that he is always warmed up; I am not so certain whether that is good for him. *[Interruption.]* Perhaps I might as well get it over with.

Mr. Redwood: Can the Minister explain why it is that of all the final salary pension schemes offering good terms to people in 1979, more than half are now closed to new members and are thinking of worsening the pensions of those already in the schemes? Why has that happened under Labour?

Mr. McCartney: There has been a trend in that matter, but under this Government, millions of pensioners who were not in a defined benefit scheme and had no second pension are getting benefit. Under the Conservatives, 2 million pensioners were in poverty; under this Government they are receiving additional income. Under the Conservatives, 14 million low-paid workers had no opportunity to get access to a second pension; under this Government, they are getting that access. This Government, through their simplification review and other measures that we are taking in partnership with employers, are challenging employers to invest in their employees by improving pension opportunities and contribution schemes. I hope that the right hon. Gentleman will play an active part in the simplification review by ensuring that the companies that he is involved in start to introduce better pensions for their employees who do not have them at the moment. I take no lessons from him when it comes to delivering pensions.

The Government have acted on the modernisation and simplification of second-tier pensions. We have introduced measures to improve access to pensions and to assist employers to retain or introduce pension products in their workplace—for example, a stakeholder pension. Again, the Conservatives are silent. Are they going to get rid of the stakeholder pension? Are they going to abandon, as did their previous Administration, millions of employees who had no access to a second pension opportunity? Silence. Silence is golden. The hon. Member for Havant should give us an answer. He wants a debate about pension policy—is he going to scrap stakeholder pensions?

Mrs. Browning: The Minister said that the stakeholder pension offers opportunities to millions of people, but the reality is that millions of people have not taken it up. His Government's target is 3 million but the figure has not yet reached even 1 million. Why has this wonderful opportunity been rejected by the people out there? What is wrong with it?

Mr. McCartney: The position is that after just one year, from a standing start, 815,000 employees who under the Tories would never have got a second pension have got a second pension. There is still much to do, but at that rate of investment over the next four or five years, millions of people who did not have access to an additional second pension will get that from this Government.

What was the Tory party's record on mis-selling? The hon. Member for Havant and his colleagues have tried to brush aside mis-selling this afternoon, saying that it did not really matter, as there were only a few victims. They allowed pensions to be mis-sold to over 1 million people and it took this Government to pay back £11.5 billion in compensation. However, the Tories destroyed people's confidence in the marketplace. That was down to the hon. Member for Havant, who sits there smugly.

In addition, the Tories stole the pensions of workers in the privatised sector, including hundreds of millions of pounds from bus workers. It took this Government to get that money back. The Tories weakened the employment rights of people who were transferred to the private sector, who were not given the right to continue to enjoy pension entitlement. Many of them were women workers and low paid. It has taken this Government to rectify that situation by amendments to TUPE.

The Tories halved the value of SERPS, and they tell us that they are now a party of compassion towards pensioners. The fact is that, after a quarter of a century, today's debate has been no more than a smokescreen to hide the fact that they have one simple policy: to privatise the state pension. The hon. Member for Havant can twist and turn. He can smirk and dissemble as much as he likes. He cannot hide from the truth. We have the letter. Like Chamberlain before him, his letter surrenders the basic state pension. Millions of pensioners in the future will be left to market forces under the Tories.

The hon. Member for Havant cannot run and hide from his letter, which says:

> "Dear Andrew . . . Yours ever, David."

Perhaps the hon. Gentleman can answer some questions. I shall quote from the letter.

> "Andrew, here is the material I promised you about a funded alternative to the basic state pension."

I wonder whether, to help the debate, the hon. Gentleman would be prepared to share this material and put it in the Library so we could all read what he provided to his hon. Friend the Member for Sutton Coldfield (Mr. Mitchell)?

Mr. Boswell: Will the Minister give way?

Mr. Butterfill: Will the Minister give way?

Mr. McCartney: I shall give way in a second.

The letter continues:

> "I was wondering if you'd like to prepare a short note on some of these issues then perhaps lead a discussion of the matter at one or more of our team meetings . . . ?"

Will the hon. Gentleman confirm whether this meeting has taken place? Perhaps he will share the minutes with us—perhaps by placing them in the Library—so we can all have a debate about privatising the basic state pension.

The letter then says:

> "Would you be willing to have a go at this?"

It sounds as if he is asking his hon. Friend to fill out a clue in *The Times* crossword. In fact, he is being asked to prepare a plan in secret to privatise the basic state pension.

Mr. Boswell: I do not often claim particular associations for our side, and I do not do so on this occasion. But bearing it in mind that 1.8 million people no longer have an occupational pension—a TUC statistic—will the Minister tell the House whether he was proud when the basic state pension was increased by 75p a week?

Mr. McCartney: If it had been left to the Tories, 12 million pensioners would be without a basic state pension. The Government introduced the minimum income guarantee. Will the Tories scrap it? They are against it. We introduced winter fuel payments. Will they scrap them? Every anti-poverty measure introduced by the Government has been opposed by the Tories. The hon. Member for Havant has had three opportunities now to share with the House and the nation his views, and those of the hon. Member for Sutton Coldfield, of their plans to privatise the state pension. Silence is not golden. It means that he is not prepared to tell the British people the truth about Tory policy.

Mr. Butterfill: Will the Minister give way?

Mr. McCartney: The hon. Gentleman has been in and out of the Chamber and wants to speak when it suits him. I am sorry, but I am not giving way to him.

The hon. Member for Sutton Coldfield made some amazing claims about those Tory proposals. I make a commitment to study them to see what they really mean about the future of state pensions and the cost, not only in monetary terms but in terms of leaving people to the vagaries of the marketplace.

Mr. Boswell: It is the same speech every time.

Mr. McCartney: And we hear the same arguments from the Tories every time. They do not seem to accept it when we say that we are the party that wants to end pensioner poverty, the party that will support the basic state pension and will create a second state pension to protect 14 million low-paid workers, 2 million carers and 2 million people with disabilities. The one time we ask them a simple question about privatisation of the state pension, they lose their voice and can do nothing but smirk and catcall. A smirk and a catcall are no answer to a serious question on behalf of the pensioners of Britain.

We have a strategy. It is about getting the balance between private and state provision right. We are well on the way to ensuring that all pensioners have a decent income, but we are not complacent—far from it. The area of private pensions needs looking at, and that is why we have various reviews on the go: the Pickering, Sandler and Inland Revenue reviews, as well as the quinquennial review of the Occupational Pensions Regulatory Authority.

When those reviews produce their reports in the coming weeks and months, we will engage in a debate across the nation, based on facts—on reality. The reality is that 89 per cent. of employees work for an employer with some form of pension provision; 53 per cent. of employees in companies with more than 20 staff have access to a final salary scheme; a quarter of employees in such companies are active members; and 45 per cent. have an employer who sponsors provision.

The position is not as the Tories said, completely dead and buried. We are building a position of strength. That is why partnership and the simplification process are important. Final salary schemes are important to employers, too. They meet their employees' needs in a better way and cost the company less in the long term, because they control long-term investment policy. They avoid the problem of a scheme that is not under control, as well as the problem of running a closed final salary scheme against an open direct contributions scheme. They also provide an important part of a company's remuneration package, investing in pensions to retain, recruit and better reward staff. Defined benefit schemes should be argued for, and we are a Government who will provide a background to ensure that they can continue.

The Government tackled the legacy of pensioner poverty. The Tories refused to give a commitment tonight that, if they ever got to power, they would continue an anti-poverty strategy. All that we can think is that they do not give a damn about millions of pensioners who cannot provide for themselves. They left us in a mess with SERPS. Millions of people were affected and it took this Government to put billions of pounds in over the next few years to put right that inherited mess.

We have ensured that compensation will be paid to those who were conned in the mis-selling scandal. According to the hon. Member for Havant, the £13.5 billion is just chickenfeed—an accident that just happened. It was no accident: it was the incompetence of his policies.

The meanest blow of all was when the Tories started to charge pensioners for eye tests. Who would have expected, at the end of the 20th century, to have had a Government who would charge pensioners for eye tests while saying that they were serious about improving their health and social care?

David Maclean (Penrith and The Border) *rose in his place and claimed to move,* That the Question be now put.

[David Maclean]

Question, That the Question be now put, *put and agreed to.*

Question put, That the original words stand part of the Question:—

The House divided: Ayes 140, Noes 381.

Division No. 286] **[10 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baldry, Tony
Barker, Gregory
Baron, John
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney
 (Chipping Barnet)
Chope, Christopher
Clappison, James
Collins, Tim
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Djanogly, Jonathan
Dorrell, Rt Hon Stephen
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Francois, Mark
Gale, Roger
Garnier, Edward
Gibb, Nick
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hendry, Charles
Hoban, Mark
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Liddell-Grainger, Ian
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Prisk, Mark
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas
 (Macclesfield)
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Cheryl Gillan and
Dr. Julian Lewis.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Rt Hon Donald
 (Swansea E)
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barrett, John
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Beggs, Roy
Beith, Rt Hon A J
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L
Brown, Rt Hon Nicholas
 (Newcastle E & Wallsend)
Brown, Russell *(Dumfries)*
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burnham, Andy
Burstow, Paul
Cable, Dr Vincent
Caborn, Rt Hon Richard
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Rt Hon Menzies
 (NE Fife)
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Carmichael, Alistair
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda
 (Edinburgh Pentlands)
Clarke, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack
 (Copeland)
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry
 (B'ham Hodge H)
Dawson, Hilton
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doughty, Sue
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim

Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Andrew [illegible]
George, Rt Hon B[illegible]*alsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Holmes, Paul
Hood, Jimmy
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony
Llwyd, Elfyn
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moore, Michael
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam
Primarolo, Dawn
Prosser, Gwyn
Pugh, Dr John
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John
(Glasgow Anniesland)
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Watson, Tom
Watts, David
Webb, Steve
Weir, Michael
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Noes:
Mr. Nick Ainger and
Mr. Jim Murphy.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 327, Noes 188.

Division No. 287] **[10.14 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Rt Hon Donald
(Swansea E)
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry

Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Beggs, Roy
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton

Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hood, Jimmy
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David

Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James

Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, Rt Hon John
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Watson, Tom
Watts, David

White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Nick Ainger and
Mr. Jim Murphy.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baldry, Tony
Barker, Gregory
Baron, John
Barrett, John
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Rt Hon Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Collins, Tim
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Djanogly, Jonathan
Dorrell, Rt Hon Stephen
Doughty, Sue
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David
Hendry, Charles
Hoban, Mark
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert
Kirkwood, Archy
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Letwin, Oliver
Liddell-Grainger, Ian
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Price, Adam
Prisk, Mark
Pugh, Dr John
Randall, John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mrs. Cheryl Gillan and
Dr. Julian Lewis.

Question accordingly agreed to.

MR. SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the Government's framework for pensions which will reduce pensioner poverty and encourage saving; recognises that pensions are best provided on the firm foundation of the sound economy the Government has put in place, with partnership between employees and employers, pension providers and Government; congratulates the Government on the extra £6 billion paid to pensioners from April of this year and its intention to bring in the Pension Credit which will increase the incomes of around half of all pensioners; further welcomes the introduction and progress of stakeholder pensions; recognises that there is still more to do and looks forward to receiving the Pickering and Sandler Reviews and consulting on proposals for reform in the Autumn.

10.26 pm

Mr. Don Foster (Bath): On a point of order, Mr. Speaker. I wonder whether you are aware that it is anticipated that tomorrow morning the "Today" programme and a number of national newspapers will be commenting on a report on planning by the Select Committee on Transport, Local Government and the Regions. I understand that there is to be a press conference at 10.30 am, but that the report is embargoed until midnight tonight. Will you advise me and other Members where it may be possible for us to obtain a copy of the report by midnight?

Mr. Speaker: I inform the hon. Gentleman that it is up to Select Committees to enforce their own embargoes, but he has put this complaint on the record and I hope that note will be taken.

[Mr. Speaker]

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(5) (Standing Committees on Delegated Legislation),

SOCIAL SECURITY

That the draft Social Security (Electronic Communications) (Child Benefit) Order 2002, which was laid before this House on 17th June, be approved.—*[Mr. Pearson.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

HOUSING

That the draft Homelessness (Priority Need for Accommodation) (England) Order 2002, which was laid before this House on 18th June, be approved.—*[Mr. Pearson.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

THIRD COUNTRY NATIONALS

That this House takes note of European Union Documents No. 8237/01, draft Council Directive concerning the status of third-country nationals who are long term residents, and No. 11803/01, draft Council directive on the conditions of entry and residence of third-country nationals for the purpose of paid employment and self-employed activities; supports the Government's position on these measures; and takes note that the Government has not opted into them but intends to maintain a constructive approach and will consider whether to opt in once their final shape is clear.—*[Mr. Pearson.]*

Question agreed to.

SECTION 5 OF THE EUROPEAN COMMUNITIES (AMENDMENT) ACT 1993

Motion made,

That, for the purposes of their approval under section 5 of the European Communities (Amendment) Act 1993, the Financial Statement and Budget Report 2002–03 and the Economic and Fiscal Strategy Report 2002–03 shall be treated as if they were instruments subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation).—*[Mr. Pearson.]*

Hon. Members: Object.

PETITIONS

Further Education Funding

10.27 pm

Mr. Patrick Hall (Bedford): I am pleased to present this petition of more than 800 signatures of staff and students at Bedford college of further education, organised by the Bedford college branch of the National Association of Teachers in Further and Higher Education.

I add my personal support for the petition and my thanks to the staff, students and governors of Bedford college for their hard work and for the important part that they play in the social and economic life of Bedford and Kempston.

The branch:

Declares that it believes that the Government must invest more resources into further education and provide earmarked funding for the following purposes:

to provide fair pay and conditions for all college staff and to end low pay,

to bring lecturers' pay into line with that of teachers in schools and sixth form colleges,

to bring the pay of support staff into line with that of comparable groups

and to ensure equal pay for work of equal value.

The Petitioners therefore request that the House of Commons urges the Secretary of State for Education and Skills to review the Government's present policy on the funding of further education.

And the Petitioners remain, etc.

To lie upon the Table.

Electric Dog Collars

10.29 pm

Mr. Bob Laxton (Derby, North): I wish to present to the House a petition of 312 residents of Derby. The petition states:

To the House of Commons

The Petition of Residents of Derby

Declares that the use of electric collars in dog training is cruel, liable to misuse, and unnecessary, especially with the many different forms of reward training that are currently available.

The Petitioners therefore request that the House of Commons urge the Government to introduce legislation that will ban the sale of electric collars, which are at present freely available from Retail Outlets throughout the UK.

And the Petitioners remain

To lie upon the Table

Elderly Care (Devon)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pearson.]*

10.30 pm

Richard Younger-Ross (Teignbridge): First, I declare an interest: my wife is an employee of Devon county social services department.

There is all-party support for the debate. I requested it because on 10 January a delegation of all four party leaders in Devon came to meet all the Devon Members. They explained that there was a funding crisis in social services, and in detailed and fairly graphic terms they described the effect that it was having on elderly people in the county.

Before going into the details, I shall sketch the broader picture. At the end of last year, directors of social services from across the country met and produced a document that stated their estimate that £1 billion of funding was required for social services departments. Since then, the Government have given two tranches of money totalling some £700 million, which still leaves social services departments across the country short of at least £300 million. However, months have passed since that estimate was made; costs have increased, and the Chancellor has levied national insurance charges on employers that add to those costs.

Recent research published last month by the Joseph Rowntree Foundation states that there is a shortfall in social services funding, and estimates that £1 billion is now needed to counter the shortfall in fees for care homes.

Mr. Adrian Sanders (Torbay): That report suggested that the £1 billion funding should be provided and linked to care homes and nursing homes meeting the new required standards, so that the new required standards and new money going into the system would be achieved at the same time. Should not the Government now consider that proposal?

Richard Younger-Ross: My hon. Friend makes an excellent point—I could not have put it better myself.

Last year, 75 per cent. of social services departments overspent, but for the elderly of Devon, the picture is bleaker still. The pot for social services departments is too small, but Devon does not even get a fair share from that pot. The standard spending assessment per head of population for the south-west is the lowest in the UK: it is about £114 per head short of the UK average, and more than £200 less than the SSA for some other parts of the country. Devon now has the fourth lowest SSA of the 15 local authorities comprising the south-west.

The House should not be lulled into thinking that "glorious Devon" does not get as much money as other parts of the country because it is so nice there. That picture postcard image of the county is inaccurate. There is real poverty and deprivation in Devon. Between those combes and vales, from the moors to the sea, are people who live in poverty and find it hard to make ends meet. The two counties of Cornwall and Devon have the highest levels of poverty of any county area in the country.

Why is there so much overspend among social services departments? Among those departments that have overspent, 65 per cent. of the overspend is on child services. That is certainly so in the south-west, and it is diverting resources that are required for elderly people. In a report published by the 15 directors of social services last year, they said that they were all having to divert money from elderly services to meet their legal requirements on child services.

I raised that point with the Under-Secretary of State for Health, the hon. Member for Salford (Ms Blears), in the social care debate in January, and she stated that that was not right and that there would be an investigation. I hope that the Minister responding to this debate can say how far that investigation has gone and what his Department is doing to look at that problem. County councils spend between 50 and 100 per cent. over their SSAs. In the south-west, £79 million is spent over the SSA—some £10 million above the budget, because costs have continued to rise.

All that represents a triple whammy for elderly people: social services departments across the country receive inadequate funds; there is a low standard spending assessment for Devon and the south-west; and there is a diversion of funds to child services to meet legal requirements such as child protection. The result is misery for elderly people in the county of Devon: it is 572 bed losses and the closure of 32 care homes in the past year.

Is it any wonder that, when I visited my local hospital in Teignmouth recently, I found elderly people who were fit and able to go to a care or nursing home for whom a place could not be found? The term used for that is bed blocking, but this is bed locking. Effectively, lack of funding is chaining those people to a hospital bed, in which they do not wish to be and which is desperately needed by others in the national health service.

Today we can see the sad result of such home closures. It has been reported in the national press that one lady who was over 100 years old decided to go on a hunger strike because she had been forced to move from the care home where she lived, and as a result she died.

The outcome is not always as dramatic, but when a home closes and elderly people are forced to move, they can be put under considerable stress. When a local authority decides that it needs to close homes, and it manages the closures, scales down the facilities and speaks to people, it causes some, minimal, stress. However, what does it do to elderly people and their stress levels when a home is going bankrupt, when they can see that around them and when the certainty about how long they can stay disappears? There is no question but that that can lead to illness and premature death.

What do we do? I ask the Minister to consider how we can find adequate funding for social services departments across the country. Bluntly, there is not enough money being put into social care and social services at the moment. The situation is even worse when one considers the Government's refusal to fund all the social care provision required, such as the personal care that people need when in homes. Scotland has led the way, as it said yesterday that personal care would be funded, although I am sure that the Minister will say that money is being diverted from something else. A lot of money is available to the Government and I urge them to look at giving some of it to the elderly. They should comply with the full details of the report, which says that personal care ought to be funded.

[Richard Younger-Ross]

We need a fair deal for Devon and the south-west. I appreciate that the Government are looking at reviewing SSAs, but please can they make sure that the south-west does not lose out again? There is poverty, as I have described, and there are problems that cannot be ignored.

Mrs. Angela Browning (Tiverton and Honiton): Does the hon. Gentleman agree that it is iniquitous that we get less per capita for our elderly population than to other parts of the country? I cannot understand why their needs are deemed to be less than those of people elsewhere.

Richard Younger-Ross: I agree. It does not make sense that it costs more to look after an elderly person in one part of the country than in another. In fact, the reverse is the case. In rural Devon, where there are large spaces and communities are far apart, it is more expensive to look after elderly people and provide services.

The Government need to look not only at a long-term solution to the problem and but at what they can do now. There is a crisis and elderly people are suffering. I will not go so far as to beg or plead with the Minister, but I ask him to look at what can be done this year to provide emergency funding for social services departments in Devon and the south-west. Will he ask the Secretary of State to meet representatives of social services departments across the south-west who have got together and worked co-operatively? That is not party political point-scoring because those people serve on Labour, Liberal Democrat and Conservative councils, as well as those with no overall control. There is a consensus in the south-west that there is a crisis and a problem that needs to be put right. I urge the Minister to arrange that meeting and see what can be done to stop the elderly people of Devon and the south-west suffering any further.

10.43 pm

Mr. Anthony Steen (Totnes): I congratulate the hon. Member for Teignbridge (Richard Younger-Ross) on securing one of the most important debates in the House for some time. I thank him for his generosity in allowing me to say a few words.

All parties must back our concern about the elderly in Devon. Our concern is genuine because more elderly people probably live in Devon than anywhere else in the country, yet social services do not get the resources that they need. I am not sure how the Government are going to deal with the problem. They will have to give more money to social services to care for elderly people in their own homes, which I favour, as provided for by the Community Care Act 1990, and provide more hot meals. At the moment, there are virtually no hot meals for the elderly in Devon. They get block deep-frozen meals, which last them a month. They have a special deep-freeze where they put that frozen food, and are supposed to live on it for a month. Nobody comes to see them, as people from the old meals on wheels did.

The home help service is no longer strong, and neither is the chiropody service or the shopping service. There are no services any longer, and elderly people understandably cannot look after themselves in their own homes, so they are forced into residential homes. However, 50,000 residential places have closed all over Britain. If we do not look after old people in their own homes by providing the support services, we must provide residential and nursing homes to look after them instead. That has not happened.

I am not necessarily asking the Minister for more money, although a little more would be useful—we all need more money. The main point is to make sure that the social services have the resources to provide the services that keep old people in their own homes. If we fail to do that, we force them into hospital because there are not the residential homes to look after them.

That is a serious indictment of the Government. The comments of the hon. Member for Teignbridge reflect the unanimous view of all the councils in the area that we face a crisis. The only reason that the crisis has not spilled into the street is that the hospitals are shoring up the gaps, but they can do that for only so long. The hon. Gentleman rightly asks that something be done about the matter.

Not only are there fewer residential homes, but the elderly have to sell their own homes and pay all the money over to the residential or nursing home, so they die impoverished, rather than passing their money on to their family. The matter transcends all parties and worries us deeply. I pay tribute again to the hon. Gentleman for raising an issue that is of great concern to everyone in Devon.

10.46 pm

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): I begin by congratulating the hon. Member for Teignbridge (Richard Younger-Ross) on securing the debate. I can see the strength of support in the south-west on the issue, as he is joined by so many colleagues from that area. I am pleased to say that I am going to Devon on Thursday, so I am sure that I shall be able to see part of the situation first-hand. I shall ensure that my office writes to hon. Members to alert them to where I am going.

In the time available, I want to make clear the investment that is going in and our provisions for elderly people in the community and in hospital. My officials have reported positively on the ways in which the authority plans to develop services for elderly people in Devon, and the work of its senior staff, where I understand that the hon. Gentleman has some personal interest, which he drew to our attention. Care of the elderly is a most important subject, and it is timely that we should discuss it now.

The Government are committed to improving access to health and social care services for older people and to ensuring that standards of both health and social services are as high as possible, and that variations in levels and quality of services throughout the country are minimised. To take this commitment forward, the national service framework for older people was published on 27 March 2001. The national service framework will help to tackle age discrimination, and will raise standards and reduce inconsistency in the health and social care of older people in England. That will be backed by huge investment.

The Government have made unprecedented investments in social services. Between 1996–97 and 2002–03, personal social services resources increased by more than 20 per cent. in real terms. That is an average real-terms increase of more than 3 per cent. a year. It compares with average annual real-terms growth of only

0.1 per cent. per annum between 1992–93 and 1996–97 under the previous Government. That is important and it should be borne in mind.

We acknowledge the need for continuing investment in social services. PSS resources will increase by an average of 6 per cent. a year in real terms over the next three years. Those new resources will enable further significant improvements to be made to social care, including services for older people who need support so that they can continue to live in their own homes in the community. The hon. Member for Totnes (Mr. Steen) drew attention to provision in the home, which is a core part of the Government's policy. The task for the Government and local government in places such as Devon is to make the best possible use of those funds so that we can deliver the services that the public deserve.

I believe that Devon and other councils in the south-west have received a share of those substantial increases in resources. In 2002, Devon's PSS standard spending assessment—its Government allocation of general revenue funding—is £114.6 million. I think that the hon. Member for Teignbridge referred to a lower figure, so I want to be clear on the numbers. On a like-with-like comparison, the county's standard spending assessment has increased this year by 5.2 per cent., in comparison with the national average of 4.9 per cent. That follows increases of 4.1 per cent. for 2001–02 and 5 per cent. for the previous year. Furthermore, those year-on-year increases in general revenue funding are well above the rate of inflation.

Nick Harvey (North Devon): Is the Minister aware that in the last year in which places in residential homes for the elderly were paid for by the Department of Social Security, Devon had more than 16 per cent. of England's national spend? Currently, we have less than 4 per cent. of the national spend on elderly residential places, yet we still have the same number of elderly people in residential homes as we had under the old system. Does he understand the specific difficulties that Devon has had in coping with that enormous disparity?

Mr. Lammy: I understand that there are particular problems in Devon because of its size, its population make-up and its share of the SSA in comparison with other areas. None the less, there have been significant increases and the £114 million to which I referred is a lot of money, and I want to go on to speak about the review and the other particular issues if I can be allowed the time to do so. It is important when talking about provision for the elderly to recognise that other issues also affect capacity and that the Government are dealing with them. That relates to provision in some of the hospitals and modernisation. We have embarked on a very strong modernisation agenda and it has to bed down in Devon, as elsewhere, to ensure that some of the capacity issues are dealt with.

In addition to the general revenue funding, Devon has received large increases in the specific ring-fenced grants made available by the Department. In particular, its carers grant has increased this year by 22 per cent. to £1.1 million and its children's services grant has increased by 15 per cent. to £4 million. Those increases follow significant increases for last year—for example, they include a 40 per cent. increase in the carers grant and a 13 per cent. increase in the mental health grant.

The hon. Gentleman was right to draw attention to the review that is under way. Of course, my colleagues in another Department are considering that review, and Devon, like all other local authorities, will make its submissions and views known. Indeed, Ministers in the south-west will continue to lobby on this very important issue. The difficulty with all formulae is that those at the margins can lose out. I recognise the serious concerns of Devon Members, which is why I am very pleased to be visiting the area, but it is wrong to say that money is not going in.

Richard Younger-Ross: I hope that we can welcome the Minister to Devon, wherever he is going. I am sure that he will tell us.

The Minister has referred to small percentage increases in what the Government have provided. According to the figure that I quoted, county councils are spending between 50 and 100 per cent. above SSA. That is not 3 per cent., 4 per cent. or 6 per cent.; it is a massive sum, and it needs to be addressed.

Mr. Lammy: One must be careful in comparing SSAs per capita. Allocations are based on the weighted proportion of the population, which is different in different areas. It is up to councils to make their own assessments and choose where to allocate their funds according to the nature of the formula and how it affects their areas. That is the same throughout the country. But I note what the hon. Gentleman has said, and of course *Hansard* is available to those in other Departments.

Mrs. Browning: Devon's difficulty is that it has had to put more money into children's services because it must fulfil its statutory obligations first.

Mr. Lammy: I note what the hon. Lady says, but I need to make some progress. As I have said, we have had a formula for some time based on particular groups in the area. It is up to individual councils to decide where to allocate their money, but a review is in progress and we must await its outcome.

The Government's policy is to promote independence for older people wherever we can, and to enable them to remain in their own homes whenever possible. That is what the people concerned and their families tell us they want. The number of people receiving intensive care and support in their own homes has increased by 6 per cent. in the last year, which is an excellent achievement.

Clearly we continue to need residential accommodation, but we must not make the mistake of judging the success of Government policy simply by looking at the number of people in residential care and nursing homes. Our policies are designed to ensure that people can live in their own homes with the appropriate support. The Government aim to provide that support whenever possible, balancing it with good, effective, high-quality residential accommodation where necessary. It is a matter of getting the balance right for local communities.

The care-home sector is very important. There is a real need for the authorities to do some long-term, sustainable planning. It is important for local-authority commissioners—with their partners, including providers—

[Mr. Lammy]

to have a joint and transparent strategy that is clear about how it is intended to provide care and support for local people in future.

Last October, the Government announced that they would give local councils an extra £300 million over two years to tackle delayed discharges from hospital—or, as the hon. Member for Teignbridge described it, bed-blocking.

Richard Younger-Ross: Bed-locking.

Mr. Lammy: I am sorry—bed-locking.

The extra money was targeted at the councils that needed it most. The first £100 million has been given to local councils, and we have been monitoring how they have been choosing to spend it. More than half the money has been spent on care home places, but it is noticeable that that is not the only way in which those on the front line have chosen to spend it.

Some councils are increasing intermediate care to enable more people to leave hospital and regain their independence in their own homes. Many have increased the provision of intensive home care support, so that more people can be supported in their own homes and do not need to enter residential care. Each of the schemes not only allows councils to exceed their targets for reductions in delays and enables people to leave hospital when they are ready to do so, but highlights the scope that exists within social care for supporting those who cannot live independently.

As Members will know, there has been a small loss of care home beds since 1997. Although 50,000 were deregistered, during the same period over 33,000 beds entered the care home market, making a loss of just 17,000. That is, of course, still a loss, but what is more important is that there is still spare capacity. The carehome market peaked in 1996, when there were too many beds to be sustainable in the long term. Indeed, the recent report by the Joseph Rowntree Foundation goes as far as to suggest that the decline in care home capacity should be welcomed.

The debate has given the House a welcome opportunity to discuss an important issue—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at Eleven o'clock.

House of Commons

Wednesday 3 July 2002

The House met at half-past Two o'clock

PRAYERS

[Mr. Speaker *in the Chair*]

Oral Answers to Questions

DEPUTY PRIME MINISTER

The Deputy Prime Minister and First Secretary of State was asked—

Local Government

[illegible] **David Taylor** (North-West Leicestershire): What assessment he has made of the impact on the membership of North-West Leicestershire parish councils of the implementation of the new codes of conduct and registers of interest. [64154]

The Parliamentary Under-Secretary of State for the Office of the Deputy Prime Minister (Mr. Christopher Leslie): Local government at all levels, including parishes, will be strengthened by the new code of conduct and register of interests that we are introducing. By aiming for higher standards in local councils, the Government hope that public confidence in and respect for the valuable work of councillors will be increased.

David Taylor: Although the Government's policies for parish councils appear broadly well-intentioned, their requirements on registration of interests seem over the top for smaller authorities. Where, for example, parish councillors such as my fellow parish councillors in Appleby Magna, Kegworth, Measham, Snarestone and Swannington decline to sign and resign, are we not losing a wealth of experience and commitment? Does my hon. Friend agree that the present code is more rigorous for councillors in communities of 600 with a budget of £4,000 than it is for Ministers in a country of 60 million with Government budgets of more than £400,000 million? Is that not rather perverse for those of us who are parish councillors and unaccountably not yet Ministers?

Mr. Leslie: I am not sure that my hon. Friend has interpreted the code of conduct and the register of interests requirements accurately. I believe that it is a fundamental principle of democratic accountability that elected positions should carry a requirement to adhere to standing lists of registers of interests. That is fundamental for local communities that are concerned about where their elected representatives make decisions, and it is the right and proper step to take, not least because it came out of a recommendation from the Committee on Standards in Public Life.

Mr. Geoffrey Clifton-Brown (Cotswold): I welcome the Minister to his new post. Like everyone else, he is well aware that this disproportionate code will affect not only the parish councillors in North-West Leicestershire but all parish councillors, whose financial interests and those of their wives, of their children—even of their nephews' wives—will have to be declared. That is wholly disproportionate, and a monstrous slur on our fellow citizens who give of their time voluntarily to help their communities. Will the Minister, even at this stage, exempt small parish councils with a precept of under £5,000 from these excessively burdensome proposals?

Mr. Leslie: No, because I believe that the requirements in the code of conduct and the ethical framework for councillors and those holding elected offices, which I am slightly surprised the hon. Gentleman is opposing, are perfectly fair and not at all onerous. I recommend him to read the details again. They affect only those matters relating to official duties. I seriously believe that, as a fundamental democratic principle of accountability, we need a system whereby relevant interests are declared and a register is available for communities to see. It is important that that should apply to councillors at all levels when making decisions that affect local communities.

Area-based Studies

2. **Dr. Phyllis Starkey** (Milton Keynes, South-West): How area-based studies are being used in the social exclusion unit's inquiries. [64155]

The Deputy Prime Minister and First Secretary of State (Mr. John Prescott): Area-based studies are currently being used in two social exclusion unit projects to identify examples of good practice and gaps in local services; to analyse the likely impact of policies at community level; and to include front-line workers and local people in that policy process.

Dr. Starkey: Does the Deputy Prime Minister agree that, although absolute poverty is a good indicator of social exclusion, it is also important to consider inequity within an area? May I draw his attention to the fact that Woughton ward in Milton Keynes, which is one of the 10 per cent. most deprived wards in England, has an index of multiple deprivation of 6.8 and is adjacent to a ward with an index of 66? Does he agree that such inequities deepen the sense of social exclusion? Will he assure me that his Department will take that into account in further studies on social exclusion?

The Deputy Prime Minister and First Secretary of State: My hon. Friend makes a good point. The index of multiple deprivation identifies the problem at ward level. We are working on a new neighbourhood statistics programme at sub-ward level, which will be helpful. We constantly review the position, and the identification of poverty and deprivation is an essential concern.

Sir Sydney Chapman (Chipping Barnet): Has the Deputy Prime Minister had time to study the new research paper issued by the Institute for Fiscal Studies, which claims that the decline in child poverty is much less than has been confidently expected? In the light of that, will he look into what we believe to be an exaggerated statement in the Budget Red Book last year? It said that 1.2 million children have been taken out of poverty, whereas the figure is probably less than half that.

The Deputy Prime Minister and First Secretary of State: No, I have not had chance to read that article, but I shall do so.

Mr. Andy Reed (Loughborough): In the light of what my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) said, is the Deputy Prime Minister aware that we have a similar problem in Loughborough, where two of the richest wards in the county are adjacent to two of the poorest. That causes enormous difficulty in getting Government programmes into those areas, although we welcome the impact of the sure start programme on local areas. The Deputy Prime Minister has already referred to sub-ward levels. Will he give further details on that and say how it would impact on constituencies such as mine?

The Deputy Prime Minister and First Secretary of State: Again, I very much agree with my hon. Friend. The Government are concerned to look at the issue with some urgency, and as soon as the information becomes available to us, we will make it available. However, we have to enter into a lot of consultations about this. We are consulting on how to measure child poverty, which is a real problem in this country, and the Government's record shows that we have done a great deal to reduce it.

Mr. Andrew Robathan (Blaby): Are not the homeless some of the most socially excluded people in this country? How does the Deputy Prime Minister justify keeping his flat in Clapham—

Mr. Speaker: Order. There is no need for the Deputy Prime Minister to answer.

Social Exclusion

3. **Kevin Brennan** (Cardiff, West): What progress has been made by the social exclusion unit towards reducing the number of people classed as socially excluded since June 2001. [64156]

The Minister for Social Exclusion and Deputy Minister for Women (Mrs. Barbara Roche): The social exclusion unit delivers long-term strategies for tackling specific aspects of social exclusion. It is not possible to get comparative figures for June 2001, but good progress has been made. For example, there has been a 71 per cent. reduction in the number of people sleeping rough since June 1998, and the proportion of teenage parents in Great Britain who are in education, employment or training rose to 29 per cent. in 2001, compared with 18 per cent. in 1997.

Kevin Brennan: I thank my hon. Friend for that reply. In relation to the social exclusion unit's work with ex-prisoners, 58 per cent. of whom reoffend after their release, is she sure that, having been tough on crime by putting people in prison, we are tough enough on one of the main causes of crime, namely social exclusion, when they come out?

Mrs. Roche: My hon. Friend is absolutely right. We need to tackle reoffending rates. Figures show that something like 1 million crimes a year are committed by those coming out of prison after serving sentences, which is why we need to do something with prisoners from the moment they start their sentence. This is what the new plan is all about, and we will come back with detailed proposals shortly.

Mr. Gary Streeter (South-West Devon): I am sure that the Minister agrees that one of the most socially excluded groups of people are young people who have been excluded from school, many of whom drift into crime, drug dependency and underachievement. Does she agree that until we have a clear and coherent strategy on what to do with excluded young people, we will never get to the heart of the problem? What is the Minister's strategy, and how is it progressing?

Mrs. Roche: The hon. Gentleman is right to mention those who have been excluded from school, who might give in to the temptations of crime or become very vulnerable. That is why we have pupil referral units, which are very successful. There are also programmes in schools which have seen a drop in the number of pupils who are excluded permanently. However, there is clearly a lot more that we want to do, which is why the Department for Education and Skills is taking forward this strategy.

Mr. Bob Blizzard (Waveney): Regarding the social exclusion unit's study into transport obstacles faced in trying to get unemployed people back into work, will my hon. Friend look at ways of incentivising employers to lay on coaches to get people to work? That form of transport is an efficient means of getting people to work; it is also flexible and possibly the only means of getting people in rural areas to work. Will she consider that possibility?

Mrs. Roche: We will certainly look at that very important matter. There is no doubt that in looking to regenerate communities, whether urban or rural, which have high levels of unemployment among certain groups of people, particularly the young, transport is a factor. We will discuss the issue with employers and consider my hon. Friend's comments.

Annabelle Ewing (Perth): What involvement has the Deputy Prime Minister's Office had in discussions on tackling social exclusion in Scotland where, under a Labour Government, one in three children continues to be brought up in poverty and one in four of our pensioners lives in poverty?

Mrs. Roche: The hon. Lady is right to talk about the problems of social exclusion. That is exactly why we have the social exclusion unit in England, and why the Welsh Assembly and the Scottish Parliament have been active in this area. They have made a number of proposals and my officials in the unit are in close contact with others in the Scottish Parliament and Welsh Assembly.

Ms Karen Buck (Regent's Park and Kensington, North): London has the highest rate of child poverty in England and two thirds of the most deprived council estates in England. To the Government's considerable credit, child poverty has been cut in all regions of the United Kingdom but, in London in the late 1990s, child poverty remained constant. Will my hon. Friend assure me that, in terms of tackling social exclusion, London will get its fair share of resources in the comprehensive spending review and the standard spending assessment calculations to be announced shortly?

Mrs. Roche: As a London Member of Parliament, I understand the picture that my hon. Friend presents, but the Government have moved a long way to tackle those issues. I will certainly pass on her views to my right hon. Friend the Chancellor.

Regional Government

4. **Mr. Graham Brady** (Altrincham and Sale, West): If he will make a statement on his methods for assessing levels of demand in each English region for the introduction of regional Government. [64157]

The Minister for Local Government and the Regions (Mr. Nick Raynsford): We plan to say more about this in the next few weeks, but I can say now that we will strongly encourage people in all the regions to come forward with their views about the level of interest in holding a referendum in their region during this Parliament. This will be the main factor in our decision on where referendums should be held first.

Mr. Brady: The White Paper said that the Government would explicitly seek the views of key stakeholders on this issue. I do not know whether the Government include Members of Parliament in that category, but perhaps I can start the ball rolling, as an elected representative from the north-west of England, by telling the Minister that, in the last five years, I have never met a single member of the public—*[Laughter]*—a single member of the public who believes that we should have regional government in the north-west of England. Furthermore, most people in the north-west of England would regard a referendum on regional government as a ludicrous distraction from the real challenges of improving standards in public services for the people whom we are meant to represent.

Mr. Raynsford: The hon. Gentleman's admission of his lack of contact with the public is an interesting indication of the extent to which he is in touch with public opinion. We recognise that there are variations between individual regions in their appetite for an elected regional assembly. That is exactly why we are setting up a permissive framework, under which those regions with the greatest appetite will be able to move quickest to holding referendums. That is a policy based on choice and I advise the hon. Gentleman to wait and see the views of the British people in each of the regions when the choice is put to them. He might be in for a surprise.

Mr. Gordon Prentice (Pendle): Does my right hon. Friend appreciate that the last thing people want is yet another layer of salaried politicians and a hugely disruptive local government reorganisation? But if we go down this path—I do not think there is a demand out there for it—does my right hon. Friend agree that the number of Members of Parliament here in this House would have to be reduced drastically, perhaps by 40 per cent.?

Mr. Raynsford: We believe that if a regional tier of government is introduced, there should be a rationalisation of two-tier local government so that there is not an unnecessary number of tiers. That is a logical approach and we are adopting a pragmatic way forward because we accept entirely my hon. Friend's concern that a wholesale reorganisation of local government, as undertaken by the previous Government, is unnecessarily disruptive; we do not wish to repeat the experience of the Banham years. We want efficient government working well at a regional level as well as at the local level.

Mr. Don Foster (Bath): Will not the level of demand for regional government be weakened significantly by the inexplicable linking of the referendum question on regional government with plans to reorganise local government? Does not the Minister accept that the democratisation of the plethora of regional quangos demonstrates that we have regional governance already? We are not adding an additional tier. Whatever the merits of the reorganisation of local government, it will weaken his proposal to get regional government on to the statute book. Does he really want to win this one, or not?

Mr. Raynsford: We certainly do not accept the hon. Gentleman's first premise. In the delightful environment of the Liberal Democrats' party the proliferation of tiers of government may seem a welcome activity, but we take a rather more sensible view. We believe that three separate tiers of government below the national and European level would be one too many. That is why we say that, where an appetite for regional government exists, there should be a rationalisation of the existing two tiers of local government. That sensible framework is set out in the White Paper, and will guide the way forward. Most people who are concerned about efficiency and effectiveness will welcome that, although I understand that the Liberal Democrats are far away from that position.

Mrs. Anne Campbell (Cambridge): Does my right hon. Friend agree that it is quite difficult to secure support among local councillors while a degree of uncertainty exists about the structure of councils under regional government? That issue is likely to reduce support for regional governance, if he cannot get local councillors on his side.

Mr. Raynsford: I have had discussions with councillors and advocates of regional government in all parts of the country, and my experience is that those who understand the importance of introducing regional government will remain wholly supportive of our proposals. I fully accept that there are concerns—no councillor will welcome the prospect of their council perhaps ceasing to exist—but we must take a broader view and recognise that, in the interests of efficient administration and of the public, there is a need to avoid a proliferation of local government tiers where a regional tier of government is introduced. That is the basis of our proposals.

Mr. John Redwood (Wokingham): Does the Minister accept that not a single one of the many thousands of representations from constituents that I have received in the past two years asked for more expensive government at a south-east level? Is he not merely trying to carry out the will of Brussels against that of the British people?

Mr. Raynsford: The right hon. Gentleman was interestingly quiet when the county of Berkshire was abolished by the Administration in which he served, so I am not sure that many people would regard him as a suitable guide of public opinion. However, we recognise that variation exists between different regions in the appetite for regional government, and we accept that there is a lot less enthusiasm in the south-east than in some other regions, such as the north-east. That is exactly why we are introducing the permissive framework, which will allow the introduction of elected regional assemblies in regions that wish to have them, but not in others.

Local Government

5. **Mr. Stephen McCabe** (Birmingham, Hall Green): What proposals he has to give more financial autonomy to local authorities. [64158]

The Parliamentary Under-Secretary of State for the Office of the Deputy Prime Minister (Mr. Christopher Leslie): Our comprehensive agenda for reform of the local government finance system was set out in last December's White Paper. Our finance reforms will give councils more space to innovate, and to respond in ways that are appropriate to local circumstances, by providing local authorities with significant new freedoms to borrow, invest, trade, charge and set their own spending priorities.

Mr. McCabe: My hon. Friend is doubtless aware that one constant criticism of local authorities is the rising level of ring-fenced grants. Will he take an early look at that difficulty, which impacts on local authorities' room for manoeuvre and on local working partnerships? Will he try to introduce some early proposals to address that problem?

Mr. Leslie: My hon. Friend raises an extremely important point, and the Government are discussing this very matter with the Local Government Association—not least in the context of the forthcoming spending review. The local government White Paper spells out clearly our aim gradually to restrict ring-fenced grants to genuinely high-priority areas.

Mr. Mark Francois (Rayleigh): The Minister will be aware that the review of standard spending assessments is reportedly reaching a conclusion. As the Government prepare to issue a consultation document on their findings, I ask them to ensure that authorities that are part of the town and country finance issues group—they include Rochford district council, which is in my constituency—are not disadvantaged by the Government's proposals. Many of those councils suffered under the old regime, but they are hoping to do better under the new proposals.

Mr. Leslie: The hon. Gentleman is right and consultations are due to begin shortly. On the question of the grant distribution, there are no easy solutions. Many difficult and competing pressures from local authorities must be faced, but I will take his comments as an early submission.

Mr. Neil Turner (Wigan): Can my hon. Friend confirm that when the review comes out it will be based on the principles of transparency and, more importantly, fairness, to take account of the needs of local authorities and their abilities to raise resources from all sources?

Mr. Leslie: My hon. Friend makes an important point. I believe that the fairness and simplicity of any grant formula is crucial. Competing pressures include deprivation and the recruitment and retention of staff, and all those matters will be addressed in the options for the future consultation document.

Regional Government

6. **Hugh Robertson** (Faversham and Mid-Kent): If he will make a statement on the position of county councils within the proposals in the regional government White Paper. [64159]

The Deputy Prime Minister and First Secretary of State (Mr. John Prescott): Before a referendum on whether a region wants an elected assembly, the Boundary Committee will carry out an independent review. The review will consider how those parts of the region with county and district boundaries can be restructured on a unitary basis. It will be for the committee to decide whether unitary authorities will be based on existing counties.

Hugh Robertson: Will the Deputy Prime Minister accept that some areas have strong regional ties but that in some, such as my own, local links are much more important? What estimate has been made of the cost of reorganisation and the annual running costs of the new regional assemblies?

The Deputy Prime Minister and First Secretary of State: The estimates that have been made for the establishment of the authorities are for some £20 million to begin with, which is similar to the sum for the new London authority. We will make further estimates as the process continues. The judgments about the powers and resources of the authorities have been spelled out in the White Paper and the committee that will consider the boundaries will take them into account.

Mr. David Clelland (Tyne Bridge): Is my right hon. Friend aware that a recent BBC opinion poll showed that 54 per cent. of people of England and 65 per cent. of people in the north-east want regional government regardless of its effect on local government? Does he agree that the best way to assess public opinion is to have a referendum? Whether people are in favour of or against regional government, they should join forces to call for a referendum and settle the matter once and for all.

The Deputy Prime Minister and First Secretary of State: I agree very much with my hon. Friend and, indeed, the White Paper is entitled "Your Choice". It is the people's choice. We will have a referendum and the people will make the decision.

Mr. Eric Pickles (Brentwood and Ongar): I welcome the Deputy Prime Minister back to the redoubt of his once mighty empire. We will try to make his stay as comfortable as possible. If the people of Kent reject regional government in a referendum, why will he impose a system of regional government on them?

The Deputy Prime Minister and First Secretary of State: I welcome the hon. Gentleman to his role as shadow spokesman for local government, housing and the regions, although the Leader of the Opposition has not seen fit to make him shadow deputy Leader of the Opposition. Perhaps the right hon. Gentleman does not wish to suggest who should succeed him.

A decision will be made in the referendum and, alongside that decision, we will have the report on unitary authorities from the Boundary Committee. People will have a choice about their local authority and what sort of regional authority they wish to have.

Mr. Pickles: So if the people of Kent say no, the right hon. Gentleman will say yes. Can he demonstrate the homogenous nature of the south-east by naming three things that Aylesbury and Folkestone have in common?

The Deputy Prime Minister and First Secretary of State: I do not understand what the hon. Gentleman means. If the referendum result is a rejection of regional government, the local government structure will stay exactly as it is. It is the people's choice, and that is what we will observe.

Travellers

7. **Mr. Anthony D. Wright** (Great Yarmouth): If he will make a statement on travellers and unauthorised encampments. [64160]

The Parliamentary Under-Secretary of State for the Office of the Deputy Prime Minister (Mr. Tony McNulty): I fully appreciate the concerns of my hon. Friend and his constituents regarding unauthorised encampments over the last few years. The Office of the Deputy Prime Minister is working closely with other Government agencies to develop policies and initiatives on the management of unauthorised encampments by travellers. The Department is issuing new guidance jointly with the Home Office on managing unauthorised camping in the very near future.

Mr. Wright: I thank my hon. Friend for that answer. The guidance will certainly be warmly welcomed by my constituents and, indeed, in the many villages in my constituency, but may I ask for an assurance that he will consult those parish councils that are involved before he issues the guidance?

Mr. McNulty: I do not think that we will be able to consult parish councils before the guidance is issued because it is imminent, but I assure my hon. Friend that we very much welcome and encourage the views of parish councils, along with a range of other stakeholders, because we want to get the whole issue of travellers and unauthorised encampments right.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [64184] **Mr. David Heathcoat-Amory** (Wells): If he will list his official engagements for Wednesday 3 July.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

On behalf of the House, Mr. Speaker, may I wish you a very happy birthday?

Mr. Heathcoat-Amory: How does the Prime Minister reconcile his professed belief in devolution with what the Government are doing to local parish and town councils by imposing a highly bureaucratic and intrusive code of conduct and register of interests on those voluntary councils? In my own constituency alone, that has caused the resignation of two entire councils and many individual councillors. The Prime Minister should be aware of that policy, since he sacked the Secretary of State and the junior Minister responsible for it last month; so will he use the opportunity to withdraw those measures, or is it the aim—*[Interruption.]*

Mr. Speaker: Order.

The Prime Minister: No, I understand that there were extensive consultations before those proposals were introduced, and we believe in greater openness and transparency in parish and local councils.

Laura Moffatt (Crawley): Does the Prime Minister agree—I am sure he does—that the new £70 million investment in linear accelerators, which, incidentally, are manufactured in my constituency, is a fantastic contribution to our cancer plan and will ensure that we reach our target? Will he make sure that we redouble our efforts so that we have enough trained people to get the best from that equipment?

The Prime Minister: Of course it is true that the number of linear accelerators has increased by more than 20 per cent. By 2004, it will have increased by more than 40 per cent. That will, of course, dramatically improve cancer treatment, and it is in addition to the recruitment of extra staff, extra specialists, extra nurses and the extra beds in the national health service. There is one big difference: we are in favour of that money and investment going in; the Conservative party would take it out.

Mr. Iain Duncan Smith (Chingford and Woodford Green): May I join the Prime Minister in wishing you many happy returns today, Mr. Speaker?

A year after the launch of the Brixton scheme to decriminalise drug possession, the Commissioner of Police of the Metropolis says:

> "I do not think that anything that exposes children to more contact with drugs should be tolerated."

He clearly thinks that the scheme has failed. Does the Prime Minister agree with him?

The Prime Minister: What is important is that we assess the experiment that has taken place; we need to ensure that it is right. I do not think it right to give a firm opinion until we have studied all the available evidence. Of course we will listen very carefully to what the Commissioner says.

Mr. Duncan Smith: Community leaders in the area are all complaining about the scheme, and one of them has said:

> "The police have abandoned the streets to the dealers. If we can see it, why can't the police?"

A year ago, the Prime Minister promised

> "to make Britain the hardest and toughest place to be a drug dealer in the western world."—[*Official Report*, 27 June 2001; Vol. 370, c. 631.]

Will he stop the scheme now?

The Prime Minister: It is surely important that we learn the lessons and, of course, discuss the scheme with local community leaders. My right hon. Friend the Home Secretary has just indicated to me that what the right hon. Gentleman said a moment or two ago is not correct. There are differences of opinion about whether or not the scheme has worked, but I can assure him that, if sensible people come to the view that it is not working, of course we shall not do it.

It is important that we consider this on the basis of all the available evidence. We will take into account the views of community leaders, the views of the police, and the views of the experts on the ground. I would have thought that we both want to make sure that any such experiment is considered on the basis of the evidence. That is what we will do.

Mr. Duncan Smith: The police figures are absolutely clear already. They show that drug trafficking has doubled and total drug offences have trebled in Lambeth over the last year.

The Secretary of State for the Home Department (Mr. David Blunkett) *indicated dissent.*

Mr. Duncan Smith: It is absolutely true. It is absolutely clear that the Home Secretary has indicated that he is minded to extend the pilot nation wide. If one of the Prime Minister's hon. Friends, the hon. Member for Vauxhall (Kate Hoey), has said that he should stand up for local people, should he not make absolutely clear now who will be responsible for assessing and making the decision as to whether to go ahead and extend the pilot? If he has now made himself the chief of the nation's police, why does he not say, "We are going to stop it now"?

The Prime Minister: This is a pointless line of questioning, as we must evaluate the evidence carefully. That is what the right hon. Gentleman would want to do, and what we want to do. His point that the pilot has resulted in increases in the number of offences is disputed by what my right hon. Friend the Home Secretary has just told me in relation to category A offences. What we must do is evaluate the pilot properly to see whether it works or not. Of course, if it does not work, we will not extend it, but it is important that we take into account all the relevant views that are put to us.

If we are talking about how to deal with the issue of drugs, however, may I make one plea to the right hon. Gentleman? The Conservative party is holding up the progress of the Proceeds of Crime Bill, which is the single most important measure to confiscate the assets of drug dealers in this country. It is supported by the police and by everyone who has considered the procedure objectively. Even at this late stage, I ask the Conservative party to give its support to the Bill. If we are to deal with the drugs menace, being able to tackle the proceeds of crime—the assets of drugs dealers—is an important part of our strategy.

Mr. Frank Roy (Motherwell and Wishaw): I know that the Prime Minister sets great store by being able to identify with the needs, aspirations and fears of ordinary families throughout the United Kingdom. Nearly 10,000 of those families in and around my constituency have contacted me saying, "Enough is enough. We are fed up with the fear and misery that is caused by the misuse of fireworks." That fear and misery is felt by young people, by the elderly and even by household pets. Will the Prime Minister agree to consider an early measure to fight the misuse of fireworks throughout the United Kingdom?

The Prime Minister: As my hon. Friend may know, as a result of the representations that we have received we are examining this urgently with the industry, consumer groups and safety groups, to see what more can be done. We are not proposing additional legislation at present, but we are giving urgent consideration to the problem. Perhaps I can respond further to my hon. Friend when the outcome of those discussions is known.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Does the Prime Minister agree that the single European currency debate deserves better than being reduced to gross caricature, playing on people's fears and prejudices, of the type that we have seen in the already notorious broadcast issued today by the no campaign?

The Prime Minister: A joke is a joke, but in so far as a serious point lay behind the broadcast, it is a shame if the anti-euro campaign wants to base itself on a view of Europe that is more than half a century out of date. I am sure that, if the economic tests are passed and there is a referendum, the debate will be conducted on a better and higher level.

Mr. Kennedy: The Prime Minister may dismiss the matter lightly, saying that a joke is a joke, but the fact is that, for many communities in this country, this broadcast has generated considerable offence. What action will he take to sanction the Labour MPs who lent their names and their presence to this deplorable piece of advertising?

The Prime Minister: The best response to this or any other campaign of that nature is to mount an argument as to why it is right in principle in terms of industry, jobs and investment to be in favour of the single currency. That is why we have taken the position that we have, which is to be in favour of the single currency in principle and to say that, in practice, the economic tests are going to be met. In the end, the issue will not be decided by celebrities, pop stars, comedians or anyone else; it will be decided on the basis of what is right for British jobs, British industry, British investment and the British economy.

James Purnell (Stalybridge and Hyde): Does my right hon. Friend agree that it is utterly insensitive of ITV to broadcast next week a programme on Harold Shipman—the very same week when 500 families will find out whether he murdered their relatives?

The Prime Minister: I entirely understand the concern that my hon. Friend has expressed on behalf of his constituents. Very sensitive and difficult issues are involved, and I hope that those broadcasting material about the Shipman case will take account of them.

I know that my hon. Friend will join me in the following sentiment. We set up an inquiry to learn the lessons of the Shipman case, but it was a wholly exceptional case. I would therefore like to take the opportunity to say that, although it is necessary that the inquiry goes ahead and that we learn the lessons of the case, the vast majority of GPs and doctors in this country do a wonderful job on behalf of their patients. I hope very much that those commenting on the Shipman case will do so after taking account of the sensitivities of his victims.

Q2. [64185] **Mr. Alan Duncan** (Rutland and Melton): If the Prime Minister were to visit Somerby in my constituency, he would probably be roasted on a spit. Like the characters in "The Archers", the people there are furious at the closure of their local doctor's surgery. Notwithstanding the important lessons that must be learned from the issue that has just been raised, may I draw the Prime Minister's attention to an increasing failure in the structure—not the financing—of the health service? His policy of not wanting single doctor practices is, in fact, making people in rural areas travel miles when they are ill. What initiative might he introduce to alleviate this growing problem?

The Prime Minister: Obviously, I do not know, and cannot comment on, the individual circumstances in the hon. Gentleman's constituency. There has been a move over time away from single-handed practices so as to improve the quality of care that people receive. That has been based on a great deal of evidence over a long time. Of course, the move has to be done sensitively, and as I said, I do not know enough about the circumstances of this particular case. However, let us be clear. Overall, we are increasing the number of doctors, we are increasing investment in the health service and we are increasing investment in primary care. Whenever Conservative Members want more resources for the health service in particular, we must point out that they are opposed to them in general.

Mr. Andrew Miller (Ellesmere Port and Neston): In my constituency, there has been £14 million of investment in mental health and we have a new day-case surgery unit. Nightingale wards are being removed and today we have had the wonderful announcement that Clatterbridge will be part of the linear accelerator programme. Whom should my constituents believe—Ian Bogle and his statement that this is part of the sustained investment until 2020, or those people who suffer from Conservative amnesia?

The Prime Minister: I simply point out that the most important thing for us is to get the investment going into the health service year on year on year. In the Budget, we put additional resources into our health care system and that will allow us to sustain that investment over many, many years. That means more nurses, more doctors, more equipment for cancer and better treatment for heart patients. It will take time, but the only answer is to increase capacity through investment. We are in favour of that investment; the Conservative party is opposed to it.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Since the Prime Minister took office, what proportion of care homes for the elderly have closed?

The Prime Minister: Since we took office, it is correct to say that the number of care homes is down by a net amount in the hundreds and that the net number of beds down is somewhere in the region of 19,000. However, it is also correct to say that there are more than 40,000 additional home care packages since we came to power; and of course we are now increasing substantially the investment in social services.

Mr. Duncan Smith: The figure that the Prime Minister never gives is that 50,000 beds have been lost since the Government came to power. The answer is that nearly one in six of all homes have now closed. That means that 250 frail and vulnerable people are shunted from one place to another because their home is closing. Does he accept that the burden of regulation that the Government have imposed since they came to power has resulted in this terrible crisis?

The Prime Minister: Let me deal first with the figures. The right hon. Gentleman is wrong. The net figure is the one that I gave—19,000 beds.

On the other points, there are two essential explanations to consider. Care homes have expressed worries about regulations on wheelchair access, room size, lifts and so on. I simply point out that those do not come into force until 2007 and it is correct that the National Care Standards Commission is looking at how they will be implemented.

The single biggest reason for closures is, frankly, the level of fees in homes. As a result of the additional money, which again the Conservatives oppose, the majority of local authorities have agreed to fee rises this year, so I am told, of more than 3 per cent., and 35 per cent. have agreed to 10 per cent. or more. We have set aside from the Budget a 6 per cent. real-terms increase in social services spending. That is our commitment to the social services sector. I ask the right hon. Gentleman again: if he wants to help that sector, why does he oppose the extra money?

Mr. Duncan Smith: The Prime Minister carefully does not explain to his less intelligent colleagues that the money he plans to give from the last Budget is dwarfed by the extra costs from the increased regulation. It is an absolute clear fact. All independent inquiries show that the majority of care homes are closing because of the burden of regulation, not because of the levels of money—*[Interruption.]* Yes, they do. The worst aspect of that is that two thirds of the homes that have closed have done so with reports that have found them to be excellent or good. So the Prime Minister is losing not the bad ones, but the good ones, which is the tragedy. Will he admit that the Government's policy for the past five years of imposing extra regulations, which has forced homes to think about closing, has resulted in this crisis?

The Prime Minister: Again, let me repeat that the regulations that are complained of do not come into effect until 2007. That is why it is important to take some account at least of the fact that the real complaint of many care homes has been about the level of fees, especially when those homes are situated on very high-value property areas, such as in London and the south.

The only way we will increase the provision—*[Interruption.]* If the right hon. Gentleman will listen for a moment, the only way we will increase provision is to put more money into the care home sector. It is a cruel deceit, based on opportunism, for him to suggest that he can stop all care home closures not by giving more money to the sector, but simply by removing the prospect of regulations that do not even come into effect until 2007. The fact is that the best way to secure that sector is to put in the extra investment. I repeat my challenge to the right hon. Gentleman: if he wants extra money to go into that social care sector, why has he opposed the Budget, the precise purpose of which is to put that money in?

Ms Oona King (Bethnal Green and Bow): Is the Prime Minister aware that there are families in this country that have been living in temporary accommodation for 16 years? Does he share my anguish at the case of a 23-year-old woman who has shared a bedroom with her father her entire life because the family has been on the council waiting list for years and cannot possibly afford to rent or buy in London? While commending the Government for trebling the money available for social housing—we will not hear a word from the Conservatives, who left people on council estates to rot—*[Interruption.]* If they realise what their legacy was, I do not know how they can sleep at night. Can I ask—

Mr. Speaker: Order. The Prime Minister will be able to answer.

The Prime Minister: I think I got the point, Mr. Speaker.

My hon. Friend is right: it is important that we provide for social housing. It is also important to look at how we can increase the provision of housing in London. If we manage to ensure, as we are trying to do, an increase in the housing stock, in particular to provide for key workers in London, that will alleviate some of the pressure. But we are obviously looking urgently at what more can be done.

Q3. [64186] **Mr. Geoffrey Clifton-Brown** (Cotswold): The Prime Minister may be interested to learn that the independent mayor of Northleach in my constituency said in a recent letter to me:

> "I am writing to you on behalf of Northleach Town Council to express our profound dismay at the impact of the new Care Standards Act, which has now led directly to the closure of the Glebe Care Home in Northleach."

Does the Prime Minister agree that the mark of a civilised society is its treatment of its elderly people? If so, will he now launch an inquiry into how that Act has led directly to the closure of 47,000 beds in our nursing home sector since his Government came to power?

The Prime Minister: It is also a mark of a civilised society that we have proper standards of care for those people who are in a home. I point out to the hon. Gentleman and to the Conservative party that when the Bill passed through the House of Commons, my understanding is that they did not oppose its Second or Third Reading. I simply ask them to understand that the vast bulk of the regulations are intended to improve the quality of life for people in homes, and they would probably be supported by most people. As I said, many of those about which there is controversy will not be introduced for five years.

It really is pointless to ignore the issues of funding and fee levels for homes, and if the hon. Gentleman talks to people in the care home sector, he will find that they too are deeply concerned about them. I point out to him, as I did to his leader a few moments ago, that it is utter opportunism on the part of the Conservatives to complain about this matter but to oppose the extra funding necessary to deal with it.

Dr. Howard Stoate (Dartford): My right hon. Friend will be aware that this week the British Medical Association is holding its annual conference, and he may have seen some of the comments of its leader, Dr. Ian Bogle, broadly supporting what the Government are doing to improve health services. Given that health is still a No. 1 priority for people, particularly in my constituency, what plans does he have to ensure that they see real improvements in health services on a day-to-day basis?

The Prime Minister: There are of course real changes taking place, and it was heartening to hear people in cancer services saying today that although there is still a great deal to do, genuine improvements are being made. With the additional nurses and consultants, the hospital building programme and the additional equipment, people can see that even though there is still much to do, a lot of progress is being made. However, none of that can work without increased capacity in the health service financed by investment. I say to my hon. Friend and his constituents that the best way to preserve that investment is to keep on supporting the party that advocates it, not the party that opposes it.

Mr. David Trimble (Upper Bann): May I refer the Prime Minister to his reply today to the letter written to him yesterday by the Leader of the Opposition, and incidentally thank him for the belated concession to common sense signalled in the other place on the Justice (Northern Ireland) Bill?

That letter was a response to the continuing violence in Northern Ireland and to the continuing evidence of activity by paramilitary groups. The Prime Minister's reply said:

> "There needs to be clearer evidence that the transition away from paramilitarism is proceeding. A half way house will not be sustainable."

Does it not strike him, as it strikes me, that his response is remarkably passive? Does not he realise that there is a clear obligation on him, as the Prime Minister of the United Kingdom, to address this situation?

How does the Prime Minister think the inhabitants of Cluan Place in east Belfast, where five people have recently been shot and wounded by republicans, houses have been burned out and the majority of people have been driven away in deliberate attacks, will respond to that passivity? Is it not now time for him to ensure that his Government get control of the situation in Belfast?

The Prime Minister: I utterly condemn paramilitary violence, whether it is from republicans or loyalists. Indeed, as the right hon. Gentleman knows, there has been violence from both quarters over the past few months, and that is unacceptable. I do not mean to be passive about the situation at all. As he knows, the reason I will engage in talks with people about how we make progress is that it is not acceptable to have a halfway house in which paramilitaries of whatever description believe that there is a tolerated level of violence; there is no level of violence that can be tolerated.

That is why, with the right hon. Gentleman and the other partners in the peace process in Northern Ireland, we have to construct a way forward to make sure that that halfway house is not merely considered unacceptable but made unacceptable, and that we continue the transition to a peaceful and democratic Northern Ireland where we bank the gains that have been made. I urge him to accept—in truth I know that he does—that major gains have been made by the peace process in Northern Ireland. However, I totally agree with him that we cannot have a situation in which paramilitary organisations believe that there will be tolerance for continuing a certain level of violence. We must disabuse them of that belief, and if that requires action, action there will be.

Mrs. Alice Mahon (Halifax): Does the Prime Minister agree that the latest tragic killings at the wedding in Afghanistan could further alienate Muslim opinion and weaken the coalition that he worked so hard to put together? Will he use his influence with the Americans to persuade them that that sort of warfare only causes more suffering to an already suffering nation?

The Prime Minister: The facts of the incident are still being debated and are not yet fully known, but if innocent civilians have died, that is a tragedy and deeply regrettable. However, let me point out two things to my hon. Friend. First, most people in Afghanistan, whatever their concerns about the continuing campaign, feel a profound sense of liberation from the Taliban who were in power before. They have greater freedom and greater potential for prosperity than they had even a year ago.

Secondly, I urge my hon. Friend and all hon. Members to bear in mind the reason why the campaign continues. The al-Qaeda network continues to be a threat not only in Afghanistan, but in the rest of the world. There is a real danger that as 11 September becomes a more distant memory, people will forget that there are terrorist networks out there that are absolutely determined to wreak destruction. The reason why we have to continue to pursue them in Afghanistan and elsewhere is to protect the security not only of people in Afghanistan, but of people here in this country.

Q4. [64187] **Mr. Alistair Carmichael** (Orkney and Shetland): May I bring to the Prime Minister's attention the situation of my constituent Mrs. Biz Ivol, who is being prosecuted for the cultivation of cannabis which she uses to get some relief from the pain that she suffers as a result of having multiple sclerosis? Does the Prime Minister really believe that the war against drugs will be won by making a criminal of a 54-year-old woman who has led an otherwise blameless life and who is now confined to a wheelchair? When will the Government act to legalise the medicinal use of cannabis and bring an end to the nonsense of prosecutions such as the one facing my constituent?

The Prime Minister: I understand the concerns that the hon. Gentleman raises and those of his constituent. As he probably knows, we are currently reviewing the issue of cannabis and people with diseases such as multiple sclerosis. We are not yet in a position to state the findings of that review, but we are giving it urgent consideration. We understand that there is potentially a distinction between those who need cannabis for medicinal purposes and those who do not. I am sure that people will take a sympathetic view of the position of the hon. Gentleman's constituent, although that must remain a matter for the authorities, not the Government.

Mr. Russell Brown (Dumfries): Like my hon. Friend the Member for Dartford (Dr. Stoate), I welcome the statements made earlier this week by Ian Bogle. He recognises that there will be significant investment in the national health service in the next five years. Although there will be investment in bricks and mortar, what we really need are additional doctors and nurses, not more managers. Will the Prime Minister give an assurance on that?

The Prime Minister: We have increased enormously the number of nurses in the health service, and the numbers of doctors and consultants are rising too. It is also important that the national health service be properly managed. The most important point that Ian Bogle made is that five years ago there had been such cuts in investment, beds and nurses—such flagrant dereliction of duty by the previous Government in respect of the health service—that part of the investment we made in our first few years in government was used to make good the deficit that we had inherited. However, people can see the effects of much of the investment that is now being made in increased provision in their constituencies. That increased provision is real delivery, on the ground, for people, and if we continue it year on year on year, we will have the health service that we need in this country.

Q5. [64188] **Ann Winterton** (Congleton): The Prime Minister's recent difficulty at Seville was due to his being unable to gain the unanimous agreement of all 15 member states. Does he therefore accept that unanimity is necessary—and indeed essential—for any future direction changes to European Union treaties that would, for example, return more powers to nation states? Does he accept that that will become more difficult to achieve after enlargement, when there may be 28 members?

The Prime Minister: I could not quite follow that train of thought. If the hon. Lady is saying that she wants to retain unanimity at all levels, I point out that it was precisely because we had to take the unanimity route that we were unable to make the progress that we wanted at Seville, even though we were in the majority. That is why the previous Conservative Government—the Conservative party had a slightly more sensible position on Europe in those days—supported the largest extension of qualified majority voting that this country has ever seen.

The point that the hon. Lady made at the end of her question was absolutely right: of course, once the European Union is enlarged and an extra 10 countries come in in 2004, it will be necessary to have more qualified majority voting to make Europe work more effectively and, most importantly of all, to allow this country to get its own way. I do not know whether she has had a Damascene conversion, but I urge her to try to adopt a more sensible attitude to Europe and to have greater confidence that we can get our way, because I believe that this country's future is at the heart of Europe and that, if we follow that through, we will get the best out of Europe for Britain.

Entitlement Cards

3.31 pm

The Secretary of State for the Home Department (Mr. David Blunkett): With permission, Mr. Speaker, I wish to make a statement in launching a consultation exercise on entitlement cards and identity fraud. Copies of the consultation paper will be placed in the Vote Office.

Since the terrorist atrocities in the United States, I have been asked a number of times whether the Government would introduce identity cards. I have made it clear that any debate must not focus on issues of national security alone. Of equal importance are the issues of citizenship and entitlement to services. The focus should therefore be on whether entitlement cards would be genuinely useful to people in their daily lives and in affirming their identity. That will be the acid test of any scheme.

In a parliamentary answer on 5 February, I ruled out a compulsory card scheme—compulsory in the sense that the card would have to be carried by each individual at all times. As I made clear, any scheme that was eventually approved would not entail police officers or other officials stopping people in the street to demand their card. We are not, therefore, consulting on that option.

Instead, we would welcome views on a universal entitlement card. Everyone would register for and be issued with such a card, which would be required for the purpose of gaining access to services or employment. We also consider in the consultation paper the pros and cons of a voluntary card, in respect of which people could choose to opt into the scheme. That would be based primarily on their wish for secure and verifiable identification.

The key issue is the use to which a card might be put, so a genuine consultation exercise is aimed at hearing from the public what services people would like to be linked to a card. We wish to hear from organisations in the public and private sectors about whether they would take advantage of the card to help them with delivering and providing access to their services. We have set out for illustration examples of some areas in which a card might be helpful. In each of them, we demonstrate the cons as well as the pros, to ensure that people understand the downside as well as the gains that can be made.

I have already mentioned the use of a card to help to provide better and more appropriate access to services. It could also act as a convenient travel document and as a proof of age card, and could help to promote new ways of voting.

Crucially, an entitlement card could help us to tackle illegal working. Illegal working undermines the minimum wage and the rights and conditions of the lowest paid. An entitlement card could give businesses and employees a simple, straightforward and verifiable way of establishing the right to work legally. It could thereby assist us in tackling the sub-economy.

Although we have an open mind on how a card scheme could operate, we have set out a possible scheme for comment. Most people already possess some form of photo-id such as a passport or photocard driving licence. Many have already said that they would like fewer cards in their purse or wallet, and some have suggested that a scheme might incorporate both the driving licence and the recently announced passport card. Entitlement cards for those not covered by existing documents would be provided in the form of a non-driving licence card, which would be similar to those issued in many states in the United States. Existing powers to require proof of identity would reflect those used for the purposes of driving and travel.

The consultation paper asks whether existing passport and driving licence checks are sufficiently secure, given the increasing sophistication of fraud. We would welcome views on whether biometric information such as fingerprints or iris images should be recorded. That would ensure that people could not establish multiple or false identities, which allow the personal fraud with which public and private services are bedevilled.

Any scheme will have costs, which we spell out for the different options that are given in the paper. We are not talking about large bids to the Treasury that would displace investment in public services. The entitlement card scheme could be made self-financing by increasing charges for more secure passports and driving licences, discounted over the lifetime of the card, and by charging a lower card fee for those who do not have either a driving licence or a passport.

There is always a danger of bureaucracy in such areas. We spell out that possible downside and illustrate potential ways of dealing with it. However, by building on existing systems and expertise we should be able to reduce the risk and costs inherent in an undertaking of this size. *[Interruption.]*

Mr. Ronnie Campbell (Blyth Valley): This is a vote winner for us.

Mr. Blunkett: I am grateful for my hon. Friend's humour, especially given that 38 million people hold a driving licence and 44 million people, including young people, hold a passport. Technological advance is already projecting major change.

As I said earlier, we recognise that there are inevitably real worries about the infringement of personal freedoms and historic concerns as regards the legal requirement to carry a card. The paper sets out the way in which a scheme would comply with the Data Protection Act 1998. The amount of data required and its accessibility or relevance would be determined by Parliament; the use of a chip would be determined by individuals.

I hope that my comments will reassure all hon. Members that we painfully understand the genuine need to protect privacy. However, we are asking the following question: given that to drive a car, move freely in and out of the country, open a bank account or obtain credit, we need to identify ourselves correctly, would it be easier or harder if there was one entitlement card to assist the process?

In addition, each year, thousands of people have their identities stolen by criminals, often without their knowing about it. Bank accounts are raided, and goods and services bought in their name. Identity fraud now amounts to £1.3 billion a year. For good reason, there is genuine concern among the public about that growing criminal activity. A universal entitlement card would be a powerful weapon in the fight against identity fraud. However, it would take time for a card to make its full impact. We are therefore also using the consultation exercise to seek

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views on several other projects that could provide rapid gains. Today, we are publishing a separate paper on identity fraud, which I have placed in the Library.

I thank my right hon. Friend the Secretary of State for Work and Pensions for the work that he undertook on the matter when he was Chief Secretary.

No one should fear correct identification. There is nothing to fear from the proper acknowledgement and recognition of our identity. There is everything to fear from wrongful identification, or the acquisition of our identity for fraudulent purposes.

Freedom from intrusion into our private lives by public or private organisations is crucial. Freedom to avoid abuse and ease of access to our identity is an essential part of the consultation process. I commend it to the House.

Mr. Oliver Letwin (West Dorset): I am grateful to the Home Secretary for his statement and for his courtesy in letting me have an early copy.

If the Home Secretary is asking the country to debate a strictly defined benefit entitlement card, the purpose of which is to prevent fraud, the Conservative party will strongly welcome it. Indeed, my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) proposed it when he was Secretary of State for Social Security. He began to implement the mechanism for such a card because he was hugely determined to cut fraud. Ironically, the current Government aborted that implementation.

However, is the item about which the Home Secretary seeks to consult a strictly defined benefit entitlement card? I confess that, having read through the paper and listened to his statement, I am still not clear.

In the first paragraph of the consultative paper, the Home Secretary states:

> "A universal entitlement card scheme would . . . establish for official purposes a person's identity so that there is one definitive record of an identity which all Government departments can use if they wish".

What, if anything, does that opaque and gnomic sentence mean? What does the Home Secretary mean when he suggests that the card is one,

> "which all Government departments can use if they wish"?

Does the Home Secretary recognise the real and widespread scepticism and anxiety engendered by such utterances when they come from a Government and a Department, which, under his stewardship and in the past few months have sought to introduce vast new powers for Departments of State and other public agencies to interrogate aspects of people's lives? Those proposals have been withdrawn only under a hail of parliamentary and public protest.

Does the Home Secretary realise that these opaque utterances are bound to be read in a certain way by a public who have come to understand that the language of liberty is usually far from his lips, and to understand also his intense suspicion of the judiciary and judicial processes? Does he realise that such opaque statements are bound to be worrying when they come from a Government who, in discussing the double jeopardy rule, and advancing the European arrest warrant, have paid scant attention to the significance that most of us in the House still attach to the presumption of innocence in English law?

If these are unreal fears, why is the Home Office in the lead on this matter? Why is a benefit entitlement card the proper pre-occupation of a Department that is not responsible for administering the benefit system? How will an entitlement card that is genuinely an entitlement card improve the criminal justice system for which the right hon. Gentleman's Department is largely responsible? If the police will not be able to demand production of this card—as the Home Secretary's paper and statement suggest—what effect can the card possibly have on street crime, or any other crime apart from fraud?

I fear that neither the Home Secretary's statement nor his paper present to the British public a clear proposition that can foster a rational debate. In place of clarity and definition, we have obscurity and spin. This issue is too important an area of our national life, too central to the protection of society against fraud, and too fundamental to the preservation of our liberties, for us to accept such obscurity and spin. Will the Home Secretary assure the House that in the coming days and weeks he will make it clear what he is actually asking us to debate?

Mr. Blunkett: There appears to be a presumption by the Opposition that if they mention the word "spin", the whole world will believe that someone has been spinning. Although I specifically instructed all those around me not to spin, appeared on no programmes—unlike the right hon. Gentleman—and kept away from saying anything about this over the last few days, I am accused of spin. I will tell the House what I am spinning. I am spinning the right of the British people to decide over the next six months whether they want a sensible way of confirming their own identity. I am putting forward a long-term debate about what is happening in the world around us.

The right hon. Gentleman mentioned the right hon. Member for Hitchin and Harpenden (Mr. Lilley), who consulted only on benefits. His proposals were not linked to the organisation and distribution of identity for driving or for passport purposes; they would therefore have involved the establishment of a wholly separate bureaucracy and technical system, and concentrated only on those in receipt of benefits. I did not mention benefits once this afternoon.

Mr. Eric Forth (Bromley and Chislehurst): Why not?

Mr. Blunkett: Because benefit fraud is only a tiny part of the problem in the benefit system, whereas identity fraud is a substantial drain on the economy as a whole. The right hon. Member for West Dorset (Mr. Letwin) asked why the Home Office was involved. It is because the Home Office has responsibility for identity fraud, and for organised crime, and because on the streets at this very moment people are committing credit card fraud and automatic teller machine fraud to defraud individuals and businesses of large sums of money. Such people are often linked to criminal gangs involved in people smuggling. I have responsibility for people smuggling, illegal working and ensuring that people do not get into the country clandestinely.

That is why the Home Office is in charge of this policy—*[Interruption.]* If Opposition Members were not so ignorant as to talk while I am speaking, they might learn a thing or two, such as why we need to consider this measure in the long term. It is because other developed countries are considering how to use biometrics to secure against fraud and multiple identity replication; because in France, the level of credit card fraud is one sixth the level in this country, as a result of the technology used there; and because the United States is considering new ways of accrediting identification, and, if we do not match them, it will reintroduce visas for UK citizens visiting the US. It is also because, as part of the Schengen information system, which some parties in the House support, the rest of the European Union will be introducing new biometric recognition for identification. If we are left behind, if we do not have a debate, and if, over the next two years, the House is not prepared to decide which way we will go, not only will we be left behind, but organised fraudsters across the world will know one thing: we will be the weakest link.

Mr. Chris Mullin (Sunderland, South): I welcome the Home Secretary's assurance that there will be no compulsion, and acknowledge that there are some obvious benefits. May I ask my right hon. Friend, first, whether he accepts that it is for those who are in favour of the card to make out the case for it, not the other way round? Secondly, will he confirm that the card will be little or no use in combating terrorism? Thirdly, given the unhappy history—I put this as gently as I can—of Government information technology projects, are we not entitled to be sceptical about some of the claims made for the card?

Mr. Blunkett: I can say yes to all three. Yes, I agree that those who wish to develop an alternative and simpler system to the multiplicity of cards must make the case. Yes, I agree that it is important to recognise the past failures of Government technology systems, which is why the massive update of the UK Passport Service and now of the Driver and Vehicle Licensing Agency currently taking place should take account of any potential for the future. Yes, I accept that it is important that we do not pretend that an entitlement card would be an overwhelming factor in combating international terrorism. That is precisely what I said three times on the radio within a fortnight of 11 September, and I reiterated it this afternoon.

Simon Hughes (Southwark, North and Bermondsey): The Liberal Democrats are happy to have a consultation. We have had consultations in our party over many years and have always come to the view that, on balance, such cards are a very bad idea. Does the Home Secretary accept that although superficially the proposal is potentially a good idea and popular, the more one considers the issues, the more complex it becomes and the more problems arise?

Does the right hon. Gentleman understand the scepticism and suspicion that many, including the Liberal Democrats, will feel arising from the fact that the Government do not have a record—to put it gently—over the past five years of increasing the liberty of the subject, as against the state? The Home Office in particular has a record of taking liberties and increasing the powers of the state. The Government have said that they are so far neutral on the issue. Will the Home Secretary do us the courtesy of telling us what his personal position is? From all that I have heard him say, it appears that he has a strong presumption in favour the proposal. It would be helpful if he shared that with the House.

Those of us who do not have a conspiracy view may none the less agree with the Chairman of the Select Committee on Home Affairs, the hon. Member for Sunderland, South (Mr. Mullin), that of all the Departments of Government, the Home Office has been most susceptible to cock-up over the years. What guarantees are there that information given into a system run by the Home Office will not be misused or transferred without the individual's consent?

If the card is voluntary, how will it stop illegal working?

Mr. Tony Banks (West Ham): How can we stop you?

Simon Hughes: On this issue, our party will not be stopped easily. That is the answer to the hon. Member for West Ham (Mr. Banks). If the card is compulsory, like the one that the French have had, how has it been so unsuccessful at stopping illegal working in France, where huge numbers of people work illegally, even though under the system there, they must have cards and produce them? In relation to the police, surely the problem in Britain is not that the police, when they catch people, cannot identify them, but that they cannot catch them in the first place.

Lastly, will not the proposal be another way of dividing our society? Those who are less well off will have to have the cards. [illegible] will be the only way that they can use the social security system, the national health service and other public services. Those who are well off, who do not receive benefits, [illegible] do not have to use the NHS and who opt for private education will not have to have these cards. For them it will be an optional extra and available only if they want one. Is not that the real indictment? This is a system for the unfortunate many, and the elite few will be able to be comfortably exempt from it.

Mr. Blunkett: I am disappointed, because this is degenerating into a contest with intellectual pygmies. I did the hon. Gentleman and the right hon. Member for West Dorset (Mr. Letwin) the courtesy of ensuring that they had the document first thing today—not an hour or two ago. The hon. Gentleman will therefore have read it, and will know that, far from the worst-off being penalised, there is a presumption that those who travel abroad and own and run a car, which is well over 40 million people, will automatically pick up the card, because they will need it to show that they are able and have permission to drive a car or are free to travel abroad.

The reason why I am so annoyed with the hon. Gentleman is that the Liberal Democrats are totally committed to the Schengen system. They want us to join it.

Simon Hughes: We do not.

Mr. Blunkett: I am glad that we have clarified that. There is logic in not wanting to belong to the Schengen information system if the Liberal Democrats do not want to share information on the ability to travel. A difficulty will occur with travel to the United States if we do not align what we are doing with the changes that are taking place around us.

The French do not pick up their illegal workers because they have what is called tolerated illegal presence. Back in February, we spent a whole day debating that at the behest of the shadow Home Secretary. I had hoped that the spokesman for the Liberal Democrats, the hon. Member for Southwark, North and Bermondsey (Simon Hughes), had picked up on that. I made it clear that an

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entitlement card would have to be used if we are to enforce section 8 of the Asylum and Immigration Act 1996, which is about stopping illegal working but without the means to do so. That is why the CBI welcomes this consultation. It knows, even if the hon. Gentleman does not, that this will be a valuable card in our pack in dealing with an activity that exploits individuals and defrauds the nation.

Mr. George Howarth (Knowsley, North and Sefton, East): I welcome my right hon. Friend's statement. In view of the potential benefits for the criminal justice system and for policing, I urge him not entirely to close his mind to the possibility of a compulsory scheme. May I make a suggestion put to me by a constituent? Will my right hon. Friend talk to colleagues in the Department of Health to see whether people could voluntarily include information about medical conditions, such as epilepsy or diabetes, that could be accessed by ambulance crews, which would be helpful?

Mr. Blunkett: I must disappoint my hon. Friend on the first point. It is not the Government's intention to go down the road of compulsion to carry. I agree that, should Parliament determine in the future that we move to a smart card, it would be possible for individuals to choose what went into the chip. It would not be for Government to decide, whatever has been said this afternoon, and whatever sneers have been made. Individuals could decide to have additional information on the chip to be used in certain circumstances.

I responded to my hon. Friend the Member for Sunderland, South (Mr. Mullin) by acknowledging that the history on technology has been poor. That is why we are proposing to go through the passports system and the Driver and Vehicle Licensing Agency. I do not accept that my Department, now or in the past, has deliberately passed people's information to other agencies or has undermined their freedom. If Members have information to the contrary, they should bring it forward, rather than make such allegations.

Mr. Douglas Hogg (Sleaford and North Hykeham): May I address that part of the concept which implied that the production of the entitlement card will be a necessary precondition to services, benefits and perhaps work? Does the right hon. Gentleman accept that if we are to go down that road, it is essential that in the event of a genuine holder losing a card, there should be a rapid and effective way of verifying the possession of such a card in the past? If that is not the case, genuine cardholders will be deprived of their ability to obtain goods, services, benefits and perhaps work. Why should we accept that the technology, which so far the Government have been minded to apply in the case of passports, will produce such a rapid and effective solution?

Mr. Blunkett: Because the United Kingdom Passport Service now turns applications around in 24 hours. I am proud that we have made considerable progress on this front. We need to be able to replicate what happens with lost credit cards—people have their cards cancelled and a new dated reissue provided very quickly. That is what is intended—*[Interruption.]* However, on a lighter note, my hon. Friends suggest that I should give the right hon. and learned Gentleman a card. We all have a card so that we can get in and out of the House.

David Winnick (Walsall, North): Is my right hon. Friend aware that despite what he has said, there is a real fear among many people that the card would become compulsory and antagonise many law-abiding people, as happened in the immediate post-war years? It is interesting that the term "entitlement" rather than "identity" card is used, because the latter is such a discredited term.

Is my right hon. Friend also aware that there is considerable doubt whether any card such as he has described would deal effectively with criminality, hence the reason why there are many objections? Finally, may I say to him in all friendliness that the sooner this idea is buried as quickly and decently as possible, the better?

Mr. Blunkett: I am always pleased to have friendly advice from behind me. We will see what the British people decide—that is why we are providing a six-month consultation period, which is what will matter. We are not back in 1952; we are not in the business of pretending that somehow Parliament will be taken over by those who will take away people's liberty. One reason why Governments who respond, who listen and who sometimes acknowledge that they have made mistakes should be applauded rather than ridiculed is that the British people can get rid of us.

Mr. Peter Lilley (Hitchin and Harpenden): Is the Home Secretary aware that when the Labour Government in Australia consulted on a similar measure, it was, as I am sure this will be initially, extremely popular? However, as the argument progressed and the implications became increasingly apparent, opposition grew until some 90 per cent. of the population of Australia were opposed to the idea of an identity card, and it contributed to the fall of the Australian Government—an outcome that I wish to see here. Will the right hon. Gentleman tell us how long it will be before this proposal joins those for e-mail snoopers and asylum vouchers in the graveyard for illiberal measures that the Government have introduced?

Mr. Blunkett: I loved the right hon. Gentleman's concluding words. After all, we are coming up to the 10th anniversary of his "little list". If anybody should give us lectures about liberality, it is certainly not the right hon. Gentleman.

I met the leader of the Australian Opposition yesterday and talked to him about the card. I said that there was a great deal to learn from the Australian experience, and he said that it was quite likely that the present Government, whose outlook is very close to the right hon. Gentleman's heart, might well seek to reintroduce it.

Fiona Mactaggart (Slough): I welcome the Home Secretary's assurance that people might be able to choose what information was put on the cards. Does he accept, however, that while some of us might see a role for a card that proved identity and did no more, there is deep anxiety about the privacy implications of data sharing and the fact that people would carry data around with them on the cards? Will he ensure that that issue is highlighted during consultation?

Mr. Blunkett: Yes, and in fact it is highlighted in the consultation paper. This is to do with smart card technology; it is nothing to do with biometrics or the avoidance of forgery. We are talking about how the chip can be used and the way in which additional data can be put on it. Scotland has an interchange with the births and deaths register, and we, too, have an interchange for specific purposes with the DVLA, which has signed a contract relating to cross-checks between those who have registered vehicles and those who have taken out licences to drive them. I think that even my most vehement critic would consider that acceptable. What is not acceptable is the transfer of data that are on a chip for specific purposes to other agencies, and we have made it clear this afternoon that we are not in that business.

Mr. Andrew MacKay (Bracknell): May I put it to the Home Secretary that his statement has hardly helped the case of those of us who are broadly in favour of the introduction of an identity card at some time? I suggest that the introduction of a benefit entitlement card would be the best move initially. My constituents see no reason why that should not be done, and feel that it would be feared only by those trying to defraud us.

Mr. Blunkett: But if it is good enough for benefit recipients, it is good enough for all of us. As I said earlier, in tackling benefit fraud we must recognise the existence of a range of organised fraudulent activities on an unprecedented scale that could not have been envisaged 10 years ago. Organised gangs are moving in on credit card and smart card technology with the aim of defrauding us all. That was why it was thought appropriate to discuss which services should be accessible by card and how we should protect ourselves against fraud.

I am sorry if I have not made the case terribly well. I would welcome the right hon. Gentleman's assistance during the next six months.

Mr. Tam Dalyell (Linlithgow): Is the issue of identity cards devolved? I have an awful suspicion that many Members of the Scottish Parliament will jump up and down and say that it is a matter for them rather than for the House of Commons.

What would the Home Secretary say to the senior, and thoughtful, Scottish police officer who, when I said I was broadly in favour of identity cards, replied "Hang on a moment. Identity cards might make the job of the police not less but more difficult, because of assumptions about those holding such cards"? I repeat, is this a devolved issue?

Mr. Blunkett: I should be happy to hear from the individual to whom my hon. Friend spoke, because the Association of Chief Police Officers, the Police Superintendents Association and the Police Federation are all in favour and welcome the debate—and, in varying guises, they cover Scotland as well.

I look forward to seeing everyone jump up and down, but also to a sensible and rational debate. As I said a moment ago, the Scottish Executive have moved further than we have in England, in that the facility is devolved in terms of administration but not in terms of policy.

Sir Teddy Taylor (Rochford and Southend, East): I would not question the Home Secretary's sincerity in any way, but will he promise to study over the next six months the experience of nearly every other European country in which either voluntary or compulsory identity cards have been introduced? In those countries expectations have not been realised, but enormous cost has been incurred. In particular, will the Home Secretary give us some idea of the anticipated cost? Will he also tell us how he expects to deal with the enormous problem, as it has been elsewhere, of forged and lost cards—5 million were lost when we last used them here—and with the problems posed for elderly people having to obtain cards?

Mr. Blunkett: The hon. Gentleman asks three questions. On his first, I am happy to do as he asks, including studying the Swedes' move towards the use of such a card, having experienced a more informal system. I agree that forgery is an issue, which is why the question of biometrics is so important. It is virtually impossible—nothing is entirely impossible—to forge the iris, which is why people across the world are moving towards that system. I accept that massive claims for cards have been made that have not been reaped, but I have not made such claims, including ruling out their substantial contribution to countering terrorism.

We estimate that a plastic card would cost an additional £10, and a smart card some £14 to £15, which includes the interchange at the point of swipe. We also estimate that, over a 13-year period—the discount period in terms of set-up and replacement costs—putting through some 67.5 million cards would cost £1.5 billion. The £10 to £15 charge is predicated on that 13-year discount.

Dr. Nick Palmer (Broxtowe): My right hon. Friend is aware that I have pursued this issue for some months. There was much debate about the information that could be held on the card, and I welcome point 6.12 of the consultation paper, which suggests that it is possible to have a basic card just for identification purposes. Does he accept the view of many in the information technology industry that the way forward is indeed a basic identification card that gives access to a wide variety of databases of the individual's choice? Does he also accept that although he—like me—is attracted to the proposals, it would be sensible to have a voluntary pilot phase, so that the scheme can be shaken down before we establish full national coverage?

Mr. Blunkett: I accept all those points, including the latter one. It is perfectly feasible, as people have their driving licence or passport renewed at a pilot stage, to experiment. If we decide to go ahead, it would be sensible to proceed on that basis.

I did not answer the earlier question about my predilection. I do have a predilection for arguing that we should seriously consider the proposal, but like most Government Members I would not stake the Government's future on it.

Annabelle Ewing (Perth): The SNP-Plaid Cymru group has serious concerns about the proposal. If everyone will be required to register for a card, surely that makes having a card—as opposed merely to carrying one physically—compulsory in anyone's language. Does the Home Secretary agree that in legislating for Scotland on this clearly devolved matter, Westminster is once again acting in breach of the Scotland Act 1998?

Mr. Blunkett: I sincerely hope that we can lift the debate a little above that level. There is a requirement to

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register for the census—in fact, one can be fined for not doing so. The issuing of a card does not force anyone to use it, although in terms of drivers or passport users, or if services—whether public or private—required some proof of identity before expenditure was laid out, without proof of identity and therefore entitlement to do it I doubt whether non-use of it would last very long. I am not sure that this is an issue specifically for Scotland, England, Wales or Northern Ireland; it is an issue wherever one lives. Accent and geographical location do not change the issue one iota.

Mr. Tony Banks (West Ham): I entirely support my right hon. Friend's proposal for entitlement cards and the associated consultation process, and I should like to think that we can have a full consultation process on compulsory ID cards for all our citizens. Society has become less honest and more violent, and the issue is one on which I have changed my mind. When circumstances change, it is right that we change our policies and perhaps our minds. Will he tell the House whether his mind is still open on the matter of compulsory ID cards for all our citizens?

Mr. Blunkett: I said in February, and I repeat today, that the Government are not in favour of compelling people to carry the card with them, which has historic connotations. The consultation will be about the development of the sensible use of the card. In this country, we have got used to adversarial politics on a grand scale on every issue—as we saw earlier this afternoon—and if one launches a consultation and asks people to respond, teeth are bared and the knives come out immediately. I genuinely think that we should ask the British people and see what they think.

Mr. Nick Gibb (Bognor Regis and Littlehampton): The Home Secretary will be aware that the asylum seekers entitlement card contains 30 different records, including photographs, fingerprints, employment status and number of child dependants. He will also be aware that the information on the card can be read by officials using a quick-check reader, but the details cannot be read by the holder of the card. In his statement, he gave the example of passports, but all the information on a passport can be read by the holder, despite the fact that it can be passed through a quick-check reader at passport control.

Can the Home Secretary assure the House that if identity cards are to be introduced, individuals will have full and easy access to the information contained on their own cards? What personal information will be contained on a card of the type for which he has a predilection?

Mr. Blunkett: I indicated that the information would be that sought already for driving licences and passports. It is correct that people should know what is on the card, either because they have submitted it or it has been submitted in their name, and they should have access to it. Under the Data Protection Act 1998, the Data Protection Registrar would need to be assured that that was the case.

Mr. Mark Todd (South Derbyshire): While I welcome the consultation, I hope that it will focus substantially on some of the practical issues, which include, first, whether it will yield benefits to our citizens and, secondly—and my question for my right hon. Friend—whether it can be instituted within a reasonable time scale and at a sensible cost. He gave the example of the Passport Service and its markedly improved performance. That was a project with a single aim, but the new scheme would have several different purposes. One can imagine the complexities of such a project, especially when thrust into the hands of the British civil service.

Mr. Blunkett: I think that I have conceded defeat on the last point three times already, but I will concede it again. It is difficult for the Government to implement a complex scheme, which is why it would need to be based on the existing technology developments that have been put in place by the DVLA and UKPS. I accept entirely that the British people will have to feel that it will be of value to them in their day-to-day lives to have a single card that they can use for identification that will be accepted by all the agencies, including the private agencies that currently demand that we show such identification.

We should have a manageable time scale. Discounting the next two or three years—because if we decided to go ahead we would have to legislate—it would take five or possibly seven years to get a fully fledged scheme up and running. That is why I indicated earlier that we were trying to look forward and see where the world would be in 10 years' time and whether we would be alongside it or way behind.

Norman Baker (Lewes): Does the Home Secretary accept that there are dangers as well as advantages from the accumulation of data on such a card? In particular, does he accept that it is right in principle that if an element of the state wishes to have access to information about an individual, that should be narrowly defined? However, access to information on the card will be wide access. He is right to say that he wishes to tackle identity fraud, which is a big problem, but if someone were to gain access to such a card, he would gain access to a range of information about an individual—even if he could not use it directly because of the biometric measures that are proposed—that at the moment would have to be pieced together.

Mr. Blunkett: The latter point applies when people have sophisticated chips on smart cards; it is nothing to do with biometrics, as I said earlier. Biometrics are about whether the card can be forged and therefore whether the identity is correct. As I said earlier, no one has anything to fear from being correctly identified, unless he or she is a fraudster who is seeking deliberately to deceive those delivering a service or the state as a whole.

I do not disagree with the points made. Of course, it would be wrong for people to gain access to information for other purposes, which is why I have stressed that I and the Government envisage in the consultation paper that the information already sought and held would be precisely that which would be needed to operate such a card.

Martin Linton (Battersea): Does my right hon. Friend agree that entitlement cards will not only help in checking people's entitlement to public services and in combating fraud, but assist asylum seekers and others who have recently entered this country to establish their right to public services, which can often be very difficult at the moment? Does he accept that the idea of consulting on entitlement cards was unanimously suggested last year by the Home Affairs Committee, on which hon. Members from all three parties serve, including my hon. Friend the Member for Walsall, North (David Winnick), who chaired the meeting at which that was suggested; the hon. Member for Colchester (Bob Russell), who is a Liberal Democrat; and the hon. Member for Woking (Mr. Malins), who speaks on asylum for the Opposition?

Mr. Blunkett: One of the privileges of politics and democracy is that people have the right to change their mind, as I discovered a couple of weeks ago, so we are all in this boat together. I am very happy to welcome new converts to the fold if they are at least prepared to consult on the issue, and I appeal to those who have changed their minds the other way that at least thinking about it would be a good idea. I agree that it would be a very positive way to welcome and embrace people's right to gain access to services, to develop their citizenship and to be part of the mutuality that we share.

Dr. Julian Lewis (New Forest, East): Does the Home Secretary accept that if he were coming to the House at the height of a major terrorist campaign and recommending a compulsory identity card for the security of the community, his proposal would be seriously considered on both sides of the House? However, he is now trying to sell as a convenience card something that seeks to combine the functions of several separate existing cards but may well incorporate technology that would allow an indefinite number of functions to be added in future. Does he not realise that, in doubting his proposals, we face the old problem of capability versus intentions? He has stated his honourable intentions, but surely he should realise that people are worried about the capability of what he proposes to be indefinitely extended?

Mr. Blunkett: I do not even take offence at the idea of impugning my intentions; I simply say that there is much greater security in ensuring that Parliament's will is enforced under my proposals than there is in the smart card technology that already exists and is used by private enterprise. There is a two-way street in relation to privacy and avoiding intrusion, and it does not simply depend on protection from the state.

The hon. Gentleman's first question was about why I did not introduce such a proposal in the aftermath of the events of 11 September. I reject the suggestion that we would have been able to deal with such a proposal intelligently and thoughtfully. It would have been seen, quite rightly, as a railroad and as something introduced on the back of a terrible tragedy, and it would have been irrational. That is why I rejected such a notion on the "Today" programme three times within a fortnight of 11 September. We must consider the issue coldly in the light of day—either it is worth having in 10, 15 or 20 years' time, or it is not worth having at all.

Shona McIsaac (Cleethorpes): Is my right hon. Friend aware that a television poll revealed this lunchtime that 84 per cent. of people have no problem whatever with the concept of identity cards? Does he think that that is because we all have an array of cards that identify us in our purses and pockets? We have cash cards, credit cards and store cards that track our shopping habits and allow us to have coupons that tie in with those shopping habits. All hon. Members have passes to come in and out of the House and record our movements around the House. Frankly, I do not understand why people fear entitlement cards.

Mr. Blunkett: My hon. Friend will be pleased to hear that I agree. I have four cards in my possession—

Shona McIsaac: I have 17.

Mr. Blunkett: My hon. Friend has an extremely heavy purse or handbag, and I shall avoid being handbagged by it.

Mr. John Wilkinson (Ruislip-Northwood): Having just completed a report for the Parliamentary Assembly of the Council of Europe on clandestine migration, may I warmly applaud the objective of the Home Secretary but regret his pusillanimity in not seeing his consultative proposals through to their logical conclusion? Would not any law-abiding person be perfectly happy to carry an identity card or an entitlement card if doing so will improve the likelihood that only those people who are entitled to work do so and only those who are entitled to be in Britain are in Britain, and if doing so will diminish the likelihood of individuals carrying out terrorist offences or impersonations? If, in the consultation, the public express the desire for the compulsory carriage of such cards, cannot the Home Secretary accede to their wish?

Mr. Blunkett: I welcome very much the spirit of the hon. Gentleman's remarks and, having examined the issues, I respect greatly his understanding of them. I shall resist the temptation to be overwhelmed by the feeling of the British people wanting to have to carry them. That is not least because the reason for the decision on the card in 1952, other than the tragic refusal of the Labour Government to get rid of rationing in time and the link that was made in people's minds, was a cause celebre court case in relation to someone who had left their card at home. If we go ahead, I have every intention of carrying my card. I do not want to be accused of breaking the law, however, if I have left it in the wrong jacket.

David Cairns (Greenock and Inverclyde): Given that the issuing of passports, driving licences, national insurance numbers, Home Office reference numbers and entitlement to benefit are all administered on a UK-wide basis, does my right hon. Friend accept that it would be utterly illogical and perverse to deal with this matter on anything other than a UK-wide basis? May I clarify a technical point? Is my right hon. Friend saying that he does not envisage any new technology being involved, but that existing tried-and-tested technology will be used? If so, that will go some way to allay the fears of those of us who, although we have no civil libertarian objections, are very concerned about the ability to advance from a standing start to 44 million or 60 million cards in a very short period.

Mr. Blunkett: We accept fully in the document that we could not proceed from a standing start, and that identity cards would have to be introduced on the back of

[Mr. Blunkett]

the issuing of the photocard driving licence and photocard passport, which are both now being introduced. Additional technology would be necessary to expand the potential for the development of the card. We estimate the cost of that to be £107 million. Again, that is part of the document. I accept entirely the first part of my hon. Friend's question. I suggest to him, however—I am sure that he will articulate this north of the border—that were we able to introduce a card that dealt substantially with organised fraud, and were Scotland not to have such a card, Scotland would become an absolute haven for fraudsters. Not even the Scottish National party would want that.

Mr. Harry Barnes (North-East Derbyshire): My right hon. Friend said in his statement that it would be possible to use the identity card in connection with new voting methods. Is he aware that it could be used in connection with the established, traditional and very good voting methods that already exist in this country? It would aid considerably electoral registration as, despite rolling electoral registration, probably 1 million or more people are still missing from electoral registers who could be placed on them using identity card techniques. It could also be used as a voter identity card. A move in that direction has been made in Northern Ireland, but a United Kingdom identity card provision for voting would probably be a great advance in stopping fraud, not just in Northern Ireland but on a wider basis.

Mr. Blunkett: I congratulate my hon. Friend on his long campaign on this important issue. I represent a constituency that has more than 10 per cent. under-registration, so I also feel strongly about this issue. He is entirely right to want to avoid fraudulent voting, and registering to vote has the real potential to increase the right to vote.

Points of Order

4.31 pm

Mrs. Angela Browning (Tiverton and Honiton): On a point of order, Mr. Speaker. At Home Office questions on 10 June I raised the case of a paedophile who, having served a prison sentence, changed his name by deed poll and reoffended. The Minister for Policing, Crime Reduction and Community Safety advised me that, if I sent him the information, he would deal with the case as a matter of urgency. Such were his words that the next day our local paper, the *Express & Echo*, reported it as a pledge on his part.

However, in trying to follow up the case, I now find that the Minister has passed the paperwork to his Under-Secretary and, despite several telephone calls from my office, the Under-Secretary's office has been unable to identify where the paperwork is or tell me what is happening. Next week, the Police Reform Bill will give us a window of opportunity to deal with a matter that the Minister promised would be dealt with urgently. We might be able to close the loophole by tabling an amendment to that Bill.

On the day that I raised the matter, I hand delivered the necessary information to the Home Office, because I took the Minister at his word. The way in which the case has been handled is not just a contempt of the House but will come as a great disappointment to the victims. Therefore, can you assist me, Mr. Speaker? When such matters are raised on the Floor of the House, hon. Members should have every expectation that a Minister's word is his bond.

Mr. Speaker: I regret that this has happened to the hon. Lady in seeking to represent her constituents. I hope that the appropriate Ministers will see the record of today's proceedings and look into the matter urgently.

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Speaker, about which I gave your office brief notice. Following his good fortune in the private Member's ballot, the hon. Member for Uxbridge (Mr. Randall) used his time extremely well, in the view of many of us, to introduce the Marine Wildlife Conservation Bill on Friday 26 October. He received strong support from both sides of the House and from all who were present. He cannot, for understandable personal reasons, be here at the moment, but he knows that I am raising the issue.

After a number of successful pleas, the Bill went into Committee on Wednesday 21 November and members of the Department for Environment, Food and Rural Affairs—Ministers, in particular the Minister for the Environment, my right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher), and civil servants—worked extremely hard and put in a great deal of effort. The Bill then received its Third Reading in the House of Commons, and has now gone to the other place.

For a number of complicated reasons, it seems that certain Members of the other place want to bury the issue. Is it acceptable that a Bill that was introduced by an Opposition Member with strong departmental support from the Government and with the strong support of Labour Members, all of whom are interested in the issue, should suddenly evaporate for what might be termed a bit of skulduggery in the other place? It is unacceptable that a private Member's Bill introduced in the House of

Commons should be allowed to fail in the other place, which has not considered it in anything like the depth that this House has.

Mr. Speaker: I understand the hon. Gentleman's concern, and, although I do my best to control this place, I have no control over the other place. I am afraid that I cannot help him.

BILL PRESENTED

SHOPS

Mr. Jimmy Hood presented a Bill to make provision about the number of people allowed on shop premises; and for related purposes: And the same was read the First time; and ordered to be read a Second time on 19 July 2002, and to be printed [Bill 160].

Food Safety (Amendment)

4.34 pm

Mr. David Drew (Stroud): I beg to move,

That leave be given to bring in a Bill to make provision in respect of inedible items embedded within foodstuffs.

The Bill is not a radical measure. It is based on common sense and would reduce the risks faced by young children from a most unlikely source—chocolate.

Chocolate eggs containing toys are popular sweets with many young children. Although some hon. Members may not be familiar with those products, I am sure that many are. Inside the egg is a plastic capsule containing a toy, usually in small component parts. The combination of chocolate and toys can be a dangerous one for small children, and some accidents have resulted in fatalities. The manufacturing process involves heat, which means that the capsule often smells of chocolate. In addition, the way in which a child typically breaks open one of the eggs pushes the chocolate into contact with the toy container. A small child will be inclined to put the toy into his or her mouth and will not automatically distinguish the edible chocolate from the inedible toy.

When my hon. Friend the Member for Pontypridd (Dr. Howells) was Minister with responsibility for consumer affairs, he was invited to break open one of the eggs, and he could clearly smell and see the chocolate on the capsule. As my right hon. Friend the Member for Sheffield, Central (Mr. Caborn) conceded during an Adjournment debate on the subject when he was a Minister at the Department of Trade and Industry, toddlers are inclined to put all sorts of things in their mouths, and what could be more tempting than a small toy part from a container smelling of chocolate?

Many doctors and consumer bodies have confirmed that the capsule can smell of chocolate, which encourages children to put the capsule or toy into their mouth. A senior ear, nose and throat consultant who has specialised in items swallowed by children told me:

> "these incidents are rarely likely to result in hospital treatment. Most often, children place small toy components in their mouths and parents fish them out in time, but there is a very fine line between that and swallowing the part."

At least three deaths have involved choking on the capsule or on a toy part from a chocolate egg. That is an appalling fact, and it relates only to accidents in this country. There is a great deal of evidence of many such incidents in Europe. Philip Whitehead MEP has received huge support for changes in the European directive which are based on medical experience across Europe, from Greece and Germany in particular. In addition, I have been in contact with the National Federation of Retail Newsagents, which is concerned about its members' liability at law. It also realises that they need assistance in ensuring that consumers are aware of the dangers of such products.

For every fatality there have no doubt been hundreds of choking incidents from the products, and I have been notified of several other cases of near misses. Let me give two examples. A constituent who wrote to me said:

> "My eldest son came rushing in and shouted that his younger brother couldn't breathe. I found him turning blue with his eyes bulging. I opened his mouth and saw half of a Kinder Egg capsule blocking his air passage. I performed the Heimlich manoeuvre. I dread to think what might have happened if my son had been by himself, he may not have been with us now."

[Mr. David Drew]

Another letter was forwarded to me by a doctor. It said:

> "Last week we bought our daughter a Kinder Egg. Like most parents, we let her unwrap and break open the egg. My attention was distracted only for a moment when I found that she had put a small part from the toy into her mouth and was about to swallow it. I extracted it just in time. A few seconds more and our child would have choked. With hindsight it is obvious that if the toy and container smell of chocolate a child might try to put it in their mouth."

If we asked any parent whether toys embedded in chocolate were different from other toys, they would think it obvious that children would be likely to place such toys in their mouths. The risk has been recognised in the United States for many years, so much so that since the 1930s, it has been illegal to place or embed non-food items inside foodstuffs.

Regulators take a different approach in the United Kingdom and Europe. They simply require that the products carry a warning that they might be swallowed and are unsuitable for children under 36 months. However, the three UK fatalities and the subjects of the incidents I just mentioned were all older than that. As one of the parents stated:

> "none of our friends, who also have small children, were aware of the warning. You have to look hard to find it, let alone be able to read it on crumpled foil. Obviously young children cannot possibly comprehend such warnings."

The eggs have to carry safety labelling, but the labels often ignore several of the most important guidelines on warning labels published by the Department of Trade and Industry. I recently received a report from a leading body that assesses the clarity of such warnings. It examined these products and concluded:

> "Many of the warnings were illegible to the naked eye due to the size of text and the creases or folds in the foil wrapper."

The testers found:

> "The capsule and the toy smell strongly of chocolate, inviting a small child to put them in its mouth",

which endorses the point that I have just made.

The DTI has done nothing to secure compliance with its guidelines. It says that it is a matter for trading standards officers, and I hope that they will now look at breaches of the labelling guidelines and remove products from the shelves if they do not comply. I hope that they will be fortified by the report's unambiguous finding that the labelling on the leading brands is inadequate.

Many hon. Members have young children, and I hope that they share my concern that unnecessary risk to them should be avoided. I have met some of the parents whose children choked to death and I do not want others to suffer as they have. More than 40 MPs have already written to me calling for action. A number of Members joined me at a meeting in the House of Commons with Ferrero, the makers of Kinder Eggs. Ferrero refused to accept that there was a problem or to consider modifying its product. That is grossly irresponsible.

This Bill therefore proposes two simple changes based on the responsible lead taken by Nestlé and Mars, which have withdrawn products of this kind, and Cadbury, which adapted its Yowie product for the UK market after listening to concerns about safety. The Bill would impose a requirement that toys contained within foodstuffs be in one piece rather than in small parts, and it specifies a minimum size for the capsule to reduce the risk of ingestion. Just doing that would, in the view of doctors, significantly reduce the chances of small children choking on these items.

The changes have the backing of the Consumers Association and the Royal Society for the Prevention of Accidents. I hope that the House will add its support. If not, when the next child dies from this cause, we will know that we had the power to prevent it.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Drew, Mr. David Amess, Mr. Hilton Dawson, Mrs. Janet Dean, Ms Julia Drown, Andrew George, Mr. Gordon Marsden, Dr. Doug Naysmith, Diana Organ, Ms Gisela Stuart, Ms Joan Walley and Mrs. Ann Winterton.

FOOD SAFETY (AMENDMENT)

Mr. David Drew accordingly presented a Bill to make provision in respect of inedible items embedded within foodstuffs: And the same was read the First time; and ordered to be read a Second time on Friday 19 July, and to be printed [Bill 161].

Orders of the Day

Finance Bill

[1st Allotted Day]

Not amended in the Committee and as amended in the Standing Committee, considered.

New Clause 20

Stamp duty and stamp duty reserve tax: power to extend exceptions relating to recognised exchanges

'(1) The Treasury may by regulations extend the application of the provisions mentioned in subsection (2) to any market (specified by name or by description) that is not a recognised exchange but is prescribed by order under section 118(3) of the Financial Services and Markets Act 2000 (c.8).

(2) The provisions referred to in subsection (1) are—

sections 80A and 80C of the Finance Act 1986 (c. 41) (stamp duty: exceptions for sales to intermediaries and for repurchases and stock lending); and

sections 88A and 89AA of that Act (stamp duty reserve tax: exceptions for intermediaries and for repurchases and stock lending).

(3) In subsection (1) "recognised exchange" means an EEA exchange, a recognised foreign exchange or a recognised foreign options exchange within the meaning of the provisions mentioned in subsection (2).

(4) Regulations under this section may provide for the application of the provisions mentioned in subsection (2) subject to any adaptations appearing to the Treasury to be necessary or expedient.

(5) Regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of the House of Commons.'.—*[Ruth Kelly.]*

Brought up, and read the First time.

4.43 pm

The Financial Secretary to the Treasury (Ruth Kelly): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following: Government amendments Nos. 19 to 24.

Government new schedule 1—*Stamp duty: contracts chargeable as conveyances: supplementary provisions.*

Ruth Kelly: New clause 20, amendments Nos. 19 to 24 and new schedule 1 all extend existing stamp duty exemptions and reliefs. New clause 20 extends the exemption from stamp duty and stamp duty reserve tax for recognised intermediaries and for stock lending while the amendments and the new schedule ensure that subsale relief applies to contracts brought into charge under clause 114.

At present, the stamp duty and stamp duty reserve tax exemptions for intermediaries and for repurchases and stock lending are available only to European Economic Area exchanges that run regulated markets listed under the investment services directive. That requirement excludes exchanges such as OFEX, which specialises in smaller companies but is not listed under the investment services directive. None the less, OFEX is regulated as a service company by the Financial Services Authority under the Financial Services and Markets Act 2000, and it is a prescribed market under the provisions to discourage market abuse contained in that Act.

The purpose of the stamp duty and stamp duty reserve tax exemptions is to encourage liquidity in well-regulated markets. We have therefore decided to extend the scope of the exemption to exchanges that are prescribed by the Treasury under the provisions to discourage market abuse in the Act. The extension of the exemptions in new clause 20 will help smaller companies that are seeking to raise capital, and investors in such companies. I am sure that the measure will be welcomed by Conservative Members, and I commend the new clause to the House.

4.45 pm

New schedule 1 and amendments Nos. 19 to 24 relate to clause 114 and respond to representations made to us about subsale relief. They meet the commitment I made during the Standing Committee debate to table measures to ensure that subsale relief continues to apply to contracts brought into charge under clause 114. The new schedule provides that subsales will continue to receive the benefit of relief where stamp duty has been paid on a contract under the clause and there is either a subsequent subsale or a subsequent conveyance. In those circumstances, stamp duty will be payable only if the subsequent subsale or conveyance is for a higher amount. The end result will be to ensure that the total amount of stamp duty paid for a deal that involves one or more subsales is equivalent to the duty that is payable under the current rules for subsale relief.

As I said in Committee, we did not intend that clause 114 should take away the benefits associated with subsale relief, and the new schedule and consequential amendments that we have tabled put that beyond doubt. There is no similar requirement to amend the clause to ensure that subsale relief continues to apply where no payment has been made on a contract under clause 114. We are content that subsection (2) already provides relief in the situation in which a property is conveyed directly to a sub-purchaser, as we regard that as a conveyance or transfer that is made in conformity with the original contract.

I should mention that the Inland Revenue will shortly publish guidance setting out how both clause 114 and the new schedule will be administered in practice. In many instances, it will be possible to make an application to the Stamp Office to extend the statutory 90-day period. That will apply both to an initial contract and to any subsequent subsales. In that way, stamp duty can be paid in due course on the conveyance in line with the commercial reality of the transaction.

The new schedule addresses the representations that called for subsale relief to continue to be available to contracts brought into charge by clause 114. I therefore commend it and the consequential amendments, Nos. 19 to 24, to the House.

Mr. Howard Flight (Arundel and South Downs): We are pleased to welcome the Government's new clause, new schedule and amendments. Both of the territories with which they deal were raised by the Opposition in Committee, as the Minister will recollect. It was unreasonable that market makers on OFEX, which is of growing value to the British economy, did not have the

[Mr. Howard Flight]

same stamp duty exemption as other exchanges. We are pleased to see that the Government have introduced a belt and braces to ensure that subsale relief will continue, and that it will still apply to the sale of interests in land, which was the specific issue that we raised. We are pleased to see both provisions clearly dealt with in the Bill.

Mr. Edward Davey (Kingston and Surbiton): I welcome the new clause and the related new schedule and amendments. I had discussions with OFEX prior to the Standing Committee—OFEX clearly did its job well by speaking to all the parties and the Government. It had a very strong case that there should be equal treatment of exchanges in terms of the granting of stamp duty exemptions. I am delighted that the Government have listened and acted so promptly.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 21

FILMS: RESTRICTION OF RELIEF TO FILMS GENUINELY INTENDED FOR THEATRICAL RELEASE

'(1) Relief under the following provisions is available only for a film that is genuinely intended for theatrical release—

(a) section 40D of the Finance (No. 2) Act 1992 (c. 48) (election to claim capital allowances for production or acquisition expenditure);

(b) section 41 of that Act (relief for pre-production expenditure);

(c) section 42 of that Act (three year write-off for production or acquisition expenditure);

(d) section 48 of the Finance (No. 2) Act 1997 (c. 58) (relief for expenditure on production or acquisition of film with total production expenditure of £15 million or less).

(2) For the purposes of subsection (1)—

(a) the relevant intention is the intention at the time the film is completed of the person then entitled to determine how the film is to be exploited;

(b) "theatrical release" means exhibition to the paying public at the commercial cinema; and

(c) a film is not regarded as genuinely intended for theatrical release unless it is intended that a significant proportion of the earnings from the film should be obtained by such exhibition.

(3) Subject to the following provisions, this section applies to any film—

(a) completed on or after 17th April 2002, or

(b) completed before 1st January 2002 but not certified by the Secretary of State before 17th April 2002,

unless an application for certification was received by the Secretary of State before 17th April 2002.

References in this subsection to certification are to certification of the master version of the film under Schedule 1 to the Films Act 1985 (c. 21) as a qualifying film, tape or disc.

(4) This section does not apply to a film completed on or after 17th April 2002 if—

(a) it is a drama with an average production expenditure per hour of running time of the completed film greater than £500,000, and

(b) it was commissioned on or before 17th April 2002 and the first day of principal photography was on or before 30th June 2002.

(5) For the purposes of subsection (4) "drama" does not include—

(a) anything in the nature of—

(i) an advertisement or promotional film,

(ii) a discussion programme, news or current affairs programme, quiz show, panel show, variety show or similar entertainment, or

(iii) a training film, or

(b) a film of a live event or of a theatrical or artistic performance given otherwise than for the purpose of being filmed;

but it includes a documentary involving the dramatic reconstruction of events if the dramatic content forms 50% or more of the running time.

(6) For the purposes of this section—

(a) a film is completed at the time when it is first in a form in which it can reasonably be regarded as ready for copies of it to be made and distributed for presentation to the general public;

(b) the production expenditure on a film means the total of all expenditure on the production of the film, whenever incurred and whether or not incurred by the person claiming relief; and

(c) subsections (6A) and (7) of section 48 of the Finance (No. 2) Act 1997 (c. 58) (production expenditure: exclusion of deferments and treatment of transactions not at arm's length) apply as they apply for the purposes of that section.'.—*[Dawn Primarolo.]*

Brought up, and read the First time.

The Paymaster General (Dawn Primarolo): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government new clause 22—*Films: restriction of relief for successive acquisitions of the same film.*

Government amendment No. 13.

Dawn Primarolo: The amendments respond to a detailed Standing Committee debate on clause 99 and representations made by the British film industry. I promised in Committee that I would reconsider two issues: relief for high-value television drama, and the possibility of introducing transitional relief where filming has already commenced. I explained to the Committee the difficulties of finding a secure means of providing for those two principles while returning the film relief to its original intention.

The new clauses and the amendment make changes to the proposals for film relief. On high-value television drama, as I said in Committee, it was not clear to us from the evidence presented by the industry that television production companies were subject to the same structural problems and risks as those faced by British film makers. We have subsequently received further evidence from the industry, which indicates that, although television production companies often incur some risk of budget shortfall, such risks are generally not comparable to those taken by British film makers.

Making films for the cinema remains a very high-risk venture. The typical British film is still made by a small, one-off production company. The producer has to stitch together a complex web of funding and the company is at considerable risk of not getting the film screened and recovering its costs. Some 60 per cent. of British feature films completed in 2000 have yet to achieve theatrical release.

In contrast, high-value TV drama—drama costing more than £1 million an hour to make—is usually made by major broadcasters and production companies or combinations thereof. We accept that those companies often fund individual productions with some degree of deficit. In other words, they take some risk in making sufficient overseas sales to cover their budget and make profits. However, they are guaranteed television broadcasting and can usually spread the risk over a wider slate of other productions and commercial interests. Classically, such producers have more than one film in production and make their profit from a range of products.

In considering the further evidence, therefore, the Government do not accept that the industry has made a case for suggesting that television drama of any value should benefit from the special incentives intended to counter the very particular problems of making films for the cinema, so we do not intend to make any changes to the Bill in respect of high-value drama.

Adam Price (East Carmarthen and Dinefwr): Does the Paymaster General accept that that decision could not have come at a worse time for the independent television sector? Commercial revenue is down by 25 per cent. in the wake of problems in the media and advertising, so is this not the worse possible time to edge television production out of support under section 48 of the Finance (No. 2) Act 1997?

Dawn Primarolo: Television drama was never intended to be covered by the relief, which was specifically provided for the British film industry, in which there is very high risk. It was intended neither for television drama nor game shows, soaps or any of the other productions in respect of which claims were made. The cost to the Exchequer of the use that was made of the relief, even though everybody in the industry knew that such use was not intended, rose hugely last year and this year. In 2001, the cost was £180 million, and it is estimated to rise to £290 million in this financial year. The cost rose very steeply, very quickly for two reasons. First, there was a time-lag between production completion and claiming the relief and, secondly, there was a piling in of those who wanted to make use of it. Although I accept the hon. Gentleman's point about the difficulties faced by some in the industry, the Government had to make a judgment on whether they should allow a relief that was not intended for TV drama to be used for that purpose and on whether that was a good use of taxpayers' money. For the reasons that I gave on Second Reading and in Committee, we do not accept that that massively growing cost represents a sensible use of taxpayers' money. However, we accept the need to secure the film relief for its intended beneficiaries—British films—and we are trying to achieve that.

I turn to the transitional relief. We were not prepared to cross the boundary to say that the relief is now for films and for high-value drama. If that issue needs to be addressed, there is another place to do that—it is not the purpose of the relief. The Government announced the returning of the relief to its original intended use with effect from 17 April, Budget day. Some companies were in production and therefore faced quite serious financial hardship whereby they had committed to sell the product for a price that assumed a tax relief that was no longer there. Whether they should have done that is another matter. The question then arose, and was discussed in Committee, as to whether the Government had an obligation to say that they had noted the situation and that transitional protection would be given. As I explained in Committee, the problem is that the normal way of trying to determine whether transitional relief is applied is the existence of a contract. No contracts were in place. The whole point of the misuse of the relief—if I may put it that way—was that the contract was always drawn up at the end of the process. The producers took the risk in between times because they wanted to maximise the amount of relief that was ultimately available.

The Government accept that there is an obligation to try to deal with the issue of transitional relief. In Committee, I promised to look again at the practical difficulties of devising a relief that could be targeted to those instances for which we have sympathy. I am pleased to report to the House that, following further constructive discussions with the industry, we have found a way of protecting the position of the vast majority of the projects concerned. New clause 21—which, by virtue of amendment No. 13, will replace clause 99—will protect the position of drama series costing more than £500,000 an hour to make, provided that shooting on the production began by 30 June 2002.

Mr. Mark Field (Cities of London and Westminster): The Paymaster General says that the vast majority of projects will be saved by new clause 21. Can she quantify the precise proportion of projects that will be thus saved, given the representations that she has received and the statistical analysis on which she is no doubt relying in making that statement?

Dawn Primarolo: Yes, approximately 50 production companies would have experienced severe difficulties. We settled on £500,000 as the break point because I was keen to ensure that the game shows, soaps and other productions that were clearly not even drama did not fall within the scope of the transitional relief. Perhaps hon. Members believe that I have been rather stubborn, but including a transitional relief to protect soaps, however enjoyable they may be, was not the intention.

5 pm

I understand that we are considering approximately 80 per cent. of the productions of the 50 companies. The problem when we devised the relief was that the costs became astronomical if the transitional relief was extended further down, in a way in which the House did not want. That was also clear in Committee.

The monetary limit excludes continuous productions that are below budget, for example, soaps. We have used the principal photography device to try to identify the contractual start of the drama. It would risk abuse to base the relief entirely on contractual arrangements. It would also be too complicated to operate.

The proposed transitional relief is sensible and a fair solution to a complex matter. It will be simple to administer and will provide certainty. It will not allow

[Dawn Primarolo]

further abuse; that is important. It will cost £50 million in 2003–04. Hon. Members must understand the scale of misuse that was beginning to build up. I stress that the relief is transitional and that the commitment will therefore not be continuing.

New clause 21 clarifies whose intention is relevant for determining whether a film is intended for theatrical release. Clause 99 provided that the relevant intention was that of the film maker, as defined in the Films Act 1985 and copyright law. On reflection, that provision would restrict relief beyond our intention. We were therefore happy to adopt the industry's suggestion and change it.

I mentioned new clause 22, which is an anti-avoidance provision, in Committee. Film makers generally have access to relief under section 48 of the Finance (No. 2) Act 1997 via sale and lease-back arrangements with film partnerships. The partnership claims relief on an amount that is equivalent to the total production expenditure on the film and passes part of it on to the film maker. There is nothing wrong with that and the new clause will not affect it.

Let me simplify complex arrangements for hon. Members. The abuse that the new clause tries to prevent consists of the film partnership subsequently selling the film to another partnership for no commercial purpose, solely so that the second partnership can claim relief on the total production expenditure. The chain is far more complicated than that, and means that the first partnership is able to avoid tax liability on disposal. Through a long chain, the ownership of the film is passed on to prevent the application of the final tax liability on disposal. In theory, the chain could go on for ever.

We spotted that possibility early, and realised that such schemes were beginning to be marketed. We have taken the opportunity of today's debate to introduce an anti-avoidance mechanism.

The Government remain committed to supporting the British film industry, recognising the real challenges that British producers face, and the high risks that they take in producing British films. We are also, however, sending a clear, firm message to the industry—it is regrettable that it has to be done through legislation—which is that, when we intend a relief to be used for films, we shall make sure that that is precisely how it is used in the industry.

I hope that the House is satisfied with my explanation of why we are unable to make any concessions or arrangements in relation to high-value television dramas. I also hope that hon. Members will accept that we have made a fair and proportionate response on the question of transitional relief, and that they will agree with the Government that this relief should be returned to the use for which it was originally intended.

Mr. John Bercow (Buckingham): I would like briefly to comment on what the Paymaster General has helpfully told us this afternoon. Just before I do, however, and with your indulgence, Mr. Deputy Speaker, I would like to congratulate you—four days in advance of the event—not only on my own behalf but, I hope, on behalf of the House, on the forthcoming 25th anniversary of your election as the Member of Parliament for Saffron Walden, following your four years' service in another constituency. You have given great service to the House and to your constituents, and I am cheekily taking this opportunity to congratulate you before anybody else does so. Moving on—

Mr. Deputy Speaker: Order. I am extremely grateful to the hon. Gentleman for that completely unexpected intervention. I therefore feel that I can be cheeky enough to congratulate him on his engagement.

Hon. Members: Hear, hear!

Mr. Bercow: Well, this is as good as it gets. All good things come to an end, and I fear that I must enjoy this while it lasts.

Dawn Primarolo: If I am allowed to be cheeky just for a moment, Mr. Deputy Speaker, may I say that you must have entered the House at a very young age? May I say, too, how much we value your attention? I also congratulate the hon. Member for Buckingham (Mr. Bercow) on the recent announcement of his engagement. What a lucky man he is! I congratulate him on behalf of all my colleagues, and we look forward to the wedding celebrations—

Mr. Deputy Speaker: Order. I thank the right hon. Lady, but I think that we had better get back to business.

Mr. Bercow: We had certainly better do that, Mr. Deputy Speaker. I thank you for your kindness, and I warmly thank the Paymaster General for what she has just said.

Mr. Deputy Speaker, I am about to astonish you, the Paymaster General and all right hon. and hon. Members present in the Chamber by making the shortest speech that I have ever made since 1 May 1997, when I was elected. The new clauses give a partial transitional relief to certain TV productions that meet cinematic standards. As the right hon. Lady acknowledged, we raised these issues in Committee, and my hon. Friends tabled two amendments that offered some protection, although it is only fair for me to say that, in financial terms, our proposals were more generous.

Nevertheless, it is encouraging that the Paymaster General has listened. She was slightly stung—perhaps legitimately so—towards the end of our deliberations in Committee, when her word appeared to be questioned. In fact, on one occasion, I think that I appeared to question the reliability of her word. Certainly, in this case, she has come up with the goods. She said that she would look at the matter, and she has done so. We understand the rationale behind the Government's position, and some relief is certainly much to be preferred to none. On that, I will rest my case.

Mr. Chris Smith (Islington, South and Finsbury): In contributing to this brief debate on new clause 21 and other new clauses and amendments, I should perhaps remind the House of the interests that I have recorded in the Register of Members' Interests.

When the Chancellor introduced the relief for investment in the production of films in the UK, in his first Budget five years ago, it was widely and warmly welcomed by the film community. I very much hope that the decisions that the Government have taken over recent months will not endanger the warmth of that reception. In one important respect, the Government have moved to acknowledge some of the difficulties that the decisions announced in the Budget were likely to cause. New clause 21 contains a scheme for transitional relief, which I welcome.

I know that particularly in the independent film and television programme-making sector in the UK, there is a feeling that the Government have recognised the problems of natural justice that arose where commitments had already been entered into, but the relief was on the point of immediate withdrawal. The Government have now tackled that. Yes, they have circumscribed the transitional arrangements, but they have done so in a reasonably fair way, and there will be a welcome across the industry and across the House for the transitional measures included in new clause 21.

However, I am deeply disappointed that the Government did not move on the other issue which they committed themselves to consider—the withdrawal of relief for high value mini-television series, especially those made with inward investment money in the UK. Those are usually major undertakings costing many millions of pounds to make. They have all the features of a movie-making exercise—the amount of money, the scale of the operation, the kind of skills required and the type of film used to make the movie. All are akin to the making of a film for theatrical distribution, rather than to the making of a run-of-the-mill television series.

With those high-value television series, there are major employment and skill benefits for us here in the UK. In the past year, for example, £173 million-worth of inward investment came into the UK to assist the making of such major television series. A large segment of that was the HBO series "Band of Brothers", but there were other major series as well. The employment consequences of that inward investment were substantial, as were the opportunities that were given to people in the UK to learn the process of making film and television programmes, to develop their skills, and to find employment not just directly on the movie sets, but in all the ancillary occupations around the making of television programmes and movies. I fear that as a result of the decisions that the Government have taken, we will lose such opportunities in the future.

When the Government made their announcements in the Budget, they rightly drew attention to the fact that the original intention of the relief was to provide support for the British film industry, and not the British television industry. They stated in their Budget press release that they were trying to

> "refocus the reliefs on the original intention of stimulating the production of films in the UK and to promote growth, employment, investment and opportunities in the British film industry".

I would argue that the making of major television series of high value—very often well over £1 million per hour in terms of the cost of making the programme—do precisely that. They are films in all but name.

5.15 pm

Undoubtedly, there have been abuses of the system, as the Paymaster General rightly said, in that soaps, game shows and even the weather forecast have been eligible for tax relief. It was not the intention of the original relief to assist such programmes, and it is right that the Government have taken action to restrict relief so as to prevent such abuse. However, I fear that, in seeking to catch the abuses of the system, they are eliminating genuine, major investment in British employment in the making of major series.

My right hon. Friend said that the makers of television mini-series are not subject to the same risk as film makers. Yes, that is true in the majority of cases. Most major mini-series, especially those reliant on inward investment, are made by substantial companies, which usually have some guaranteed outlet for distribution before they start to make the series. If that were the only test to be used, the conclusion that the Government have reached would be the right one. However, that is not the only test to be applied.

I put three arguments to the Government. First, they are in danger of losing substantial amounts of valuable inward investment as a result of this decision. Secondly, the makers of mini-series may not be faced with the same risks as the movie maker, but they have the same temptation to make their mini-series elsewhere around the world where they can get tax relief, be it Canada, Ireland, Australia or anywhere else. That temptation is still there. The removal of the relief in the United Kingdom makes other environments more attractive to the makers of mini-series.

Thirdly, the making of these mini-series has helped to sustain the infrastructure of the film industry, especially in the past year and a half when times have been difficult for parts of the industry. By damaging the television mini-series potential in the UK, the Government are in danger of damaging the film infrastructure. I urge them to reconsider that point.

I realise that, for the time being, the Government's mind is made up. I would warmly welcome a proposal from the Paymaster General that she will come to tomorrow's proceedings in the House with a draft amendment to put this matter right, but I suspect that she will not do that. I am sad about that, but I hope that she will commit herself to reconsidering this question over the next year or so to see how in broad terms the new restricted relief is working in practice, and whether damage to inward investment is occurring as I fear it might. If that is what the analysis shows, she should introduce measures, perhaps in next year's Finance Bill, to put right the damage caused.

I hope that a review of what is happening on this relief will be put in place. I shall listen with great interest to hear whether my right hon. Friend is able to assist in this matter.

Mr. Edward Davey: I fear that I am about to strike a discordant note in the debate, but before I do, may I join in the congratulations to the hon. Member for Buckingham (Mr. Bercow)? We will be looking at the Conservatives' policy on the married couples allowance to see whether there are any changes in the future. *[Interruption.]* The Paymaster General has just mentioned the child tax credit as well. Perhaps there are other announcements that I have not yet heard.

On new clause 21, it is always nice when Ministers tell us that they have listened and introduced changes in consultation with the industry. However, bearing in mind the general interests of the taxpayer, I am concerned when the Minister says that the industry is very happy with this

[Mr. Edward Davey]

measure. I have great respect for the right hon. Member for Islington, South and Finsbury (Mr. Smith), who made a powerful and informed speech. However, many industries and individuals across the country would like a bit of tax relief, given half the chance. Is this tax relief necessary and are the provisions sensible? Let me deal with the details before discussing the principles.

New clause 21 contains an attempt to prevent tax avoidance. As the Minister said, when the relief was originally introduced, it was not intended that it could be abused in the way that it has been. My concern is whether new clause 21 will be sufficient. I predict that we will be back here, perhaps not next year but the year after, discussing other anti-avoidance measures to stop the abuse of this tax relief. That is what happens when reliefs are provided in this way.

Proposed subsection (2)(c) provides that

> "a significant proportion of the earnings from the film should be obtained by such exhibition."

Making a judgment will be extremely difficult. When one is making a film and looking at a business case, presumably one looks at the future revenue projections, such as sales of videos, DVDs, television rights, and so on. The business case might not be disclosed to the tax authorities if the film makers wanted to ensure that they obtained the tax relief. There will still be many ways in which to get round these provisions.

I do not know whether this is the first time in tax legislation that the words "quiz show" have appeared. The new clause refers to a range of different types of programmes; it has to be extremely specific to ensure that abuse does not take place. I am worried that the tax commissioners will determine whether something is a film or a quiz show. Will there be case law on that? I can see the policing costs mushrooming in the future. So although the Government are quite right to want to tighten up the provisions, I am worried that they have not gone far enough.

When the Paymaster General was discussing new clause 22 she said, almost as an aside, that although the new clause restricts relief, providing transitional relief in the process, the costs in the coming year will be about £50 million. That is an awful lot of money. The right hon. Lady says that it will not reoccur because it is transitional, but let us imagine what £50 million could have done for an endowment for a higher education institution, providing training and education for the skills that people need in the industry.

We will still be spending significant sums on giving the industry tax relief. The question that the House should really address is whether those sums, directed in a different way, would help the wider industry, the individuals who work in it, and UK plc overall. Should we be giving tax relief to those who are effectively the companies' shareholders, although they may be few in number, rather than investing in the skills and talents of British people who would work in the United Kingdom and abroad? I fear that we may be choosing the wrong method to support the industry by investing in shareholders rather than the skills and talents of British people.

Adam Price: Does the hon. Gentleman accept the point made by the right hon. Member for Islington, South and Finsbury (Mr. Smith), that the reality of the industry is that there is strong tax competition and there simply will not be a film industry in the UK unless we offer tax relief to support it?

Mr. Davey: My concern with that argument is that the logic of it is that the UK Government should respond to every tax relief given by every other country and should engage in a competition of tax reliefs across the world. We live in a global economy and globalisation affects many industries, not just the film industry. If this is the first example of the Government and the country giving in to such pressures, it is a severe mistake. Rather than getting into that battle, we should invest in our people; that is the best way to secure our future.

As the Paymaster General said, one of the reasons why the Government gave the relief was because they believed that the risks faced by the particular type of companies involved were significant and that there were higher risks than in other industries. That creates a disturbing principle. Will the Government give a series of reliefs to industries involved in high risk? Should we have a tax relief for impresarios who take on the risk of a theatre production? Should we have tax reliefs for the risks involved in developing a new record, and for all high-risk industries?

Should we have tax relief for North sea oil companies, who are clearly engaged in risky ventures and do not appear to be enjoying the generosity of the Government tonight? If we are going to give tax relief because an industry happens to be particularly risky—in this case, the film industry—how far do we extend that principle? It is a worrying principle.

Mr. Chris Smith: The hon. Gentleman dismisses the point about global competition far too lightly. This industry is far more mobile than virtually any other industry across the world. The industry is ready to move a major investment in production from one tax environment to another, depending on the relative attractions of those tax environments; much more so than virtually any other industrial activity.

Mr. Davey: The right hon. Gentleman accentuates my concern. Will we have a new principle, concerning mobility of capital? There are many other industries that, arguably, are even more mobile than the film industry; for example the IT sector—later we will discuss IR35—in which we have seen the mobility of capital and labour. If we decide our tax policy simply and purely on that basis, we will be handing tax relief after tax relief to industry after industry. We have to be exceedingly careful.

The Government were ill-advised to go down this route in the first place. We will be coming back and passing further anti-avoidance legislation for this relief year after year until a future Government have the courage to say that enough is enough. If we are going to promote the industry, we should do so by investing in the training and education of the people who work in it, and not a few shareholders who may not be United Kingdom citizens.

Mr. Mark Field: I agree in part with some of the well-made points of the hon. Member for Kingston and Surbiton (Mr. Davey), particularly in relation to the worry that we may come back in years to come to try to correct other sorts of tax avoidance. Of course, that is the very nature of the tax advice given in all industries.

5.30 pm

I represent the constituency in which the home of the British film industry—Soho—is located. Unlike the right hon. Member for Islington, South and Finsbury (Mr. Smith), I have no other declarations to make. I must confess that the Government have got things just about right. Because such relief was widely regarded as open to abuse, the film business's great worry was that it would be scrapped entirely, in the way that the hon. Member for Kingston and Surbiton suggests it should be in future years.

Mr. Iain Luke (Dundee, East): The hon. Gentleman mentions, as he did in Committee, that the film industry is located in Soho, but does he not accept that many small production companies in Scotland and elsewhere benefit from this relief, given the efforts of the Scottish Executive—and, indeed, of the Welsh Assembly—to encourage filming and film production as a means of stimulating the economy in areas outwith London?

Mr. Field: I was not trying to claim exclusivity for my constituency, and as we speak, new film businesses are doubtless springing up in every last suburb of Dundee.

As I said, the Government have more or less got the matter right, and the film industry's great worry was that, if widespread abuse were perceived, the relief would be scrapped entirely. I am glad that the Government took on board several of the issues concerning transitional relief that Opposition Members raised in Committee, and I am encouraged by the Paymaster General's comment that roughly 80 per cent. of film projects will be saved under her proposals. I take on board the comments of the right hon. Member for Islington, South and Finsbury, who knows a great deal about this subject. It is clear that the matter will have to be re-examined, and if evidence were to come to light that we were losing significant business, the Government would doubtless want to do so during the course of a future Finance Bill. The original intention was to ring-fence tax benefits for the film industry, and although one might argue that the film industry is part of a global communications world that includes television and the like, that intention has clearly been open to abuse.

I hope that the Paymaster General is comfortable with the amendments. We will have to see how things pan out in future, and I shall continue to look towards the interests of a film industry that, hopefully, will remain strong in the years to come.

Chris Grayling (Epsom and Ewell): I begin by thanking the Paymaster General, and congratulating her on listening to the discussions in Committee, and to the other representations that she received. Through these measures, the Government have addressed the transitional issues in an admirable way, and I am grateful to her for that. I am also particularly grateful for the reference in new clause 21 to documentary programmes in which the dramatic content is substantial. There is an increasingly grey area in production, in terms of programmes with a substantial mix of documentary and drama, so that measure is especially welcome.

However, I retain two anxieties about the provisions in the clause, which were reflected in the comments of the right hon. Member for Islington, South and Finsbury (Mr. Smith). The Paymaster General said that the relief is used by large companies to gain financial benefit, but I remind her of what I said in Committee. It is not simply the majors that invest in and produce such programmes; we also have a thriving independent sector. Television mini-series, major television dramas and cinematic films are often made by the same companies. My anxiety is that we may lose some of the higher-quality international productions. More to the point, we could put our own industry at a disadvantage in competing in substantial markets—in which it is much easier to get major productions off the ground, as in the United States—and in those that offer tax incentives to their own industries.

I accept the Paymaster General's decision, but I ask the Treasury to keep the matter under review, and to be receptive to representations from the industry, in case there is a significant adverse effect on the production of major dramas in the United Kingdom. Should that happen, I hope that she will remain sufficiently open-minded to revisit the issue.

I would be grateful if the Minister would also give a commitment to keep the issue of different distribution channels under review. I mentioned the issue in Committee, because it is far from clear that cinema will continue to be the sole driving outlet for independent producers. I gave the Minister examples of the development of online technology, which may lead to theatrical productions being produced not for the cinema but for an environment in which the same risks are taken—perhaps pay per view or as part of a subscription service, but not the conventional linear television channels that we have known for many years.

I hope that the Minister will keep under consideration the changing nature of outlets and seek to be sure that the restriction of the relief to productions destined for a theatrical release is not stifling creativity in the independent sector. That sector is seeking new outlets and opportunities to develop its talents.

I am grateful to the Minister for what she has done, but I hope that she will keep those two points in mind.

Dawn Primarolo: A great misunderstanding has arisen about what we are discussing today. We are discussing a relief that was introduced following the Middleton report on film finance in 1996, which focused especially on the long-standing structural problems of the British film industry. The main relief sought to redress market failure and respond to the fact that British film-makers are denied access to the market and can make films only at considerable risk. That is because of the structure of the industry and, in particular, the distribution of films.

The main relief, which we are attempting to return to its original intention, is intended to stimulate the production of low-budget British films for distribution in the cinema. If the House wishes to have a discussion on whether to have a tax relief for high-value drama on television, that should be a separate discussion. The issue before us is the relief and whether it should be returned to its original intention, as the Government have sought to achieve.

The UK is not unique in using the tax system to overcome those specific problems. Many other countries do the same, including Australia, Canada and Ireland. Increasingly, eastern Europe is introducing similar reliefs for the same reasons.

[Dawn Primarolo]

We do not need to have a long debate about the value of encouraging the British film industry and, especially, the production of low-budget films. The relief was never intended to help to subsidise American companies' inward investment in making dramas for television. The hon. Member for Kingston and Surbiton (Mr. Davey) thought that the £50 million cost of the transition to 2003–04 was enough. However, if the Government had decided to allow relief to the production of high-value television drama, which is what attracts the inward investment, and had put a figure of £1 million per hour on that, the cost to the Exchequer would have been £100 million-plus a year. That investment by the Exchequer for £150 million of inward investment from film production and financing companies would not be a good deal for the taxpayer.

We have to consider whether the United Kingdom has the skills and critical mass to attract the production of those films—we do—and whether we have a structure that helps. We are talking about films costing £15 million. That is what we call a low-budget film. We are trying to encourage those films and help the industry to blossom and grow.

Mr. Chris Smith: Will my right hon. Friend also take into account the economic impact on the Exchequer and our whole economy of the 60,000 working weeks of employment that such investment would generate?

Dawn Primarolo: I considered the employment question very carefully, and I have to tell my right hon. Friend that, regrettably, although the relief is claimed on the full production expenditure of those dramas, sometimes as little as 20 per cent. of the expenditure occurs in the United Kingdom. When we look at the industry's structure, we see that people are employed in many different parts of the industry and that they move around. The industry is not wholly dependent on such inward investment.

I also have to tell my right hon. Friend that I have considered the inward investment issues very carefully. I have not ignored them, but the difficulty is that we have to consider whether any contribution would be made to the industry's development if a British company made a television drama costing £800,000 and did not receive the relief, but a high-value drama did—or, vice versa, whether a wholly British company should not receive the relief and, for example, American finance company should.

Mr. Edward Davey: I congratulate the Paymaster General on not listening to those voices and on saving the taxpayer £100 million. Although the relief will be restricted under the Bill, what will the ongoing cost be to the taxpayer?

Dawn Primarolo: I had that figure to hand a moment ago because I thought the hon. Gentleman might ask me about it, but I have put it down. I believe that the ongoing cost of the relief is about £70 million, but I will certainly check that figure, and I will write to the hon. Gentleman if it is incorrect.

This is not a "push me, pull you", "congratulate you on listening, congratulate you on not listening" game. As a Treasury Minister, I have sought to consider the arguments put before us on the relief's importance to the industry, on the impact on low-budget films in particular and on the industry's structure and employment. I have considered whether it was fair to allow the relief to be used in a way that was never intended, whether it represented a good investment for the taxpayer and whether the Government were behaving fairly in relation to taxpayers' legitimate expectations.

The Government's underlying view, which is not shared by the hon. Member for Kingston and Surbiton, is that we are committed to the British film industry, and we intend to continue to be committed to it. However, we will not allow parts of the industry that do not require the relief to get it, thus bringing into disrepute a relief that was intended for small producers, as I have said.

My right hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) and the hon. Members for Epsom and Ewell (Chris Grayling) and for Kingston and Surbiton asked whether the Government would continue to review this issue. First, there is no question but that the Government will keep a very close eye on how this relief is used, the costs, and whether it is stretched beyond what is intended. In response to the hon. Member for Kingston and Surbiton, I am as confident as I can be that the Government have made the necessary corrections, but there are some very clever tax planners, who work very long hours for very high fees, and I am not in a position to say that they will never find a way around this provision. That is a fact of life, and that is true of any relief.

I will confirm, however, that this relief expires in 2005. Clearly, the Government and the House will need to take a view at that stage about whether it is the best way to continue to give encouragement and support to the British film industry. I will also bear in mind the comments of the hon. Member for Epsom and Ewell with regard to the different distribution channels, online developments and so on. To return to my point about £1 million per hour allowing access to relief, when I examined which categories of companies might gain as a result, I saw—looking at the development and movement of the industry—that they were not start-up companies or those to which the hon. Gentleman referred. Those companies are at the other end of the chain, where the low-budget British films are made. We must strike a balance in relation to whom we support in the industry.

I assure the House that I will consider this issue very carefully, now, throughout the rest of the year, and, if I am still the Minister responsible, when it is up for review in 2005—I would have considered it very closely by then. I assure the House that whoever has responsibility for this relief would have done so, and that those issues that hon. Members have raised will be considered in the round. However, I cannot give any hope at this stage—it would mislead the House were I to do so—that we will change our minds on the question of high-value television drama. I do not have a closed mind on the matter, but I have not been convinced, and there is no substantive evidence to justify providing that relief. I could not therefore recommend it to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 22

FILMS: RESTRICTION OF RELIEF FOR SUCCESSIVE ACQUISITIONS OF THE SAME FILM

'(1) Relief under section 48 of the Finance (No. 2) Act 1997 (c. 58) (relief for expenditure on production or acquisition of film with total production expenditure of £15 million or less) in respect of acquisition expenditure is available only in relation to an acquisition—

- (a) by the producer, or
- (b) directly from the producer,

and not in relation to any subsequent acquisition (or in relation to any acquisition within paragraph (a) or (b) other than the first).

(2) For this purpose—

- (a) "acquisition expenditure" means expenditure to which subsection (3) of section 42 of the Finance (No. 2) Act 1992 (c. 48) applies (relief for acquisition expenditure);
- (b) "acquisition" means acquisition of the master negative of a film, or any master tape or master disc of a film, within the meaning of that section; and
- (c) "the producer" means the person who commissions the making of the film and is entitled to control its exploitation.

(3) This section applies to acquisition expenditure incurred on or after 30th June 2002.

For this purpose when expenditure is incurred shall be determined as for the purposes of section 48 of the Finance (No. 2) Act 1997 (c. 58) (see subsection (9) of that section).'.—*[Dawn Primarolo.]*

Brought up, read the First and Second time, and added to the Bill.

Clause 99

FILMS: RESTRICTION OF RELIEF TO FILMS GENUINELY INTENDED FOR THEATRICAL RELEASE

Amendment made: No. 13, in page 76, line 13, leave out Clause 99.—*[Dawn Primarolo.]*

New Clause 1

SUPPLEMENTARY CHARGE IN RESPECT OF RING FENCE TRADES: FINANCING COSTS

'. After section 501A of the Taxes Act 1988 insert—

"501AA Supplementary charge in respect of ring fence trades: financing costs

The adjusted ring fence profits of a company shall be computed without regard to the assumptions in section 501A(3) to the extent that the financing costs are incurred for the purposes specified in section 494 (2)(a)(i) and (ii) of this Act.".'.—*[Mr. Flight.]*

Brought up, and read the First time.

5.45 pm

Mr. Flight: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: New clause 2—*Termination of supplementary charge*—

'. After section 501B of the Taxes Act 1988 insert—

"501BA Termination of supplementary charge

The provisions of section 501A shall cease to have effect for accounting periods beginning on or after 31st March 2005.".'.

New clause 3—*Supplementary charge: termination*—

'. Section 92 above shall have effect for a terminal straddling period beginning before 31st March 2005 and ending after that date.'.

New clause 4—*Ring fence trades: capital allowance supplement*—

'. After section 501AA of the Taxes Act 1988 insert—

"501AB Ring fence trades: capital allowance supplement

(1) A company's adjusted ring fence profits for an accounting period shall be subject to a deduction for the capital allowance supplement.

(2) For the purposes of subsection (1) above the capital allowance supplement is the amount A + B where A and B are as calculated below—

- (a) A = 10% x C, where C is the written down value at the end of the immediately preceding accounting period of the separate plant and machinery pool of expenditure required pursuant to section 162 of the Capital Allowances Act 2001; and
- (b) B = 10% x D, where D is the written down value at the end of the immediately preceding accounting period of expenditure qualifying for allowances under Part 5 of the Capital Allowances Act 2001.

(3) For the purposes of computing the capital allowances supplement only, any expenditure incurred on or after 1st January 2003 qualifying for capital allowances under the provisions of Part 2 or Part 5 of the Capital Allowances Act 2001 shall be ignored.

(4) For the avoidance of doubt, the capital allowances supplement for an accounting period shall not reduce the amount of unrelieved qualifying expenditure carried forward into the following accounting period for the purposes of any provision in the Capital Allowances Act 2001.

(5) Where an accounting period is less than twelve months the capital allowances supplement shall be restricted to the amount given by the following formula—

(A + B) x E/365

where E is the number of days in the accounting period.

(6) The provisions of this section shall have effect for the company's first accounting period ending on or after 1st January 2003.".'.

Amendment No. 42, in clause 63, page 41, leave out lines 13 to 27.

Amendment No. 43, in clause 91, page 64, leave out from beginning of line 34 to end of line 33 on page 68.

Amendment No. 44, in schedule 21, page 252, leave out from beginning of line 5 to end of line 30 on page 257.

Mr. Flight: I add my congratulations on your coming silver celebration, Mr. Deputy Speaker, although I seem to remember that you were first elected to the House nearly 32 years ago.

These four new clauses, and the Scottish nationalist amendments, are self-evidently about what we view as the Government's unwise and excessive taxation of the North sea industry. The Scottish nationalist amendments simply propose to reverse both the taxation and the new capital allowances. Our new clauses, which are supported by the Liberal Democrats and the Scottish nationalists, seek to alleviate the effect of those measures.

Somewhat typically, when the Chancellor of the Exchequer responded to my hon. Friend the Member for Epsom and Ewell (Chris Grayling) on 20 June, he candidly displayed an arrogant and unwise attitude to this issue. He commented that he hoped that Members would not fall for the industry's propaganda and he argued that the 100 per cent. investment allowance would

"make it more profitable to develop new oil fields".

[Mr. Flight]

That is absolutely not the case for the new operators that have no profits. He also argued that the British tax regime would be

> "more favourable than that of other countries."—[*Official Report*, 20 June 2002; Vol. 387, c. 400.]

As I will show later, that is also not the case.

I respect the noble efforts of the Paymaster General to put the Government's economic case, but the essence of our case is that these taxes will cause serious damage to North sea oil recovery in the coming years. As everyone knows, the North sea field is at a very mature phase, and most subsequent recovery will depend on smaller, newer companies. Many of them will not have the profits to qualify for the 100 per cent. allowance.

Have the Government even considered the fact that the projected average fall in North sea oil production is 1.5 billion barrels a day, which is the equivalent of a cost of £12 billion to the current account deficit, which is already at the highest real figure on record? According to the Government's own assessment, it is calculated that the measures will lose 50,000 jobs by 2010 and £10 billion-worth of capital investment. If we add up the loss of income tax and national insurance revenues and the potential welfare costs, it is unlikely that the Government will see more than half the tax take projected for the measures.

The Government were extremely unwise to act in bad faith in relation to the substantial £4 billion—a figure much higher than in previous years—of new investment that resulted from the PILOT collaboration. The former Secretary of State for Trade and Industry—yet again, the right hon. Member for Tyneside, North (Mr. Byers)—assured investors of the future stability of the tax regime that prevailed. However, investors have been zapped with an extra 30 per cent. of taxation without even being able to benefit from the capital allowances on the new investment that they have made.

The Government try to argue that they have warned the industry since 1997 that they were going to raise taxation, so I place the Chancellor of the Exchequer's remarks on the record again. He said:

> "It has been put to me that the North sea oil companies earning higher profits from higher oil prices should be subject to special taxes, but I can tell the House that I am determined not to make short-term decisions based on short-term factors. The key issue is the level of long-term investment in the North sea. This will be the approach that guides tax decisions in future."—[*Official Report*, 8 November 2000; Vol. 356, c. 317.]

We would argue that the Chancellor has stood his promise on its head and introduced tax measures that will clearly reduce investment in the North sea.

The Government have based their arguments for extra tax on the excessive returns that have been made, and they have quoted the return of 34 per cent. achieved in 2000 at the top of the cycle. The industry has responded by quoting returns on investment since 1996, and those figures are most relevant for the future. They show a return of only 7.2 per cent., reducing to 5.9 per cent. after tax. In the whole decade of the 1990s, the average return was 14 per cent. before the new tax was introduced.

I turn to the fundamental reason why it is economically unwise to increase North sea taxation at this point in the oil price cycle given that the North sea field is in its mature phase. Taxation of oil and gas provinces needs to reflect the relevant basin's geological realities as well as their maturity. The average UK continental shelf discoveries now contain only 25 million to 30 million barrels of oil equivalent. By comparison, the figure is 100 million barrels in Norway, 150 million in the gulf of Mexico and 350 million in Angola. The UK continental shelf is virtually the most expensive province in the world in which to engage in activity. Development costs average $4 a barrel; operating costs add another $4 a barrel; and exploration and appraisal costs add a further $4 a barrel.

According to the recent Wood Mackenzie study, of 59 recent developments, only one province—the east coast of Canada—is more expensive than the UK continental shelf. The study ranked the UK continental shelf as 31st out of 51 countries in terms of exploration attractiveness and concluded categorically that there was no room to extract additional fiscal rent from the UK continental shelf.

Those findings reflect the fact that the North sea field has entered its most difficult phase as it declines and enters maturity. Average discovery sites are likely to be much smaller than in the past, and discoveries will be more difficult to make and more expensive to develop. In short, North sea activity is far riskier than it has been and the fiscal regime needs to reflect that fact and compensate for the high costs and geological realities. It should not add extra penalties in the way that it is now doing.

The Government will argue that some UK continental shelf fields have been very profitable in the past and have been highly taxed. However, in reality, it was only the hope of discovering such profitable fields that provided the incentive to future activity and to overcoming technical barriers. Indeed, there has been far greater extraction from the North sea than was previously predicted. There is little hope of discovering such profitable fields in the future if success is to be excessively penalised on the rare occasions that a profitable field is discovered.

Some have argued that our fiscal regime is generous. However, the facts, when properly analysed, do not support that view. Allowance must be made for geological realities and, even before the Budget, taxes imposed on the UK continental shelf ranged from 30 to 69 per cent. depending on a field's age and profitability. Those taxes have now gone up to between 40 and 74 per cent. They are high tax rates for a province that has high costs, poor prospects and small fields.

The Government have relied on analysis that assumes much larger fields than are found in the North sea and lower development costs. If allowances are made for the differences, the British tax regime is considerably less attractive than appears on a shallow analysis. Other basins in other countries are more attractive. For example—comparing like with like—the top rate of tax in the gulf of Mexico is 44 per cent., in Norway 78 per cent. and in Angola 68 per cent. Those are some of the UK continental shelf's main competitors, so the Chancellor's comment that the UK has one of the most attractive tax regimes does not stand up.

Chris Grayling: Does my hon. Friend agree that one of the most fascinating elements of the Chancellor's reply to my question of 20 June was that, although he said that he was creating a wonderfully attractive environment in the North sea, he admitted that he was taking £500 million out of the industry? It beggars belief that any Chancellor of the Exchequer could believe that one could take £500 million out of an industry and benefit it.

Mr. Flight: I thank my hon. Friend for making that point clear. However, the Chancellor was wrong even on this issue. The leading expert, Professor Kemp, has estimated an additional tax bill of £7.6 billion for the industry as a whole up to 2010. That is considerably more than the £500 million per annum quoted. I repeat that although the tax revenues are greater than the Government are letting on, the tax losses will be significant as a result.

6 pm

New clause 1 would allow the financing costs incurred for the purpose of the ring-fenced trade to be deducted to reduce the profits on which the supplementary charge is levied. Hon. Members will know that the supplementary charge of 10 per cent. on the profits of UK companies arising from oil and gas extractions is levied without deducting the costs of financing the trade. In addition to being charged on profits that do not reflect the commercial reality of the businesses, because companies have to finance the investment in the expensive plant and machinery required for oil and gas extraction, the supplementary charge denies a deduction for financing costs. That will make the UK much less attractive, especially to overseas investors and smaller investors who are crucial to further exploitation of the North sea.

For overseas-based businesses, the interaction of UK and overseas tax on profits will be such that the United States of America and France in particular will allow only their residents to credit the foreign tax paid if financing costs have been deducted when calculating taxable profits. In other words, the effect of the financing costs not being tax deductible and the newly defined additional taxation not being a straightforward corporation tax will be the loss of double taxation treaty benefits.

No doubt the Government will respond by saying, "Hard luck", because they think that the interest deductions from which the industry has benefited have been too great. No doubt they also believe that although the costs will not qualify for double taxation, they might qualify as an expense. Those are not the fundamental issues at stake on the double taxation arrangements, however. The Revenue has received no response from the IRS to its inquiry about the new charge. However, the tax counsel to Mobil Oil advised definitively that the result will be unfavourable and the new cost will not be allowed.

Malcolm Bruce (Gordon): The hon. Gentleman makes an important point. Does he find it extraordinary that the Government are so willing to acknowledge the problem that they have written to the IRS, the tax authority in the United States, asking it to consider reviewing its tax policies as a result of changes to UK tax? Do they really think that that is likely? How would the Inland Revenue respond to America trying to change our taxes?

Mr. Flight: I thank the hon. Gentleman for his common-sense comment. It underlines the fact that the costs will not be allowable under double taxation treaties and, according to all the tax advice that I have received, I am afraid that the Government and the Revenue will get a response from the IRS to that end.

New clauses 2 and 3 address a separate territory. They would bring the supplementary charge to an end by 31 March 2005 and negate it if the price of oil falls significantly in the meantime. That is designed to give the industry an idea of how long the windfall tax will apply and could help to encourage investment today in fields that are expected to be profitable in a few years' time.

The interaction between accounting requirements and tax arrangements is an important consideration. The key result would be that the 2002 earnings of oil companies will not be hit as dramatically. I am sure the Government would not welcome further downward spirals in share prices if pension schemes are unable to pay the pensions to which they are committed when the measure makes its way through to oil prices. The Government's response is likely to be that they want a stable regime, but it is self-evidently a disaster to have the stable regime that this Finance Bill institutes if it is no good for the industry, the country or our external overseas accounting position.

New clause 4 would allow accelerated capital allowances on new assets used in a ring-fenced trade. As we debated in Standing Committee, we want to take a cash flow advantage approach, which does not reduce the total tax payable over the life of the project or improve accounting profits. The new clause would allow an extra 10 per cent. deduction over and above normal capital allowances in 2003. It would apply only to assets acquired before 1 January 2003 on which normal non-accelerated allowances were claimed.

We want to reduce some of the bad faith evidenced in the PILOT encouragements. The Government have been stonewalling by denying that there is bad faith. For the past 20 years, transitional arrangements have been available when significant changes have been made to the tax regime. If the Government argue that there is the odd historic case of a retroactive tax, measures have been designed to offset those. The key problem for the oil extraction industry is that it perceives two major risks: first, the operating risk of the oil price; and, secondly, the operating risk of a Government who have a regime that lacks fiscal integrity in terms of what the future will hold. If the risks increase, the returns have to increase to justify the same investment by having a higher risk:reward ratio.

I pay tribute to the efforts of the hon. Member for Waveney (Mr. Blizzard) for his attempts to get the Government to see sense. I am aware that Scottish MPs have been involved in significant lobbying behind the scenes, but they have been feeble in not defending their homeland in public. The industry employs 6 per cent. of the labour force in Scotland.

Mr. Alex Salmond (Banff and Buchan): The hon. Gentleman puts at risk his cross-party support. I take it that when he says "feeble" he is referring to Scottish Labour MPs.

Mr. Flight: Indeed I was. I thought I made that clear. However, I am sure that anyone who appreciates what is at risk would have wanted more Scottish Labour MPs to join the Scottish nationalist MPs, the Liberal MPs and Conservative MPs in speaking out against the wanton damage that will be caused, and the wanton reduction of the prospects for recovery in the North sea. No doubt they would also have wanted them to speak out against

[Mr. Flight]

measures that will reduce investments substantially, destroy jobs and boost an already vulnerable current account deficit to the extent of £12 billion per annum.

Mr. Bob Blizzard (Waveney): As I said on Second Reading, I very much welcome efforts to raise more money for the NHS, but I am concerned about the Bill's effect on future investment in the United Kingdom oil and gas industry. That is important not only to local economies in many parts of the country, such as my own, but to the country generally, because investment in the industry has amounted to about 16 per cent. of total industrial investment over many years, which means that it has generated a lot of employment.

Having listened to debates on this subject throughout the Bill's proceedings, I still find it hard to see how a big increase in tax cannot have some effect on that investment, whether it be a reduction in the cash flow from the existing fields which is available for reinvestment or an impact on the psychology of investors who have just taken a hit, perhaps shaking confidence in investment.

Behind the measure lies the argument that the oil and gas companies make big profits. They certainly do in bumper years such as 2001, when we had high oil prices, but they do not make big profits all the time, as we can see by looking at returns over the full cycle or over the full lifetime of individual projects. The return on capital employed over those periods is not greatly different from that in other industries.

The hon. Member for Arundel and South Downs (Mr. Flight) quoted a figure of 14 per cent. over time, before corporation tax is taken into account. That compares with returns of between 11 and 13 per cent. for other companies in non-financial sectors over, say, a decade. That has to be the case, or everybody investing in stocks and shares would just plunge all their money into oil and gas. It would be the only game in town and those companies would constantly be at the top of the stock market. No one would need to engage a financial adviser.

Oil exploration and production is a risky business, and companies find many expensive dry wells or uneconomic fields in an area before they discover the successful ones that make money. Fiscal stability is therefore an important factor when companies are making plans, and it has been seen as one of this country's great strengths. As we know, the industry is arguing that that fiscal stability is now at an end, so it has to factor a fiscal risk into its calculations for future investment, which adds to the overall risk.

The Treasury argues that fiscal stability has now been achieved and that the review started in 1997 and halted in 1998 has now concluded. The essence of its case is the argument that although it is unquestionably taking more money out of existing developments, the fiscal position for new developments is improved by the combination of 100 per cent. first-year capital allowances and the supplementary charge. The industry's figures, which I have seen and which have, I know, been presented to the Treasury, also show that to be the case, on paper. The argument is about whether the reality is more complicated.

The industry's figures also show, however, what happens if fiscal risk is factored in and corporation tax of 40 or 50 per cent. applies. In that analysis, the fields do not work at all. The Treasury says that it would never set the tax at 50 per cent. because that would kill everything off, but at 40 per cent, the fields still work.

6.15 pm

Notwithstanding that argument, we have to consider now the key question of how we can maximise investment in what will clearly be a new regime of a 10 per cent. supplementary charge and 100 per cent. capital allowances. The key issue, which is the subject of one of the amendments, is financing costs. We know that, over the years, companies have normally been allowed to offset them against corporation tax, but it is proposed to change that so that they will not be creditable against the supplementary charge. That is absolutely relevant to new development, and we have to be extremely careful that it does not act as a disincentive that will undermine the incentive given by the Treasury in the 100 per cent. capital allowances.

I have been asking why the measure is necessary. The answer given in the Committee of the whole House was that it is important if the supplementary charge is to work; otherwise there would be scope for companies to manipulate their financing costs so that they could offset more than is justified against the new charge. The industry maintains that that is not possible under the existing regulations and the close scrutiny by the Revenue.

Will the Financial Secretary tell us exactly what loopholes the measure is designed to plug, and will she deposit that information in the Library? I realise that it is not normally the business of the Treasury to broadcast the existence of loopholes, but if the Government are introducing measures to plug loopholes, it would be helpful to know what they are. We would then be able to see clearly whether there is a need for a measure preventing financing costs from being offset against the supplementary charge.

I fear that if we have got this wrong, it will create unnecessary problems, even within the new regime, for certain types of company whose continued investment in the North sea is desperately needed. The first type is smaller companies, for which financing costs assume a greater proportion of their costs. They have a vital part to play in the development of the North sea. The experience in other mature provinces around the world is that smaller independent companies—the experts who get stuck in—are the appropriate ones to go after smaller reserves and make money by extracting them. We want to ensure that those small companies, which the Government accept have a part to play in future, are not put off by the measure.

That is particularly the case with new entrants. We have managed to attract 23 new entrants to the North sea since 1997. We know that they will not get the real benefit of the 100 per cent. capital allowances because they have no profit in the first year against which to offset them. I know that they can roll them over, but they would then have, for example, 25 per cent. allowances for four years, which is what they already have. Financing costs are an important consideration if we are to encourage new entrants.

Another reason for considering the measure carefully concerns the origin of much of the investment—parent companies or venture capitalists in the USA. There are issues of double taxation which are not yet clear. I know that the Government have written to the IRS in the hope of clearing up the matter through double taxation treaty agreements. I fear, however, that until that agreement is confirmed by the IRS, investors will not go ahead in case they are caught by the measure. Furthermore, I am told that if the financing costs are not creditable but companies take them as an expense, the measure will still make a difference of about 6.5 per cent., which might make the difference between investing here or in another country.

I ask Ministers to try to find an alternative way of protecting the supplementary charge—the Treasury introduced it, so it will want to protect it—that does not have the negative effects on smaller companies and new entrants that I have described. In addition, it would be helpful if the measure and the reasons why it is needed were set out clearly for us to see.

At the core of the issue are the integrated companies that have both upstream and downstream activities, and the fear that money might be moved between the two spheres of activity. However, new entrants, smaller companies and independents are not downstream companies; they are only upstream companies. If we carry on as we are, those companies will be hit by a measure that is presumably not designed to hit them, so we must make sure that it does not. Those who have been bitten by the supplementary charge might—rightly or wrongly; it depends on what view one takes of the argument about fiscal stability—be shy of further investment, but we cannot afford to deter new and smaller companies.

Royalty is part of the package, and it is important that we proceed quickly with the consultation that will lead to its abolition. Everyone seems to agree that it need not take long as it is a technical consultation, not a full public consultation. I worry that the longer we leave the position on royalty unattended, the longer we will hold back the investment we need, even under the new regime. It will therefore be helpful if the Minister says something about royalty tonight and confirms that once the consultation is over, the Chancellor can abolish royalty without further legislation, and can fix whatever operative date he wants—even today, if he were so minded.

Malcolm Bruce: I am pleased to follow the hon. Member for Waveney (Mr. Blizzard), who made a characteristically well-argued and consistent contribution. He spoke about real issues that are clearly affecting the industry. Although the Government have to some extent acknowledged those issues, they have not yet answered them. All of the participants in the debate would like to know how the Government can acknowledge the problems, but leave them unaddressed.

The impact of the changes is real and perceptible, not theoretical. As I said in the Committee of the whole House, I have been indirectly or closely involved with the industry for more than 30 years. Thirty years ago, oil and gas was a boom industry—a crazy industry. Everyone was scrambling to get the stuff out and money was almost no object. There was an OPEC-induced oil crisis and the Government were interested only in getting the oil out and resolving the balance of payments position; they would worry about the regime later.

Now, the position is completely different. The North sea is, in the precise term used by the industry, a mature province, which means that marginal rates of return are being squeezed and the risks are higher in a high-cost area. The Government appear to have picked precisely that moment to create a new pressure on an industry which already has enough pressures on it simply because of where it operates. I urge the Government not to discount the actual and the psychological effects of the change.

The industry believed that it had established a relationship with the Government that was based on a recognition that it should be treated as an industry, not merely a source of revenue, and provided with a regime that created a climate conducive to long-term investment. The least it should have been able to expect is not that there would never be any tax changes, but that changes would not be introduced without proper consultation, transitional arrangements, and a willingness to hear the industry's explanations of how Government proposals might adversely affect investment. In reality, however, the industry has had to make that case after the Government have made their decision. In the past five years, the industry has invested £23 billion on the presumption that either the existing regime would continue, or any change would, first, be negotiated, and, secondly, allow for transition. Companies that have made investments on the basis of the pre-Budget regime are understandably extremely miffed that they have been treated in such a fashion.

Companies that made calculations based on assumptions about the oil price that were not borne out have also been hit. The Government can say, perfectly reasonably, that the risk in the industry is that the oil price fluctuates; the industry has to calculate that fluctuation and build it into its risk assessments. However, I should have thought the Government understood that an industry that has to deal with an extremely volatile fluctuating commodity price could do without a similarly volatile fluctuating fiscal regime. The combination of those two factors substantially increases risk.

The Government seriously underestimate the damage that is being done to this country's reputation for promoting inward investment and industry. The new tax regime wholly contradicts the very rhetoric that the Chancellor placed at the heart of his Budget. He expressed his desire to create a stable, predictable corporation tax regime for business in general in the United Kingdom, so as to make the UK an investor-friendly, business-friendly economy. If that is what he wants for every other sector of the economy, why has the oil industry been singled out as not entitled to benefit? We can legitimately seek an answer to that question.

The new clauses deal with the specific concerns that have been identified by the industry as "addressable". The industry wants the Government to rethink its approach to those matters. The hon. Member for Waveney stated well the Government's argument that they cannot allow financing costs to be offset against the windfall 10 per cent. The implication of that argument is that they do not trust the industry. They will allow the industry to fiddle the other 30 per cent., but not the 10 per cent. margin. However, as the hon. Gentleman said, the Inland Revenue is perfectly well aware of the regulations, so it would be interesting to hear precisely how much abuse the Government think is going on. Much more to the point, many of the smaller companies, by definition, finance their projects by going to the market to secure finance. They have real, not theoretical, financing costs which they

[Malcolm Bruce]

assumed they would be allowed to offset in a proper way that, in the case of American and French companies, conformed to double taxation agreements.

In the previous debate, the Government acknowledged that problem and said that they have taken up the matter with the American tax authority, the IRS. As I said in my intervention on the hon. Member for Arundel and South Downs (Mr. Flight), if the Government admit that the problem is severe enough for them to ask the American IRS to consider changing the regime, are they prepared to revisit the issue if the IRS declines to do so? Alternatively—or additionally—are the Government prepared at least to engage, or to allow the Inland Revenue to engage, in negotiations with individual companies that can demonstrate that the offset is crucial to the viability of their project and that the project will not happen without it? That would reassure us—and the Department of Trade and Industry—that the Government genuinely want to ensure that they do not seriously reduce the amount of investment that would otherwise take place.

I suspect that here we have a point of argument between Ministers, the industry and the Opposition. We genuinely believe that some investment—possibly a significant amount—is at risk and may not happen. The Government do not appear to accept that argument. At the heart of our concern is our genuine belief that investment will be prejudiced, further jobs will be lost, and some oil and gas that would have been recovered will not be recovered, at least in the short run, and possibly not at all. I therefore ask Ministers whether they are prepared to consider case-by-case representations rather than merely shut the door.

6.30 pm

Ministers have stressed that there is a package. Part of it is the capital uplift, which is a contribution for some companies, but not all, and does not quite offset the windfall. The other part is the abolition of royalties. I am told that £2 billion of investment is proposed in respect of fields that are paying royalties, but are clearly on hold. No company is going to commit itself to investing in a royalty-paying field until it knows whether, when and how the royalties will be abolished, so the £2 billion of investment is on hold until the consultation paper is published, all the consultation is concluded and the Chancellor makes his decision. I hope that Ministers will understand that speed is of the essence if that £2 billion is not to be lost or its investment is not to be unduly delayed.

The proposal for a three-year limit has genuine merit. First, it would close off what Professor Kemp has identified as the very high potential return to Government and cost to the industry in the later years, which are difficult to predict at this stage. As a number of industry representatives have said, such provision would enable them to say that the regime will either end or be continued, but only following further debate and consultation. There is genuine merit in the proposal, especially if the new arrangement is a windfall tax that is being imposed because of the high oil price. What the Government have said about that is contradictory. Is this a windfall tax or a permanent increase that makes the tax regime less attractive at a time when the industry is having more difficulty squeezing out marginal oil at higher costs and greater risk? Now does not seem the right moment to make a permanent change of that sort.

Chris Grayling: Like me, the hon. Gentleman will have seen the many references made by commentators in recent weeks to the potential problems that the Chancellor still faces in raising revenue for the latter years of this Parliament. Clearly, any fall in growth rates will also have implications for the Chancellor. Does he share my opinion that it is extremely unlikely that the tax is a windfall tax, as we cannot be sure that the Chancellor will be able to afford to give the money back?

Malcolm Bruce: That is a fair point, but Chancellors always have to consider the dynamic of their tax changes. I have drawn the following analogy before. When the previous Government's plans to introduce VAT on fuel were frustrated by the will of the House, they decided that they would further tax whisky, perhaps as a slightly spiteful revenge. As a result, demand for whisky fell so much that the following year, their net revenue from the spirits industry was reduced. The hon. Gentleman puts his finger on an important point: if the Government try to squeeze more taxes out of an industry that is marginal and mature when the economy is struggling, their actions will become almost counter-productive. They will depress the industry, the investment and the profits that they are trying to tax, and finish up promoting reduced revenue. That is a genuine issue that the Treasury will, of course, find impossible to quantify until after the event. Surely, it must bear that in mind.

It is certainly not possible to look at the North sea and say that the industry is booming and therefore deserves to have some money clawed back from its windfall profits. I understand that 11 rigs are currently stacked in the Moray firth. It is forecast that by the autumn, that number will have risen to 18. Nobody is suggesting that that is a direct result of the tax changes, but it is nevertheless an indication of reducing activity, and the tax change that we are considering will not stimulate new activity.

It is interesting to note two points made in the briefing circulated by BP. First, although the 100 per cent. capital uplift effectively reduces the tax burden in the first year, the whole package increases the tax take and reduces the return over the lifetime of the field. The Government know perfectly well that any analyst will consider the life of an investment and not only its first year. Although a contribution is made to that overall calculation, the net effect is negative.

BP, which is the biggest operator and UK company, is also saying that the North sea taxation regime now needs to be changed further. The industry is therefore saying not only that it needs concessions on the financing costs and the immediate abolition of royalties, but that further tax inducements may be necessary to ensure that it maintains its long-term commitment. It is often said, and it bears repeating, that the oil industry is a worldwide industry and that the North sea and the UK continental shelf are by no means the most attractive prospect for it. All the major companies operate worldwide and it is not that difficult for them to switch their investment to more attractive areas.

This debate started on the day of the Budget announcement, was conducted in Committee on the Floor of the House and has returned several weeks later, but a number of concerns remain on which the Government have acknowledged that there is a problem, but they are not prepared to address it. I ask Ministers to acknowledge the concerns that are being expressed by the industry, Opposition Members and, indeed, some Labour Members on the basis of a genuine commitment to ensuring that the North sea continues to be a major source of investment, employment and technical innovation. We are concerned that the Government, through the Budget, are encouraging the industry to take much of that activity outside the United Kingdom, which will damage employment, investment and technical innovation in the UK economy. I cannot believe that that was the Government's intention, but I urge them to recognise that it may be the consequence of what they are doing.

Mr. Frank Doran (Aberdeen, Central): I must confess to being one of those feeble Scottish Members of Parliament who have been doing all their lobbying behind the scenes. The comment that was made from the Opposition Front Bench either shows just how long it is since the hon. Member for Arundel and South Downs (Mr. Flight) was in government or, as I cannot recall exactly when he came into the House, demonstrates that he has not experienced government at all. Full-frontal attack is not always the best way of dealing with issues. The ability to sit down and talk directly to Ministers is more important, and I am very pleased about the access that Ministers at every level have provided for Scottish Members who are interested in discussing the issue. *[Interruption.]* The hon. Member for Gordon (Malcolm Bruce) comments from a sedentary position, but I can excuse him, as he has never experienced government and is never likely to do so, so such a way of operating will be completely alien to him.

The presentations from those on both Opposition Front Benches reveal one of the difficulties about this debate. On one side, it is clear—I am very clear about this—that the complaints made by the oil industry are wholly expected. I have listened carefully to the arguments and have engaged in debate with those involved, who are doing what is appropriate for them to do. However, the doom and gloom scenario does not reflect the debate in the industry, which is not unified on the issue. Certain companies, including one of the major ones, have been pressing the case very hard directly and through the United Kingdom Offshore Operators Association, but there is a much livelier debate below the surface.

The discussion is about the balance in the budgetary measures that affect the North sea. It is often conveniently ignored in public statements that the measure is not only about extra tax, although that is important, but about the balancing measure of the tax reliefs that have been provided. Yes, there are concerns about how those provisions will operate in practice, but the bulk of the industry is sitting down to see how particular companies will be affected by the new taxes. It is important to get that on record. The oil industry has a diversity of views on this as on every subject, but the only views that we are hearing at the moment are those of the Private Frazers—the doom and gloom merchants.

Sir Robert Smith (West Aberdeenshire and Kincardine): Does the hon. Gentleman recognise that some of the people expressing doom and gloom might be those who saw the royalties relief that was promised by the Chancellor as an important part of the upside? Even now, as we reach the final stages of the Finance Bill, the consultation paper on the abolition of royalties has yet to be published. Does the hon. Gentleman think that if the Chancellor is serious about that commitment, he should ensure that the paper is published?

Mr. Doran: I shall make my own contribution to that debate shortly. The hon. Gentleman makes an important point, but I may express it slightly differently.

In their new clauses, the Conservatives are trimming around the edges somewhat in that there is no direct attack on the 10 per cent. increase. The SNP amendments would simply wipe everything out to return to the status quo.

The allegation that I have heard most frequently in every debate on this matter concerns the stability of the tax regime, and Conservative Members mentioned it again today. In fact, the hon. Member for Arundel and South Downs went a lot further in his comments. He said, to quote him verbatim, "The UK tax regime lacks fiscal integrity as a result of this Budget measure." That is an extreme statement, and I find it difficult to see how he has reached that judgment.

Mr. Flight *rose—*

Mr. Doran: The hon. Gentleman is anxious to leap to his feet. Before he does so, it is important to say that although we need to have a debate, it must be conducted in a measured way, and his comment was a long way from reality.

Mr. Flight: With respect, I think that I made the point straightforwardly. In the past, Governments have always observed the principle that if the tax regime is changed, it does not affect existing arrangements. Even in the one or two instances where that was not so, compensation was made in other ways. That is not the case as regards this provision, which is why I, and many in the industry, believe that it does not have tax integrity. Moreover, it follows the Secretary of State for Trade and Industry having encouraged substantially higher levels of investment through the PILOT scheme and having implied that the existing tax regime was going to continue. It is a pity if the hon. Gentleman—

Mr. Deputy Speaker (Sir Michael Lord): Order. The hon. Gentleman's intervention is starting to become a speech.

Mr. Doran: I agree with you, Mr. Deputy Speaker. Methinks the hon. Gentleman protests overmuch. I shall remind him of some history. He may not have been around at the time of the 1993 Budget, when the Conservative Government did exactly what he is accusing this Government of doing. They introduced tactics of which the industry—at least, the bulk of the industry—had no advance warning. One company—I think that it was Texaco—signed a deal on the day before the Budget. On the following day, as a result of the Chancellor's statement, that deal lost it several million pounds. The company did not anticipate what was going to be in the Budget, and there was no consultation. That is exactly

[Mr. Doran]

what the hon. Member for Arundel and South Downs is accusing the Government of, yet nobody compensated Texaco.

Chris Grayling: I, too, had not entered the House in 1993. Did the hon. Gentleman oppose the changes in the 1993 Budget, and, if so, how can he support those in this Budget?

Mr. Doran: Unfortunately, due to a little disagreement with the electorate, I was not here in 1993 either. However, I was acting as a consultant to one or two of the people involved and contributed to the discussions.

On stability, it is difficult to know what the oil industry wants. I understand why PILOT has been mentioned, but PILOT has a completely different focus. The Chancellor's words were clear. In 1998, when he dropped the review of the oil tax regime, he made it clear to the industry that the decision to do so was a decision for the duration of the Parliament. He made it equally clear in this year's Budget that he was giving us a tax regime for the oil industry for this Parliament. I know of no other area of the economy with that level of stability—a guarantee that that is it for the entire Parliament.

6.45 pm

There are three high watermarks in the history of oil taxation. In 1975, the then Labour Government established the modern petroleum tax regime with the introduction of royalties, petroleum revenue tax, and so on. That, with some changes around the edges, remained the position until 1993. This year, a further substantial change is being introduced. That is a considerable degree of stability for any industry, and it should be noted and recorded.

Mr. Salmond: The hon. Gentleman is being somewhat disingenuous. He may recall that in a Scottish Grand Committee last year, the hon. Member for Aberdeen, South (Miss Begg) said:

> "The oil industry in the North sea is doing so well because this Government have provided a stable fiscal regime. When they came to power, my right hon. Friend the Chancellor considered the fiscal regime and took advice from the industry, and those of us in the north-east who advocated leaving well alone."—[*Official Report, Scottish Grand Committee*, 28 March 2001; c. 26.]

Did the hon. Gentleman agree with his hon. Friend, or has he since changed his mind?

Mr. Doran: I am not sure what the hon. Gentleman's question is. He is right that in 1997 and 1998 I lobbied the Chancellor—not publicly, but privately—to leave well alone. As the hon. Gentleman well knows, at that time, the industry was experiencing a sustained period of low oil prices. This year, the Chancellor is reacting to a sustained period of nearly three years of high oil prices.

Mr. Salmond *indicated dissent.*

Mr. Doran: The hon. Gentleman took part in the debate and he knows exactly what I said. He is twisting words; he is very good at that. At that time, in 1997 and 1998, leaving well alone was the approach that both he and I took.

I have already spoken for longer than I intended, but I want to make a couple more points. Despite the support that I have given to the Chancellor's measures, two issues need to be addressed. The first of those—royalties—was mentioned by the hon. Member for West Aberdeenshire and Kincardine (Sir Robert Smith). It is important to get an early decision from the Treasury on royalties, and I know that the intention is to publish a consultation paper. From the industry's point of view, and from my perspective as a Member of Parliament with an interest in the industry and a constituency that houses part of the capital of the industry—the city of Aberdeen—an early decision on royalties would be extremely welcome. There is a genuine fear in the industry that the Chancellor intends to delay the introduction of any reliefs until the next financial year. I would be disappointed by that. The oil industry sees the royalties relief as part of the package, and would appreciate it if it were part of the package for this year, starting on 17 April when the new supplementary tax was introduced.

The second point concerns financing costs, the most important aspect of which is to deal with the uncertainty that has arisen. My hon. Friend the Member for Waveney (Mr. Blizzard) has already made the position fairly clear. I do not go the whole way with him, but the industry needs to know as soon as possible exactly what the position is.

With those two qualifications, this is an important measure. The industry will learn to live with the new arrangements. When they are properly examined, the tax allowances provided in the Budget will be welcomed and will take the industry forward into the new era. That is inevitable. It is a maturing province, which remains the most important part of our economy—not only in the north-east of Scotland, but in the whole of the UK. Last year, a little under £4 billion was invested, and the hon. Member for Gordon mentioned the five-year figure of £23 billion. That is a massive amount of investment in one part of our economy, and it should be supported.

Mr. Salmond: I did not quote the hon. Member for Aberdeen, South (Miss Begg) to play with words or twist phrases. The quote was from the proceedings of the Scottish Grand Committee in March 2001. It matched the general understanding that the idea of an unannounced tax change, made without consulting the industry, had been seen off. The oil industry was not labouring under an illusion; it had not simply forgotten about the change. The belief that no such change would be made was widely shared throughout the industry and among Members of Parliament, including the hon. Member for Aberdeen, South.

The hon. Lady went on to claim the credit for, as she put it,

> "those of us from the north-east",

who persuaded the Government to "leave well alone". I doubt whether she would have been foolish enough to say that unless it was a general perception among Labour Members of Parliament from the north-east of Scotland.

I well remember the Scottish Grand Committee last year. The debate was optimistic. Perhaps the hon. Member for Aberdeen, Central (Mr. Doran) also remembers it. I could quote other passages from it. However, the theme that the industry would advance from a base of stability because the Chancellor had abandoned the idea of a sharp change in the tax regime was shared by all Committee members.

The industry did not sleepwalk into a tax change. The shock of it is therefore all the greater. I do not oppose changes to the fiscal regime. The Government are entitled, in the public interest, to change a fiscal regime if they choose. However, there are two absolute requirements for such a change to be in the public interest. The first is consultation. That is especially true of the industry, with which a framework of consultation has been established. In all conscience, one cannot establish a PILOT initiative based on consultation to extract more, necessary investment in the industry, yet proceed with an unexpected tax change without consulting the institution that was set up to deal with such matters.

I am open to contradiction from the Financial Secretary, but I believe that not only was the tax change not discussed with the industry through PILOT, but that there was no prior discussion with the Minister for Energy or the Secretary of State for Scotland. I believe that they found out about the tax change only a short time before the rest of us—probably on the morning of the Budget. If the Financial Secretary does not agree, perhaps she can tell us when Treasury Ministers consulted the Secretary of State for Scotland—who had a huge interest in the matter because of the employment implications of the change—and the Minister for Energy and Construction—who is responsible for general oil policy—about the tax change. I believe that they were not in a position to anticipate events. I base that strong belief on watching their reaction at the time. *[Interruption.]* The hon. Member for West Aberdeenshire and Kincardine (Sir Robert Smith) agrees with that. He was also present and he, too, saw their reactions.

The second requirement is minimising the impact on jobs and investment. It is in the public interest to minimise the effect on jobs. Minimising the impact on investment is in the long-term interests of the Treasury, let alone the rest of us. It is vital that the North sea oil show is kept on the road through investment. With the right approach to fiscal policy and the industry, we are only halfway through the North sea oil and gas story. It is reasonable to assume that there is as much to be extracted in future as in the past 30 years. Deciding that now is the time for a short-term, smash-and-grab raid to maximise revenue in the next few years is a fundamental error, not only for the public interest but for the Treasury and economic interest.

In previous debates in the Chamber and in Committee, the Financial Secretary outlined the model that she had followed, probably without sharing it with her colleagues in the Department of Trade and Industry. The model was based on the change being good for the industry. Indeed, she claimed that it would be a boost for the industry. However, on the previous day, in the Scottish Grand Committee, the Secretary of State for Scotland said that the Government were trying to minimise the impact on jobs. If the Treasury had shared the wonderful news of a boost for the industry, why was the Secretary of State trying to minimise its impact? The Secretary of State for Scotland was simply acknowledging the reality that the overall impact of a tax change that means, in five or six years, taking £1 billion out of the industry, will be negative, regardless of the skill with which the effects are distributed.

We are simply debating the extent of the negative impact. Will it mean the loss of 50,000 jobs, as the United Kingdom Offshore Operators Association suggested, or less, as other sources have predicted? The Government have criticised the industry for the estimate of 50,000 jobs. It will be jeopardised in the longer term by a decline in investment. Surely the Government's argument that a £1 billion tax raid is a boost to jobs and investment is far more fantastic than the argument about the extent of the negative impact. The Financial Secretary owes us a reasonable explanation of the exact basis for the Treasury's belief that the Government can take so much out of the industry yet have a positive impact on jobs and investment. That is daft, without credibility and ignores the substantial anxieties of hon. Members who represent those who work in the industry about the impact of the tax change.

Earlier, I said that there were arguments for the Government changing oil taxation, but with consultation. Key issues must be tackled. The hon. Member for Waveney (Mr. Blizzard) raised one: the well-rehearsed question of financing charges and the way in which a new entrant, who will not qualify for the full capital allowance relief, can be protected. How will such a company be protected so that it can exploit opportunities? Bringing in new, smaller operators to exploit and increase the overall extraction from the North sea is meant to be Government policy. That matter has not been properly tackled.

I was pleased to read in today's edition of *The Press & Journal* that the hon. Member for Aberdeen, Central acknowledges exploration drilling as a serious concern. That has been a theme of every speech that I have made about the matter in the past few weeks. Any reasonable Government would be worried about the downturn in drilling activity in the North sea in the past few years. In 1996 there were 112 exploration and appraisal wells; last year the figure was 51.

Exploration is largely financed from cash flow. It is therefore difficult to conceive that the measure will do anything other than further depress an already declining statistic. Now would be the moment to introduce a further uplift for exploration and probably appraisal drilling. There are mechanisms and means to do that. I suggested such a method in an amendment. However, for technical reasons, the proposal might be considered a subsidy, and the amendment was not selected. However, providing an uplift can and should be done. If exploration drilling continues to decline at the same rate, we will mortgage the future of a possible further 50 years of substantial oil and gas activity to gain an extra few billion pounds to add to the £160 billion—more than £30,000 for every man, woman and child in Scotland—that successive Chancellors have already extracted from the North sea.

It would be common sense for the Financial Secretary to answer the points about financing charges and the impact of the tax change on exploration drilling. She should also answer the genuine worries about the provision, which has not been thought through, has caught the industry by surprise, is likely to have a huge impact on jobs and investment, and will mortgage the future of an enormous industry that is responsible for a huge amount of overall capital investment in the United Kingdom. It will sacrifice jobs in Scotland and elsewhere for short-term gain by the Chancellor of the Exchequer.

7 pm

The hon. Member for Aberdeen, Central talked about the past and about Budgets in which there had been unexpected tax rises. Hon. Members—not he or I, because

[Mr. Salmond]

we were not here—can go right back to the early 1980s, when one of the first actions of the Thatcher Government was to increase oil taxation. Given that the previous Secretary of State for Energy had been Anthony Wedgwood Benn, it was interesting that the Thatcher Government wanted to levy taxes at a higher rate than Tony Benn had done.

The accusation that was always levelled at people who had doubts about the approach to the industry was not just about individual tax rises, because they could sometimes be justified, given the shape of the industry, the price of oil and the windfall profits being made. It involved the underlying assumption—in relation to many of the moves and manoeuvres taking place—by the Treasury and the then Department of Energy that North sea oil and gas was a short-term story and that it would be there for 10, 15 or 20 years, then it would all be over bar the shouting. Many of the tax changes of that period and later were predicated on that short-term assumption.

Many people in the industry believed—as did the hon. Member for Aberdeen, South and I—that over the last few years there had been a realisation, through the PILOT initiative and other schemes, that this was a long-term game, worth playing over the long term because there was huge potential for maximising jobs and investment over the next few generations. More than anything else, this foolish tax change has damaged the credibility of the notion that, at last, some long-term thinking and planning was going into the industry, to maximise the benefits over a long period of time.

This is not a matter of passing an amendment or getting a tax measure into a Finance Bill, although I know that the Minister will be focusing on that at the moment. This is much more than that. It is about the future of the whole industry and about the jobs of many of our constituents.

Mr. Luke: I rise, as I did in Committee, to make a contribution to this debate. I say to the hon. Member for Arundel and South Downs (Mr. Flight) that I am one of those Scotsmen who is happy to stand up and defend the implementation of the 10 per cent. supplement proposed in the Budget. I take my daily dose of Irn Bru, so I might not be as soft as some of the more feeble Scots in the House.

Contrary to what has been trailed through the press by some of the major companies, I do not believe that the current changes have had any effect on jobs in the North sea oil industry to date; nor, perhaps, will they in the near future.

Chris Grayling: Surely the hon. Gentleman does not believe that the kind of business changes that would inevitably lead to job cuts would have taken place in the eight weeks since the Budget. The impact of these measures will be long term, and they will result in fewer jobs and a lack of investment in the years ahead, not just in the short term.

Mr. Luke: I am happy to come back to the hon. Gentleman on that, because that was exactly the point I was making. People in the press and in multinational companies are already talking about job losses. Indeed, an hon. Member remarked in Committee that he had heard from another hon. Member that there had already been job losses because of these changes. I accept the point made by the hon. Member for Epsom and Ewell (Chris Grayling), but I do not believe that that is the case or that it will be the case in the short and medium term.

As many hon. Members have already said, we need to ensure that the future of the oil industry is safeguarded. We have to do that against the changing scenario in the North sea, in which different types of company are becoming involved in exploration and in the production of oil. The hon. Gentleman makes a worthwhile point, along the lines of other points that I shall make in my speech.

I do not believe—as was suggested by the hon. Member for Arundel and South Downs—that we are attacking the integrity of the tax regime. This is the first major change in tax to be introduced in this area in the last five years. Although it has been talked about as a short-term smash and grab, I believe that the Government's proposals will create a pool of revenue that hon. Members across the House have argued should have been put in place a long time ago. There has been constant talk of a windfall tax, to make sure that the massive profits made over many years were taken into account and used for the benefit of the taxpayer.

Mr. Flight: The hon. Member for Aberdeen, Central (Mr. Doran) referred to the last major change, introduced in 1993, when the Minister responsible was, I think, my right hon. Friend the Member for Fylde (Mr. Jack), who served on our Committee. This can be checked with my right hon. Friend directly, but I believe that those changes, though significant, did not have a retroactive impact on the new fields that had previously been invested in; they were changes for the future. There was, therefore, a major difference between what happened in 1993 and the changes that are now being proposed.

Mr. Luke: I take the hon. Gentleman's point. He has made many illuminating points during this debate. I was trying to suggest that this measure does not represent an attack on the integrity of the tax regime. If the change in 1993 was the last major change to the North sea oil tax regime, one tax change nine years later is not a big change. We are setting up a scenario which we hope the companies and organisations involved in the North sea will be able to live with and adapt to in the future.

Sir Robert Smith: The hon. Gentleman has to accept that a dangerous signal is being sent—not just to the oil and gas industries, but to others such as the biotechnology industry—about the integrity of the tax system. The oil and gas industries feel that they were lured, through the operation of the PILOT scheme, into making major investments last year, and that they are now being hit by a tax that they cannot escape. They feel trapped by it, because they were lured into making investments in the first place. Had they steered clear of the United Kingdom, they would not have been hit by these taxes.

Mr. Luke: Many large multinational oil companies have already taken the decision to move out of the North sea. That is part of a corporate plan, given the maturity of the oilfields there. The issue is how we encourage the smaller companies to break in and take on the mantle of the large multinationals. Given that those smaller companies are not arguing against the changes in the supplementary charges—or at least, not shouting as loudly about them as others—I believe that they will see the opportunities available.

There have been recent examples of small companies taking on that mantle, and making finds left in parcels of the North sea left by the multinationals, such as the Buzzard field. The large reserve of oil discovered there—1.1 billion barrels has been proposed—was obviously one that the multinationals had walked away from, leaving the smaller companies to carry out the exploration and make the connection with those reserves.

Changes in the companies working in North sea oil involve the bigger companies—because of their corporate nature—planning to move their corporate investment to other, more profitable, less difficult, lower-cost investment options, because of the nature of oil production. The hon. Member for Gordon (Malcolm Bruce) said that it was not difficult for those companies to do so. My response is that it is inevitable that they will do so, given the maturity of the field and their own corporate plans.

We need to ensure that we create the conditions to encourage newer, leaner companies that are more innovative, enterprising and cost-effective, and more willing to take risks, to take up these opportunities and to become more fully involved in this area. There is a history of 20 or so newer, smaller companies becoming involved in the North sea, making finds and carrying on the tradition of employment and production that the big companies started.

That activity has been mirrored in other fields. There has been evidence of that kind of change in the gulf of Mexico, and there are indications that the trend will continue. Last week, a bumper find was announced in the Buzzard field. That had recently been abandoned by one of the bigger multinationals, which moved on to more profitable fields, given the higher costs that such companies carry, and was explored by a smaller company. The potential of 1.1 billion barrels of good oil over the next 10 to 15 years was an opportunity spurned by bigger companies taking easier options elsewhere.

The hon. Member for Banff and Buchan (Mr. Salmond) mentioned that we are only halfway through the life of North sea oil. I believe that there will be more finds like the one that I described. A common theme of hon. Members' contributions is the need for the Government to ensure that all the areas that need to be investigated are investigated, in view of the number of jobs and livelihoods that depend on the industry. Much useful information has been provided by UKOOA—the United Kingdom Offshore Operators Association—including a recent update on employment. Because of history and the traditional view of Dundee's role in the economy, my area spurned many chances to be involved early on in North sea oil, but many people in Dundee are nevertheless involved in servicing the rigs and in innovative engineering to provide access to the difficult fields.

We must allow smaller companies to become involved. Like many hon. Members, I have had discussions with the industry. The big fear is that companies that hope to become more involved in exploration will not be able to do so because of the costs. In a recent article in *Scotland on Sunday*, the American head of a European investment company was quoted as saying that there was great potential for smaller companies to become involved in the North sea. The problem was the financing cost. Like many other hon. Members, I believe that the Government should consider offsetting the financing costs against the supplementary increases, to provide more impetus for companies to become involved. That possibility was raised in the newspaper article, which was supplied to my hon. Friend the Economic Secretary at the time.

The Government must provide incentives to ensure that the interests of North sea oil and employment there are maintained, and that investment and production are stimulated. Although I believe that the Chancellor is justified in his revenue-raising initiatives, he should not jeopardise the good work undertaken—I have been involved in several discussions through the all-party oil and gas group—by the Department of Trade and Industry and its work with the industry. The PILOT programme was a means of encouraging future exploration, and I hope that that work is not wasted.

I congratulate my hon. Friend the Member for Waveney (Mr. Blizzard) who, is in his role in the all-party group, has been discussing with the Minister the future role of the group, and asking questions about the tax issue. I hope that we can get together to make sure that the work of PILOT is progressed. At the next meeting of the group, we will consider the way ahead for PILOT. That is a discussion topic that deserves to be taken further.

Hon. Members in all parts of the House have urged the Government to confirm that they are taking seriously the need to nurture the industry by ensuring that the issue of the abolition of royalties is moved up the agenda. I hope that they will soon announce the date on which deliberations will begin and when the abolition of royalties will come about. That would send a clear signal that the Government want to engage with the industry on a joint agenda.

The situation in the North sea is changing, and the Government should be monitoring it. There is a movement away from the larger multinationals being involved—they are being replaced by smaller, more investment-oriented companies. As someone who comes from a city that used to be known as Juteopolis—in other words, a one-industry city—I and the other citizens of Dundee know the problems and the despair that ensue when an industry disappears. It is inevitable that North sea oil will eventually be exhausted. We must encourage smaller companies that want to make the investment to start planning the future for energy and energy renewals in the UK.

In Committee, the Government gave a commitment to listen, to take comments on board and to respond positively. I look forward to the Minister's reply. I hope that the Government will make it a top priority in our economic agenda to prolong the life of the North sea industry and the livelihoods connected with it.

7.15 pm

Mr. Mark Hoban (Fareham): Even those of us who have not had a long association with the oil industry, unlike many hon. Members who have spoken today, have learned a great deal from the discussions about taxation of North sea oil during the progress of the Bill. The matter has dominated discussions both on the Floor of the House and in Committee, on which I had the good fortune to serve.

[Mr. Mark Hoban]

Two key facts emerged from the discussions of oil taxation. The first was the high preponderance of international companies that are based in the North sea—two thirds of the companies operating on the UK continental shelf are foreign-owned. The second was the great flexibility and mobility of assets in the North sea. The UK continental shelf is perceived as having a highly liquid market for its assets. As a consequence, foreign companies investing in that market can adopt a portfolio approach to the way in which they manage assets across the world, and move in and out of oil-producing areas, depending on the costs that they would incur by doing business in those areas. Clearly, tax costs must be taken into account in that equation.

It is interesting to compare the present debate with the one that we had on the previous new clause, where we were rightly concerned about subsidising an industry that was footloose in the way in which it moved its operations around the world. In this case, we are discussing a change in the taxation regime which acts as an incentive for companies to leave this country and conduct their operations elsewhere. That is a quite different situation from the one that we discussed a little earlier.

Given the extent to which many independent companies are dependent upon debt finance to exploit oil reserves, my concern is that the way in which the supplementary charge is structured—excluding debt finance from costs that are allowable to offset the liability—means that we are penalising companies that invest in the market. New clause 1, which gives the opportunity to offset those debt finance costs against the revenues that companies earn and which are covered by the supplementary charge, is a valuable amendment to the Bill.

Coupled with that, companies paying the supplementary charge will have difficulty in getting credit for the additional supplementary charge in tax computations submitted in the United States or France. Ensuring that interest is deductible from the computation of the supplementary charge will make the process of deducting the tax in the companies' home country's tax computations much easier.

It is disappointing for the industry that the Government did not seek advice from the Internal Revenue Service much earlier in the process. Before they introduced a charge in the UK, they should have thought in much greater depth about the international impact of that charge, and obtained clearance from the US.

An interesting aspect of the rationale for the supplementary charge was identified by the hon. Member for Aberdeen, Central (Mr. Doran), when he mentioned that a few years ago it was inappropriate to introduce a windfall tax because oil prices were low, but now that they are high, it is okay to do that. That is a convenient justification. It reinforces the argument for a sunset clause on the supplementary charge that is the subject of other new clauses.

The new clauses would limit the timing of the operation of the supplementary charge, and would bring it to an end when oil prices are low, and when the good times that North sea oil companies are apparently enjoying at the moment have come to an end. We could then consider afresh the impact of the supplementary charge. In the meantime, we could see whether the United Kingdom Offshore Operators Association was right when it said that this tax will have a negative impact on jobs, or whether the more optimistic forecasts by the Government and the hon. Member for Dundee, East (Mr. Luke) are correct and that, miraculously, a tax that takes £0.5 billion out of our economy every year will be neutral and will create jobs.

The new clauses address some of the issues at the heart of the supplementary charge. The Government would do well to listen to the concerns that we have raised, reflect on them and consider whether the new clauses are the right measures for us to take to ensure the future vitality of the North sea oil industry.

Chris Grayling: I support these amendments and new clauses with slight misgivings, because although they will take the sting out of a thoroughly unwelcome measure, I still believe that this new taxation is ill-thought-out, and I would much rather that it was not in the Bill.

My biggest concern about and lack of understanding of what the Government are trying to do involve the impact that this tax will have on the manufacturing sector. This industry employs 300,000 people across the United Kingdom, and it represents 6 per cent. of Scotland's work force alone. The new tax is being introduced at a time when manufacturing in Scotland is at an historically low level, and when manufacturing across the UK has been through a number of years of extremely difficult business circumstances. The industry has suffered from the adverse value of the pound and a deluge of regulation and ill-thought-out measures from central Government, and it operates in a world in which it is increasingly easy for manufacturing companies to relocate to other parts of the globe where the cost bases are fundamentally different from those in the UK.

Malcolm Bruce: What the hon. Gentleman is saying is obviously true, but it is even easier than he suggested, because many of these companies have already relocated to other parts of the globe. It does not take much to switch the investment. It does not require a major switch of funds. It is merely a matter of redeploying their existing assets.

Chris Grayling: The hon. Gentleman is right.

Mr. Luke: Not only is it easy to redeploy assets, but many of the companies in the North sea oil industry took corporate decisions well before the Budget to shift to much more profitable fields where the higher costs are covered by the larger profits that they will make out of fields that are easier to access.

Chris Grayling: The point that I was making about manufacturing is that, as well as the oil operators, there is in the UK a substantial industrial sector that provides the industry with components, support and other services and products. Inevitably, the consequence of levying a charge on the industry of hundreds of millions, if not billions, of pounds, thus reducing its margins and making business ventures less viable and less economic for companies to pursue, is that they will seek ways to cut their costs. One way to do that is to source the components that they use from other parts of the world where the cost bases are lower. That will have an adverse effect on employment and manufacturing businesses across the UK.

Hon. Members should not take my word for it. The chief executive of the Aberdeen and Grampian chamber of commerce said:

> "There is no doubt that there will be a knock on effect on jobs. These changes will not just affect the oil majors but the countless small businesses operating in the supply chain."

This is not merely about the major companies operating in the North sea: it is also about the huge industrial sector that supports them. As a result of the combination of this and other Budget measures, such as the increase in employers' national insurance contributions, there is no realistic way in which this levy of a huge amount of money on the industry can avoid having a serious effect on jobs in Scotland.

The Government's approach in levying this new tax is ill-thought-out. I fear that the consequences will be far greater than they pretend. I listened to Labour Members who defended the tax, and realised that they do not understand the consequences of what is happening. It is simple maths. They cannot levy hundreds of millions of pounds on an industry, reduce its margins, as will happen as a result of this tax, and expect that not to have an effect on investment and jobs. That is basic business arithmetic. Our manufacturing sectors have suffered badly in the past few years, and many companies are under pressure, so this is precisely the wrong moment to take such an adverse tax step.

Sadly, I am certain that the Government will not change their approach, but I hope that at the very least they will take note of these new clauses and amendments, which would take the sting out of this measure. They would put a time limit on the effects of the taxation, so investment decisions over the long term could be taken in the context of a point of termination. I urge the Minister, for the sake of manufacturing industry in different areas of the country, not just in Scotland, to accept the new clauses and take the sting out of what is otherwise a thoroughly unwelcome measure.

Sir Robert Smith: I welcome a chance to take part in the debate. These new clauses have allowed us to return to this subject on Report. It was discussed in Committee on the Floor of the House and in the Standing Committee, and this is a welcome opportunity to see how the debate has moved on. The vocal support of Labour Members at the start of the Budget debates seems to have melted away on Report. We have heard far more thoughtful contributions, and even those who support the Government's general approach seem ready to recognise that some of these amendments make serious points and raise serious issues.

The hon. Member for Epsom and Ewell (Chris Grayling) made a valid point about the importance of the supply chain to the North sea oil industry—the manufacturing that is supported by it and the onshore jobs not just in Scotland but throughout the United Kingdom. Some companies are finding life difficult. They do not necessarily want to be named, but some companies in my constituency are already concerned. When orders are cancelled, the cash flow of manufacturing companies is hit.

The Treasury needs to understand more about the structure of the industry. When major companies are hit by indecision and uncertainty about whether royalties will be abolished, investment decisions are put on hold. For those companies, that is a nuisance, an irritation, a frustration and a worry, and it affects their bottom line, but they survive because their cash flow can take such a hit. Down below them in the supply chain are many companies whose everyday cash flow is crucial. They cannot switch off the business for a few months while the Government sort out the tax regime and the major investors decide whether to invest. The Government must consider the knock-on effect on the many small businesses that supply the industry. There has been much more outsourcing of functions. Investment houses are much more involved, and the supply chain is much more dependent on a continued flow of business.

Many hon. Members have referred to the fact that this measure has been a surprise and a shock to the industry. The Treasury still seem to be under the illusion that that is a fiction or an elaborate hoax, and that it was not a shock or a surprise because the industry saw it coming and understood what was happening. I assure the Treasury that there could not be that many well-paid actors giving such a consistent message from many levels of management and from many different businesses in the industry. Many people have worked closely with PILOT, with Logic and with the taskforce. There is genuine shock and surprise, and it would be helpful if the Treasury recognised that. Whether it intended to surprise the industry, or whether it thought that it had surprised the industry, the reality is that it has surprised it.

There must now be some damage limitation, and some undoing of that damage. That is what these new clauses would do. New clauses 2 and 3 on termination and new clause 4 on transition would relieve the shock and the sense of betrayal. They would also deal with the fiscal instability by getting the message across that if companies made the investment last year because of what they got out of PILOT, this year they can get some of the relief on that investment against the new tax. Similarly, a three-year period gives a chance for further consultation with the industry, a chance to address these concerns and not to have hit the immediate Red Book figures. My hon. Friend the Member for Gordon (Malcolm Bruce) made a very valid comparison with whisky, in that overtaxing can kill the goose that lays the golden egg.

7.30 pm

Given the surprise felt by the industry, we need an explanation from the Treasury on when it chooses to consult and when it does not. When debating the timing of the Finance Bill and the business motion relating to it, the Leader of the House said:

> "I think that two full days in total to consider the remaining stages is perfectly adequate provision. It is adequate partly because this Finance Bill has already been through more consultation with industry, outside bodies and financial services than any previous one. Many of the clauses were seen in draft form by the industry, which may partly explain why the Opposition ran out of things to say in Committee."—[*Official Report*, 24 June 2002; Vol. 387, c. 710.]

The oil and gas clauses were not seen by the industry before the Finance Bill was published. It might be helpful if the Financial Secretary would outline the Treasury's thinking in consulting some sectors and industries prior to the Budget to allow them to understand the measures. Why were there no draft clauses on which the oil and gas industry could consult? Will she put in the Library what percentage of the Finance Bill honoured what the Leader of the House told us only the Monday before last?

[Sir Robert Smith]

When it comes to sending strange signals and conflicting messages, the industry is entitled to argue that PILOT psychologically sent a message that this was its way of engaging with Government and that it was engaging with the whole of Government, not just a part. The Government pride themselves on encouraging joined-up government, but the signals from PILOT were about the need to obtain investment and deal with fallow fields. There was a response, and the PILOT objectives were being met, so the shock felt is quite understandable. That is reinforced by what the Secretary of State for Scotland said in Scottish questions on 11 June in answer to a question from the hon. Member for Banff and Buchan (Mr. Salmond):

> "As part of that review, the Treasury was represented on the oil and gas industry taskforce and on Pilot, which I chaired for about two years, by no less a figure than Sir Steve Robson. At that time, very few Treasury officials were ranked higher than him. It was the discussions within Pilot that led us to reach a decision on the North sea fiscal regime that is designed to help companies which are investing in the North sea."—[*Official Report*, 11 June 2002; Vol. 386, c. 707.]

If the Secretary of State for Scotland was under the impression that PILOT and the Treasury were closely linked and that there was a link between what PILOT was up to and the fiscal regime, it is little wonder that the industry thought that messages were coming from that engagement.

Previous speakers have alluded to what was said last year about the tax regime and the messages sent out in the north-east of Scotland. *The Press & Journal*—the voice of the north—serves the north-east of Scotland. It serves Aberdeen, the capital of the oil industry for Europe. The paper wrote in its editorial about the Prime Minister's visit to Aberdeen in May 2001, in the run-up to the election. It said that the Prime Minister made it clear in his speech in Aberdeen, South that there were

> "no plans for a windfall tax on the oil companies, and accepted the offshore industry's need for a stable tax regime.

He said:

> "We have been strongly supportive of the oil industry and oil production and I'm well aware of the fact it is of crucial importance to Aberdeen."

The Press & Journal said in its editorial:

> "His insistence that there will be no windfall tax on North Sea oil operators is a major relief not just to the multinationals, but to all whose prosperity and services depend on a healthy oil trade."

If, just before the general election, the Prime Minister promises that there will be no windfall tax, and then within the year the Chancellor introduces a new tax regime that is even worse than a windfall tax because it is for ever, regardless of the price of oil, what kind of industrial policy are the Government pursuing? What is their long-term fiscal strategy for encouraging inward investment and a thriving investment potential for this economy?

It was the Government's declared aim to lay to rest the fears that a new Labour Government would damage industry, but if every sector suddenly finds that the rug is pulled out from under it, and that promises are made just before elections and reneged on within the year, that does not create an investment climate that is conducive to long-term fiscal stability.

Mr. Salmond: Let us dwell on that point for a moment. If we assume that the Prime Minister was telling the truth before the election last year, that would destroy the Treasury argument that this was part of a continuous process from 1997, culminating in this tax change. Or we could conclude that the Prime Minister was not telling the truth, but even Treasury Ministers would not want to go down that road, would they?

Sir Robert Smith: It would be extremely helpful if the Treasury could clarify the Secretary of State's view of PILOT and the Prime Minister's comments in the run-up to the election. Or was the right hon. Gentleman's speech simply a message designed to be heard in the north of Scotland where votes were important so that Labour Members could be re-elected in marginal seats? That is not the way to deliver a stable, long-term economic environment, but it is a dangerous way to mislead people. Once people feel misled, the damage must be undone, which is, I hope, what the Treasury is looking to do. However, its response so far to the debate seems to be to put pressure on the industry. The Treasury seems to be saying that if the industry complains, it will drag its heels on the other half of the package.

If this proposal was thought out on day one and abolishing royalties comprised part of the package, why on earth has the consultation not started? Why on earth is there no consultation paper on the abolition of royalties? It was something that the Chancellor promised, to dress up the presentation of the Budget, yet we still hear nothing about it.

The most frightening thing about the Treasury's lack of understanding is how it thinks that someone can make investment decisions about a field that is subject to royalty tax when he does not know what is happening to royalties. It beggars belief that the Treasury believes that it can sit on this measure without it doing any damage. Every day is a delay when a decision needs to be made. The longer the wait, the worse the situation becomes as people find other places to make their financial investments.

Amendments Nos. 42, 43 and 44, tabled by the hon. Member for Banff and Buchan, provide a chance to undo the damage completely. It would be impressive if, when those votes take place tomorrow, the House could reject this part of the Finance Bill. We could go back to square one, have a proper consultation with the industry, with proper draft clauses, as the Leader of the House thought that the Government were doing with other sectors of industry. In that way, we could have a long-term, stable, clearly thought-out policy for the future of oil and gas.

This does not matter so much at the very top. The middle and senior managers whose job it is to manage an asset in the North sea are the ones who have been betrayed. They have been telling their bosses in France or America that they are a good bet, they have a good climate, a taskforce and PILOT. They have been saying that they have engaged with each other, that a logical way of working has been established, that they have tried to get the industry to work together, that they have learned a lot of lessons and that much good has come out of 1997. As the hon. Member for Banff and Buchan said, only a year ago many of us were praising the Government for what they had done. The middle and senior managers feel betrayed because their bosses in France, America or elsewhere in the UK are saying, "You got the money out of us under false pretences. You said that there was no fiscal risk and that the bet was long term. We backed your judgment and you have let us down because you have not delivered." That delivery is the Government's failure—it has sent the wrong signals. In fact, those people probably regret ever becoming involved in PILOT and changing the culture of the industry. It would have been better if they had remained isolated and carried on as before because they would not have exposed themselves.

It will be a sad outcome if the Treasury does not find a way of engaging in the debate on financing costs, royalties and long-term stability. PILOT requires the commitment of individuals and industry money to make it work. It is quite difficult to motivate people after such a bad hit. Anything the Financial Secretary can do to smooth the waters and rebuild confidence will be most welcome, but she must realise that there has been a genuine shock. The new clauses provide a chance for the Government to show that they are listening and willing to address that shock. They provide an opportunity for the Government to address the point about financing costs, which has been raised on both sides of the House.

The Treasury must look at the smaller companies who look to lease assets to exploit smaller fields and ensure that the tax system is not a straight hit on those companies, with no compensation to encourage them to maintain their projects. We have real potential in terms of the technology of floating production, which is an exportable technology. If we can develop that expertise, nurture it and maintain it, we can take it elsewhere.

There has been talk about major companies walking away. However, the crucial thing about major companies being here as long as possible is that they often own the central asset to which many small fields are tied back, and the tax regime and Government stability must maintain those central core assets if we are to maximise the exploitation of the North sea. I urge the House to back the amendments and new clauses tabled in the names of Conservative and Liberal Democrat Members, which address what is a tax too far.

Ruth Kelly: This has been an interesting debate. The hon. Member for Arundel and South Downs (Mr. Flight) has accused the Government of unwise and unnecessary taxation. He attacked the good faith of my right hon. Friend the Chancellor, when he warned the Opposition not to fall for the propaganda of the oil industry. However, it seems to me that the hon. Gentleman, who speaks for the Opposition, has fallen hook, line and sinker for that propaganda. In the process, he has accused the Government of undermining the integrity of the tax system.

Last year—even after investing £4 billion—oil companies generated net cash flow of £10 billion from the North sea, after all the taxes that they paid. I do not accept the argument that an additional annual tax burden of, say, £600 million must reduce investment in the UK because there are no longer sufficient funds to maintain it.

The hon. Member for Banff and Buchan (Mr. Salmond) accused the Government of a short-term smash and grab raid. I tell him, as I tell other hon. Members, that the Government have consistently made it clear that the North sea tax regime needs to strike the right balance between securing a fair share of profits for the nation and encouraging investment.

North sea oil and gas is a limited national resource. Oil companies produce oil and gas under Government licence, and the returns generated from that often exceed a normal commercial rate of return. Furthermore, at times, producers make large profits simply due to movements in the world oil price. But the key point is that underlying rates of return are high, even when adjusted for short-term oil price movements. Every single major oil-producing country has a special tax regime to reflect the economics of the oil industry and to ensure that their country shares in the benefits.

7.45 pm

Mr. Salmond: When the Prime Minister told people in the north-east of Scotland immediately before the last election last year not to expect any windfall tax, was he unaware of the arguments that the Economic Secretary has just outlined or was he purely misleading people for electoral purposes?

Ruth Kelly: The hon. Gentleman's proposal would result in a windfall tax on oil companies; a time-limited specific additional tax on oil companies. It is the Government who are committed to a long-term stable regime for the oil industry that is based on securing a fair share of the industry's resources for the UK citizen while making sure that there is a favourable climate for investment.

Several hon. Members, including the hon. Member for Banff and Buchan, have difficulty in understanding the relatively simple concept that we can design a tax measure so as to promote future investment, while securing more revenue from the oil industry.

Mr. Salmond *rose—*

Ruth Kelly: If the hon. Gentleman will allow me to continue, I will explain how it works. There are two elements. The first is the investment allowance. That means that even with the supplementary charge, companies investing in new products will have higher post-tax rates of return than under previous rules. Secondly, in net present value terms, the benefit of the 100 per cent. allowance outweighs the additional tax for marginal projects. It is the effect on marginal projects that determines the effect on investment. Marginal projects will be encouraged by this change; the increased tax reduces the net present value of more profitable fields, as it is designed to do. But these are likely to go ahead in any event, so the combined package increases the incentive for oil companies to invest in marginal fields.

Mr. Salmond: We need a bit of humility from the hon. Lady; some of us were working in the industry on these matters even before she was a Minister. Can we get back to the Prime Minister and the explicit undertaking that he gave to people in the north-east of Scotland that no such change was envisaged? Was he, at that stage, aware of the arguments that the Financial Secretary is making just now, or was he merely misleading people last year for electoral purposes? Can we have an answer this time, instead of a lecture?

Ruth Kelly: The hon. Gentleman accuses the Government of imposing a windfall tax on the oil companies. We are determined not to do that; that is why we have carefully designed a package that promotes investment while securing a fair share of resources for the country's citizens. The package is designed to promote a

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long-term stable fiscal regime for oil companies to operate in. I shall return to the perceptions of the oil companies in due course. I have spelled out in considerable detail to the House the investment criteria and the criteria that we took into consideration when designing these tax measures.

Sir Robert Smith: Will the Financial Secretary explain why the Treasury chose not to consult on draft clauses and engage with the industry on them—as it has done, according to the Leader of the House, for other businesses—and instead chose to surprise the industry?

Ruth Kelly: I will come on to deal with the element of fiscal risk, the perceptions in the oil industry and why we did not consider PILOT to be an appropriate forum to discuss those issues before the new regime was introduced.

I was on the point of explaining the analysis behind our tax changes. A full analysis has been made of the impact on investment, and I have spelled it out in great detail to this House, including the criteria behind the analysis. The analysis has been open thereafter to public scrutiny and scrutiny by oil companies. I will not run through all the criteria used for the analysis again today.

We looked, for example, at 108 new fields that were potentially commencing development over the next five years. We applied all the investment criteria that companies used to establish whether projects will proceed. We used the long-term oil and gas prices typically used by the industry when calculating those rates of return. The conclusion of all of our work—particularly that on new fields and incremental investment—was that, on average, the impact on marginal investment projects was positive.

The oil industry broadly accepts that analysis. The industry differs over specifics, but broadly accepts that if we have a 100 per cent. capital allowance—which makes new investment in marginal fields more profitable—and combine that with a supplementary charge, there can be a positive impact on investment. The industry differs on the impact on fiscal risk and the stability of the long-term regime. We have heard interesting and thoughtful points made by hon. Members on that precise subject.

I disagree fundamentally with the projections that the oil industry is now claiming to attach to the impact of our regime change. The hon. Member for Arundel and South Downs quoted industry figures for the fall in production, a forecast of 1.5 million barrels a day by 2010. He quoted figures on investment and jobs. The problem is that the industry was forecasting those figures before the tax changes. It is very difficult to say that the impact on jobs and investment is as a result of the tax changes when those forecasts were produced, apparently, before the industry had any idea of what those tax changes were to be.

Chris Grayling: In April, Lord Browne said of the changes in the Budget:

> "Taken together those steps are likely to reduce investment and to hasten the decline of production."

Is the Financial Secretary suggesting that Lord Browne, whom I believe to be a man of integrity, is not giving an accurate picture of the truth?

Ruth Kelly: I was saying that the oil industry was forecasting an impact on jobs and investment before the results of the tax changes had even been announced. It is completely inappropriate to tie that analysis to subsequent tax changes.

Malcolm Bruce: If the industry is predicting a reduction in jobs, production and investment, why do the Government believe that increasing the tax burden on it will halt or reverse that process?

Ruth Kelly: I have just been through the analysis supporting our conclusion that, taken as a whole, the tax package will promote marginal investment in new fields. In fact, the industry is blaming decline—which was forecast—on tax changes that were designed to help investments with less attractive returns. That analysis is completely disingenuous, and I am surprised at those hon. Members who have fallen for it.

I do not accept that the North sea regime is uncompetitive; on the contrary, tax rates for new fields remain lower than for all other major oil and gas producers. Combined with generous allowances, the low rate means that the United Kingdom will remain an attractive place to invest. All companies have their own hurdle rates of return and other criteria for investment. If they were prepared to invest here before the tax changes, there is no logical reason why they should not be prepared to do so now. In general, the tax changes should not reduce any returns below companies' own thresholds for investment; indeed, as I have explained, in some cases the changes may raise returns from marginal projects, so that they will be above the required thresholds in future.

I am aware of the arguments, put forward after the Budget announcements, concerning the tax changes' impact on the fiscal regime. I am also aware of the argument—made by, among others, the hon. Members for Arundel and South Downs, and for Gordon (Malcolm Bruce), and my hon. Friends the Members for Aberdeen, Central (Mr. Doran) and for Waveney (Mr. Blizzard)—concerning the impact of any tax change on the perception of fiscal risk in the United Kingdom. I intend to deal with that specific issue in as much detail as I can. The industry is claiming that the fiscal risk has somehow increased since the Budget changes, and that although the changes would in principle lead to greater investment and more jobs, changing the perception of fiscal risk could impact on jobs and investment. Indeed, the industry is putting great stress on a predicted hypothetical 20 per cent. supplementary charge for future projects.

Labour Members have discussed such issues with me, and they are fully aware that that is the industry's projection, and that it is using those figures to back its analysis of the impact on investment and jobs. However, the regime that we have introduced is a regime for the long term, combining a 10 per cent. supplementary charge with 100 per cent. relief for capital expenditure. That is the regime that we are debating today—not some hypothetical future regime. In fact, as far as is practical, fiscal risk has now been eliminated. Before the Budget, a substantial element of fiscal risk was clearly attached to North sea investment. The Government reviewed the position in 1997–98, and when the review ended, we gave no commitment to maintaining an unchanged North sea regime. Indeed, as the 2001 Budget Red Book states, the Chancellor made it clear that he was considering "the next steps" on North sea taxation. We have made the changes required—

Sir Robert Smith: Will the hon. Lady give way?

Ruth Kelly: If the hon. Gentleman will allow me, I want to make a little progress. We have made the changes required to put the regime on a sustainable, long-term footing. It now provides a fair share of profits for the nation, and helps to encourage long-term investment. We introduced these changes only after careful analysis, and we are being absolutely clear in our commitments. Before this year's Budget, we gave no indication that we considered the North sea fiscal regime sustainable in the long term. We are now putting it on the record that, with the Budget changes, we have a stable regime into the next Parliament. We cannot be any clearer than that.

Chris Grayling: The industry has not got the message. Lord Browne also said the following about those changes:

> "Their direct impact will be compounded by the fact that a change made in this way reduces confidence in the stability of the regime going forward and imposes an added element of risk on all future decisions."

Ruth Kelly: I have set out what the oil industry is claiming, and our response to it. This is a long-term fiscal regime that is stable into the next Parliament—we cannot be clearer about that. As far as we are concerned, fiscal risk has reduced. Of course, it is up to individual companies to argue and decide, and to set their own fiscal risk criteria. We could never challenge an individual company's subjective assessment of fiscal risk, but if it is irrational and inappropriate, other companies will come in and make profits where profitable opportunities exist.

Sir Robert Smith: Will the hon. Lady help to restore fiscal stability by explaining why the Government chose not to consult on the draft clauses before the Budget, and why the sector was not given the same opportunity to consult as other sectors? There must be some explanation as to why the proposal was sprung on people. Will she also recognise that, whether or not it was rational, the people involved were genuinely surprised?

Ruth Kelly: We have already debated these matters at length. It was clear that, in the late 1990s—when the matter was first put out for consultation—two different regimes might apply, and we consulted on that basis. It became increasingly obvious that one of the policies was inappropriate, because of the time that had elapsed. The hon. Gentleman might agree that it is slightly odd to consult on the basis of one possible remaining regime. We have designed a regime that clearly takes into account investment needs, jobs and growth in the North sea, Scotland and the rest of the United Kingdom. Moreover, we have planned for the future with a long-term, stable fiscal regime. We cannot be any clearer about our intentions.

Mr. Salmond: On the question of people being taken by surprise and the careful analysis of the impact on jobs, did the Treasury consult the Minister for Energy and the Secretary of State for Scotland on this matter before the Budget, or on the morning of the Budget?

Ruth Kelly: Of course, Ministers and officials from different Departments have regular conversations about the oil industry, but I hope that the hon. Gentleman will agree that tax matters and tax changes are a matter for the Chancellor. The real issue that has rightly been raised today by my hon. Friends is the question of why we did not consult within the framework of PILOT, an organisation that was set up to encourage investment in the North sea. The Government accept that PILOT has a very valuable role to play in discussing issues of concern to the industry, but it—

Mr. Salmond: Will the hon. Lady give way?

Ruth Kelly: I have given way to the hon. Gentleman many times, and I must make progress. I will doubtless give way to him later on in my speech.

PILOT is not, and never has been, the appropriate forum for discussing tax; indeed, the position has been clearly set out. I think that it was the hon. Member for Arundel and South Downs who mentioned Steve Robson, who was present at the very first meeting of the oil and gas industry taskforce, which became PILOT in due course. At that meeting, Steve Robson made it clear that taxation was a Budget issue, and was not for consideration by the taskforce. PILOT, and the taskforce, always operated within that framework. PILOT's terms of reference refer explicitly to working within the parameters set by Government policy. Of course, PILOT sometimes deals with administration and the efficient operation of the tax system, but it was explicitly made clear that it was not for PILOT to consider the quantum of taxation of the oil industry.

Sir Robert Smith: The chair of PILOT for two years is now Secretary of Scotland, and she made it clear at Scottish questions that it was from PILOT that the tax regime was developed.

8 pm

Ruth Kelly: PILOT has always been concerned with legitimate questions of tax administration and implementation, but it was made clear in its terms of reference and set out at its first meeting that it was not the forum for discussing the quantum of taxation, which was an issue for the Chancellor that should be taken forward with the industry in the normal way.

I wish now to deal with some specific concerns that have been raised in this debate. In particular, many hon. Members raised the issue of financing costs. New clause 1 would allow financing costs to be taken into account in the calculation of the profits base for the supplementary charge. The new clause says that the costs would be allowed to the extent that the existing provisions referred to—section 494—permit them to be allowed. That is on the false assumption that that resolves the problem of manipulation of borrowings to minimise the effect of the charge. It does not.

My hon. Friend the Member for Waveney asked whether I would be able to put on record the precise arrangements that companies use to take advantage of the

[Ruth Kelly]

ring fence and the current disallowing of finance costs, and why we could not also apply that to the supplementary charge. I shall do my best to make the position clear, although I shall of course be willing to follow up later if he feels that I have not made the position sufficiently explicit tonight.

Section 494 restricts interest deductions against profits arising inside the ring fence to the extent that the money borrowed has been used to meet expenditure incurred by the company in carrying on its trade of producing oil or gas in the North sea. So the borrowing cannot be for downstream operations or some activity overseas. That is of course wholly sensible.

Essentially, what section 494 does is to set an upper limit on borrowing inside the ring fence based on the amount of spending in the North sea. What it does not do is to prevent the company from choosing to borrow for North sea purposes rather than other purposes. What it does not do—and neither do any of the transfer pricing rules that apply to finance costs—is to prevent a company from borrowing heavily, or even exclusively, to fund its ring fence activities, leaving other activities of the company, or the group of which it is a member, to be financed in other ways.

It is accepted that some groups, which are profitable in the North sea and unprofitable outside, will have already borrowed up to the limit allowed by the present rules. However, others will not have exercised that capacity and would be able to increase their borrowing further. With a higher rate of tax inside the North sea ring fence than outside, there will be a considerable additional incentive for companies to arrange their borrowing in that way. However, it is not just the potential for further shifting of borrowing that is of concern: it is also the current uneven distribution of debt within companies and groups.

It is clear that if new clause 1 were to be accepted the yield from the supplementary charge would be significantly eroded and the North Sea regime would fail to give a fair return to the nation from profits derived from a national resource.

Malcolm Bruce: The Minister is giving a fair explanation of why the Government would apply that regime to companies that have a wide range of interests nationally and internationally, upstream and downstream. It does not however answer the issue for those companies that do not have any of those offsets and that are investing by means of finance for marginal projects in the North sea. Those companies have no downstream and no offset, and they cannot even benefit from the full capital outlet. Cannot the Minister accept the case for varying the provisions in the Bill for those companies?

Ruth Kelly: I accept that finance costs are a cause of concern, especially to smaller companies. However, it is not possible to distinguish, company by company, those companies for which it is a real concern and those that might use the additional latitude to rearrange their borrowings. What is clear is that the solution cannot be just to allow all finance costs in computing the new supplementary charge. Any alternative approach would need to ensure that the overall yield from the North sea—both ring-fence corporation tax and the supplementary charge—is maintained.

There are alternatives to allowing finance costs to be set completely against the supplementary charge that the Government are willing to discuss with oil companies. For example, we could try a system of apportioning finance costs so that those used for North sea purposes would be allowable against the extra charge. However, we must have a fair system that does not penalise those companies with least scope to manipulate their borrowings and does not lead to a reduction in the overall yield. We have already contacted oil companies with certain proposals that they may wish to discuss with us. I hope that that gives some comfort to my hon. Friends and other hon. Members that we take the issues very seriously.

New clauses 2 and 3 would bring the supplementary charge to an end after just three years. That is totally unacceptable. I shall not rerun the argument that that would be a windfall tax on oil companies, not the long-term fiscal regime that the oil industry needs.

Mr. Salmond *rose—*

Ruth Kelly: I will not give way to the hon. Gentleman, because I must make some progress.

I cannot accept new clause 4 because it would do nothing to increase investment in the North sea, but would simply hand money back to companies that have made very good returns from the sector in recent years and, as I said in Committee, will continue to do so when the changes in the Bill are enacted. It seems to have been forgotten that this tax is not like petroleum revenue tax. It is not a tax on individual fields. It is a tax that applies to company profits in the North sea—profits that have been shown to have far exceeded those of other industries since petroleum revenue tax was abolished for future fields in 1993, even with the effect of oil prices stripped out.

Several hon. Members have questioned our relationship with the US tax authorities and whether the supplementary charge will be allowable under double taxation treaties. The Inland Revenue has written to the Internal Revenue Service in the US to ask for its view on whether the supplementary charge will be creditable. That is, of course, an issue for the US. It was the industry which asked us to do that, and it was then up to the Revenue to contact the IRS and deal with the issue in the usual way.

Sir Robert Smith: Does that mean that until the industry raised the issue as a concern the Inland Revenue was not aware of it? Does the Inland Revenue think that it is a genuine concern or did it miss it completely?

Ruth Kelly: It clearly is of concern to certain companies and it needs to be sorted out one way or the other. It is not clear, however, that companies will be significantly disadvantaged if the supplementary charge were not to be completely allowable under the double taxation treaties. I urge those companies for which that is a real issue to approach the Government and the Inland Revenue and set out their concerns. We will then liaise with those companies and address their concerns. If the hon. Gentleman has evidence that the issue is of real concern, I will also of course be willing to listen to him.

Several other hon. Members raised the question of royalties. Many views have already been expressed to the Government about the abolition of royalties and several dates have been suggested. I expect the Department of Trade and Industry to issue a consultation document in the near future. I can certainly confirm that it remains our intention to abolish royalties subject to that consultation.

The Government have considered the returns on capital employed in the North sea. We have found that, since the tax changes made by the Conservative Government in 1993, the rate of return has risen from 10.5 per cent. to 34 per cent. last year. In comparison, the rate of return for other non-financial industries was, on average, 11 per cent. last year, and the difference was not caused by temporarily high oil prices. In fact, the rate of return in the North sea was higher than that for other industries in every one of the past nine years—even in 1998, when the oil price fell sharply.

It is only right that we take a fair share of revenue from the North sea for the United Kingdom taxpayer. Our reforms promote investment, jobs and development in the North sea. They are right; they are for the long term. I urge hon. Members to reject the Opposition's new clause and to support the Government.

Mr. Flight: I will be brief.

The economic life of the North sea in the 1990s was enormously better than expected, which has been largely reflected in a sensible tax regime since 1993. The Government clearly have a windfall strategy: oil prices have gone up, so it is appropriate to charge more tax. Indeed, the Financial Secretary said so. I warn her that, with the economic outlook facing the world today, and as the European Bank for Reconstruction and Development is funding the installation of a new pipeline from Russia, it is highly questionable whether higher prices will be sustained.

The Opposition have won the argument overwhelmingly. This tax grab will put at risk the maximum future exploitation of the North sea. I commend the Financial Secretary on doing her best to defend the indefensible. I am slightly saddened that someone as bright as she is has swallowed the spin that the Treasury has fed her. We have already made the point that the 34 per cent. return figure is nonsense. It represents the top return for 2001, compared with the 14 per cent. average. Indeed, the figure is only 7 per cent. for investments since 1996.

The Financial Secretary will come to eat her words. The leading oil industry economist, Wood Mackenzie, has made it absolutely clear that the Government's case is rubbish and that the industry cannot sustain any further marginal taxation without a major loss of investment and employment. The Government will regret what they are doing. They have misled the industry by their lack of consultation, but they then try to tell the industry, "Trust us. This is another long-term regime." Pull the other one, mate. When confidence has been broken, people do not give their trust. Britain will suffer; the current account will suffer; jobs will suffer; and investment will suffer. This additional taxation is very unwise.

Question put, That the clause be read a Second time:—

The House divided: Ayes 177, Noes 303.

Division No. 288] **[8.12 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baron, John
Barrett, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brazier, Julian
Brooke, Mrs Annette L
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Rt Hon Menzies
(NE Fife)
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Chope, Christopher
Clappison, James
Clifton–Brown, Geoffrey
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Djanogly, Jonathan
Donaldson, Jeffrey M
Dorrell, Rt Hon Stephen
Doughty, Sue
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Hawkins, Nick
Heald, Oliver
Heath, David
Heathcoat–Amory, Rt Hon David
Hermon, Lady
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell–Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury)*
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Price, Adam
Prisk, Mark
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael

Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Watkinson, Angela
Webb, Steve
Weir, Michael
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Charles Hendry and
Mr. David Wilshire.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Battle, John
Beard, Nigel
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Browne, Desmond
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cook, Rt Hon Robin *(Livingston)*
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Francis, Dr Hywel
Gapes, Mike
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hall, Patrick (Bedford)
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Irranca-Davies, Huw
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
McDonnell, John
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*

Smith, Geraldine *(Morecambe)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, Rt Hon John
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watson, Tom
Watts, David
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Nick Ainger and
Mr. John Heppell.

Question accordingly negatived.

New Clause 5

CONTINGENT LIABILITIES UNDER THE PRIVATE FINANCE INITIATIVE

'.—(1) Section 156 of the Finance Act 1998 (c. 36) is amended as follows.

(2) At the end of subsection (4) insert "and to generally accepted accounting practice.".

(3) After subsection (4) insert—

> "(4A) The Financial Statement and Budget Report shall include a statement of the aggregate amount of all financial liabilities, actual and contingent, to those persons who are or who will become the owners of assets which are to be made available to or for the benefit of any Department of State and which are to be financed through the Private Finance Initiative.".'.—*[Mr. Flight.]*

Brought up, and read the First time.

Mr. Flight: I beg to move, That the clause be read a Second time.

This is an important new clause because it addresses growing concerns expressed by the various authorities and professional bodies involved, by the City of London, and by citizens up and down the land. It calls for amendment to the Finance Act 1988 requiring a statement of the aggregate of all contingent potential liabilities as well as actual liabilities relating to private finance initiative and public-private partnership deals.

A variety of issues are raised by the new clause. The Opposition continue to support the broad principles of PFI under which the private sector is brought in to do things, and often to do them better than the public sector. Under that initiative efficiencies can be achieved in funding and trade union Spanish practices can be addressed. It operates according to the principle of transferring operational risk. We have greater concerns about PPP, when that risk is often not transferred. When such arrangements are made, under PPP and under PFI, it is axiomatic that financial matters should be transparent. Because of the Government's unique position in terms of being able to issue letters of comfort and guarantees that can be rolled over, the accounting standards should be more demanding, if anything, than those in the private sector.

This Government—I do not include those Members with whom we have been debating this Finance Bill—have crafted a web of deceit and an Enron-style system in which there is a lack of accounting and a lack of disclosure. There has been a desperate determination to move investment in the public sector off balance sheet, and, as far as possible, to do so without describing it fully or accurately in the Red Book.

Rob Marris (Wolverhampton, South-West): Will the hon. Gentleman give way?

Mr. Flight: I shall do so in due course.

The Government have been incurring contingent liabilities in relation to PPP deals, and, to some extent, PFI deals, which are recorded nowhere in the Red Book. The total extent of those liabilities is unknowable, but I have identified £25 billion alone relating to transport. That comprises a £2.67 billion guarantee for London and Continental; the Government undertaking through the Strategic Rail Authority to repay the £9 billion of commercial borrowings by Network Rail within three years if those are not refinanced; and the Government's letters of comfort in respect of 95 per cent. of the borrowings of the tube PPP contractors—their total borrowings over the first two phases are expected to be £15 billion. Sizeable potential contingent liabilities also relate to defence PFI deals, and there may be contingent liabilities in relation to other PFI deals.

With regard to those contingent liabilities, the Government have interpreted the Accounting Standards Board's FRS12 directive and structured vehicles in a way designed to avoid disclosure. The principle of FRS12 is that, unless a contingent liability is remote, it should be disclosed, except when it is immaterial. In assessing remoteness—the key issue—the potential ability to roll over liabilities must not be taken into account until after a roll-over has been implemented. On 11 April, I asked the then Chief Secretary to the Treasury whether the Government guarantee via the Strategic Rail Authority of Network Rail's £9 billion commercial borrowings would be treated as a public sector liability. He responded that, although that would not really be the case, the contingent liability would not score as, given the unlikely event of alternative private sector refinancing not being obtained, it was unlikely to be called.

If that is the case, which is questionable, it is because the Strategic Rail Authority's liabilities can be rolled over for a further three years to enable commercial refinancing. Indeed, they can be rolled over for ever. A brilliant little wheeze has been invented giving a guarantee against which the private sector happily lends, and each time the end of the three-year period comes near the liabilities can be rolled over again. That is very clever and fits a narrow definition of the remoteness rules, but does not fit the roll-over rules. Given the Government's power on this matter, common sense suggests that materiality should be a major factor in determining their policy on the disclosure of contingent liabilities.

8.30 pm

Chris Grayling: My hon. Friend may not be aware that, yesterday evening, the chief executive of Network Rail confirmed at a meeting of the all-party railways group that Network Rail will be treated, for accounting purposes, as a subsidiary of the Strategic Rail Authority. However, the debts and liabilities built up by Network Rail will not manifest themselves in the Government's accounts.

Mr. Flight: I thank my hon. Friend for those comments. I shall come to that issue and to the tortuous structure that has been crafted by some of the best legal brains in the City of London to achieve that end.

Mr. Edward Davey: Further to that point, is the hon. Gentleman aware that the second footnote of the minutes that the Secretary of State for Transport issued on 20 June says:

> "Direct rights would be exercised under a 'Put option' whereby, in certain specific circumstances, commercial lenders can require the SRA to purchase all amounts due to them from Network Rail Group"?

Does the hon. Gentleman agree that that suggests that, far from the debts being able to be rolled over, the Government and the Government agency—namely the SRA—could be forced by the lenders to repay them? Therefore, those debts should be on the Government's balance sheet.

Mr. Flight: Indeed, I accept that point, but another issue is relevant. The Government could be forced to repay the debts but, because the money is lent by the private sector against the undertaking from the SRA, the Government have relied on the remoteness argument that it is unlikely they would ever be called upon to disclose them. At best, that is a questionable interpretation of FRS12. At worst, it is downright deceitful hiding of the true position of the public finances.

A different accounting issue relates to PFI. Note F, which was crafted by the Treasury PFI taskforce, lays down that liability for PFI projects should be based on the risk attached to them. For example, a £100 million hospital could be ignored and disclosure could be made in relation to the basic ownership element that is deemed at 10 per cent. The Accounting Standards Board had initially advised that a much clearer and more transparent practice would have been to look at who was liable for the debt. In the case of such a £100 million hospital project, the risk is placed off balance sheet because the Government argue that 90 per cent. does not count and that the private sector is responsible for 55 per cent. of the remaining 10 per cent. However, in reality, the Government are liable for 94.5 per cent. of the entire hospital. As the senior partner of one of our leading accounting firms commented:

> "The Government is effectively fiddling the figures by using a mechanism to disguise its liabilities and that a major danger of disguising the figures is that projects may not be scrutinised effectively."

The Government have also insisted on public sector capital projects being financed off balance sheet by PFI and PPP deals. The total package is, "Make them happen. Get them done by PFI and PPP, and get them off balance sheet". The projects are not then on balance sheet for the purposes of the EU rules in relation to membership of the euro, and public finances appear to be very much better than they are in reality.

So here we have the second scam that has already been exposed. To get the deals through the best value comparator process, there has been what can only be described as a rigged approach. Many crucial details are hidden from public view by the blanket ban on disclosure under commercial confidentiality requirements, and the public sector comparator, which is supposed to show a fair measure of whether privately financed schemes offer better value than conventional public funding, contains many rigged elements. Jeremy Colman, the auditor-general at the National Audit Office, recently described some of the comparators as "utter rubbish". Public service managers are engaging in the sham because they have to show that their PFI plans are cost-effective to get the investment.

Aspects of the rigging that have been exposed include what is widely known as risk costing, under which private operators are allowed to claim a special 12.5 per cent. of costs risk element. That constitutes a key component of the fair value-for-money calculation and knocks down the calculation for the PFI deal. It compares with an average cost overrun on, for example, hospital-building projects of 7 per cent. So even if we accept the principle, the cost is too high.

The *British Medical Journal* recently published a paper showing how risk costing has been used to distort results to a major extent and to swing projects that qualify marginally which would not have otherwise done so. There is a point of principle to consider. Even if the risk was assessed realistically, the entire exercise is questionable. Would the Government allow a major public service to collapse, as illustrated by Railtrack or the Channel Tunnel Group?

In addition, the Association of Chartered Certified Accountants explains that the Government allow public bodies to reclaim VAT on privately funded projects but not on publicly backed schemes, thereby favouring private finance by 17.5 per cent. National health service trusts have to pay the Treasury a 60 per cent. capital charge on buildings they own, but private builders have no such obligations. The Government also give local authorities an annual grant of 11.5 per cent. of the value of PFI schemes they commission, but that is not the case for publicly funded projects. Although subcontracted private sector projects and managements may be much better than public schemes, in many cases the best value justifying comparators are being rigged when they should be dealt with on a transparent and straightforward basis.

The Office for National Statistics recently confirmed that the Government managed to craft in Network Rail a legal entity with debts that will not be included in public sector borrowing requirements, unlike Consignia. That is at odds with it being billed as a renationalisation and also constitutes a legal model vehicle that could accommodate even more public sector off balance sheet borrowing. Very bright lawyers crafted that. When I approached their firm for information, I was told that they could not assist because it would be a conflict of interest and they were working for the Government to design such a scheme. That is an answer to a maiden's prayer if one wants to keep public-private partnership liabilities off balance sheet.

The Red Book includes PFI payment liabilities for 25 years, through to 2027–28. I wonder whether hon. Members have looked at those because they already amount to £98 billion. That contrasts with the initial capital value of the projects of £20 billion at the time of the deal and reflects a total of about 450 PFI deals. Another 300 PFI deals are in the pipeline and expected to sign up in the next two years. Their current capital value is assessed at £25 billion. Presumably, that will add another £100 billion over 25 years of PFI liabilities. Those are recorded in the Red Book and are material to the public sector accounts.

I participated in the Standing Committee on the Government Resources and Accounts Bill. The Conservative Opposition expressed grave doubts because they felt that it increased the scope of the Treasury to cook the books. We thought that it allowed the Treasury to incur expenditure in respect of the formation of Partnerships UK and to provide it with financial assistance, including, again, substantial Government guarantees on the discharge of financial obligations. So we have yet another conduit through which contingent liabilities can be built up but not recorded.

One of the inimitable results of this complex and devious structure, designed to keep PFI and PPP liabilities off balance sheet, has been horrific mounting legal and other transactional costs.

Rob Marris: I understand that PFI started in 1994 under a Conservative Government. Is the hon. Gentleman saying that in the unlikely event that the Conservatives were ever in government again they would abandon PFI, or would they continue the scheme and show everything on the balance sheet? Is he also saying that when the Conservatives were in government, they showed all these costs on the Government's balance sheet and in the Red Book?

Mr. Flight: With respect, I would have expected a better question from such a pleasant Member of Parliament. The hon. Gentleman will be aware that the PFI deals done before 1997 were few and, in the main, very straightforward, concerning the building of bridges or roads. We poor, feeble creatures did not get up to all the sophisticated trickery indulged in by his colleagues. He asked a question about principle, but I have already given him the answer: if things are properly done and transparently accounted, there is a great deal of scope for subcontracting to the private sector. There is a question as to whether one can do that safely for 30 years, but we support the principle of PFI; indeed we gave birth to it, and it is utterly usable. Unlike the present Government, this party does not stand for non-transparent and deliberately misleading accounting. If we were in power, we would get the thing cleaned up pretty quickly.

I return to the mounting legal costs. As hon. Members will know, in 1998 the upgrading of the west coast main line was priced at £2.1 billion. The cost of the scaled-down version has gone up to £13 billion this year, over twice the cost of the equivalent French new TGV investment, and much of it arises from the huge legal and transactional processing costs, reflecting the complexity of the legal structure.

The first major project being promoted by Partnerships UK is Project Aquatrine, a PFI deal to modernise the drains at the Ministry of Defence. How pathetic that the Government could not come up with something more worth doing. That deal is worth between £300 million and £400 million, and £37 million has already been spent, mostly on legal fees, without a single drain having been cleaned or improved.

When we introduced PFI, we employed it for much simpler projects such as building bridges and roads. However, PFI and PPP have been the magic solution for this Government, enabling them to keep major public sector investment costs and commitments off balance sheet. The complex structures involved avoid both the Eurostat requirements on what should be included as a public sector liability and British law and conventions on local authority liabilities, which are also to be viewed as central Government liabilities.

The Office for National Statistics is also ducking responsibility for what is happening, although it makes noises of displeasure. However, it comments that, on the question of whether a cost should be included in Government accounts, it takes the advice of others who are specialists. The Treasury ducks the issue by saying that the classification is up to the ONS. The Paymaster General will know that the hon. Member for Dumbarton (Mr. McFall), the Labour Chairman of the Treasury Committee, has advised, thank goodness, that he intends that the Committee should examine these Enron-style Government accounting practices.

At the crudest level, if the initial capital element of PFI debt alone were brought back on balance sheet it would add £35 billion to the public sector borrowing requirement—excuse my using the old-fashioned term, but it is clear. A further £30 billion would probably be added over the next two years as PFI projects in the pipeline were signed up.

8.45 pm

Transparent treatment of PPP and PFI contingent liabilities would have serious repercussions for an application to join the euro. That is one of the main issues driving the web of deceit hiding the commitments, or at least the lack of transparency about them. The treatment of contingent liabilities is absolutely central to the new Network Rail legal structure. In principle, Network Rail is a legal structure whose borrowings are not part of Government debt. They could be rolled over and over, increasing private sector borrowing against a Government guarantee renewed every three years via the Strategic Rail Authority. That would be a nonsensical example of hiding behind the remoteness element of the FRS12 principle relating to disclosure.

It is ironic that in the wake of the private sector accounting problems in the United States the British Government are applying to contingent liabilities certain accounting practices that would be questionable in the private sector. They are certainly not practising the degree of transparency appropriate to the public sector. What is needed is full and clear disclosure of contingent liabilities and where they truly fall, accounting practices for PFI and PPP deals that make that clear, and a speedy end to the practices that have developed—practices that, if the Government are not careful, will run PFI and PPP amok and cast into ill repute principles that are workable and good for making projects happen.

[Mr. Flight]

We want clarity and transparency. At the very least, we want all contingent liabilities listed in the Red Book. To be candid, saying that a £9 billion contingent liability does not matter because we have a clever little deal that makes it remote is a disgrace.

Mr. Edward Davey: I welcome the new clause and congratulate the hon. Member for Arundel and South Downs (Mr. Flight) on his ingenuity in enabling us to debate the issue—it is not before time.

I agree with the point implicit in the hon. Gentleman's argument. There is not necessarily a problem with off balance accounting or with having contingent liabilities. What is key is that they are transparent and reported properly, and that if off balance accounting is the chosen method, it is chosen for the right reasons and makes economic sense.

Those are not theoretical issues. Off balance accounting is more expensive. The Government guaranteed a bond to finance the channel tunnel rail link rather than use gilt financing, and it ended up costing the taxpayer more. The National Audit Office said that that decision cost the taxpayer an extra £80 million for no benefit other than to keep the transaction off balance. Going off balance has to be justified because it carries a higher cost.

There is concern that the desire to drive projects off balance has become the sole reason for projects. In other words, decision making in Whitehall is being distorted. If the Minister doubts that, my first exhibit is a letter to my hon. Friend the Member for Truro and St. Austell (Matthew Taylor) from the Under-Secretary of State at the former Department for Transport, Local Government and the Regions. Dated 8 January 2002, the letter, which relates to the debate on what was then called Renewco, states:

> "It was clearly understood by both sides that for RenewCo to deliver its objectives and be established successfully it could not be classified as part of either the Government's or Railtrack's balance sheet."

In other words, the negotiations surrounding Renewco were driven by the need to take the vehicle off balance. The driving force was not that that was the best way to run the railways but the desire to move the structure off balance. That is the wrong way to decide how to structure an industry as important as the railways. Policy cannot be driven by accounting definitions.

The Government have sometimes tried in their various discussions on Network Rail and the PFI in general to justify why they are taking things off balance. As far as I have been able to tell, however, the main justification boiled down to a rather obscure economic notion, which I never came across in my studies at university—reputational externalities. These are rather bizarre things and we have again had to go to the National Audit Office to find out what they amount to. The NAO takes the view that the Treasury considers that increasing public borrowing has an external cost in terms of the Government's reputation for prudence and that reputational externality is a calculation to reflect that assumed cost.

That is a bizarrely theoretical reason for promoting off balance accounting. It seems to involve the assumption that the private sector and financial markets are daft and will not notice it. I suggest that when a ratings agency considers Network Rail, it will take those factors into account. Indeed, if the Government continue to follow such a practice, they might be punished when the credit and ratings agencies consider their debt in the next few years. The reputational externalities will seem theoretical nonsense. They are a very thin reed to be used to justify taking so much borrowing off balance. My concern is why the Government are doing that, as they seem to have no clear and good economic rationale.

Rob Marris: May I address the hon. Gentleman in terms of reputational long shots and ask whether, if the Liberal Democrats were ever to form a national Government, they would support PFIs?

Mr. Davey: We support PFIs. I do not think that there is anything wrong in such methods of financing projects. However, we are debating not whether we support PFIs, but how capital assets that are bought through PFI deals and the contingent liabilities that could fall to the taxpayer are accounted for. That is the problem.

I am grateful to the hon. Gentleman for his intervention, because it takes me to my next point: we could accept off balance accounting if we knew what was happening, but I am afraid that the efforts that my hon. Friends and I have had to make to uncover the process on which the Government are embarking have been so detailed and have required so many letters and parliamentary questions that they do not suggest much transparency.

One must ask what the tests are for moving something off balance. As far as I can see, the Government have been using the commercial, private sector test: statement of standard accounting practice 21, which is about whether a deal is a financial lease or an operating lease. If it is a financial lease, it is deemed another form of borrowing and therefore has to go on to the balance sheet, but if it is deemed an operating lease, it can go off balance.

That creates a few problems. In preparing my speech, I visited the Accounting Standards Board website and looked at statement of standard accounting practice 21. Interestingly, we are told that that practice is currently under review because it is felt that it is not precise enough and that in its own terms, there is some uncertainty about its effects. It is also suggested that transactions that are carried out by private sector firms, but are effectively the same as those in question, are being accounted for in different ways. The private sector admits that there is a problem, as does the Accounting Standards Board, but the Government do not seem worried. That should be a particular cause for concern, given the huge amounts involved.

Although statement of standard accounting practice 21 is not specific in its definition of operating and financial leases, I have spoken to practising accountants to find out what the basic practice is and what they do to make the decision. I am told that although it is not written down, in practice they say that if 90 per cent. of the capital value of an asset is recouped by the lessor out of the capital element of the lease payments over the lifetime of a contract, it is normally deemed to be a financing lease and should therefore count as borrowing. In January, my hon. Friend the Member for Truro and St. Austell asked the then Secretary of State about what proportion of PFI contracts would have been affected by the rule that is used by the private sector. He received the following reply:

> "No such estimate has been made. The existing PFI contracts in the Departments are for the provision of a service in return for a unitary payment, the payment of which is dependent on satisfactory performance. The unitary payment is not broken down into constituent parts."—[*Official Report*, 18 January 2002; Vol. 378, c. 514W.]

That suggests that the Government are not operating the test under statement of standard accounting practice 21, because they do not know which elements of the unitary payment are capital and which are not. Although the Government have been telling us that they have been doing what the private sector do, in practice they have not. That should give us real cause for concern.

Mr. Flight: The hon. Gentleman did a better job than I did of explaining the PFI in relation to standard 21. Standard 21 deals with PFI and what is used to hide liabilities in that context, but contingent liabilities are covered by a separate rule, FRS12, which is the doctrine of remoteness. Under that rule, roll-over cannot be used as a justification for believing that a liability may be remote.

Mr. Davey: I am grateful to the hon. Gentleman. He anticipates me, as I was about to come to that point, specifically to pick up his example of Network Rail, where the remoteness test is the fig leaf that the Government are hiding behind.

The Secretary of State for Transport did not dwell on the matter in his statement of 27 June. He referred Members who asked him about contingent liabilities to the minute that he had just published, suggesting that we went to the Library, put towels round our heads, and studied it. I have not put a towel round my head, but I have indeed studied it. Interestingly, it reveals that in making their decision the Government seem to have leaned heavily on the advice of the Office for National Statistics. Paragraph 19 of the minute, which deals with non-statutory contingent liabilities, refers to the confirmation by the Office for National Statistics that

> "Network Rail would not be classified as a public sector organisation and its expenditure and liabilities would not score against public sector expenditure and net debt."

So the Government are relying on the ONS.

On 28 June, the day after the statement and the publication of the minute, the Comptroller and Auditor General, the main watchdog that the House relies on, published a press release entitled "Comptroller and Auditor General's view on the appropriate accounting treatment for Network Rail". Hon. Members should look at it, because it suggests that he is in complete disagreement with the Office for National Statistics. I quote:

> "Sir John Bourn, the Comptroller and Auditor General, has concluded that Network Rail should be accounted for as a subsidiary of the Strategic Rail Authority"—

the point made by the hon. Member for Epsom and Ewell (Chris Grayling)—

> "and should be consolidated in the SRA's accounts. He makes this judgement in his capacity as statutory auditor of the SRA.
>
> Sir John's view is that the Government's interest in Network Rail is akin to an equity shareholder's interest. The Government is effectively providing security for the providers of debt finance to Network Rail and is acting as a lender of last resort in the event of financial difficulties. Therefore the Government is the party bearing the risk that would normally be borne by equity capital."

That is pretty clear. It goes on:

> "Financial reporting standards look at the substance of transactions as well as legal form and on that basis Sir John has advised that the assets and liabilities of Network Rail should be accounted for on the balance sheet of the SRA."

Sir John is therefore saying that, in substance, there is a liability to the public sector. The Government may use rules that the Office for National Statistics dreamed up for them, but they refuse to accept the point on substance, about which, as Sir John points out, we should be worried.

9 pm

Mr. Michael Jack (Fylde): The hon. Gentleman is speaking with great clarity. Does he agree that our focus on rules may not enable us to examine reality? When Railtrack experienced problems, the Government believed that they were the only body that could sort out the liabilities that are associated with the railway system. If Network Rail ran into unforeseen problems and was in commercial difficulties, who would be there to pick up the pieces? The Government of the day.

Mr. Davey: The right hon. Gentleman is right, and reaches the core of the debate. The political point is that hon. Members cannot be clear that the Government's finances are being soundly run. We are elected to make those judgments and ensure that the taxpayer is not being saddled with debts that will result in higher taxes or cuts in public expenditure down the line. That lies behind this welcome and important debate.

I was discussing the difference between the focus of the Comptroller and Auditor General on substance and that of the ONS on rules. A report in *The Times* on 29 June states:

> "*The Times* has learnt that the Statistics Commission, the watchdog appointed by the Chancellor to police the national accounts, is to investigate the ONS's view and may seek to overturn it."

I have no confirmation of that quote; I am sure that *The Times* had its information on good authority.

The Government appear to be structuring Network Rail on guidance that the ONS has accepted. However, the ONS watchdog is examining the information and is worried about it. The National Audit Office has made a public statement to express its concern. Hon. Members should take serious note of that, and the Government should provide a proper, full debate in their time so that we can ensure that we know what is going on.

Rob Marris: The hon. Gentleman has been generous in giving way. His comments suggest a difference of opinion between various watchdog bodies. Against that background, how could the new clause be implemented, when such a range of opinion exists about the way in which figures can be drawn up?

Mr. Davey: I am not sure whether I understand the hon. Gentleman. The new clause would help matters because it would flush out the issue so that it was in the public domain. That needs to be done. The issue needs greater public debate by Select Committees, including the Public Accounts Committee. If we are to put the future of

[Mr. Davey]

rail, not simply an individual PFI, into the financial structure, we need greater clarity and transparency. I welcome the new clause because it would help to achieve that.

Mr. Hoban: The new clause appears to change the rules of accounting for Government liabilities to bring them in line with generally accepted UK accounting practice. I believe that the Comptroller and Auditor General is relying on that practice to state that Network Rail is Government controlled and the liabilities should therefore be on the Government's balance sheet.

Mr. Davey: The hon. Gentleman is right. I believe that when the Statistics Commission examines the actions of the ONS, it will agree with him and the NAO. That is why the new clause is so welcome.

Let us consider the debate between the various bodies. The Government have been trying to say, "Well, the ONS has told us that that's okay." Yet the ONS is acting simply in an advisory capacity; it is not making decisions for the Government. It is up to the Government to decide, the ONS to advise and the NAO to audit the decisions. The Government cannot try to escape responsibility by relying on the words of others. The spirit of the Government's rules, to which they presumably try to keep when making such important decisions, is being broken.

Two key documents cover this matter. One is "Government Accounting", and chapter 26 is the relevant section, for those hon. Members who want to wade through that heavy document. Technical note 1 deals with accounting for PFI transactions. In the case of Network Rail, as was the case for London Underground, the whole framework seems to rest on the edifice of letters of comfort. What does chapter 26.3.1 of "Government Accounting" have to say about letters of comfort? It says:

> "Departments should approach any request for a letter of comfort . . . with a strong predisposition to reject it."

If that is the basis for the Government's rules, under which they are setting up the new structure for the rail industry, we should be really worried. The Government's own rules say that they should not do this. The paragraph goes on:

> "Proposals to issue a letter of comfort should therefore be exceptional".

They should not be the basis for the whole railway industry. The Government seem, effectively, to be breaking their own rules. They know exactly what they are doing, and they are trying to hide this.

My hon. Friend the Member for Truro and St. Austell anticipated the Government's thinking on this. In November last year, he asked a parliamentary question of the then Under-Secretary at the then Department for Transport, Local Government and the Regions. My hon. Friend asked:

> "what representations he has received from potential financiers of the successor body to Railtrack for non-legally binding assurances from the Government on their support for Railtrack's successor body".

The answer was:

> "The Government are not anticipating having to provide any non-legally binding assurances on their support. If contingent liabilities are required to be entered into, they will be notified to Parliament as part of the standard procedure."—[*Official Report*, 23 November 2001; Vol. 375, c. 497W.]

In other words, in November, the Government were not intending to go down that route, because they knew that it should be used only in exceptional circumstances. Unfortunately, they have been forced back because of their failure to structure the organisation properly.

Is it any wonder that people are concerned about this matter? The process is neither transparent nor clear. The Government are not keeping to their own rules and guidance, and Parliament's main watchdog is not happy. The Government must think again, and promote a much wider debate on this issue. If they do not, their whole financial framework for the public finances will be undermined. They must tell us why they favour these off balance sheet approaches.

Mr. Flight: "Off balance sheet" can mean two different things, but, at least, if these matters are not part of the national balance sheet, the notes to the balance sheet should clearly record everything that is in place. That is what transparency is about.

Mr. Davey: The hon. Gentleman is right, and if the Government do not do what he is asking, and do not respond to this kind of debate more fully, the Treasury will be acting as the Andersen to the Department for Transport's Enron.

Mr. Mark Field: With great respect to the hon. Members who spoke earlier, this is the most important debate on Report. I appreciate that we need to move on, so I shall make just a few comments. I entirely agreed with the contribution of my hon. Friend the Member for Arundel and South Downs (Mr. Flight). I share his grave concerns about the Government's off balance sheet approach, and about the way in which, as a result, headline public expenditure is reduced for the purposes of the public accounts.

I might be able to pre-empt the hon. Member for Wolverhampton, South-West (Rob Marris) by saying that, while I shall not pledge to scrap PFI—in the highly unlikely event that I ever hold office in this place—I have always had grave reservations on the subject, going back to the early 1990s, when I practised as a lawyer in the City of London. The whole PFI project—now superseded by PPP and enhanced, specifically in the last five years, by a considerable number of projects that are now in train and will be for some years to come—was made highly attractive to public sector investors, the construction industry, and the vast number of advisers in the City of London, many of whom I represented, in a pastoral way, at least. Often there has been little evidence of a substantial risk being transferred. That is one of the concerns mentioned by both the previous contributors to the debate. The real test, and the cost to the taxpayer in the longer term, may become apparent only in the second decade of this century, as the projects come to an end.

My great fear is that we will find that many of the PFI projects have not been well structured and are not good value to the taxpayer. That may become evident, as I said, only in the second decade of the century, which may unfortunately also be a time when, for whatever reason, we are going through a recession. If, in those circumstances, we suddenly have significant expenditure from the public purse, it would be a nightmare.

I entirely agree with my hon. Friend the Member for Arundel and South Downs that we need greater transparency. I also agree with the hon. Member for

Kingston and Surbiton (Mr. Davey) that we must ensure that substance, rather than legal form, is the test of any transaction.

Rob Marris: Will the hon. Gentleman give way?

Mr. Field: I hope that the hon. Gentleman will forgive me; I know that others want to speak. I hoped that I had pre-empted at least one of his questions.

I hope that the Minister will make a statement in relation to the new clause. It is unlikely that the clause will win through today, but it is at the core of the grave concerns that have been expressed about the manner in which the Government seek to present their finances. If Government finances and finances generally are to be trusted, it is crucial that they are accompanied by increasing transparency, security and trust. It is clear from the events of recent months around the world that we need a greater degree of trust. It is incumbent on the Government to ensure that the finances and accounts that they present to the country warrant full trust.

Mr. Hoban: We are fortunate to have the example of Network Rail to illustrate the arguments in favour of the new clause moved by my hon. Friend the Member for Arundel and South Downs (Mr. Flight). As someone who has practised as an accountant in the past, it is clear to me that the Government are exploiting the difference between accounting standards to create a transaction and a structure that get them off the hook in terms of accounting for the liabilities of Network Rail as a debt on their balance sheet.

As the hon. Member for Kingston and Surbiton (Mr. Davey) observed, the Comptroller and Auditor General recognised that Network Rail was a subsidiary of the Strategic Rail Authority and should therefore be included on the SRA's balance sheet, and on the Government's balance sheet as a public body that should be counted as such. Of course, the Comptroller and Auditor General is not the first to identify that. There was an article in the *Financial Times* on 20 June, I believe, which reported that the SRA's own auditors, PricewaterhouseCoopers—the firm for which I used to work—had also identified that the debt should be on the SRA's balance sheet and therefore be counted as part of public sector borrowing, and that the Department for Transport had confirmed that.

Transactions are being deliberately structured to ensure that they are not counted as part of the public borrowing, by ensuring that the Office for National Statistics uses the European standards of accounts 1995. The art form of structuring transactions to meet the form of regulation, rather than ensuring the substance of the transaction that is being accounted, underpins the problems that we have witnessed in the US with Enron. We have seen a rules-driven approach trying to ensure that liabilities are kept off the balance sheet.

It is important for the Government to recognise that if we require, rightly, the accounts of private companies to present a true and fair view of their assets and liabilities, it is right that the Government's accounts show the very same thing. They should recognise that the definitions used in UK general accounting practices should be used to determine their own liabilities. It is the view of both the CAG and PricewaterhouseCoopers that the SRA has dominant control or influence over Network Rail. In its report, the ONS tried to justify this accounting treatment. The SRA is a strategic partner and funder of Network Rail, and its influence is clear. Cleverly structuring transactions so that the majority of board members are from the private sector is not the right way to go about accounting for a £9 billion liability.

9.15 pm

We need to accept and recognise the reality of this transaction, which is that the SRA controls Network Rail through its funding and its role as a strategic partner. That is how the transaction is structured at the moment. However, we should also recognise, as the Government did last year, that if things go wrong they will pick up the bill. The Government will act as the lender of last resort, so it is clear that there is a real liability to the taxpayer. That may be seen to be contingent now, but it could well be actual, and the public accounts should recognise that fact.

This debate is well timed. The example of Network Rail is highly appropriate. The transaction has been structured in such a way as to focus on its form and to get the liability off the public sector balance sheet. That is not the way in which accounting should be done for these transactions. We should ensure that our public accounts are honest, transparent and open.

Ruth Kelly: It was interesting to listen to this debate, especially to the impassioned defence of the new clause by the hon. Member for Arundel and South Downs (Mr. Flight). I was slightly surprised by the colourful and, dare I say it, slightly intemperate language that he used to describe Government accounting. I am sure that many hon. Members agree with me that the accounting issues that Enron and WorldCom have exposed in the United States are extremely serious and should be dealt with across the globe as well as in the US. They could have serious consequences for investor confidence and for ordinary people working in and around those companies. I do not think that such language is appropriate to describe genuine differences in the United Kingdom in the accounting treatment of various liabilities, some of which have to do with the PFI, but many of which have absolutely nothing to do with it or with the words of the new clause.

Mr. Flight: I hope that the Minister heard what my hon. Friend the Member for Fareham (Mr. Hoban) said. He is a qualified accountant, and he made the point that the approach that is being followed, which is to exploit the rules rather than the substance, is precisely what Enron off balance sheet accounting was about.

Ruth Kelly: That is absolutely not the case. I found much of this debate confused. When the hon. Gentleman considers the arguments as I respond to the debate, perhaps he will withdraw this completely unnecessary and muddled new clause.

The new clause would require the Government to follow generally accepted accounting practice in preparing the Red Book in addition to the code of fiscal stability. It would also require us to publish an aggregate figure for liabilities under the PFI. I intend to deal with each of those points in turn.

[Ruth Kelly]

First, I should like to point out to hon. Members, especially Opposition Members, that the Government already follow GAAP. Spending data in the Red Book, including commitments under the PFI, come from Departments' accounts. We are one of the few Governments in the world to require by law Departments' accounts to follow GAAP.

I am also surprised that the hon. Gentleman has suddenly decided to retreat from the Bill that was introduced with bipartisan agreement—now the Government Resources and Accounts Act 2000—which was part of a process that started in 1994 and was described by the then Chancellor and the Conservative Government as the most important financial reform since Gladstone. I am delighted to see that the hon. Member for Kingston and Surbiton (Mr. Davey) accepts that fact.

Mr. Edward Davey: May I say how much I agree with that statement? It was an extremely important reform. However, as the hon. Member for Arundel and South Downs (Mr. Flight) said, in Committee we debated the way in which the Government treat contingent liabilities. Neither Conservative nor Liberal Democrat Members were happy about the way in which contingent liabilities were being treated under resource accounting and budgeting. This is not a new point, therefore—we have been arguing this for some time.

Ruth Kelly: I accept the point made in good faith by the hon. Gentleman, and will deal with the treatment of contingent liabilities under PFI projects in due course.

The Government Resources and Accounts Act 2000 was passed as a result of the transformation of public accounts under resource accounting and budgeting. Section 5(3)(b) provides that a Department's accounts must

> "conform to generally accepted accounting practice subject to such adaptations as are necessary in the context of departmental accounts".

The adaptations are necessary because GAAP, desired in the main for the private sector, does not have to deal with issues such as military assets or nuclear decommissioning liabilities that we have to deal with in the public sector.

We have an independent statutory advisory board—the financial reporting advisory board—to advise us on the application of GAAP to the public sector. It was this Government who put that independent advisory board on a statutory basis, and we have never rejected its advice in the five years of its existence. We have a system for public sector financial reporting that is among the most advanced and transparent in the world. I believe that this part of the new clause is therefore superfluous, but it is also confused.

There is a wealth of data in the Red Book not covered by GAAP, because GAAP cannot say anything about unemployment assumptions, for example, or oil revenues. Instead, under the very Finance Act that the new clause seeks to amend, we subject changes to these assumptions to the audit by the independent National Audit Office. In practice, the new clause would require these numbers to conform to GAAP, which is silent on these issues.

The second part of the new clause would require the Government to publish an aggregate figure for all financial liabilities actual and contingent under the PFI. Again, I believe that that is misleading. First, the Opposition should look at table C19 of the latest Red Book, in which the Government published their estimated payments under the PFI going up to 2028, consistent with the audited data in Departments' accounts.

Mr. Flight: I readily acknowledge that the totals add up to £98 billion, as I mentioned.

Ruth Kelly: The new clause wants a figure for possible liabilities, but PFI rarely gives rise to contingent liabilities. PFI deals are contracts for the provision of a service. We pay only for the services received. In the event of a default, the financiers are required to look for alternative service providers. If that fails, which would be very rare, termination proceedings would begin. That is the course of normal business—it does not give rise to a contingent liability in any proper sense of the term.

In a small number of specific cases involving public-private partnerships, we have provided for some sort of public formal guarantee to the financiers. One example is London Underground, where a letter of comfort sets out different sets of circumstances whereby the Government would underwrite some of the financiers' commitments. That letter was of course put before Parliament, as we are required to do and as happens in the normal course of events. The Government report to Parliament all such letters of comfort and all contingent liabilities that arise which account for more than £100,000.

Mr. Jack: If a PFI hospital deal ran into trouble and there was a gap between the originator of the project and the successor body taking over that required some degree of financing, would that not be a liability? If so, how do the Government account for it?

Ruth Kelly: If a genuine contingent liability exists, the Government publish that contingent liability as part of the supplementary statement to the Consolidated Fund accounts. Details by Department are available in the notes to Departments' audited accounts, which, again, are laid before the House. It is hard to see how the system could be any more transparent than it is at the moment.

Mr. Flight: How on earth could the Minister say to me earlier that a £9 billion guarantee on Network Rail would not need to be disclosed as a contingent liability?

Ruth Kelly: I will come to the treatment of Network Rail in a moment, but I should point out that Network Rail does not actually count as a PFI and, strictly speaking, is not within the terms of the debate. However, I shall be happy to deal with it in a moment.

Opposition Members have charged us with using the PFI and the PPP as a ruse to keep numbers off the balance sheet so that they do not show up in the Government's accounts. That is utterly untrue and complete nonsense. Balance sheet treatment in this country has to be confirmed by independent audit. Recent PFIs and PPPs—including the London Underground, prisons and the second Severn river crossing—are all on the balance sheet; the trend increasingly is to put them on the balance sheet. The issue of whether or not there is a transfer of risk is decided independently. We take independent advice from our advisory body, which we put on a statutory basis. We could not have a more transparent system.

Adam Price: Are the devolved Administrations free to enter into their own contingent liabilities, or must they seek Treasury approval?

Ruth Kelly: I will have to check that point and write to the hon. Gentleman. If contingent liabilities arise in UK Departments, they have to be reported to Parliament, as is clear in the treatment of those liabilities in Departments' accounts.

Rob Marris: I confess that I used to be a solicitor before entering this House, and not an accountant—[HON. MEMBERS: "Oh!"] I am quite proud of that, although others may not be. There are differences of opinion, so could my hon. Friend explain what the Government understand by the term "contingent liability"? I confess that I do not exactly understand it. I thought I did before the debate began, but I am not sure now whether it has to do with the probability of a risk occurring, a possibility or a tiny possibility. Could my hon. Friend elucidate?

Ruth Kelly: The word "contingent" has different meanings in different contexts and contingent liability for a PFI is slightly different from contingent liabilities arising in other contexts. We have consistent treatment, in which if a liability is possible or likely, it is reported to Parliament. If a liability is remote, it is treated differently, as the hon. Member for Arundel and South Downs has said.

The important thing is that we have a statutory independent financial reporting advisory board, and a framework within which the decisions are taken. In considering the case of Network Rail, we have an independent statistical body—the Office for National Statistics—which applies internationally recognised national accounting standards that are used to compare economies internationally.

Clearly, in the treatment of complex statistical issues other bodies and individuals will take different views in certain circumstances. That is precisely what has happened in the case of Network Rail. The National Audit Office made a different judgment about how liabilities arising should be treated. Do hon. Members really want me to say that we should go against the recommendation of the Office for National Statistics and use a system for Network Rail that does not apply internationally recognised accounting standards, and which treats the matter in a different way?

To reassure the House that we take this issue seriously, we have set up an independent statistics commission that examines our treatment of accounting and whether we treat these issues in an unbiased, objective and professional way. In due course, it will reach a conclusion on whether the treatment of Network Rail is the appropriate one. I suggest that we wait for the commission's review before jumping to a premature conclusion that is based on what Opposition Members have said today.

9.30 pm

This country has one of the most transparent accounting frameworks in the world. Under this Government, we have taken an enormous step forward in the treatment of accounting. We have introduced resource accounting legislation and put the financial reporting advisory board, which advises us, on a statutory basis. As I said, we have also set up a statistics commission, which can take an independent view of our accounting and of our statistical processes and treatment. Hon. Members should give the Government some credit for taking this process forward. They should acknowledge the reforms introduced by this Government to ensure that our public sector financial statements are among the most sophisticated and transparent in the world. Those statements fully accord with generally accepted accounting practice and with some of the highest standards in the private or public sector anywhere in the world. On that basis, Opposition Members should withdraw the new clause.

Mr. Flight: I was surprised at the Financial Secretary's sticking to the official line. The City of London and the markets are focusing on the growing totals of contingent liabilities and private finance initiative contracted payments. In particular, they are asking about defence—an area on which there is no information at all. It is well known that the Treasury went to great trouble to establish the Network Rail structure in such a way that the view could be expressed that borrowings would not count as a public sector liability.

The new clause is self-evidently a probing one; it is about substance and getting the substance right, rather than using rules for convenience. The Financial Secretary did not discuss the other side of the coin—the manifest rigging of the public sector comparator to justify PFI deals in the first place. On putting together the different pieces of the jigsaw, virtually all public sector capital investment is off balance sheet via PFIs or public-private partnerships. The precise substance of the Government's liability in relation to PPP and PFI deals is simply not known.

We want a transparent, whiter-than-white system that is more demanding than that applying to the private sector, which it manifestly is not. It is extremely difficult to get information, as the hon. Member for Kingston and Surbiton (Mr. Davey) has discovered. The Government will pay the price if they do not clean up this area quickly.

Question put, That the clause be read a Second time:—

The House divided: Ayes 176, Noes 296.

Division No. 289] **[9.34 pm**

AYES

Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baron, John
Barrett, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brazier, Julian
Brooke, Mrs Annette L
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Rt Hon Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*

Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Dorrell, Rt Hon Stephen
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Goodman, Paul
Grayling, Chris
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David
Heathcoat-Amory, Rt Hon David
Hermon, Lady
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Laws, David
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Price, Adam
Prisk, Mark
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Weir, Michael
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas
(Macclesfield)
Yeo, Tim
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Charles Hendry and
Mrs. Cheryl Gillan.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald
(Swansea E)
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Battle, John
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles
(Norwich S)
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry
(B'ham Hodge H)
Dawson, Hilton
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Francis, Dr Hywel
Gapes, Mike
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Illsley, Eric
Irranca-Davies, Huw
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*

Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
McAvoy, Thomas
McCafferty, Chris
McCartney, Rt Hon Ian
McDonnell, John
McFall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John
(Glasgow Anniesland)
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, Rt Hon John
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Angela Smith and
Mr. Fraser Kemp.

Question accordingly negatived.

New Clause 6

STATEMENT OF LIABILITY TO INCOME TAX

‘. After section 59B of the Taxes Management Act 1970 insert—

“*59BA Statement of liability to income tax*

(1) This section applies to any person (the taxpayer) who is liable to pay income tax.

(2) The Board shall provide to each taxpayer, following the agreement of his assessment to income tax, a statement showing for the year of assessment—

(a) the taxpayer's total liability to income tax (‘income tax liability’) for that year;

(b) the contribution of income tax expressed as a percentage of the total annual tax take for the United Kingdom for the same year of assessment (‘the income tax percentage’);

(c) the proportion expressed as a percentage of the total annual tax take for the United Kingdom for the same year of assessment that was allocated to each of the Departments of State listed in subsection (2) below (‘the departmental percentage’); and

(d) the amount in pounds sterling of the taxpayer's income tax liability that is represented for each of the Departments of State listed in subsection (2) below calculated as follows—

Income tax liability x the income tax percentage x the department percentage.

(2) A department percentage shall be provided for each of the following—

(a) the Department of Health;

(b) the Department for Transport;

(c) the Department for Education and Skills;

(d) the Home Office;

(e) the Department for Work and Pensions;

(f) the Department of Trade and Industry;

(g) the Department for the Environment, Food and Rural Affairs; and

(h) the Department for Culture, Media and Sport.”.’.—*[Mr. Bercow.]*

Brought up, and read the First time.

Mr. Bercow: I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss new clause 18—*Timing of announcement of all income tax allowances*—

‘In section 257C(3) of the Taxes Act 1988, at the end—

“The order shall be made by 31st December following the preceding September referred to in subsection (1).”.’.

Mr. Bercow: I have a sense that the patience of the House might soon be exhausted if hon. Members are inclined to dilate excessively on the remaining new clauses for our consideration. I am conscious of the patience threshold of Members, as you will testify, Mr. Speaker, and I shall therefore keep my remarks

[Mr. Bercow]

genuinely brief. Labour Members should savour that consciousness while it lasts, as it may not be reproduced very soon.

Dawn Primarolo: May I say how much engagement suits the hon. Gentleman? His new-found brevity is no doubt a product of his haste to spend his time—as we would all like to do occasionally—with loved ones and family.

Mr. Bercow: As the Paymaster General can easily discern, I am thirsting for the company of my beloved, who said to me, although she is a keen supporter of mine, "Why, dear, do you always think it necessary to avoid using one word when a hundred would do?" She might not admit it, but that is what she said.

The subject matter in question is the statement of liability to income tax. The thrust of the new clause, which is tabled in the names of the shadow Chancellor, my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), other of my hon. Friends and I, is to make explicit what people pay, the effect of their contributions, and how resources are divided between the areas of Government responsibility. Specifically, people pay their taxes and, in return, they want decent health care, a quality transport system, adequate education, the best possible protection against crime, a guarantee of financial security and proper but minimum interference in the affairs of industry and commerce. If they live in rural areas, they are concerned about the rural environment. In addition, the Department for Culture, Media and Sport is mentioned in subsection (2)(h) of the new clause. It has responsibilities and money goes to it. Therefore, we need to know what we receive in return.

The thrust of the new clause is an attempt to move towards more open government, requiring transparency about where Government money is spent and an easy-to-follow format for the lay person. It is not, however, a move towards hypothecation of tax. The Government publish all the information in other formats, but the new clause would merely make it easier for individuals to understand Government spending.

As hon. Members can testify from their experience, a number of councils provide similar information on the council tax bills sent to each household. Conservative Members do not understand why the Government cannot operate on a similar principle in relation to the payment proceeds and purposes of income tax. It should not be costly to follow the spirit and content of the new clause, because the same calculations could apply to each taxpayer. A uniform system could operate, and it would not create a great administrative burden. It should be relatively straightforward to make computer-produced statements, about which we know the Government are very keen.

The new clause takes the form of a probing amendment. It does not make an explicit commitment on the part of the Opposition, but it would require the Revenue to produce a statement of an individual's income tax liability and the proportion of that liability that would be spent in each Department. It is a straightforward and eminently reasonable proposal.

I feel almost 100 per cent. confident that the Paymaster General, if she is in one of her more eminently reasonable moods, will eschew the opportunity of a long reply and make it clear that no Labour Member has any intention of objecting to the new clause. With the hoped for—although not guaranteed—support of the Liberal Democrats, I trust that we can be unanimous on the subject and dance round the mulberry bush together in support of new clause 6.

Mr. Edward Davey: The reputation of the hon. Member for Buckingham (Mr. Bercow) for speaking without hesitation, repetition or deviation once drove me to suggest that he was a suitable candidate for "Just a Minute". That point may not apply today, because he has been brief and witty.

I assure him that the Liberal Democrats support the new clause. We have advocated such a proposal, under what we describe as our citizens' tax contract, since 1993. Therefore, it would be odd if we did not support the new clause. However, I have one or two concerns about its detail. Perhaps I did not hear the hon. Gentleman clearly, but he did not appear to explain why the Ministry of Defence was not covered by subsection (2).

Rob Marris: And the Foreign Office.

Mr. Davey: The Foreign Office, and one or two other relevant agencies. I do not want to provoke the hon. Member for Buckingham, because I want to move on.

Mr. Bercow *rose—*

Mr. Davey: The hon. Gentleman has been provoked.

Mr. Bercow: I am easily provoked, as you will be aware, Mr. Speaker. I was being selective and illustrative about the new clause rather than pedantic and exhaustive. As a person of generous spirit, I always thought that the hon. Gentleman preferred the former combination to the latter. I hope that he will not now disabuse me.

Mr. Davey: Although it is tempting to indulge in a little banter with the hon. Gentleman, I am sure that hon. Members would prefer me to discuss new clause 18.

The new clause is similar to a new clause that I tabled to the Finance Bill 2000. I will not rehearse the speech that I gave then, but hon. Members who are interested can read it at columns 268–69 of *Hansard* for 18 July 2000. It is also on our website.

The new clauses have the same purpose: to avoid unnecessary bureaucracy, expense and anxiety among vulnerable people. Let me explain. Relatively recently the Government changed the way in which they send out pay-as-you-earn notices of coding. I raised that in 2000 because of the Government's practice of announcing personal allowances for the following year for most employees in the pre-Budget report, but their failure to announce the allowances for pensioners. That caused confusion among pensioners who received a notice of coding in the spring and another one after the Budget. They wondered what was going on because the coding had changed following the Budget, and between April and May they effectively gave a tax-free loan to the Government because their tax position had been based on non-indexed allowances.

We argued that the Government should amend the Taxes Act 1988. They did not accept that, but changed the practice by administrative decision, which was welcome. They were clearly moved by the strength of the argument, especially the case put forward by the Low Incomes Tax Reform Group, and this is my first opportunity to salute them for that. However, in making the change and announcing the age-related allowances in the pre-Budget report, the Government did not announce the allowances for the following year for blind people. Although pensioners escaped the double tax code notification and related problems, blind people did not. So the Government need to go a little further.

The problem also suggests that, rather than making the change by administrative decision, it might be better to put it beyond doubt by including it in law. That would allow us to avoid the problems that arise for blind or elderly people if someone in a Department is forgetful and they receive two coding notices. That situation is confusing and people end up giving an interest-free loan to the Government. It is a small but important point because some of our vulnerable citizens experience unnecessary anxiety. I hope that if the Government do not accept the new clause, they will make that administrative decision now and table an amendment to that effect to next year's Finance Bill.

Dawn Primarolo: New clauses 6 and 18 are aimed at giving greater information and clarity to the taxpayer. I regret that I cannot accept either new clause, but I will outline some of the problems that arise and the issues that need to be settled.

New clause 6 attempts to provide every taxpayer with a statement to show how their income tax liability is allocated in spending terms. Telling taxpayers how their taxes are spent is something that the Government take seriously. We are doing that in a number of ways, but always want to improve on such practices. I want to explain why new clause 6 does not provide the best method. I listened very carefully to the points made by the hon. Member for Buckingham (Mr. Bercow), and I shall continue to reflect on them, but I shall briefly put to him the major difficulties with the new clause.

10 pm

First, the new clause runs counter to the principle underlying the Consolidated Fund because it asks us to track £1 of tax from a taxpayer into the Consolidated Fund and then back out to a particular Department. I accept the principle being put forward by the hon. Gentleman about giving indications of how taxpayers' money is spent, and we do our best to do that, but this route would be bureaucratic and difficult.

In addition, the apportionment calculation in the new clause simply will not work. I appreciate the point that is being made, but by multiplying an individual's income tax liability by the percentage of the total UK tax take that the income represents, the apportionment proposed in subsection (2)(d) can never add up to 100 per cent. of the individual's income tax liability. Other hon. Members pointed out that the list of Departments is not exhaustive and perhaps that is where the 100 per cent. is made up. However, that runs counter to the point that the hon. Member for Buckingham was trying to make about people understanding where their money goes.

There is a second problem with the new clause. Many of those who are not in self-assessment, such as employees taxed under PAYE, currently have no reason to provide the Inland Revenue with details of investment income taxed at source, unless they are liable to be taxed at the higher rate or are due a repayment. To provide such taxpayers with a statement of their total liability to income tax, the Inland Revenue would be required to obtain details of the total tax paid by each individual, and that would effectively bring millions of taxpayers into self-assessment, not for the purposes of collecting tax, but merely to provide them with a statement of their share of income tax liability, notionally apportioned. I do not think that the hon. Gentleman wanted to achieve that.

To be fair to the hon. Gentleman, what he is asking in his new clause is that the total tax paid by an individual over a tax year should be calculated, but that information, which would have to be accurate, is not held in one source. The new clause would require a statement to be issued annually to every one of the 26 million income tax payers, showing their total tax liability for the year, including PAYE. That would be a huge task, and it is a costly way of trying to achieve the hon. Gentleman's aim.

In speaking to the new clause, the hon. Gentleman was good enough to say that it was a probing amendment, and that he wanted to push the Government and, presumably, to hear me say that we will continue to look for ways to improve our method of accounting to the taxpayer for the spending of tax moneys. Although the hon. Gentleman will want to return to the matter, I hope that he accepts that the intention is shared across the House but this particular method is not the best way of fulfilling it. I should be grateful if he would allow me to consider the matter for a little longer.

Mr. Bercow: The right hon. Lady's tones are mellifluous and her forensic parliamentary skill was on display for all to see, but I suggest that the speech that she has just delivered represents the triumph, the ultimate victory, of the Treasury anorak. If ever there were a case of a Minister being guided by those whom we cannot name, but whom we can see if we look fairly carefully, to such an extent as to offer the House an extraordinarily over-zealous interpretation of what a rather humble hon. Member had in mind, this was such a case. The Minister knows that I am a very straightforward sort of bloke. I do not go in for the high-powered stuff—

Madam Deputy Speaker (Sylvia Heal): Order. That is rather long for an intervention.

Mr. Bercow: With the greatest respect, Madam Deputy Speaker, I was not under the impression that I was making an intervention. I thought that the Minister had finished her speech.

Dawn Primarolo *indicated dissent.*

Mr. Bercow: I beg your pardon, Madam Deputy Speaker, and I beg the Minister's pardon. In that case, let me simply say that the Minister is guilty of over-literal interpretation. What my hon. Friends, the taxpayer and I want to know is how money is divided between different areas of responsibility. I rest my case.

Dawn Primarolo: I hope that I did not unintentionally contribute to the hon. Gentleman's misunderstanding. I was giving way to him before responding to new clause 18.

[Dawn Primarolo]

Perhaps it is a mistake for a Minister to do this, but I was trying to give a considered response detailing why a particular mechanism would not work. I sometimes feel that I cannot win: if I brush an amendment aside without explanation, I have not dealt with it properly, and if I make an honest attempt to explain the real difficulties, I am accused of being an anorak. Oh well, never mind.

Around the time of the pre-Budget report and the Budget, the Government provide summary leaflets that provide a breakdown of the total revenue raised and the expenditure divided by Government Departments, as well as a breakdown of the sources of tax income. I thought—perhaps mistakenly—that that information was available to every taxpayer. It is certainly on the internet. I assumed that new clause 6 was designed to tease out whether that provision could be refined to an individual basis, so I was trying to explain some of the hurdles to the hon. Gentleman. I understand his impatience. I am sure that I would feel the same way if I were in opposition and he were the Minister making this speech.

New clause 18, to which the hon. Member for Kingston and Surbiton (Mr. Davey) spoke, deals with the timing of the announcements on income tax allowances. I regard it as a reasonable proposal, but for the reasons that I shall outline, I am not prepared to adopt it as an amendment to the Bill.

Indexation orders specify the level of allowances that should apply if they were to increase in line with inflation, but Parliament may determine otherwise. The orders do not set the level of the allowance or the rate bands. In effect, they provide formal confirmation of what the amount would be if indexation were to apply, which means that they are made even if statutory indexation is to be overridden—as it was during discussions on the Budget. For example, in clause 29 we set the level of the personal allowances for those aged 65 to 74 at £6,610 for 2003–04, which on current forecasts is £390 over indexation. We debated in Committee why it was necessary to do that. In any event, we published the indexed allowances in the pre-Budget report, in table 2 of the tax ready reckoner. The actual figures have not been pre-announced, but the information is available on the Treasury website. As part of our obligation under legislation, we also covered most of the allowances in the Treasury order that was made on the day of the pre-Budget report's publication. In the past two years, we have announced the level of pensioner allowances in the pre-Budget report. For 2003–04, we have already set the policy on the pensioner allowance and we should be able to confirm the figures once we know the value of the retail price index.

However, the crux of the matter—I will be perfectly straightforward with the hon. Member for Kingston and Surbiton in putting the Government's view—is that it is wrong to commit Governments for ever to announcing all allowances in the pre-Budget report. Chancellors must retain flexibility in the timing of decisions, so that they can mesh with the timetable of other policies or take account of the overall fiscal position on the basis of the latest available economic data. Current legislation ensures that indexation orders can be made at any time up to the start of the next year, once the retail prices index is known. In our view, it is better to make the order giving the theoretical indexation figure when the announcement is made on the actual level of allowances. That allows people to compare the two, which follows on from the principle to which the hon. Member for Buckingham referred in relation to information.

The Government have developed a policy of pre-announcement, in the context of the Chancellor taking the decision, of other strategies in the Budget or pre-Budget report. However, although we follow that practice at this time, we do not wish to formalise it as a permanent arrangement. I point out to the hon. Member for Kingston and Surbiton—this point lay behind many of his comments, and especially his reference to the Low Incomes Tax Reform Group—that the Government continue to take a very active interest in listening not only to him and other hon. Members, but to lobby groups, about how we can make contact with the tax system less frequent, especially for the vulnerable sections of our community, and how such contact can be made far less arduous than people sometimes find it when it does occur. I hope that he will accept that, although the Government may act on the principle at this time, we are not prepared to concede its formalisation into the Budget.

Mr. Edward Davey *rose—*

Dawn Primarolo: That was my last point, but I am happy to give way before I sit down.

Mr. Davey: I am grateful to the Paymaster General for showing her usual generosity.

The Paymaster General's words are very welcome and I understand her argument, but will she reassure me on the point that I made about blind people's allowances? The Government have moved by administrative decision to the pre-announcement of personal income tax allowances and age-related allowances, but will she give me some reassurance that she and her Department intend to do the same thing for the blind people's allowance?

Dawn Primarolo: I hope that the hon. Gentleman will forgive me if I assure him only that I will go away and consider the position of the allowances to which he refers. I do not think that I can give him the commitment that he seeks, and it would be unfair of me to do so without having properly considered the matter, but I will certainly take it away and consider it very carefully.

Mr. Bercow: I apologise profusely once again to you, Madam Deputy Speaker, and to the Paymaster General, because I genuinely misheard her in thinking that she had finished her speech.

The hon. Member for Kingston and Surbiton (Mr. Davey) can certainly fight his corner, and that he has eloquently done. Of course, I am saddened and mildly surprised that the Paymaster General did not respond to my exhortations. I had hoped that my hon. Friends and I would persuade her of the merits of new clause 6, and I am a sadder man for having been unable to do so. Nevertheless, I am genuinely encouraged by the Minister's willingness to consider the issues and by her comments about the Government's commitment to tax transparency and therefore, presumably, to the intelligibility principle.

10.15 pm

Perhaps I can conclude by asking the very busy, very senior, very distinguished, very important, very influential Minister, who has many commitments and a very full diary, whether, in one of her lighter and lazier moments, she would do me the signal honour in my parliamentary career of studying my Taxation (Right to Know) Bill, which I introduced as a ten-minute Bill on 6 June 2000. In that Bill, and in my speech commending it, I suggested several ways in which we could make the tax system more transparent to the people who have to foot the bills. In line with the principles of new clause 6, I particularly ask the Minister to consider the combined impact of direct and indirect taxes on people in various income deciles. The Minister is now extremely experienced in the Treasury, and she will be aware—although it may not suit her book to cite the fact—that for 15 successive years between 1981 and 1996, Conservative Governments published their assessments of the impact of direct and indirect taxes on the various income deciles.

The Minister, despite her professed and genuine loyalty to her boss, the Chancellor of the Exchequer, will know that he has been excoriated on several occasions by the Select Committee on the Treasury for his lack of transparency. I hope that she will not find it too painful if, in support of the principles of new clause 6, I remind her that in March 2000 her right hon. Friend was chastised by the Committee for his consistent failure to publish such an assessment. If the eloquently and sincerely expressed commitment to glasnost in matters of taxation that we have received from the Government tonight is to be taken at face value, it can only be a short time before the Chancellor admits that he was wrong, prays in aid the advice of his Paymaster General, and publishes the statement that is long awaited and much overdue.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

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New Clause 7

TAXATION OF COMMUNITY AMATEUR SPORTS CLUBS

'. After section 508 of the Taxes Act 1988 insert—

"*Community amateur sports clubs*

508ZA (1) Where—

(a) a club which has as its object the promotion within the community of amateur sport, physical education or the provision of sports facilities is approved for the purposes of this section by the Secretary of State; and

(b) the memorandum of association or other similar instrument regulating the functions of the club precludes the direct or indirect payment or transfer to any of its members of any of its income or property by way of dividend, gift, division, bonus or otherwise howsoever by way of profit;

there shall, on a claim in that behalf to the Board, be allowed in the case of the club such exemption from tax as falls to be allowed under section 505 in the case of a charity the whole income of which is applied to charitable purposes.

(2) The condition specified in paragraph (b) of subsection (1) above shall not be deemed not to be complied with in the case of any club by reason only that the memorandum or other similar instrument regulating its functions does not prevent the payment to its members of reasonable remuneration for goods, labour or power supplied, or for services rendered, of reasonable interest for money lent, or for reasonable rent for any premises.

(3) The Secretary of State may by regulations made by statutory instrument specify those classes of amateur sport, physical education and the provision of sports facilities to which the provisions of this section shall apply.".'.—*[Mr. Flight.]*

Brought up, and read the First time.

Mr. Flight: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 5, in schedule 18, page 242, leave out from beginning of line 24 to the end of line 37 on page 243 and insert—

'4 Section 505 of the Taxes Act 1988 (charities: general) applies to registered clubs and qualifying purposes as it does to charities and charitable purposes.

5 Section 25(10) of the Finance Act 1990 (c. 29) (gift aid) applies to a registered club in respect of any gift received by it as it applies to a charity in receipt of any qualifying donation.'.

No. 6, in page 243, leave out from beginning of line 42 to end of line 5 on page 245.

No. 7, in page 245, leave out lines 7 to 31 and insert—

'9 In respect of all gifts and transfers to a registered club, which for the purposes of this Schedule include membership fees, the donor may make such claims and elections as would be available under any enactment if that registered club were a charity.'.

Mr. Flight: For some time there has been cross-party support for the view that qualifying amateur sports clubs should either be able to qualify as charities or to have a tax relief parallel to charities. What has happened is a dog's breakfast in that last November, the Charity Commission decided that some amateur sports clubs could qualify on the basis of contribution to health and fitness, but others could not. Consequently, angling, crossbow, flying, motor sports, pistol shooting and various others do not qualify. The Government had made certain promises, going back to the last election, on tax reliefs for qualifying amateur sports clubs, not expecting them to qualify as charities, and those are introduced by the Bill. However, they are slightly less generous than those which would obtain if an amateur sports club became a charity.

The duties of charitable status are not hugely onerous, but they entail work, and some smaller clubs that would qualify as charities may not want to make the effort to become a charity. In essence, the new clause states that it is ridiculous to have two sets of slightly different rules when the amounts of money are not material, and suggests that it would be more sensible for qualifying amateur sports clubs to enjoy the same tax reliefs as charities.

Under the Revenue rules in the Bill, gifting is permitted only from individuals, not companies. There will be misunderstandings about that and rows about claims. There are differences in the rules for trading income and stamp duty. Above all, there could be a difference in rates. Before the election, the Government suggested that they expected to put in place measures that would give 80 per cent. relief. They cannot be part of the Bill because they are not financial, but the figure was miraculously reduced to 50 per cent. That is important for many amateur sports clubs.

The cost of the relevant provisions is £5 million—not a huge sum. The modest, small new clause would tidy up the Bill. Amendments Nos. 5, 6 and 7 would allow membership fees to qualify for gift aid on an equal basis with charities. Is there a material difference between

[Mr. Flight]

membership of a qualifying, virtuous sports club, which makes people healthy and saves the national health service money and membership of Save the Whale? We believe that it would be sensible for all membership fees to qualify.

We raised the issue in Committee and discussed various aspects of it. However, the fundamental point was not tackled. We hope that the Government have had second thoughts. Instead of making everything even more complex, let us have a clean, simple arrangement.

Mr. Edward Davey: I support the new clause. The relevant issues were debated in Committee, when my hon. Friend the Member for Southport (Dr. Pugh) put our position on the record. The matter was discussed in two sittings and I therefore do not wish to detain the House at length. The Government have offered sports clubs a choice between the route set out in the Charity Commissioners' recent ruling and the provision in the Bill. That is a welcome improvement, but as the hon. Member for Arundel and South Downs suggested, it creates some untidiness and means that the decision is difficult.

People who do not have much expertise in the matter because their core aim is to run a sports club, with all the attendant benefits for communities throughout the country, are being asked to make difficult decisions. Should they decide to become a charity, with the various duties, responsibilities and possible change in the club's ethos that that entails and get the available reliefs? Or should they go down the route that the Government propose, and obtain slightly different reliefs? It is a complicated decision. It is therefore not sensible simply to say that it is wonderful that sports clubs have a choice. It would be better to align the choices so that they are identical for tax purposes.

The new clause is sensible and I believe that the Government would agree with its spirit. Perhaps they wish that they had thought of it. The Economic Secretary is unlikely to accept the new clause, but I hope that he will show that the Treasury is open minded and that we can look forward in due course to changes that the Government have drafted.

Mr. John Greenway (Ryedale): It is often the way in the House that, if there is something that an hon. Member has wanted to talk about for a long time, they only get the opportunity to do so very late at night, when they have no wish to detain the House unnecessarily. I do, however, want to speak to the new clause and the associated amendments.

There are 110,000 community and amateur sports clubs in this country. They are run by volunteers, and they provide the biggest resource to grass-roots sport participation in the entire United Kingdom. As my hon. Friend the Member for Arundel and South Downs (Mr. Flight) said, in last year's Budget, the Chancellor of the Exchequer proposed the introduction of a tax package, and Ministers in both the Treasury and the Department for Culture, Media and Sport heightened expectations that that package would include mandatory rate relief.

That perception was encouraged at the general election. I well recall, two days before polling day, an argumentative joint interview with the hon. Member for Vauxhall (Kate Hoey)—then the Minister for Sport—not about whether the Government wanted to provide mandatory rate relief but about how that should be done. The sense that mandatory rate relief was the Government's plan was, therefore, certainly heightened at the election.

When the Government were about to publish their White Paper on this tax package, however, the Charity Commissioners produced a rabbit out of the hat by suggesting that they were prepared to amend their definition of "social purposes" so as to include many of these sports clubs. Ministers have been very enthusiastic that charitable status would deliver mandatory rate relief—as, indeed, it would. We find, however, that the mandatory rate relief proposal has been dropped from the Treasury's own tax package. Yet, on the very day that the White Paper was published—30 November—the Treasury issued a press release that stated that its tax package would include 80 per cent. mandatory rate relief. I take that as an indication that this idea was dropped at the last minute, because there was an alternative route.

My hon. Friend the Member for Arundel and South Downs and the hon. Member for Kingston and Surbiton (Mr. Davey) have made the point that this is not a popular choice for those who run the many amateur sports clubs to have to make. They are volunteers, this is a complex matter, and they cannot understand why Ministers are saying, "Yes, we think you should have mandatory rate relief, but you can only have it by going down the charitable route. You can't have it through our tax package." That shows a very strange sense of priorities.

For that reason, my hon. Friend the Member for Arundel and South Downs felt it sensible to raise this issue in Committee and on the Floor of the House. Where is the logic in saying, "You can have mandatory rate relief by one route, but not by the other"? That is subject, of course, to the caveat that the purposes of the club must be clearly defined, and relief restricted to genuine community and amateur sports clubs.

Earlier today, here at the Palace of Westminster, the Central Council of Physical Recreation launched its latest initiative on the value to health of sports participation. Those colleagues who attended the launch were told that the Government spend £1,100 per capita on health, but only £1.34 on sport, and any sensible interpretation of a written answer that I received from the Secretary of State for Culture, Media and Sport last week would be that half that £1.34 is spent on administration and regional bodies.

Nobody in the House can be proud of this situation. It is time to begin to redress the balance of priorities. At the most recent Department for Culture, Media and Sport Question Time, the Minister for Sport said that the Government were looking to see how they could extend their relief to provide this rate relief, but I would say to the House that it really is time to give these community and amateur sports clubs the support that they deserve. I urge hon. Members on both sides of the House to do what their constituents, and the sports clubs in their constituencies, want, which is to vote for this measure.

The Economic Secretary to the Treasury (John Healey): I welcome the cross-party support expressed by the hon. Members for Arundel and South Downs (Mr. Flight) and for Kingston and Surbiton (Mr. Davey) for the general increase in support for community and amateur sports clubs.

The provisions that the Government, together with the Charity Commission, have put in place offer the scope for local sports clubs to become charities if they choose and if they are eligible, and they offer significant support for clubs that are not able or not willing to become a charity. What the hon. Member for Arundel and South Downs proposes does not tidy up the provisions that the Government propose; it does not reduce the complexity; and it does not reduce the inequity that the hon. Gentleman thinks he sees in what we are proposing. I shall explain why in a moment.

10.30 pm

The hon. Member for Ryedale (Mr. Greenway) said that he had wanted to speak about these matters for a long time. Indeed, he has a long-standing interest in local sports and is heavily involved in his local area. I know of his activities and I know the area well, and the hon. Gentleman spoke knowledgeably on the subject.

On business rate relief, that was not part of the tax package that was the subject of the consultation that led to the provisions in the Bill. Discretionary rate relief, as the hon. Gentleman rightly points out, is a matter for local authorities. The Office of the Deputy Prime Minister has issued a consultation paper on revising the guidance on rate relief for charities and other non-profit-making bodies. The aim is to provide a more consistent basis for and approach to decision making in local authorities on these matters. The issue that the hon. Gentleman raises is a matter for the Office of the Deputy Prime Minister, not for a Finance Bill. The measures contained in the Bill and in the tax package are generous by any measure and they are widely welcomed.

New clause 7, as the hon. Member for Arundel and South Downs briefly explained, seeks to extend all the exemptions that charities enjoy on their income to clubs which have as their object the promotion within the community of amateur sport, physical education or the provision of sports facilities. The Opposition claim that the new clause would give sports clubs parity with charity, which clubs have sought, as least as regards the exemptions on their income.

Clubs can already achieve parity by becoming charities, following the Charity Commission's decision to relax its approach, announced alongside the pre-Budget report in November last year. If a sports club wants to be treated as a charity, it can now be treated as a charity, and it should become a charity.

Mr. Flight: I thank the Minister for allowing me to intervene. My understanding, as I mentioned, is that the Charity Commission has made it clear that not all amateur sports clubs can become charities. They must be able to meet the Charity Commissioners' designation of health and fitness. I read out an illustrative list showing that there are various kinds of amateur sports clubs that would qualify for the measures in the Bill, but cannot become charities.

John Healey: The hon. Gentleman is perfectly right. The broadening of the definition of charitable purposes that the Charity Commission confirmed in November last year included two activities that it will now recognise as charitable: first,

"the promotion of community participation in healthy recreation by the provision of facilities for the playing of particular sports"

and secondly,

"the advancement of the physical education of young people not undergoing formal education".

That leaves certain sports which Sport England would recognise as a sport, such as angling, pool, billiards and snooker, outside the definition. Hence, we are bringing in tax provisions in the Bill so that clubs that cannot qualify as a charity may nevertheless benefit to a significant extent from the support that we want to put in place to back their activities.

Amendment No. 5 would give sports clubs access to all the reliefs that charities enjoy on various sources of income, including the right to reclaim tax on payments made under gift aid. Amendment No. 6 would remove the restriction of reliefs where a sports club spends its funds on non-qualifying purposes—that is, not in providing facilities for or promoting participation in an eligible sport.

Amendment No. 7 would give donors to sports clubs access to all the incentives that donors to charities enjoy. It would also allow members of sports clubs to use gift aid for their membership fees. That is not charity parity, but charity plus, and it is not justified.

It would be misconceived to allow any organisation not prepared to meet the requirements or the responsibilities of becoming a charity to enjoy the full range of exemptions available to charities. It is not our intention to put community and amateur sports clubs in a better position than charities or other businesses.

Furthermore, including membership subscriptions in the gift aid scheme would not be appropriate. Gift aid is intended to increase the value of gifts to charity by allowing taxpayers to add to their donation the basic rate of tax that they have paid. It is not meant to subsidise the payments that people make to purchase their use of leisure and sporting facilities.

The principal purpose of the provision in the Bill is to support local sports clubs, which pay an important role in all our communities. Every Member could cite a number of local clubs in their constituency that could benefit from this support. They play such an important role that we want to support them. In my own area, next door to where we live in Rawmarsh, is the Upper Haugh cricket club and the St. Joseph's junior football club. Those clubs allow people to participate in sport, and are run by people who give up their time willingly and voluntarily, and have often done so for many years. This is the first time that the Government are putting in place through the tax system support and recognition for their contribution to their communities.

Our proposals, as set out in clause 57 and schedule 18, provide alternative support for clubs that cannot or do not want to become registered charities. We received more than 2,500 responses to the consultation. The sector told us that it wanted a scheme with less regulatory requirements than the Charity Commission that was administered by the Inland Revenue. That is what they have got. If clubs meet the criteria in schedule 18, they will be able to enjoy most of the reliefs and exemptions usually associated with charitable status, including many reliefs for donors. The package is targeted in particular at helping the smallest sports clubs without triggering the level of regulation required of charities.

[John Healey]

I shall show the strength of support for this provision. After the proposals were first set out in the pre-Budget report in November last year, Elsa Davies, director of the National Playing Fields Association, said in December:

> "We have criticised the Government in the past for its record on supporting sport . . . and we had begun to believe that this change was unattainable, but the Charity Commissioners and the Treasury have provided a magnificent Christmas present for sport."

In response to the Budget on 17 April, the chairman of the Central Council of Physical Recreation said:

> "This is a great day for British sport. We are delighted that Government is listening to the views of sport, and is recognising its contribution to society through the tax system."

The new clause would introduce a more complicated regime, not a tidier one. It would require the Secretary of State to decide what activities should qualify for this relief, and to set up additional procedures for approving individual clubs. It would require clubs to apply to the Inland Revenue for exemptions.

Our proposals would define qualifying sports by reference to the list of recognised activities maintained by the Sports Council, to which I have already referred. It seems to us to be best placed to make such decisions. That would allow clubs to register with the Inland Revenue, which would be responsible for administering the exemptions.

These provisions have been the subject of wide consultation and the object of equally wide welcome. I hope that I have explained to the House why the Government's proposals, not those in the new clause or the amendments, should be the basis for the Bill's support for community sports clubs. On that basis, I encourage the hon. Member for Arundel and South Downs to withdraw the new clause. If he will not, I urge my right hon. and hon. Friends to vote it down.

Mr. Flight: Half a pint is better than no pint, but our new clause and amendments are clear. They simply ask why on earth we should have slightly different rules under this mechanism. Instead, we should have a system under which amateur sports clubs get the same tax breaks either under the Bill or as charities. There will be confusion as a result of the difference, and I am afraid that there is some disappointment.

Our lawyers advise us that there is nothing more in what we propose, although I have specifically raised the issue of membership. Our proposals seem to us by far the better solution. The Treasury is proving that it can do it as it wishes, as it is already doing, but that is simply to avoid what is called the golf club problem. We think that what we propose is right, and we are not satisfied with the Government's measures—welcome though they are as half a pint. Sports clubs could easily have been treated the same as charities.

Question put, That the clause be read a Second time:—

The House divided: Ayes 179, Noes 296.

Division No. 290] [10.41 pm

AYES

Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baron, John
Barrett, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brazier, Julian
Brooke, Mrs Annette L
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Rt Hon Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Dorrell, Rt Hon Stephen
Doughty, Sue
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David
Heathcoat-Amory, Rt Hon David
Hermon, Lady
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Laws, David
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Price, Adam
Prisk, Mark
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Turner, Andrew *(Isle of Wight)*

Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas
(Macclesfield)
Yeo, Tim
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Charles Hendry and
Mrs. Cheryl Gillan.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald
(Swansea E)
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Begg, Miss Anne
Benn, Hilary
Bennett, Andrew
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, Rt Hon Nicholas
(Newcastle E & Wallsend)
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry
(B'ham Hodge H)
Dawson, Hilton
Denham, Rt Hon John
Dhanda, Parmjit
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Francis, Dr Hywel
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Goggins, Paul
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Irranca-Davies, Huw
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
McAvoy, Thomas
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, John
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
MacShane, Denis
McWalter, Tony
McWilliam, Jo[illegible]
Mahmood, K[illegible]
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John
(Glasgow Anniesland)
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, Rt Hon John
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*

Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Winnick, David
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Angela Smith and
Mr. Fraser Kemp.

Question accordingly negatived.

New Clause 8

IR35

'.—(1) Schedule 12 to the Finance Act 2000 (c. 17) (provision of services through an intermediary) is amended as follows.

(2) In Part 2 (the deemed Schedule E payments), after paragraph 7B insert—

"Training Costs

7C (1) The reference in Step Three of the calculation in paragraph 7 to expenses that would have been deductible from the emoluments of the employment includes expenses incurred where the worker attends an external training course relating to his work.

(2) This section has effect for the year 2002–03 and subsequent years of assessment.".'.—*[Mr. Bercow.]*

Brought up, and read the First time.

Mr. Bercow: I beg to move, That the clause be read a Second time.

In common with all the new clauses that my hon. Friends and I have tabled, new clause 8 is so manifestly reasonable that only an extraordinarily unreasonable Government could resist it. That is the yardstick by which the Paymaster General will be judged when she replies. As she and the House know, IR35 provisions apply to individuals who are employed by their own service company, but whom the Government consider as employees of the business to which they are contracted. They are taxed as if they were employees, hence they cannot benefit from the ability to defer tax liabilities via dividends, and so on. That is to say, they cannot enjoy the normal benefits of incorporated businesses.

My hon. Friends and I believe that the costs of vocational training should be deductible for an IR35 individual—if I may so describe him or her—who is both employee and employer, in the same way that those costs would be deductible for any other employer.

In order to anticipate the charge that will be lobbed at us, I say in advance that the Conservatives are not advocating tax avoidance. It is merely a case of bringing employees and employers subject to IR35 provisions into line with other employees and employers. Since the Paymaster General has said that IR35 individuals can get all the tax benefits of being employed—that was what she said in Committee—we think that it is reasonable for them to get relief for eligible and relevant training costs.

The idea contained in the new clause would be valid even if it were merely the product of a back of a cigarette packet calculation by my hon. Friend the Member for Arundel and South Downs (Mr. Flight), because any such calculations that he makes are invariably cogent. However, the new clause has the added benefit of being derived from the grass roots. It is the result of representations and the consequence of us going around the country and hearing what people who are faced with Government imposts say about the inequity of the treatment that they currently suffer.

It is a modest request, made with my characteristic modesty and self-effacement. I am sucking up to the Minister in the hope that, at almost 11 pm, she will give an even more favourable reply than she was otherwise disposed to do. Exceeding even my own now established reputation for brevity, I commend the new clause to the House.

Mr. John Burnett (Torridge and West Devon): The changes to bring IR35 into being, and bring the self-employed—in this case, invariably computer specialists—into the employees' national insurance contributions network, were unfair for numerous reasons. First, those people got no enhanced benefits. Secondly, the companies deemed to employ them, which were often large multinational companies, did not have to pay employers' NICs. Thirdly, the nature of the change was deeply prejudicial.

The businesses in question are knowledge businesses. Their principal or main assets are the individuals who work so hard for them. The individuals do not have a choice about how they trade—that is dictated by their employers. We have always called for a wholesale review of the IR35 system. It is unsatisfactory, partial and prejudicial. Nevertheless, we agree that in the meantime the costs of vocational training should be deductible and we support the new clause.

Chris Grayling: I shall follow the example set by my hon. Friend the Member for Buckingham (Mr. Bercow) and be brief. The Minister needs to understand that the status of someone who is encompassed by IR35 is very different from that of the conventional employee. Employers do not provide the infrastructure of support to them that employees normally enjoy, including training. Such individuals have a very different status in the organisations. Leaving aside the short-lived—or at least time-limited—nature of their contracts, they do not receive training and other support. The new clause is an admirable proposal that would certainly make the life of many IR35 people much easier and I hope that the Minister will accept it.

Dawn Primarolo: I shall not accept new clause 8 and I am sorry to disappoint the hon. Member for Buckingham again. I intend to put forcefully the Government's arguments on the issue. The hon. Members for Buckingham, for Torridge and West Devon (Mr. Burnett) and for Epsom and Ewell (Chris Grayling) are labouring under a misconception. The new clause would not bring IR35 employees in line with others in the tax system. Indeed, it would do the reverse. It would give them an advantageous position that no one else in the tax system possesses.

I need to remind the House what the legislation on service companies was intended to do. It is called IR35 because it appeared in Inland Revenue press release 35. In the tax system, individuals are dealt with according to whether they are self-employed or employees, and the reliefs given are within the tax system. I shall leave partnerships aside.

11 pm

What happened was that a large number of people who use a service company structure sought to give themselves the benefits of the reliefs that employees gain and those that the companies would receive. They then undertook contracts within a company as allegedly self-employed subcontractors, but the control of the hours worked, the tasks of the job and the work undertaken were completely identical in every other sense to those of the people whom they worked alongside, who were employees of the company.

A huge amount of tax was lost through national insurance and income tax because those individuals did not pay the correct amount, even though case law determined that they were employees. The Government introduced legislation that said that, where the service company sought to disguise the fact that there was only one person in the company and that person was really employed in another company and he or she worked alongside an employee and, by every test, was an employee, that person therefore had to be designated as an employee of that service company. Our legislation was indeed repeatedly challenged in the courts, and the Government's position was repeatedly supported by the courts as following case law. That is the purpose of the IR35 legislation.

Where someone is in a service company and he or she is not caught by the provisions that say, "You are working alongside someone else and your job is exactly the same, so you are not self-employed because your job is controlled. You are an employee. You pay through PAYE", that person is genuinely self-employed and genuinely working through a service company, and the Government's legislation does not impinge on him or her.

I shall remind hon. Members how training is treated under the tax system. The employer receives the tax relief to pay for the training of their employees. The new clause would allow the service company, as the employer, to gain access to the tax relief and then give it 5 per cent. on top for no earthly reason whatever. It would allow the company to claim the employee's tax relief and the employer's tax relief for the same person. That is simply not fair. It is not fair on the other taxpayers, and there is no justification for special treatment in that way.

I would go further. I am interested to hear the hon. Member for Buckingham say that he has been heavily lobbied on this issue, because the organisation that represents service companies—the Professional Contractors Group, the lobby and professional group which has worked with the Government for the past few years—has been totally silent on this issue. In fact, it has been totally silent on every issue over the last 12 months. Its website no longer carries the frequent information and demands that it used to have. When the Government introduced the legislation, we said, "This is what we believe to be the case; we are standing by this legislation. However, we will work with you. If you can clearly demonstrate to us that we have made an error in how we treat you in relation to either your training costs or the 5 per cent. that we already allow—which nobody else gets, and which can be paid on training costs or on administration costs—talk to us about it." There has been no discussion; there has been radio silence.

I understand and applaud the hon. Gentleman's declaration that he merely wants to ensure that those in service companies are not disadvantaged because of the IR35 legislation and do not receive unequal or different treatment from everybody else in the tax system. That is what the status quo provides. Under his new clause, those who seek extra reliefs with no justification to reduce their tax liability would have an unfair position with regard to all other taxpayers. I would therefore ask him to withdraw it.

The Government continue to be prepared to discuss these issues if evidence of a problem can be supplied to us. If the hon. Gentleman prefers to press the new clause to a vote, however, I shall have to advise my hon. Friends to oppose it in the name of fairness and justice to the 26 million taxpayers who work in the tax system and get a fair deal from it as it is. They would rightly be outraged if a small proportion of taxpayers were to receive a greater advantage than them.

Mr. Flight: I have received complaints, inevitably, from those in the software industry that, because they have fallen within the IR35 legislation and they face considerable training costs to keep their skills up-to-date, they are tax-disadvantaged. The new clause does not seek a tax privilege for those people. As the Paymaster General has said that the Government are entirely open to addressing any problems, however, I should like to pursue, outside the Chamber, what problems might exist and whether they need to be addressed, or whether the body of people who have approached me have misunderstood their position under IR35.

The basic principle of the new clause is that people should not be disadvantaged with regard to skill training—everybody wants to ensure that the country is more skilled and that productivity rises—just because they fall under IR35. On the basis that the issue will be investigated further, given what the Paymaster General has said, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 10

ATTRIBUTION OF GAINS TO MEMBERS OF NON-RESIDENT COMPANIES

'.—( ) In section 13 of the Taxation of Chargeable Gains Act 1992 (attribution of gains to members of non-resident companies) in subsection (5) omit the word "or" immediately preceding paragraph (d) and at the end of that paragraph insert "; or

(e) a chargeable gain accruing on the disposal of an asset held by a company which complies with subsection (2) of section 13A of the Taxes Act 1988 (close investment-holding companies).".'.—*[Mr. Flight.]*

Brought up, and read the First time.

Mr. Flight: I beg to move, That the clause be read a Second time.

I regret that, at this late hour, I raise for the third year running what I believe to be a continuing injustice in the tax system. However, I accept that this injustice occurs in very limited circumstances.

[Mr. Flight]

Section 13 of the Taxation of Chargeable Gains Act 1992 prevents UK residents avoiding tax on capital gains by arranging for gains to arise in closely controlled offshore companies, namely companies owned by a few individuals. Section 13 counters any abuse by taxing UK residents on their corresponding share of such gains. It is widely drawn and contains only limited exemptions, principally for gains made by overseas trading companies.

A particular difficulty arises when commercial activities do not amount to trading, and a later new clause will explore the trading versus investment issue and the outdated approach that is sometimes used. The result of the difficulty is that a UK family-controlled business can find that it is taxed on gains made in overseas subsidiaries whether or not those gains can be remitted back to the UK and to the family who make up the controlling body. In some cases, the gains may not even represent real profits, but only exchange rate fluctuations.

The particular problem is for property investment businesses. Section 13 places a considerable compliance burden on such companies and can result in anomalous tax charges, putting privately owned British groups at a considerable disadvantage compared with public companies and non-British businesses.

The new clause seeks to address the issue by extending the gains that will not be subject to the section 13 charge to gains arising to groups of companies that invest in property on a commercial basis. It would do that by using an existing definition in subsection (2) of section 13A of the Taxes Act 1988 to distinguish trading and property investment companies from pure investment activities. That would ensure that ordinary equity and similar investments could not be packaged into UK companies to avoid capital gains tax.

The Grosvenor Group of companies feels with some justice that it is being persecuted under the law as it stands. In one case, it owns indirectly 25 per cent. of an EU-resident property investment company and the remaining shares are controlled by EU residents. The European group's strategy is to create a property fund and it will sell 49 per cent. of the shares to a new company established to hold a group of companies that own established retail investment properties in Europe. The price to incoming new investors is determined and the company uses the cash to reduce external debt and finance new property investments.

The company is not controlled by Grosvenor, although Grosvenor can have a place on the board. It is difficult to argue against such a compelling commercial strategy simply on the ground of a domestic UK tax difficulty. Even if Grosvenor objected to the transaction, it would not have any power to prevent it.

Grosvenor has incomplete information from the company in question and has difficulty complying with the reporting requirements for the European company's investments, and little UK tax is payable as a result of the historic structure of the European company. The equivalent UK section 13 base case cost is negligible because the underlying company is to be sold or financed by loans rather than share capital. Therefore, Grosvenor picks up a large UK capital gains tax bill of £10 million and corporation tax at 30 per cent. works out on a euro basis at £10.7 million.

11.15 pm

From the point of view of Grosvenor, the UK holding company, the gain is unrealised because the European company is not making any distribution to shareholders and the cash realised simply pays down debts. The £10 million tax is payable, but no cash flows through to pay it. If Grosvenor sells its interest in the European company to release funds to pay it, there is no credit for the section 13 tax to be set against the tax on the gains of the sale of the European company, which is a double taxation situation.

The problem has been recognised in negotiations to date, but it is a low priority. Aside from general policy objections, the Government might be concerned that the arrangements in the new clause could allow UK residents to shelter gains on UK investment properties by holding them in non-UK resident companies. If so, we could exclude the holding of land in the UK from the qualifying activities.

The bottom line is that the law as it stands can create a double capital gains taxation charge. If the Government do not like our proposal for addressing it, will they produce one of their own?

Mr. Burnett: Do I understand the hon. Gentleman correctly? Is he saying that private companies are merely seeking the same tax treatment as public companies?

Mr. Flight: In essence that is the case, but the arrangement is sparked by the problem that arises when a private group is controlled by a family trust.

Rob Marris: I think that I understand the hon. Gentleman's argument, but it sounds as though he wants to change the law to give a tax break to property speculators who engaged in a tax avoidance vehicle that failed to deliver.

Mr. Flight: With respect, I expected better from the hon. Gentleman, who is a lawyer. That is not the case in the slightest. A UK company that owns minority investments in, for example, European property companies gets a look-through tax treatment and does not suffer double taxation. If the holding is controlled not by individual shareholders but by a trust, it gets exposed to double taxation. I cannot think that the hon. Gentleman, as a man of principle, would want our tax law to impose double taxation on normal commercial investment activities. I would be pleased to take him through the details at another time, but the new clause is not about speculation and tax sheltering. It is merely designed to achieve fair taxation in line with publicly owned companies that have shareholders.

Rob Marris: I am grateful to the hon. Gentleman for his offer of an explanation at a later date, which I may take him up on. Most, if not all, hon. Members would not be in favour of double taxation, but can he explain why a trust exists rather than a regular company in the example that he gave? Is not the trust a tax avoidance measure?

Mr. Flight: No. The hon. Gentleman associates trusts, for some good reasons, with tax avoidance schemes, but many companies—especially family companies—prefer the old-fashioned bona fide use of a trust, and the new clause is aimed at them. The legislation was designed to abolish a tax avoidance scheme, which I named the Belgian wheeze. Inadvertently, however, it catches one or two bona fide situations. Some relief has been afforded, but we leave open an unfair double taxation charge.

Mr. Burnett: I assure hon. Members that trusts do not exist solely for the purpose of tax avoidance; in fact, many are set up for the sensible family reasons that have been given.

Rob Marris: I was not trying to suggest that every trust is set up as a tax avoidance vehicle. I was referring specifically to the Grosvenor trust, which, from what was being said, sounded like such a vehicle.

Mr. Burnett: I am not aware of the intricacies of the Grosvenor trust or trusts. All I can tell the hon. Gentleman is that in my time as a practitioner I have set up a great many trusts, invariably for bona fide family reasons such as ensuring succession in a business and, often, the prudent running of a business.

In Committee, we referred to "investment bad, trading good", and I note that the matter will come up later. Investment companies are very important. They employ many individuals, and they facilitate jobs, trading and industry. In an intervention on the hon. Member for Arundel and South Downs (Mr. Flight), I asked why the Bill should prejudice private companies. If the Paymaster General has an explanation for that, I look forward to hearing it.

Dawn Primarolo: I shall deal first with the last point, which is the claim that the Bill discriminates unfairly against private companies compared with public companies in otherwise identical circumstances. It counters the avoidance of UK tax by UK residents who invest through closely controlled companies. Any closely controlled public company will fall within the scope of the Bill, and a private company that is not closely controlled will fall outside it. The Bill draws no distinction between companies according to whether they are public or private; it is the fact that the company is closely controlled that is crucial.

Mr. Burnett: Will the Paymaster General explain whether there is different tax treatment, in the same circumstances, for a closely controlled company and another company, let us say a public one? If so, will she justify it?

Dawn Primarolo: Perhaps my remarks on the new clause, specifically on anti-avoidance legislation, will answer the hon. Gentleman's questions.

Unfortunately, one of the simplest ways to avoid capital gains tax on the sale of assets, such as shares in a UK company, is to hold them in an offshore company, which then realises the assets outside the UK tax jurisdiction. Specific anti-avoidance rules introduced in 1965 counter that. They apply to companies that are closely controlled, and it is whether or not they are closely controlled that determines the attribution of the gain. The new clause would amend the key provisions.

Reference has been made by some hon. Members to whether the new clause concerns a particular company. I want to state on the record that I do not know whether that is the case. I shall refer not to that company but to the principles in the Bill and to what we seek to achieve. There have been discussions and representations on this matter, as there are on every aspect of the tax system. However, I would be extremely grateful—it would be most helpful—if hon. Members who want to contribute further to the debate did so without referring to any particular company.

Key provisions would prevent UK residents from disposing of investments tax-free through an overseas company that is closely controlled. That anti-avoidance rule ensures that UK resident participants in the company are taxed on their share of the gains. I cannot support new clause 10, but it will be helpful to set it in context and give a brief account of the current position.

The hon. Member for Arundel and South Downs (Mr. Flight) has returned to this issue on several occasions. In the Finance Act 2000, we tightened a series of regulations to remove a loophole that enabled people to exploit provisions in some of our double taxation treaties. The problem was the result of the interaction between a number of aspects of the tax system. Following a constructive debate in Committee on that legislation, led by the hon. Gentleman, and another on Report, we agreed to look again at the legislation to see whether we could remove some of the rougher edges that inevitably occur.

We made a series of changes to improve the position. We also looked long and hard at various proposals on how to ease the position of property investment companies, and the House debated those proposals at length. One of the proposals would have excluded companies that had been resident outside the UK for more than five years. That was not acceptable because it would have given the green light to long-term tax avoidance—it would be crazy to say, "Okay, do it for five years." Another proposal would have raised the 10 per cent. threshold to 25 per cent. That was not acceptable because it would have let out people who were in a position to exercise a degree of control over the actions of the company.

Another proposal would have imposed a motive test and excluded companies that invest in land commercially from the scope of the anti-avoidance rule. We could not accept that because we could not see how it would operate in practice. Regardless of the motive for establishing the non-resident company, if the effect is to enable a UK resident to enjoy the benefits of gains without paying tax, those arrangements have to be considered in the same light as those constructed with a clear avoidance motive.

The whole point of our system is to ensure that UK residents who enjoy the benefits of the gain do not escape the tax that they should pay in the UK. That is perfectly reasonable. It is what every Member of Parliament does and what we expect every citizen of this country to do. If we all pay our fair share, we will not be asked to pay more than our fair share. Those who do not pay their fair share ensure either that there is less money to invest in public services, or that the rest of us pay more. That is the heart of the provisions.

New clause 10 would exclude gains on property investment except where the property in question is let to a person connected with the company. We are not attracted to that proposal because we are firmly wedded to the principle that gains should be taxed if the person who gains is a UK resident. That is not unreasonable. The previous Government were also firmly wedded to that principle, and quite rightly. It is a question of fairness.

[Dawn Primarolo]

The holding and letting of property is an investment activity. We accept that there is a wide range of property investment, stretching from the holding and active management of a wide portfolio of properties to passive investment in a single residence. However, it is difficult to see how a provision could be devised that drew a clear distinction between the one and the other without giving rise to serious problems at the boundary. That is precisely the difficulty in determining the matter, as, in fairness, the hon. Member for Arundel and South Downs recognises.

11.30 pm

The new clause does not even attempt to address those problems. It would allow United Kingdom residents to escape tax on their property investment by holding the properties in an overseas company, which is simply unacceptable. However, the problems with the new clause do not stop there. It would also allow gains on shares in trading or property investment companies to escape UK tax where the shares are held through an overseas company that is closely controlled by a UK resident. I assume that the hon. Gentleman does not intend that to happen, but the clause would achieve that result as well.

That makes my point—the boundary issue is extremely complex and difficult. The Government have struck the best balance that they could. Even though the hon. Gentleman is very good at identifying problems and has tabled some amendments to this Bill in which he found solutions that we were prepared to accept, he has not found such a solution on this occasion and the new clause does not work. However, I do not complain to the House about his persistence in trying to find a way through the matter and I hope that it will eventually result in success. I wish him luck in his attempt, and if he manages to achieve his purpose before we do, I will graciously accept his proposals. However, I regret that, on this occasion, his new clause makes matters worse, so I ask him not to press it to a vote.

Mr. Flight: I thank the Paymaster General for her comments and her implicit assurance that she understands the complicated point that I have been banging on about all this time, even at this time of night. I said that I did not think that the new clause would necessarily work. As she will be aware, other attempts have been made to find a way through, and it is important that there is an issue that should, in justice, be addressed. I gained the impression that because it was a difficult issue, it had fallen to the bottom of the pile, so I have been endeavouring to ensure that it moves up towards the top. If this attempt does not work, I will not pursue it, but I may wish to return to the matter informally if the tax barrister who assisted me in drafting the proposal has a way of making it work. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 11

EXPENSIVE CARS

'.—(1) In the Capital Allowances Act 2001:

(a) in section 74(2)(b), for "£12,000", substitute "£24,000";

(b) in section 75([illegible]), for "£3,000", substitute "£6,000";

(c) in section 76(2) and section 76(4), for "£3,000" substitute "£6,000";

(d) in section 76(3)(a), for "£12,000", substitute "£24,000".

(2) In section 578A of the Income and Corporation Taxes Act 1988, in subsections (2)(b) and (3), for "£12,000", substitute "£24,000".

(3) This section has effect for accounting periods commencing on or after 1st April 2002.'.—*[Mr. Flight.]*

Brought up, and read the First time.

Mr. Flight: I beg to move, That the clause be read a Second time.

This is an especially dry clause to deal with when the time is getting on for midnight, but it represents proposals made by the Chartered Institute of Taxation in one of its "quick wins" papers on tax simplification, going back to last autumn. I thought that the proposals had been discussed with the Inland Revenue, which had welcomed them. The new clause is intended simply to update some definitions that have become rather out of date. The net effect is not a tax cost and may even be a tax gain.

For capital allowance purposes, there are different rules for so-called expensive and non-expensive cars. An expensive car is one that costs more than £12,000. The limit was last raised in 1992 from £8,500 to £12,000. When a car is expensive, instead of being able to claim 25 per cent. of the balance of expenditure every year, the allowance is restricted to £3,000. Separate tax records must be kept for all expensive cars; that can lead to a tedious amount of administration.

Since 1992, car prices have increased in nominal money terms and it is unrealistic to define an expensive car as one that costs more than £12,000. I suggest that £24,000 is a more realistic definition of what is supposed to be an expensive car. The Capital Allowances Act 2001, which replaces the 1990 measure, describes the cars as over the cost threshold rather than expensive. That is an example of a bit of spin, which has confused the original intention.

The tax system does not allow any deductions for depreciations or amortisation. Instead, capital allowances—the tax man's equivalent of depreciation—are given. The system requires careful consideration of whether expenditure falls into qualifying categories and precise calculations of the allowances that are due.

The capital allowance computed replaces depreciation in the tax computation as a deduction from profits in calculating tax. Whether the process is efficient and whether it achieves anything is a wider question. In the past, there have been restrictions on what is allowable. In many ways, capital allowances have been used as investment incentives. However, the system is being improved, notably in the Finance Bill, with a system of reliefs, not via capital allowances but through generally permitting a deduction for whatever is charged in the accounts for intangibles.

Surely we are approaching a stage where businesses should simply be allowed to deduct depreciation. That happens in, for example, Germany in computing taxable profits. If there is a need to give special incentives, for example, for computer equipment that small businesses buy, they can be provided through an enhanced deduction in the same way as research and development relief.

Plant and machinery constitute key allowances for business. In general, all purchases that fall into that category are pooled and written down en bloc at a rate of 25 per cent. on a reducing balance basis. There are some exceptions for long-life items.

The new clause deals with a limited simplification of the system and is aimed at administrative savings. It has been tabled for efficiency and applies to cars that are bought or leased by businesses for use in their activities. They are treated as plant and machinery. A requirement to run a pool for cars that is distinct from the general pool was abolished in 2000.

The capital allowances system continues to restrict allowances on so-called expensive cars. The system operates by requiring the business that holds any expensive cars to write them down separately, with separate records, as I have described. Given that the majority of cars that businesses run cost more than £12,000, the restriction causes substantial extra administration, to which I referred. The new clause would double the limit for an expensive car for current accounting periods.

The Inland Revenue might argue that it needs some protection against chairmen deciding to run Rolls-Royces on the business. Although the business may regard that as a legitimate expense, it could be questioned. However, the new clause would remove, at a stroke, the need for a great deal of record keeping; the argument against the new clause is that would cost the Exchequer significant sums of money. That is unlikely—it may even make money for the Exchequer given the interaction in the change of methods in the sale of a vehicle.

It is perhaps necessary to appreciate what happens when a business disposes of an expensive car. The disposal proceeds are compared with tax value that is written down. That will normally produce a balancing item and an extra allowance for the business. If the new clause is accepted, the business would get a modest allowance on the car in the first year and so on thereafter. There would be no balancing allowance because the expenditure would be lost in the pool of plant and machinery assets.

The bottom line is that the use of company cars is declining dramatically anyway. There is a complexity in the rules that incurs costs to administer and, in terms of tax gains or losses to the Revenue, this measure would probably produce a tax gain. There is a generally accepted case for simplification and, while we certainly would not press this matter to a vote, we hope that the Minister will respond that the Revenue is looking at this measure or a variant of it—we understand this to be the case—to simplify something that can easily be simplified at low tax loss.

John Healey: The new clause deals with capital allowances for expensive cars. This is, as the hon. Member for Arundel and South Downs (Mr. Flight) has said, a misnomer now, because cars costing more than £12,000 are not generally considered expensive these days, although I still think so. More significantly, the term is not used in the rewritten Capital Allowances Act 2001. It is, therefore, something of a misnomer and, as the hon. Gentleman said, the provision is somewhat complex to administer.

We have a developing strategy for the use of fiscal and economic instruments to encourage the use of cleaner, more environmentally friendly cars. The rules for taxing employee company cars and fuel, vehicle excise duty and the new capital allowances for cars with low emissions of carbon dioxide all work within this framework. Raising the £12,000 limit for cars generally would work against this environmental aim because it could benefit the purchasers and users of larger and more expensive cars, which tend to be more environmentally polluting. Encouraging investment in such cars would be both expensive and counter-productive to our environmental aims.

I am aware of the submissions made by the Chartered Institute of Taxation. My right hon. Friend met representatives of the institute earlier this year, and we have invited them to submit the detailed workings that led them to suggest that there may be a gain to the Treasury from this measure. Our calculations suggest that the cost to the Exchequer of the proposals to raise the limit would be significant.

We are aware of the concerns that some businesses have about the cost of administering the rules. This is a hardy perennial in Budget representations. However, as many businesses recognise, there are no clear alternatives that do not raise other significant issues that are difficult to deal with. So, while I recognise that the rules can add significantly to the administration of businesses, there are no easy solutions that fit with our environmental aims, avoid introducing perverse incentives and provide good value for money for the country and the Exchequer.

I can tell the hon. Gentleman, however, that the Inland Revenue and my colleagues and I are keeping—and will keep—these rules under close review. We will consider suggestions for simplifying them in ways that do not compromise our other objectives, but his new clause is not compatible with those objectives. If the hon. Gentleman presses the matter to a vote, I will have to advise the House to reject it.

Mr. Flight: This is not the time of night to spend more time on this matter. The new clause was intended to be dealt with in Committee, but time ran out. The CIOT feels that it has an argument, and the Minister has made it clear that the door is open for dialogue. I do not think that the proposal necessarily conflicts with the Government's environmental objectives, and I hope that this brief discussion will enable us to begin the process of considering how a sensible simplification might be administered. On that basis, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 12

INVESTMENT COMPANIES AND TRADING COMPANIES

'.—(1) Schedule A1 to the Taxation of Chargeable Gains Act 1992 shall be amended as follows—

(2) In paragraph 6, subparagraphs (1)(a), (1A), (2)(a), (2A), (3)(a), (4), (5) and (6) shall cease to have effect.

(3) In paragraph 6(7), the words in brackets shall cease to have effect.

(4) In paragraph 22(1), the definitions of "trade", "trading company" and "trading group" shall cease to have effect.

(5) For paragraph 6A there shall be substituted—

> "6A(1) A company does not rank as a qualifying company for the purposes of paragraph 6 by reference to an individual at any time when it is his Private Investment Company;

(2) A Private Investment Company is a company as a whole, or substantially the whole, of whose share capital is held by an individual or persons connected with him;

(3) A company is not a Private Investment Company if, notwithstanding the previous subparagraph, it has five or more full time employees other than the individual concerned in subparagraph (1)."

(6) This section shall have effect from 6th April 2002.'.—*[Mr. Flight.]*

Brought up, and read the First time.

11.45 pm

Mr. Flight: I beg to move, That the clause be read a Second time.

The clause is another Chartered Institute of Taxation proposal, which raises an issue of rather greater fundamental importance. For many years, the tax law has contained an in-built and assumed bias against investment companies. There are many provisions in which privileges given to trading companies are not available to investment companies. In simple terms, the tax code operates on the basis of trading: good; investment: bad. The distinction is much less appropriate now than it may have been in the past.

Paul Flynn (Newport, West): It may be helpful to the House if the hon. Gentleman explained to us whether he intends to withdraw all the new clauses that he is moving, and which he admits are more suitable for discussion in Committee than in the House. Is his refusal to press them to a Division intended to disguise the fact that there are only two Tories in the Chamber?

Mr. Flight: I am disappointed that such an able Member of Parliament should raise an entirely spurious point. The clauses were intended to be dealt with in Committee. The Committee's obsession with some other territory—I forget what, specifically—meant that we ran out of time. They are part of an agenda to try to simplify our tax system. It is right and proper that they should be put on the record. I assure the hon. Gentleman that I would prefer to be home in my bed and doing my duty, so I shall waste no more time.

Rob Marris: Having driven home in a big car?

Mr. Flight: No, a little car—a little Clio.

The distinction between investment and trading is out of date, and the clause seeks to probe the subject in one specific area, rather than attempting to change the whole tax system. Specifically, it focuses on the distinction within the capital gains tax tapering relief rules. That has been chosen as there have already been changes in the legislation in that area.

There is a much better taper for business assets than for non-business assets. Business assets are carefully defined and include trading activities, investments in unquoted trading companies and employee investments in their employing company in all cases. In respect of the latter point, there has been a modest development in the investment trading rules, with the changes in the Finance Act 2001 to extend employee shareholding to situations where the individual works for an investment company. It is suggested that that shows that the Revenue and the Government have recognised the underlying point of principle that we raise.

Surely the focus now should be on active companies versus passive companies. In such a situation, there may well be a legitimate reason to protect the Exchequer against manoeuvres by individuals holding private investments through passive company corporate shells. It is suggested that all companies should qualify for the enhanced taper relief that is on offer for trading companies, but there should be a restriction against private investment companies.

The definition in the clause is an attempt to prevent the private investor from trying to manipulate the tax rules, although even here there would be an argument for not preventing such a person taking advantage, if they were so minded. It would mean that any investments held through a corporate shell would pay capital gains tax twice—within the company and again when the individual sells the shares in the company—rather than once for a direct holding. Any advantage gained through the increased tapering at one level would be negated to all intents and purposes at other levels.

The impact of the change would be limited. It would simply open up to the higher taper relief a number of investments by individuals in unquoted investment companies that were of a significant size. The crux of the matter and the reason for the clause is to allow a probe into the rationale for the continuing distinction. In this day and age, surely the aim should be to encourage all active businesses, and if there is a need to discriminate against certain businesses, to do that in as limited a way as possible.

Ruth Kelly: I am afraid that I cannot support new clause 12. It aims to allow shares and securities in non-trading companies to qualify as business assets for capital gains tax taper relief on the same footing as shares and securities in trading companies. That would mean that shares in an unlisted non-trading company, such as a property investment company, would qualify for business assets taper relief. There would be no distinction between trading and non-trading companies.

I should remind the House why we have this distinction between trading and non-trading companies for taper relief. Business asset taper relief supports productivity improvements by focusing on trading companies. There is a long-standing view that productivity gains are likely to be greater in trading companies, such as manufacturers, than in investment companies, such as property landlords.

That is not to say that the Government do not recognise that a range of investment companies could contribute positively to the UK economy. That is why we announced in the Budget that there would be consultation on further reforms of the corporate tax system, including a review of the scope for greater alignment between the treatment of investment and trading companies. A consultation document will be issued later in the summer. The outcome of that review will have implications for other parts of the tax system in addition to how companies are taxed. One such area could be the capital gains tax treatment of shares in companies.

That is also why we announced in the Budget that we shall continue to review the case for further changes to the non-business asset capital gains tax regime for taper relief. However, we need to be persuaded of the case for change in those areas by evidence of economic benefit and value for money. Without evidence, the new clause seems premature.

Until we know the outcome of the two reviews that we are carrying out, we believe that the distinction between trading and non-trading companies should remain as it is for taper relief purposes. The introduction of new clause 12 would create fresh tensions at the margins by moving the boundary between qualifying and non-qualifying companies. Therefore, I must ask the House to reject the new clause.

Mr. Flight: I am glad to hear that the Minister has established processes to examine this territory to try to make sensible modernising reforms. She knows that the CIOT is not seeking beneficial tax avoidance schemes, but rather the modernisation of our tax regime. I trust that whatever makes sense in this area will be advanced in due course. I still think that active versus passive will become the main difference for the future. On the basis of what the Minister has said, I beg to ask leave to withdraw the motion.

Paul Flynn: No.

Question, That the clause be read a Second time, *put and negatived.*

New Clause 13

EXEMPTIONS FROM STAMP DUTY ON THE DISPOSAL OF A SUBSTANTIAL SHAREHOLDING

'.—(1) This section applies where a company ("the transferor company") disposes of shares or an interest in shares ("the transferred shares") in another company ("the second company").

(2) If the first, second and third conditions (as defined below) are fulfilled, stamp duty under Part I of Schedule 13 to the Finance Act 1999 (conveyance or transfer on sale) shall not be chargeable on an instrument executed for the purposes of or in connection with the transfer of the transferred shares.

(3) An instrument on which stamp duty is not chargeable by virtue only of subsection (2) above shall not be taken to be duly stamped unless it is stamped with the duty to which it would be liable but for that subsection or it has, in accordance with section 12 of the Stamp Act 1891, been stamped with a particular stamp denoting that it is not chargeable with any duty.

(4) The first condition is that the transferor company satisfies the requirements relating to an investing company, and the second company satisfies the requirements relating to the company invested in, set out in Part 3 of Schedule 7AC to the Taxation of Chargeable Gains Act 1992 ("the 1992 Act").

(5) The second condition is that, were the disposal of the transferred shares to give rise to a gain, that gain would not be a chargeable gain by virtue of the terms of Schedule 7AC to the 1992 Act.

(6) The third condition is that the disposal is effected for bona fide commercial reasons and does not form part of a scheme or arrangement of which the main purpose, or one of the main purposes, is avoidance of liability to stamp duty, income tax, corporation tax or capital gains tax.

(7) This section applies to any instrument which is executed after the day this Act comes into force, unless it is executed in pursuance of an unconditional contract made on or before that day.'.—*[Mr. Flight.]*

Brought up, and read the First time.

Mr. Flight: I beg to move, That the clause be read a Second time.

New clause 13 introduces stamp duty exemption to mirror the Government's new capital gains tax exemption for the disposal of substantial shareholdings. One of the main obstacles preventing companies from acquiring the shares of another company is the cost of stamp duty reserve tax at 0.5 per cent. of the value of the shares. The Government said, when they introduced the substantial shareholding legislation in March, that they wanted to move to a system under which tax was not the driver in commercial decisions. Hence an exemption from tax has been introduced on the disposal of qualifying shares. However, tax is still a driver in the form of stamp duty. If a company makes a disposal of an asset that the Government accept is free from corporation tax—*[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt the hon. Gentleman. Could hon. Members who are not taking part in this debate withdraw from the Chamber or resume their seats? We are discussing the Finance Bill.

Mr. Flight: Thank you, Mr. Deputy Speaker.

If a company makes a disposal of an asset that the Government accept is free from corporation tax, surely there is an argument for the asset being exempted from SDRT. The Government may respond that 0.5 per cent. SDRT is cheaper than 4 per cent. stamp duty on assets. However, since this Finance Bill, stamp duty is levied only on land and buildings. Therefore, acquiring assets used in a trade would cost the acquirer 4 per cent. of the value of the land and buildings. This may be significantly lower than the cost of 0.5 per cent. levied on the value of the whole of the trade if the shares are acquired, particularly if the company trades from rented premises.

Ruth Kelly: The Bill contains the new corporation tax exemption regime for gains and losses made when groups dispose of substantial shareholdings. A substantial shareholding broadly means 10 per cent. or more of the ordinary share capital of the company being disposed of. There are a number of other conditions that have to be satisfied before the new exemption applies and which ensure that it is properly targeted.

The purpose of the new clause is to make the disposal of a substantial shareholding also exempt from stamp duty. Corporation tax on gains and stamp duty are quite different in nature. Corporation tax on capital gains is a tax on the gain made when an asset is disposed of. In contrast, stamp duty is paid at a much lower rate, on the consideration given when an asset is transferred. Corporation tax on capital gains is paid by the seller of an asset, stamp duty is paid by the purchaser.

The purpose of the new substantial shareholdings exemption is to facilitate corporate restructuring by, for example, removing a cost for trading companies that wish to restructure by disposing of part of their business by way of a disposal of shares. However, there is no reason why the acquiring group should be given a stamp duty exemption based upon the extent of the previous owner's investment. Such an exemption would be unfair to persons investing in other companies which were not substantially owned. Indeed, in its recent paper on stamp duty on shares, the Institute for Fiscal Studies recommends against an exemption for acquisitions activity.

I can see no reason to make transactions that benefit from the new substantial shareholdings exemption also exempt from stamp duty, and I urge the hon. Member for Arundel and South Downs (Mr. Flight) to withdraw the new clause.

12 midnight

Mr. Flight: The essence of the argument is that the new exemption on substantial disposals in relation to capital gains tax is to stop tax driving commercial decisions, as, in nearly all cases, capital gains will be involved. We are making the point that, in group restructuring—which we are looking to encourage—there is still the drive in the form of stamp duty. This is an issue of principle, depending on what the Government are seeking to achieve.

Rob Marris: Is this not the fourth new clause in a row proposed by the hon. Gentleman that seeks simply to institute a tax break for the rich and to benefit the economy and society not at all?

Mr. Flight: These clauses have been proposed by the non-political and unbiased Chartered Institute of Taxation, which meets regularly with Labour, Liberal Democrat and Conservative Members of Parliament. The institute seeks to support the efforts to simplify the tax system where material costs are not involved, one way or the other. It is the proper role of the House on Report to consider reforming proposals from such neutral tax bodies. It is entirely proper and sensible to hear whether there are issues that the Government—whoever is in power—feel it makes sense to address. With the greatest of respect, the hon. Gentleman's comment is entirely off-beam as to the new clauses.

This issue is not appropriate for a vote, and we have moved the new clause as a probing measure in the context that I have just described. There may be further discussions between the Revenue and the Chartered Institute of Taxation.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 17

INVESTMENT INCOME OF SINKING FUNDS AND SERVICE CHARGE FUNDS (NO. 2)

'.—Profits comprising investment income accrued on funds held on trust—

(a) under section 42 of the Landlord and Tenant Act 1987 (c. 31), or

(b) exclusively for the purpose of repair and refurbishment of property in the interests of tenants by registered social landlords or other exempt landlords under section 58 of that Act,

are not chargeable to income tax or to corporation tax.'.—*[Mr. Heath.]*

Brought up, and read the First time.

Mr. David Heath (Somerton and Frome): I beg to move, That the clause be read a Second time.

I hasten to assure the House, after the comments made during the previous speech, that this new clause seeks to deal with the interests of those on very low pay, rather than the rich. The matter was drawn to my attention by constituents who live in sheltered accommodation. They live in what was Royal British Legion sheltered accommodation, but is now run by a housing agency at Mow Barton in Martock. The issue was raised by my constituent Commander Barkaway, who was very concerned by what he had construed as a change in tax law that was affecting him and fellow residents.

My constituent is concerned about the taxation of the money that residents are required to pay into a trust to deal with repairs and dilapidation; what is known as a sinking fund. Residents are required, as part of their tenancy agreement, to pay a set amount into a fund that is used for running costs, cleaning and minor repairs, and is set aside for more major repairs such as to roofs.

The problem is that the income accruing on that fund is taxed at a rate of 34 per cent., which, the residents put to me, is a punitive rate for those on low incomes. They had assumed that there had been a change in the law of which they had been unaware. I am not an expert in this area and I assumed that there must have been a change in the law that I had not noticed. In fact, it was a change in interpretation of the law by the Inland Revenue that gave rise to the concerns. The Inland Revenue issued guidance in October 1998, because although some trusts were apparently applying the law—the unified 34 per cent. tax rate—correctly, others were not, and were continuing to charge a rate equivalent to the basic standard rate. The guidance suggested that that was an incorrect interpretation of the law, and needed to be amended.

There was also some confusion because, under section 42 of the Landlord and Tenant Act 1987, the money must be held in a trust, and must therefore be taxed as if it were a trust. However, there are housing schemes that are outside the requirements of the 1987 Act, as well as registered social landlords and other exempt landlords. The Inland Revenue again issued guidance, in August 2000, suggesting that even those trusts that did not fall within the precise terms of the 1987 Act would also comprise a trust, and must be taxed on the same basis.

As I said, this has given rise to considerable concern. It is not surprising that lay people, myself included, felt that there had been a change in the tax situation. Even those who are supposed to advise us on these matters made the same mistake in the newspapers. According to a November 1998 edition of *The Sunday Times:*

> "People who own leasehold flats could face a big increase in service charges after a decision to change the way the money they set aside for repairs is taxed. Many leaseholders will now have to pay tax at 34 per cent., nearly half as much again as house-owners."

The article goes on to discuss a new tax rate.

I ask the Minister not to dwell on the detail of the new clause. I readily accept that it is a vehicle for debate, not a proposal that is necessarily complete. I made two attempts to table the original new clause 15—it, too, was on the original amendment paper, but it was not selected for debate—and I also attempted a slightly more complex version. The new clause before us is not perfect. First, it does not identify the specific groups that I am seeking to help; secondly, it removes them from tax altogether, rather than returning them to the basic tax rate. That would be a more appropriate position, but it would require a much more complex new clause.

I hope that the new clause stimulates debate—not only here but within the Treasury—on how we might deal with this anomaly. I do not argue with the fact that trusts have been used as a means of avoiding tax in several ways, and I have no doubt that a trust such as this was equally capable of being abused in that way. As I understand it, the unified tax rate was introduced to establish an approximation of the rate that might apply to a range of beneficiaries to the trust—some paying the basic rate, others paying the higher rate, and others still falling outside the tax rate altogether.

The problem is that the taxation of trusts is not linked to the circumstances or tax position of any particular beneficiary—in this case, the tenant. I cannot believe that the Government or the law intend that people whose income falls below the tax thresholds, or who would normally pay the basic rate—and who, if they owned their own property, could put the money aside on that taxable basis to pay for repairs—should, because they are required by this legislation to put the money into a sinking fund that forms a trust, be taxed at a much higher rate. I ask the Minister to give serious consideration to finding a way to help such people, who are often pensioners in reduced circumstances, so that they can avoid paying excessive tax for a purpose—keeping a roof over their heads—that is wholly beneficial to them and to society.

Ruth Kelly: As the hon. Member for Somerton and Frome (Mr. Heath) has set out, the new clause aims to remove the investment income of certain sinking funds and service charge funds from income tax or corporation tax. Those funds do not pay corporation tax but they pay income tax at the special rate that is applicable to trusts.

I understand the hon. Gentleman's motivation and, as requested, I shall not dwell on the detail of his proposals. However, there is no rationale for exempting that type of income from tax or for taxing it purely at the lower rate. If the funds were held by individuals in a bank or building society account, the interest arising on that investment would be taxed in the normal way. The fact that funds are held in trust is no reason to exclude them from tax.

The income from the funds is taxed in the normal way for that type of trust, which can be used for a wide variety of purposes. The new clause refers to the Landlord and Tenant Act 1987, which covers such funds whether they are set up for people living in low-cost housing association flats or in leasehold apartments in very well-to-do areas. The rate at which trustees pay tax on income is set to take into account the wide variety of circumstances of those who put funds into the trust or who otherwise benefit from the trust, as the hon. Gentleman pointed out. Those funds are not just for poor tenants. They can be found across all types of housing.

The hon. Gentleman appears to propose that we try to identify those trusts that serve poorer tenants and separate them from those that serve wealthier tenants. That is impractical. In any event, the 34 per cent. rate, which the hon. Gentleman mentioned, is charged on the trustee, not the person who pays money into the trust or the beneficiary. It is set at a rate that takes into account the fact that beneficiaries of the trust may pay tax at the basic or higher rates, and that others might even be non-taxpayers. The rate is set at a level that minimises the opportunities for trusts to be used to avoid tax, because that cannot be right.

The hon. Gentleman suggests that there has been a change in the tax law, but there has not. The Inland Revenue issued guidance because some people were misapplying the tax rates and returning the income incorrectly.

Mr. Burnett: Perhaps the Minister could have a word with her colleagues in whichever Department deals with housing these days to see whether the law could be amended to allow sinking funds to fall under the aegis of a limited company.

Ruth Kelly: I shall pass on the hon. Gentleman's suggestion, but as I understand the issue, it would be impractical to change the terms under which the trusts are taxed. For that reason and the others that I have given, I urge hon. Members not to accept the new clause.

Mr. Heath: I am grateful to the Minister for giving her attention to a serious attempt to assist a particular category of people. I understand the point that she makes about the difficulties in identifying such people in legal terms. My hon. Friend the Member for Torridge and West Devon (Mr. Burnett) has made a suggestion of some merit and another method might be to put some limit on the size of the sinking funds, so that those below that limit—which would normally apply to a smaller scheme and lower value properties—might fall outside the unified rate and have a lower rate applied to them.

I ask the Minister to give serious consideration to my case. It is not logical for someone who would not normally pay tax, or would pay tax at the basic rate, to be taxed at a much higher rate because by law they have to pay part of their income into a sinking fund. That is an anomaly that deserves closer attention. This is not the right time or place to pursue the matter further, but perhaps the Minister would write to me on the issue. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 19

SIMPLER TAX ASSESSMENTS FOR LOW-INCOME PENSIONERS

'.—(1) Section 8 of the Taxes Management Act 1970 shall be amended in accordance with the following provisions of this section.

(2) The following shall be inserted after subsection (1C)—

"(1D) A person whose total income for a year of assessment does not exceed £5,000 may be required, by a notice given to him by an inspector for the purpose of assessing him to income tax—

(a) to make and deliver to the inspector, on or before the day mentioned in subsection (1A) above, a statement of his income and gains for the year, and

(b) to deliver with the statement such information as may be required in pursuance of the notice.

(1E) A person who duly complies with a notice served on him in accordance with subsection (1D) above in relation to a year of assessment is not obliged in addition to comply with any notice served on him under subsection (1) above in relation to the same year of assessment.".

(3) In subsection (2), after "return under this section" there shall be inserted "or statement under subsection (1D) above".

(4) This section shall have effect for the year 2002–03 and subsequent years of assessment.'.—*[Mr. Edward Davey.]*

Brought up, and read the First time.

12.15 am

Mr. Edward Davey: I beg to move, That the clause be read a Second time.

New clause 19 is intended to remove the anxiety felt by many people, especially pensioners, on low incomes when they are sent the full monty, the full self-assessment

[Mr. Edward Davey]

tax return. They are caused great distress when those returns drop through their letter boxes on to their doormats.

I raised this issue during the debates on a previous Finance Bill, back in 1999. I gave concrete examples to show that many elderly people have been worried sick by receiving those forms. They often have no liability to income tax, but the forms are sent to them because they are triggered by automatic thresholds in the Inland Revenue computers.

I refer hon. Members to my speech, as reported in column 755 of the *Official Report* for 5 July 1999. *[Interruption.]* I suggest that hon. Members take that reference and pocket it; or I could repeat that speech at length. By making that reference, I hope to ensure that my remarks are brief.

I shall move from the examples that I cited in that debate to the substance of the point that I wish to make. At the moment, if there is no convenient PAYE source, it is impossible for Revenue officials to assess an individual for tax purposes other than through the self-assessment process. It is ludicrous that those very detailed tax returns, which cover sources of revenue from unit trusts, bonds and a range of different sources, should be filled in by those people on low incomes who would be affected by the new clause.

Using previous legislation from the Taxes Management Act 1970, the new clause would, in effect, give Revenue officials the power to make very simple, back-of-the-envelope assessments, as they used to do under similar legal provisions. That would help the Revenue by cutting its costs and—this is the important point—it would remove a lot of the anxiety felt by those people.

When I raised this issue with the Paymaster General during an Adjournment debate that I initiated in June 2000, she said that she would look at the matter, and I wish to give her and her colleagues another chance to do so.

I should say that, in drafting the new clause, I have been grateful to people from the Chartered Institute of Taxation for their assistance. The hon. Member for Arundel and South Downs (Mr. Flight) referred to that institute. I should also say that the new clause came from the Low Incomes Tax Reform Group, which was set up by the Chartered Institute of Taxation. For the record, I should like to say that that institute promotes the interests of people on low incomes and has been running a very effective campaign.

Because such a responsible and respectable group is behind the technicalities of the new clause and because the Government have indicated their willingness to consider such a measure, I recommend the new clause to the Paymaster General, and I hope that she will be able to accept it.

Dawn Primarolo: I shall be brief.

The hon. Member for Kingston and Surbiton (Mr. Davey) campaigns tirelessly on the way that the tax system affects low-income pensioners. He wants to make the requirement to comply with their obligations as easy as possible—an objective that I, the Government and all Labour Members share.

The new clause would set a £5,000 limit for people in self-assessment and give an alternative way to check the income of those on low income. In 2002–03, the personal allowance for those aged 65 to 74 is £6,100. If a retired person's previous income is less than their personal allowance, they should not be in the self-assessment system anyway, except in absolutely exceptional circumstances.

When we have debated this previously, I have referred repeatedly, as I share the hon. Gentleman's concerns, to the work that the Government have been undertaking and the amendments that we have been making to the operation of the self-assessment form.

First, we want to remove people from the self-assessment system if they should not be there in the first place, and to look very carefully for pensioners in particular.

Secondly, for those who remain in the self-assessment system whose tax affairs are relatively straightforward but require them to be there, we want to make it as simple as possible.

The problem with the new clause is that it brings more pensioners into the tax system, even if the calculation is simple and quick—one that can be made on the back of a fag packet, as I think the hon. Gentleman said—which is not the direction in which he or I would want the tax system to move. We need to make sure that we require only those people who have information that is pertinent to their tax levels in submitting forms. In fact, the hon. Gentleman's requirements for the £5,000 limit have an unintended side-effect: those who are self-employed who may make a loss would find that the Revenue was now investigating, and will be required to check their position. I am sure that the hon. Gentleman did not intend that.

We, too, want to reduce the requirements of self-assessment on all taxpayers. Despite the changes that we have made to date, I have asked the Revenue to examine the whole system again to see whether further steps can be taken to make it easier for people to meet their obligations under self-assessment, and, whenever possible, remove from the self-assessment system those who find themselves caught in it but who do not need to be there. I am very grateful for the work that is being carried out with groups such as TaxAid, the Low Incomes Tax Reform Group, the working together group and the professional associations that are actively involved in that discussion with the Revenue. Like the hon. Gentleman, I thank those organisations for the constructive way in which they engage with the Government on this issue.

I hope that the hon. Gentleman sees that he is pushing an open door and that he has made progress with his persistence. A proper and full discussion is taking place with all those groups to produce workable solutions. I hope that, now that he has put on record again—about which I am not complaining—his commitment to pursuing this project, he will withdraw the new clause and await the outcome of the work undertaken by all those groups in collaboration with the Revenue.

Mr. Davey: At this late hour, it is a joy to be able to welcome the Paymaster General's positive assurances on this point. I shall, in a moment, seek the leave of the

House to withdraw the new clause, as she has given such a positive reply—*[Interruption.]* The House gives its blessings to the hon. Member for Arundel and South Downs (Mr. Flight).

I am sure that members of the Low Incomes Tax Reform Group, for example, will read the Paymaster General's words with pleasure. If they can assist her officials in any way, I am sure that they would be delighted to do so.

Dawn Primarolo *indicated assent.*

Mr. Davey: I am grateful to the Paymaster General for nodding her assent. Because of her warm words and promises, I will not quibble with the points that she made against the new clause. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Further consideration adjourned.—*[Derek Twigg.]*

Bill, not amended in the Committee and as amended in the Standing Committee, to be further considered tomorrow.

ADJOURNMENT (SUMMER)

Ordered,

That this House, at its rising on Wednesday 24th July, do adjourn till Tuesday 15th October.—*[Derek Twigg.]*

SECTION 5 OF THE EUROPEAN COMMUNITIES (AMENDMENT) ACT 1993

Ordered.

That, for the purposes of their approval under section 5 of the European Communities (Amendment) Act 1993, the Financial Statement and Budget Report 2002–03 and the Economic and Fiscal Strategy Report 2002–03 shall be treated as if they were instruments subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation).—*[Derek Twigg.]*

PETITIONS

Fireworks

12.25 am

Mr. William Cash (Stone): I have the honour to present a petition on behalf of no fewer than 1,500 residents of Cheadle, Staffordshire. The petition, which is signed by Bill Allan of the Cheadle Conservative club and Councillor Stephen Ellis, declares that the

residents are opposed to the sale of powerful and harmful fireworks to those who are not prepared to obtain them for responsible entertainment use such as organised displays.

The Petitioners therefore request that the House of Commons legislates to regulate and license the sale of powerful and potentially harmful fireworks in the interests of public health and safety.

The petitioners remain etc.

To lie upon the Table.

Rush Green Surgery

Mr. Andrew Rosindell (Romford): I wish to present a petition on behalf of my constituents in the Rush Green district of Romford who are desperately concerned at the proposal to close a local doctor's surgery.

The petition states:

The residents declare that the Rush Green Surgery in Romford is an essential part of the local community, and that they are opposed to its proposed closure.

The Petitioners therefore request that the House of Commons urge the Secretary of State for Health to take all appropriate measures to ensure that the surgery is permitted to remain open to serve the residents of Rush Green.

The petitioners remain etc.

To lie upon the Table.

Biobank

Motion made, and Question proposed, That this House do now adjourn.—[*Derek Twigg.*]

12.27 am

Dr. Ian Gibson (Norwich, North): The research proposal called Biobank seeks to make available the DNA of 500,000 volunteers to researchers in the United Kingdom who want to investigate disease processes. It represents the concerted effort of the Medical Research Council, the Wellcome Trust and the Department of Health to apply the knowledge gained through the human genome project to concrete insights into human health and illness.

The discussion about Biobank resembles many other debates about science in general. On one side of the controversy are the enthusiasts who get carried away by their admiration for and excitement about new scientific findings. I guess that I would put myself on that side of the argument. On the other side of the divide are those who often get immensely worried about the implications that this new knowledge has for society. Hearing the word "genetics" makes them think of exploitation, commercialisation and discrimination.

It is worth while reminding ourselves of the words of my right hon. Friend the Prime Minister in his much-reviewed recent "science speech". He said:

> "Science is just knowledge. And knowledge can be used by evil people for evil ends. Science doesn't replace moral judgment. It just extends the context of knowledge within which moral judgments are made. It allows us to do more, but it doesn't tell us whether doing more is right or wrong."

I take issue with some of the assumptions that were expressed in his speech—his blurring of science and business and his misconception of the crisis of trust—but his general insistence that scientific knowledge is not good or bad per se is spot on and right.

Biobank is an example of what the Prime Minister was referring to. It will help us to increase knowledge and we, as politicians, must make sure that the framework is right for the use of this knowledge. We have to make sure that "evil people"—in the Prime Minister's terminology—cannot use it for "evil ends" or that—this is more likely—well-meaning, decent people do not end up doing damaging things because they have not done enough to think through the consequences of their actions.

The debate should be about a framework to safeguard the proper and secure use of all the new knowledge that Biobank generates. I am sure the Minister will clarify some of the thinking on the issues that I raise. I think that the Department of Health is considering them, but nothing has been decided. We need public and parliamentary dialogue on what the Department is thinking. It is putting much money into Biobank and will recruit its volunteers through GP surgeries. The findings based in Biobank will have profound implications for the national health service, and thus for the Department and all of us.

The project needs to be conducted and organised by experts, but such an important and unprecedented step must not be taken without parliamentary scrutiny and a wider public debate. Scientific knowledge, and the knowledge generated through Biobank is one example of that, is not gained in a vacuum. The insights that scientists have, and even more so their application, depend on the institutional framework and the regulatory regime under which science takes place. We need to get the framework right to achieve the benefits from Biobank that we all hope for and to prevent abuses and negative consequences.

I do not have time to go through all the detailed discussions, so I shall tackle one or two of the major issues. Once Biobank is launched, GPs will recruit 500,000 volunteers aged between 45 and 69. That group has been chosen because people in it are most likely to come down with serious and/or chronic diseases. The problem with the sample is, however, that those people and their bodies are already the outcome of a complicated interaction between genetic make-up and environmental factors. If Biobank is really about investigating the genetic versus the environmental impact on health outcomes, the chosen sample will lead to dubious methodology.

The problem with taking on an older group is that we have to rely on their recollection of what risk factors they might have been exposed to. It seems dubious methodology to ask 50-year-olds what they had for dinner in their childhood or whether their mums were overweight when they were young. Similarly, relying on patient records can be difficult, especially with older records. For example, the viral infection someone had as a child might not be included in a patient's record. Some epidemiologists believe that Biobank should have tried to recruit newborns, which would lead to more problems of consent and confidentiality.

Sampling adults and using their genetic information vis à vis their patchy recollections of past behaviour and exposure to environmental risks will make it difficult to disentangle genetic and environmental factors, which will have important implications for the findings of Biobank. I think it will skew towards over-emphasising the genetic influence on disease processes because it is the only thing on which Biobank will provide hard data. Biobank will facilitate a comparison between detailed genetic data and crude environmental information, and genetic factors will probably seem more important for disease processes as their influence can be shown more clearly. That bias will have important consequences for public health policies.

If the data that flow from Biobank over-emphasise the genetic influence on health outcomes, then public health policy might over-emphasise individualised rather than population-based approaches to public health. The World Health Organisation said:

> "It is vital that the more conventional approaches of epidemiology and public health . . . continue to be pursued with vigour. This is particularly important as there are still major uncertainties about the predictive role and cost of genomics for controlling common diseases."

Let us take the example of obesity. Nearly two thirds of men and more than half the women in England are overweight or obese, and obesity is continuing to rise faster here than in most other European countries. At the current rate of increase, more than one in four adults will be obese by 2010 and they will be at a higher risk of a range of major health problems, including heart disease and adult-onset diabetes. That is obviously not due to an increase in the genes responsible for obesity, but unhealthy diets and lack of exercise, problems that the Government are tackling. Too much emphasis on susceptibility genes for obesity could lead to the underlying causes of the epidemic being ignored and to the growing sale of diet or anti-cholesterol pills to the genetically susceptible instead.

The data that flow from Biobank need to be balanced with a clear commitment to population-based public health approaches and a strong emphasis on tackling health inequalities; otherwise the genetic tests that flow from Biobank research will increase, not decrease, health inequalities. That would make most of us less, not more, healthy.

We hear that there is a crisis too in the public trust in scientific knowledge and expertise. Indeed, the Prime Minister picked up on that point in his dramatic speech. The success of research, and in particular of Biobank, greatly depends on that public trust. Trust can only stem from knowledge, transparency and democratic control. That is why it is so important that we publicly discuss and make decisions on the many legal and political implications of Biobank before we run into the first major controversy. If we have learned one thing from any of the past science scare stories, it is that we must disengage the conflict and disagreement about the direction and use of research.

We must address questions of consent, for example. What do volunteers participating in Biobank consent to? Does their consent embrace any type of research? Should the use of Biobank be limited to research into serious disease processes? Should the participants have a say in what they want their DNA sample to be used for?

There is, of course, the pressing problem of confidentiality. Is it wise to leave the collecting, encoding and researching of DNA samples in the hands of those who are keen on doing research? Should the encoding of data to render them anonymous be done by an independent third party? What about conflicting interests? Do not we need to make sure that those who approach possible volunteers do not have an interest in the research, and that those who do the research do not turn out to have commercial interests in the application of these biosciences?

That leads me to commercialisation. The founders of Biobank make it clear that no one will have exclusive access to the material stored at Biobank. But what about the findings published through the research? Will companies be able to apply for patents? Do volunteers know that their DNA might lead to a patent? Several models could be used. Companies could be charged for using Biobank and then they could keep whatever money they might make on the basis of Biobank; or companies could not be charged, or they could be charged less, and Biobank would get a share of whatever profits are generated on the basis of its resources. If Biobank got a share of people's profits, it might lose its independence and have a vested interest in a certain type of commercially targeted research.

Either way, private companies will certainly try to capitalise on the knowledge established through Biobank. The likely outcome of the research, at least in some cases, will be the development of drugs or tests for individuals with certain genetic problems. Again, that has public health and cost implications. The NHS has to decide whether to make those new technologies available.

The current set-up of Biobank means that the NHS will be bounced into focusing on new health technologies rather than on public health messages that might come from such a large-scale study. The notion of knowledge transfer must not only apply to commercially applicable bits of genetic information, but must be used in a politically intelligent way. Knowledge established through Biobank must lead not only to patents and drugs, but to better health policies.

To address all those problems, we need to establish a solid and trusted framework of regulation, control and ownership of Biobank. So far we have learned from the three funding partners of Biobank—the MRC, the Wellcome Trust and the Department of Health—that there will be an independent oversight body that will steer and control the use of Biobank as a resource for researchers in the UK. I cannot stress enough how important it is that we get that structure right.

One thing has to be clear from the outset: we will not be able to establish trust behind closed doors. The discussions about the design of Biobank have to come out of the closet and into the open. We need an open-ended, democratic debate about how to conduct this research and about how to make it safe. That may include strict rules about what to do when things go wrong. What if a leak occurs and highly personal data end up in places where they should not? We need methods of redress and clear accountability structures. We may also need legal protection against genetic discrimination. That may be particularly important if Biobank is a pilot project for a national genetic database or an NHS-wide patient records system.

The participants in Biobank should have a high degree of ownership over the project. There could be participants' panels, probably at each of the regional centres. The panels should be independent of parties that have an interest in performing the research, and of the funding bodies for Biobank. They could make decisions about general guidelines and individual research proposals, and investigate consent procedures and secure the confidentiality of all those concerned. There should be an overall majority of so-called lay people, or at least people without vested interests, on that oversight body.

To some extent, that would mean that the Wellcome Trust and other bodies that finance the research would have to let go. If that happened, Biobank could become a model for regulation and participation in medical research. So far, the Department of Health has not come clean about those issues, but if we do not get the framework right, there will be no benefit to science, the project could be harmed, and the relationship between science and the public could be ruined even further. We can do better than that, and I hope that the Minister will not duck the issues. He must start to engage with Parliament and the wider public and tell us how we will take forward what I believe will be an exciting piece of research.

12.40 am

The Minister of State, Department of Health (Mr. John Hutton): I am grateful to my hon. Friend the Member for Norwich, North (Dr. Gibson) for giving me the opportunity to confirm the Government's commitment to the UK Biobank project and answer the important points that he has raised during this short debate. He has extensive knowledge of the issues raised by the research project, and he has demonstrated that expertise very ably and effectively tonight.

My hon. Friend has asked specific questions and thrown down the gauntlet to the Department of Health and the Government over the conduct of the project, which,

[Mr. John Hutton]

as he says, has tremendous potential to benefit millions of people in this country and elsewhere. I strongly agree with his overall argument about openness and transparency: that is precisely how we want to conduct the project. I agree absolutely that Biobank must be used intelligently and in a politically intelligent way: it will be. Furthermore, I agree that, in general terms, science must be the servant of society and never its master. That dictum clearly applies to Biobank and its potential.

My hon. Friend has accurately explained many of the details of the project and I do not intend to go over them again. Biobank is a flagship project for the UK. As I am sure he understands, it will take time and significant investment before the potential benefits are realised, but I have absolutely no doubt that the project is in a crucial area of research that holds out the prospect of real advances in medical science. Many devastating disorders including heart disease, cancer, diabetes and Alzheimer's disease are caused by complex interactions between genes, environment and lifestyle. Information from the Biobank study could ultimately lead to improved diagnosis, treatment and prevention strategies for those disorders, thus benefiting millions of people in the UK and around the world.

The UK Biobank project is to be jointly funded by the Department of Health, the Medical Research Council and the Wellcome Trust. The initial cost of the project will be £45 million, of which more than half will be provided by the Government. Biobank is a major scientific research programme. For the reasons spelled out by my hon. Friend, it is probably one of the most exciting and potentially significant projects to be commenced in the UK for many years.

The project itself has been through a long planning process which started in 1998; the final funding decisions were taken in April this year. I accept that the process has been lengthy, but that is in large part due to the number of necessary consultations undertaken with both the scientific community who will use the resource and the general public. I understand from his arguments that my hon. Friend is generally in favour of such consultation. I hope that the process followed will help to establish a consensus on the future direction of the project. Such a consensus is important and will be of genuine benefit to the research project as a whole. None the less, concerns have rightly and properly been expressed about the project by several organisations, as well as by my hon. Friend tonight. I assure him that the Government will continue to work positively to address those concerns.

My hon. Friend raised concerns about the project design and methodology, and in particular about the selection criteria for volunteers. He asked that a clear framework for the project should be worked out in consultation with all the experts. I can tell him that that has been done. A committee of experts under the chairmanship of Professor Tom Meade produced the final project protocol, which was made widely available to the scientific community for it to comment on during its development. The protocol was then extensively and independently reviewed by a number of international experts—not politicians—some of whom were from abroad, but all of whom had no prior involvement in the development of the protocol. That peer group judged the protocol to be strong and scientifically sound. The protocol has been published on the Medical Research Council website at www.mrc.ac.uk

My hon. Friend asked for clear leadership from the Department of Health in taking the project forward. I can certainly confirm that that will be provided. The Department of Health has been actively engaged in the creation of the UK Biobank and in shaping its programme. We will also maintain general management oversight of the project as one of its key funders.

There are at least two areas in which we have a major interest. They relate to the concerns already mentioned by my hon. Friend regarding the need to protect people who provide DNA samples and to maintain the public's confidence in the project itself. As he said, recruitment to the Biobank will be co-ordinated mainly through GP practices and, as he knows, it will be entirely voluntary. Participants will be free to withdraw from the study at any time. If a person wants to withdraw from the research programme, all their personal information and samples will be removed from the database.

I should like to make one point very clear to my hon. Friend. The Biobank will be used for research purposes only. Any data released to research workers will be properly anonymised and free of any identifiable markers. The Biobank will operate according to the relevant ethical and legal guidelines regarding the use of human tissue, biological samples and genetic information. It will also operate in accordance with the Human Rights Act 1998, the Data Protection Act 1998 and the Council of Europe's recommendations on the protection of medical data.

Those are important safeguards, but security and confidentiality of data are key issues that are rightly a matter of continuing concern. The Human Genetics Commission, the Government's independent advisory body on human genetics, has rightly taken a close interest in the project and has indicated that it will continue to do so. We welcome its continued involvement. As my hon. Friend will be aware, the commission has recently undertaken an investigation into the use of personal genetic information and how security and confidentiality of data held within databases can be properly maintained. It recommended that genetic research databases that are established for health research should not be used for any purpose other than that research, and also that that should be put beyond doubt, by legislation if necessary. The Government are considering very carefully the implications of that recommendation and will respond later this year.

Providing independent oversight of the project by a trusted third party offers a further way not only of providing protection for people taking part in the study, but of gaining the public's trust in the project. An organisation that has a clear legal identity will be needed to achieve that. The current thinking is that that should be provided through the creation of a new limited company with a power of veto over the research conducted using the Biobank resource that is enshrined in its articles of association and incorporation. I agree with my hon. Friend that the chairman of the board will need to be someone who can command the public's full trust and confidence. It is planned to appoint the chairman and all other board members in a transparent way using the full Nolan procedures and principles.

My hon. Friend asked about the role of the proposed monitoring body. It will be responsible for the development, application and monitoring of policies on access to data and samples, in accordance with the consent obtained from the participants. It will also be responsible for ensuring that the samples and data are all held securely and that all procedures to protect confidentiality are strictly adhered to. It will not provide ethical review of the initiative or its constituent projects, as that will be done through the system provided by multi-centre research ethics committees. Equally, it will not scrutinise the scientific quality of the research that is being undertaken, as that will be the remit of a separate scientific management committee. The monitoring body will exist solely to represent and protect the interests of the participants and the general public. We perceive its independence, authority and credibility as crucial to the success of the Biobank. We place the highest importance on that success.

The more general management of the project will involve creating a separate organisation responsible for establishing and using the database. Like the monitoring body, that organisation will need to have a separate legal identity and will again be incorporated as a company limited by guarantee. It will control the operation of the regionally distributed groups that will be recruited to collect the baseline dataset from participants and carry out the initial processing of blood samples.

The ability efficiently to link a participant's medical records with genetic and lifestyle data is clearly an important part of the study. That will necessitate developing both the infrastructure and the methodology needed to obtain access to NHS records. I acknowledge that that will be a significant challenge, and we do not underestimate it.

The information technology requirements for the UK Biobank will need to be fully integrated into the overall NHS information systems that are being developed. The method for doing that has not been finalised but the Biobank project offers an opportunity to pilot new methodologies whereby valuable clinical data held by the NHS in patient records can be utilised effectively to support wider, essential public health research.

My hon. Friend asked for a full public and parliamentary debate to discuss the issues raised by the UK Biobank project. As he would acknowledge, that is a matter for others to determine, but of course it is proper for Parliament to consider the issue. Ministers and officials in the Department of Health would want to play a full and positive role in such a process. However, two public consultation exercises on the project have already taken place. One was conducted in 2000 by Cragg Ross Dawson, and the other earlier this year by People Science and Policy Ltd. Again, I refer my hon. Friend to the Medical Research Council's website, where those documents have been published. I am sure that he has already seen them. I assure him that other consultations will be held as the project develops.

The project's success ultimately depends on the good will of the participants. That can be achieved only if there are opportunities, such as tonight, openly to debate the project and the many issues that it raises. As I said, my Department will continue to encourage that.

The benefits of the UK Biobank need to be set out clearly and unequivocally to ensure that public acceptability and confidence in the study is maintained. We need to be especially clear that it is not a big brother exercise. Nothing could be further from the truth. The study will help facilitate the translation of the new genetic knowledge into new ways of preventing and treating common illnesses. As my hon. Friend said, the benefits to individuals and society are clear. They are potentially enormous. We therefore have a precious opportunity to advance our understanding of illness and disease, and we must take full advantage of it. We intend to do that. We shall not squander that unique opportunity.

As I said earlier, we are considering a long-term research project, and there will be no instant results. Participants will gift their samples and data for the benefit of future generations, not necessarily their own.

We know that the research supported via the Biobank project will help us better to understand the causes of many common diseases that have such a devastating effect on our society. They include cancer, heart disease and stroke. That will lead, in turn, to the development of better, more effective, treatments and, more important, to the identification of methods of prevention. There is enormous potential to improve the health and quality of life of every member of our society. That is why we must rise to the challenges and the opportunities before us.

In summary, the Government welcome the creation of the UK Biobank and are committed to its success. I believe that adequate safeguards are being built into the project to ensure the maintenance of public trust and confidence. There will be further debate and consultation on the project as it develops, and adequate independent oversight from the start. As I said, it is an important flagship project, which will establish the UK as a world leader in translating advances in genetic research into real benefits for health.

Question put and agreed to.

Adjourned accordingly at seven minutes to One o'clock.

House of Commons

Thursday 4 July 2002

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

LONDON DEVELOPMENT AGENCY BILL (*BY ORDER*)
Read a Second time, and committed.

Oral Answers to Questions

EDUCATION AND SKILLS

The Secretary of State was asked—

School Funding

1. **Mr. Andrew Stunell** (Hazel Grove): If she will make a statement on trends in school funding since 1997. [64395]

The Secretary of State for Education and Skills (Estelle Morris): Since 1997–98, recurrent funding per pupil has risen by an average of £670 in real terms. By 2003–04, it will have increased by over £760 in real terms.

Mr. Stunell: I thank the Secretary of State for her reply, but I think she may agree that it tells only part of the story. She will know of the long-running campaign by Stockport and by the 40 worst-funded local education authorities to secure funding at least equal to the present national average per child. Will she undertake to press the Chancellor of the Exchequer to provide, in his comprehensive spending review, money that will allow proper funding for the children of Stockport?

Estelle Morris: I appreciate the thought and determination behind the campaign of the F40 authorities, and I understand exactly where the hon. Gentleman is coming from. In Stockport, however, funding has increased by £570 per pupil since the Government took power. I suspect that if the hon. Gentleman had looked at the figures for the previous five years, he would have observed that the amount going to pupils in his area fell in real terms. I accept that this is about a share of a larger cake, but let there be no mistake: more money is going to every one of our schools, for all our pupils, than was the case under the last Administration.

The hon. Gentleman knows that the Government will report very soon following their consultation document on the way forward. These are not easy issues, but I have always accepted, and I accept now, that the current distribution of resources by local authorities is historic and does not reflect current needs.

Paddy Tipping (Sherwood): Parents and teachers in Nottinghamshire welcome the extra funds, but will my right hon. Friend look carefully at a petition that my hon. Friend the Member for Gedling (Vernon Coaker) and I intend to present in Downing street this afternoon, calling for fair funding for Nottinghamshire schools—the same funding as pupils at schools in, say, Hertfordshire?

Estelle Morris: I will certainly look carefully at the petition. Let me add, however—and I do not suggest for a moment that my hon. Friend denied this—that no Member would want every pupil in every part of the country to be funded at exactly the same level, because costs differ in different parts of the country. I think we all want to recognise the existence of disadvantage and the extra cost of educating children from certain backgrounds, and also the existence of different living costs.

We will certainly consider my hon. Friend's points, but I did not want to give the impression that I entirely agreed with his comparison. The matter must be dealt with through consultation, and we will do that in due course.

Mr. John Redwood (Wokingham): As recruiting and retaining really good teachers is crucial to the raising of standards, will the Secretary of State have another look at the problem of housing costs in areas such as mine, the Thames valley? Many teachers are finding it very difficult to buy their first homes or maintain a reasonable standard of living with the current funding levels.

Estelle Morris: I entirely accept that. There are a number of issues relating to recruitment and retention in London and the home counties. The spiralling costs of housing have caused difficulties for many people—the problem does not affect only teachers—but we have many teachers, and the cost of helping them is that much greater. I am sure the right hon. Gentleman is pleased that our expenditure has helped some 1,500 teachers to buy homes.

The Government are addressing this matter as a Government, and it would not be appropriate for my Department to deal with it separately. I entirely accept, however, that it is one factor, if not the only factor, affecting the ability of schools in the right hon. Gentleman's constituency to recruit and retain.

Mr. Bill Rammell (Harlow): There has undoubtedly been a significant increase in funds for all schools in the last five years; but as further money becomes available, as I hope it will following the forthcoming three-year spending review, will the Secretary of State ensure that additional funds are used to increase the number of pupil referral units? I think they can be very helpful in tackling poor pupil behaviour.

Estelle Morris: Indeed—and my hon. Friend will welcome what has already happened. I am delighted to say that in September, for the first time, we shall have full-time education in our pupil referral units for every child excluded from school. It is something of a tragedy that in 2002 a Secretary of State should be saying that it is the first time that that has happened, but it is a major achievement nevertheless.

There has already been an expansion of PRUs, and if memory serves me right a further 50 will open in September throughout local authority areas. We are determined that schools should have the right to exclude students who misbehave at school and spoil learning for others, but equally determined that they should be given full-time and appropriate education.

Mr. Damian Green (Ashford): As this is the first Education Questions since the reshuffle, I congratulate the new Ministers. The whizz-kids have landed. To spread good will, as I always seek to do, I express commiserations to all Government Back Benchers over the age of 40: sad victims of prime ministerial ageism.

On spending, the Secretary of State talks a good game. Can she explain the headline in 12 June's edition of the *East Anglian Daily Times*, "Schools feeling the pinch—Tight budgets mean heads have to cut back on support staff"? The article quotes one head as saying:

> "In all my 25 years as a headteacher I have never had to deal with as bad a budget".

Does not the Secretary of State recognise—*[Interruption.]* Government Members seek to ignore the evidence of head teachers of 25 years' standing. Does not she recognise that the ludicrously and increasingly complex way in which schools are funded means that, whatever she thinks she is spending, the benefits are too often invisible where it matters, in the schools?

Estelle Morris: I do not accept that at all. The hon. Gentleman spends his time scouring local papers to find one headline about one head teacher who thinks that he got less money. I have visited many schools, and I have found that head teachers say two things. The first is that they want more money. The day they stop saying that will be a very surprising day. The second is, "Yes, we've had more money under you than under the other lot."

I take the point about funding streams, which is exactly why, over the past 12 months, we have ensured that the standards fund gives head teachers great flexibility. Indeed, when legislation that is currently in the other House is enacted, people will be able to spend standards fund money as part of their revenue funding. No other Government have done more to put money into schools and ensure flexibility. On top of that, we have ensured that money goes straight to schools and is not siphoned off. There is far more delegated money for schools now than there was under the Conservative Government.

Mr. Green: The Secretary of State always objects to the real world intruding on her vision of reality. I suspect that somewhere she recognises how things are going wrong. Let me treat her to another newspaper cutting. It says that, in the sixth year of this Government,

> "13 per cent. leave school without basic skills in literacy. We have the worst staying on rate of almost any industrialised country. Black children are less likely to achieve."

She cannot dismiss those words, because she wrote them, in *The Observer*. Will she now admit that the reason why all this extra spending has led to the failures that she correctly identifies is that the over-centralised, bureaucratic, micro-managing way in which she tries to control schools is leading to a demoralised teaching profession, and we will never have the world-class education that we need as long as she carries on down this route?

Estelle Morris: Children who leave school now without basic literacy or numeracy were educated when they were five under a Tory Government, with no literacy or numeracy strategy, no classroom assistants and no capital investment. That is why they got to secondary school without being able to read and write. I have always said that when people get to year seven in secondary school without having mastered the basic skills, their chances of doing so by 16 get less and less with each year that passes. That is exactly why we have invested in literacy and numeracy.

I am not going to be less than honest with the nation about where we stand. Of course there is a lot more to do, and I am not complacent about that, but the hon. Gentleman might also have quoted the rest of the *Observer* article, which pays tribute to teachers, schools and governors and recognises the part that my Government have played in ensuring that we now have more children who can read and write and the highest standards that we have ever had.

Over-subscribed Primary Schools

2. **Roger Casale** (Wimbledon): What additional assistance she plans to give to education authorities to accommodate demand for places in individual primary schools which are heavily over-subscribed. [64396]

The Minister for School Standards (Mr. David Miliband): The planning of school places is a local matter. However, the Government want popular schools to be able to expand, which is why the Education Bill makes a promise to schools that they themselves will be able to make proposals to offer more places.

Roger Casale: I thank the Minister for that reply and declare an interest: I have two young daughters, one of whom is applying for a reception place in a Merton school. I welcome the plans for reform, but they will give little comfort this year to parents applying for Hollymount school in my constituency, where there have been 80 applications for 30 places, or Pelham school, which is also over-subscribed. Will my hon. Friend work with the local authority in Merton to see whether anything can be done to alleviate pressures on individual schools in respect of this year, so that parents do not have to take their children up to two miles outside their local community to go to school?

In addition to the extra money and his reforms, will my hon. Friend also ensure that—in practice as well as in theory—it is parents and not local education authorities who determine where our children go to school?

Mr. Miliband: I am glad to say that the Government are already working with Merton LEA. My hon. Friend will know that £5 million has been given to Merton as part of the class size initiative, which has helped to hire 105 teachers and create 21 new classrooms. The capital projects that the Department is sponsoring will include the specific requirement that we take account of increasing places in popular schools. There is a partnership in that regard, and we can work on it.

Mr. Patrick McLoughlin (West Derbyshire): The Minister says that this matter is determined by local people, but when does he expect to respond to the Government's consultation paper of last year on school admissions? Has he also had a chance to read what the Leader of the House said during last week's business questions? He said:

> "I understand the frustration of the hon. Gentleman's constituents if a decision is imposed by people outside their locality."—[*Official Report*, 27 June 2002; Vol. 387, c. 965.]

The comment related to Ecclesbourne school, whose governors agreed to change the catchment area. The change was supported by Derbyshire county council and Derby city council, but was overruled by the school adjudicator, who had never even visited the area. How does that constitute determination by local people?

Mr. Miliband: We are studying the responses to the consultation, and we shall ourselves respond in due course. I am not familiar with the individual case that the hon. Gentleman refers to, but I should point out that the adjudicator is an independent person, and that for the adjudicator to become involved, there must have been local objections to the plan.

Valerie Davey (Bristol, West): The success of the Government's development of brownfield sites means that—certainly in the case of Bristol—more families are now living in cities. Is inner-city development a factor in the long-term planning of the Department for Education and Skills?

Mr. Miliband: Obviously, the Department, along with LEAs, has to take a medium-term view of capital needs; that is the purpose of the asset management plans that every local authority has. On that basis, we can plan with some confidence for the demographic changes ahead.

Richard Younger-Ross (Teignbridge): Is it right that the lack of funding in Bovey Tracey, in Devon, should result in its not having a new school? Parents will have to transport their children to outlying developments some two or three miles away. In Shaldon, which is in desperate need of a new school hall, children have to be walked along a main road to their daily assembly and classes.

Mr. Miliband: I am afraid that I cannot comment on those individual cases, but I do know that in the near future the Government will consult on local funding plans, and that the needs of rural schools will be taken into account.

Further Education

3. **Mr. Gordon Prentice** (Pendle): Pursuant to her answer of 29 April 2002, *Official Report*, column 579W, to the hon. Member for Winchester (Mr. Oaten), what monitoring systems she has put in place to measure the effect of the additional funding for the FE sector on recruitment and retention of staff. [64398]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Ivan Lewis): Research on the implementation of the teaching pay initiative in further education colleges shows that it has been used to support the recruitment of new teachers in skill shortage areas. It has also enabled colleges to convert casual staff into permanent salaried employees.

Mr. Prentice: That is all right so far as it goes, but how can we justify the huge pay gap that is opening up between FE lecturers and secondary school teachers? Will the Minister address a particular problem in my own constituency, where the only sixth-form provision is in Nelson and Colne college? Such students are receiving about £1,000 less in the way of resources than if my constituency had a sixth-form secondary school. That position is not sustainable and cannot possibly be justified.

Mr. Lewis: The Government's policy is to close the gap between funding for colleges and for schools, but the reason for the size of that gap is the massive extra investment that we have put into schools in the past five years. We are implementing a wide variety of initiatives to ensure that a recruitment and retention problem in FE does not arise. In addition to the teaching pay initiative, golden hellos will be introduced from the autumn, and we intend to pay off the student loans of new teachers in shortage subject areas. I should also point out that total FE funding has risen by 26 per cent. since 1997. We accept the need to tackle the gap, but we have put significant extra resources into FE.

Simon Hughes (Southwark, North and Bermondsey): I listened carefully to that reply. Will the Minister say whether strong representations have been made to the Treasury to ensure that the comprehensive spending review will address in the coming year the problem of the funding difference that exists for pupils aged over 16 and for those who have left school? Only further education colleges can cater for the latter. The Minister must know the frustration that is felt by the principals of FE colleges, who we all know do good work. However, they feel that their hands are tied behind their backs and that the work that they could do providing access to education for older pupils especially will be hampered until there is significant movement towards establishing parity between schools, post-16 education and FE colleges.

Mr. Lewis: It is not for me to disclose details of the Department's submission to the Treasury for the comprehensive spending review—at least, not if I want to remain in my post for much longer.

Of course, we recognise the central role played by further education in achieving our economic and social objectives. That has to be in the context of the reform agenda for further education. My right hon. Friend the Secretary of State outlined that a couple of weeks ago. The "Success for All" document dealt with reforming further education, and we have combined that reform with investment.

The matter is not simply about closing the gap between further education and school funding. We must also raise standards in the FE sector, and the Government must contribute by making significant additional investment.

Higher Education

4. **Ms Julia Drown** (South Swindon): What steps she is taking to increase numbers of students in higher education. [64399]

The Secretary of State for Education and Skills (Estelle Morris): By 2010, we want 50 per cent of 18 to 30-year-olds to participate in higher education. We are particularly keen to encourage greater participation among lower socio-economic and other under-represented groups. The "Excellence Challenge" programme and the AimHigher roadshows are major initiatives funded by the Government to encourage that to happen.

Ms Drown: I thank my right hon. Friend for that reply. Will she congratulate the university of Bath on its work in Swindon? In two years, it has got 2,500 students into higher education. There are plans to expand that number to 8,000 in seven years, and that will help us to meet some of the skills shortages that exist in the town. Will my right hon. Friend agree to look favourably on bids arriving at her desk so that we can meet that expansion target? That expansion will improve vastly the opportunities open to people in Swindon, and help the Government achieve their target of getting 50 per cent. of 18 to 30-year-olds into higher education.

Estelle Morris: My hon. Friend the Minister for Lifelong Learning and Higher Education has visited Bath university and is full of praise for it. The university has an excellent reputation, and I applaud it for extending its work to include recruiting more students. The final decision about extra places is one for the Higher Education Funding Council for England, as my hon. Friend will know. However, I am sure that she will be pleased that the Government's plans to fund extra places next year may well mean—who knows?—that extra places will go to Bath university.

Alistair Burt (North-East Bedfordshire): Bearing in mind her speech of last week, will the Secretary of State consider how much damage to the prospects of children from poor backgrounds entering higher education has been done over the years by failed socialist educational theory and policy, which she now spends her time apologising for? Will she ask the Minister for Lifelong Learning and Higher Education to stop berating universities and start trusting them to want the brightest and best from any background to benefit from higher education? The Government should focus on helping schools ensure that there is a stronger and appropriately qualified group of students from non-traditional backgrounds ready to benefit from higher education.

Finally, will she deny that there are plans to penalise, financially and deliberately, those universities that are unable to comply with the personal assessment of the Minister for Lifelong Learning and Higher Education of what their socio-economic mix should be?

Estelle Morris: The matter is more important than that cheap jibe suggests. Historically, our nation has never managed to break the link between poverty and educational attainment. That has never been achieved by either Labour or Tory Governments in the past. However, I applaud the work of many teachers and schools—and a lot of the schools to which I refer are very good inner-city comprehensives—in raising standards. They are enabling children to be the first generation in their families to go into higher education.

I have greater aspirations for our children, and we are nowhere near achieving them. We must use the strongest language to make our society understand that Britain is the only nation in the Organisation for Economic Co-operation and Development that retains a link between background and educational attainment. This Government are doing more than any other in that respect. The "Excellence Challenge" and "Excellence in Cities" programmes mean that children in years 11 and 12 from a third of urban schools this summer will have the opportunity to visit a university and talk to staff.

We do not have all the answers. This is about raising attainment rates at 16 and 18, and making sure that working class children feel that they [illegible] make the link between school and university. We are doing that; the Tory Government did not.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that I have had a letter from a head teacher, too? She told me that she was thanking the Labour Government for all the money that has been put in. I have to tell her something else as well. I listened this morning to that creeping Jesus from the Liberal party—*[Laughter]*—but one thing makes me sick—

Mr. Speaker: Order. That language will not do. I ask the hon. Gentleman to withdraw that remark.

Mr. Skinner: Creeping; I withdraw creeping.

Estelle Morris: I am grateful for the support from the head teacher in my hon. Friend's constituency. I should be grateful if he would pass on my thanks and best wishes for the work that she does at the school and that other schools do in Bolsover.

Mr. Mark Hoban (Fareham): One of the important issues about participation in higher education is student finance. Last year the Government commissioned a review of student finance. When will we get the results?

Estelle Morris: In due course—when the review is ready. We rightly agreed to look at student finance and we will announce our findings. The figures do not support what I think the hon. Gentleman was implying. Last year there was more than a 5 per cent. increase in the number of students going to university—far greater than, for example, in Scotland where changes were made to how people pay fees. We will report in due course, but getting people from poorer backgrounds to university needs to be tackled on many levels.

Educational Maintenance Allowances

5. **Mr. Colin Challen** (Morley and Rothwell): What assessment she has made of the impact of educational maintenance allowances. [64400]

The Minister for Lifelong Learning and Higher Education (Margaret Hodge): An independent evaluation of EMAs has been taking place since 1999. Further evidence from the second year was published yesterday. The findings so far are highly encouraging. EMAs have produced large increases in participation among the target group, not only in the first year of post-compulsory education but into their second year as well.

Mr. Challen: What does the evidence show for levels of commitment to student performance and retention rates among young students, particularly those from lower income brackets? I understand that evidence shows that parents are not taking up EMAs on their child's behalf as much as they perhaps should and, indeed, that application levels are reduced by incomplete forms.

Margaret Hodge: The evidence that we published yesterday is highly encouraging. It shows that in year 12 we have a 6 per cent. increase in the number of young people in full-time education—that is 1 per cent. up from the last evaluation—and a 7.3 per cent. increase in the number of young people staying on in year 13, so the retention is good. In particular, there have been increases in the number of young men, which we are pleased about, people in urban areas, which is also good news, and those who are eligible for the full maintenance allowance, which suggests those who come from the poorest backgrounds and is also good news.

Mr. Andrew Turner (Isle of Wight): What evidence was there about attainment?

Margaret Hodge: It is very early days to get good evidence on attainment, but it is beginning to emerge. Good evidence shows that at levels one and two qualifications attainment is up. There is also an increase in the number of young men choosing to go into higher education. I would not want to suggest that those are completely definite results from the attainment data, because it is too early. We must wait for good, solid data before we can draw permanent conclusions.

Jeff Ennis (Barnsley, East and Mexborough): There is no doubt that the educational maintenance allowance pilots have been an outstanding success in my two local education authorities, Barnsley and Doncaster, where staying-on rates have increased by more than 5 per cent. Is the Department monitoring the types of courses taken by EMA students in terms of the split between academic and vocational courses? It might be useful to see whether there are different trends between courses taken by EMA students and by non-EMA students.

Margaret Hodge: We are monitoring that data as well. We are developing our proposals for 14 to 19-year-olds to try to raise the status of vocational qualifications and to ensure progression for those undertaking vocational routes right through into higher education. We will ensure that opportunities are available to people from all backgrounds wishing to pursue all sorts of options for later careers.

School Violence

6. **Mr. Desmond Swayne** (New Forest, West): If she will make a statement about the level of violence in schools. [64401]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): We are determined to ensure that schools are places where staff and students learn and work free from violence. We have always made it clear that when necessary head teachers can permanently exclude violent pupils. We have published detailed guidance for schools on preventing bullying. On Tuesday, we published a toolkit for schools on legal remedies against violent adults, and we will extend parenting orders to cover parents of pupils excluded for violence.

Mr. Swayne: Last week, a headmaster in my constituency told me that the greatest single problem now facing the profession is no longer the Government's intrusive bureaucracy, but the sheer level of indiscipline and disorder in schools, of which violent behaviour is perhaps the most worrying. In response to written questions on the matter, Ministers have replied that the data are not collected centrally. I put it to the Minister that if he does not collect the data, how can he have any idea about the size of problem over which he is presiding?

Mr. Twigg: I am delighted that the hon. Gentleman and the head teacher in his constituency acknowledge the work that we have done to lift some of the bureaucratic burdens on schools. We need to work together on a cross-party basis on problems involving behaviour and tackling violence. We do have statistics for violent assaults on teachers, and there are far too many of them—130 in the last recorded year. We want to ensure that there is zero tolerance of that violent behaviour, whether it is against pupils or staff, and that is what we will continue to work towards.

Fiona Mactaggart (Slough): One of the initiatives that has really helped my local schools in Slough to deal with violent behaviour is the schools-based response to the street crime initiative whereby police officers work more closely with schools. How can we learn the lessons of what works as regards police officers working closely with schools and spread them to areas that are not part of the street crime initiative?

Mr. Twigg: I thank my hon. Friend. This week, we were able to announce our agreement to the 34 local plans implementing and spending the £66 million package announced by my right hon. Friend the Chancellor in the Budget to tackle issues of pupil behaviour, especially in parts of the country where there are high levels of street crime and pupil truancy. We will evaluate police involvement in schools. The project has received a very positive response from schools, the police and LEAs, and I look forward to reporting back to the House as it progresses.

Mr. Graham Brady (Altrincham and Sale, West): The last time I tabled a written question asking for the statistics on violence against teachers, I was told that the Department did not collect them. I now look forward to receiving the figures when I next table that question.

The Minister claims that the Government believe that heads should be free to exclude violent pupils. He must know that the biggest problem that schools face is that when they exclude pupils who are violent, all too often the exclusion is overturned on appeal. Will he go further and issue robust guidance to appeals panels that they must not overturn an exclusion when a pupil is violent?

Mr. Twigg: On the hon. Gentleman's first point, the statistics are collected by the Health and Safety Executive. For the last year for which we have figures—2000–01—130 cases of serious injuries were reported to the HSE.

On his second point, of course we will maintain a review of the guidance that we send to schools. One of our objectives is to ensure that authorities make full-time education places available to young people who are excluded from school, because that has not always been the case in the past.

School Travel

7. **Charlotte Atkins** (Staffordshire, Moorlands): If she will make a statement on her Department's policies regarding travel to school. [64402]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): Compulsory school age pupils are entitled to free transport if their nearest suitable school is beyond statutory walking distance from their home. In other circumstances, local education authorities have the discretion to provide help with travel in accordance with locally determined policies.

For post-16 students, there is a duty on LEAs to determine what is necessary to meet their local circumstances.

Charlotte Atkins: Does my hon. Friend share my concern that the policy of charging over-16 students to use school buses that were free before they were 16, first, appears to be a tax on rural school students; secondly, encourages congestion around schools because parents or, indeed, pupils themselves drive to school; and, thirdly, runs counter to the Government's excellent education maintenance allowance initiative, which encourages 16-year-olds to stay in education after school leaving age?

Mr. Twigg: I am well aware of the concern that my hon. Friend and others have expressed about this matter, which is being considered because the practice is inconsistent across the country. Further education colleges have the discretion to use their learner support funds to pay the student contribution—some FE colleges in Staffordshire do so, while others do not, and that is one of the inconsistent practices that we need to address.

Pathfinder projects are addressing the issue, and will report later this year. As my hon. Friend suggests, we are piloting some EMA schemes aimed specifically at funding the higher transport costs in rural areas. We will take on board the lessons that can be learned from the pilots as part of the wider evaluation of the education maintenance allowances.

Mr. Hugo Swire (East Devon): Does the Minister take on board the problems of rural sparsity? Will he review the problems with Devon's education finances that arise from the county's huge school transport costs? What will his Department do about that as a matter of urgency?

Mr. Twigg: I am grateful to the hon. Gentleman. Of course that is one of the factors that we are considering in reviewing the whole local government funding system, including education funding. The hon. Gentleman refers to Devon; another Member mentioned Yorkshire—*[Interruption.]* Members representing all the different authorities are shouting. We want to get the best possible system that meets the different needs of rural areas, as well as urban areas. We must ensure that we do not allow school transport policies to act as a barrier to the inclusion of those who want to stay in education after the age of 16.

Mr. Kevan Jones (North Durham): May I raise with my hon. Friend the case of Mrs. Stoker and Mrs. Scott-Davey, whose children, Katie and Jonathon, attend St. Leonard's Catholic school in Durham? The children are non-Catholic, so they are not automatically entitled to free transport, unlike their Catholic neighbours. Does he agree that to discriminate against children on the grounds of religion in that way is wrong? Will he look at that case?

Mr. Twigg: I am certainly happy to have a look at the case. I imagine that, as non-Catholic parents, they would have had the option of another, nearer school. That is how the rules work at the moment, but I am happy to take another look at that.

Teacher Vacancies

8. **Mr. Roger Williams** (Brecon and Radnorshire): If she will make a statement on the number of teacher vacancies. [64403]

The Minister for School Standards (Mr. David Miliband): Information on the number of teacher vacancies in local education authorities is collected once a year in January as part of the annual census of teachers and vacancies. The provisional figures for 2002 were released in April. In addition to 9,000 more teachers entering the system in the past year, the figures show that the vacancy rate in maintained schools in England decreased from 1.4 per cent. to 1.2 per cent. In Wales, the figure is 0.4 per cent., which is a matter for the Welsh Assembly.

Mr. Williams: I thank the Minister for that reply, but I do not think that it will satisfy the combined lobby that we received yesterday from all the Welsh teachers' unions, which are demanding that action be taken by September 2002 to reduce the burdens of administration and reporting so that they can concentrate on delivering a world-class education to our young people. As a result of those burdens, the vacancy rate problem in Wales continues and it is difficult to attract quality young people and to retain existing professionals, especially to teach those subjects, such as science and Welsh—

Mr. Speaker: Order. I am sorry to interrupt the hon. Gentleman, but he should ask a supplementary question. Perhaps the Minister can try to reply to what the hon. Gentleman has said.

Mr. Miliband: I will not intrude too far into the Welsh situation, but the hon. Gentleman should recognise that, in the past five years, we have got over 20,000 more teachers in the education system and over 80,000 more support staff. The Government are now considering how to negotiate a partnership with teachers so that they have time to focus on teaching, so that they get leadership in relation to the curriculum and the timetable and so that we ensure that they get support from other adults and information technology to help them do their jobs better.

Mr. Peter Pike (Burnley): Schools, unions and governing bodies in Burnley are all aware of the considerable difficulty in recruiting teachers, especially in certain subjects. Does my hon. Friend recognise that that is a serious problem, and will he meet me at some stage to discuss the problem and the way forward?

Mr. Miliband: I am always happy to meet my hon. Friend, and I shall take the matter up with him. No one on the Government Benches would pretend that the situation is perfect, but I am sure that he will be pleased to hear that the latest figures show that teacher recruitment is up 14 per cent. in a year. In certain subjects in which we have had difficulty—notably, technology—it has risen by 41 per cent. I hope that that goes some way to address some of the issues that he has raised. I look forward to meeting him.

Mr. Phil Willis (Harrogate and Knaresborough): In 1998, the former Minister for School Standards, who is now the Secretary of State for Education and Skills, wrote in a Department for Education and Employment publication, "Teacher Supply and Demand Modelling: A Technical Description":

> "It is . . . important to ensure that we can accurately estimate the demand for teachers in the coming years, so that we can train enough teachers to fill vacancies in schools".

Is the Minister not therefore embarrassed that, when he replied to a written question from me last week about how many teachers were teaching at key stages 3 and 4 without the necessary qualifications, he had to rely on data from 1996? Is it not time that a curriculum and staffing survey was conducted so that we can have accurate data on planning for teacher recruitment and retention in all subjects?

Mr. Miliband: One must be careful before plunging into the bureaucratic chase that the hon. Gentleman might be suggesting. My understanding is that the Department has significant figures—more data than have ever been published previously—on the situation around the country. We are absolutely clear on the following questions. Are there more recruits? We know that there are. Are there more teachers in the classroom? We know that there are. Is there higher pay for teachers? We know that there is. Some of the hon. Gentleman's colleagues may want to denigrate what teachers are doing and question how many teachers there are in the interests of "Focus" newsletters, but that would not be appropriate for him.

Mr. Andrew Dismore (Hendon): May I raise with my hon. Friend a concern expressed by head teachers in my constituency that the figures do not reveal the true picture? For example, they do not include posts that are filled temporarily or reflect the problem of overseas teachers who are filling a large number of the teaching positions in my constituency on a relatively short-term basis. Head teachers in my constituency are very concerned about the difficulties that they experience in recruiting teachers to fill positions permanently, especially in shortage subjects. Will my hon. Friend say what is being done to ease problems of recruitment and retention of teachers in London?

Mr. Miliband: My hon. Friend will be most pleased to hear that the vacancy rate in London over the last year has fallen from 3.5 per cent. to 2.6 per cent. Of course, there is still some way to go, and we recognise that there are problems in particular subjects and in particular parts of the country. The most important thing that we can do, however, is make sure that head teachers have money in their hands to spend on the recruitment and retention of teachers. That is why the average spend per pupil in every school in the country has gone up by £560 since the Government took office. There are a range of issues to be addressed, including housing, especially in London and the south-east. That is the purpose of the review of local government expenditure that we are currently undertaking. I hope that the review will be able to address some of the issues that my hon. Friend has raised.

Mr. Richard Bacon (South Norfolk): Has the Minister had the chance, since taking up his responsibilities, to consider the case of my constituent, Christopher Read, who used to design electronic control systems for Trident nuclear submarines—I raised the case with the Minister's predecessor—but who cannot yet be given a secure employment contract? Does he agree that there is a case for relaxing the rules to allow schools to give secure employment contracts to people without fully qualified teacher status? The purpose is not to exempt people from having to obtain qualified teacher status but to allow them to have secure employment in the interim. That will provide help for many schools in accordance with paragraph 5.17 of the Government's White Paper, which says that good schools should be given more autonomy over their decisions.

Mr. Miliband: I am afraid that I have not seen the individual case that the hon. Gentleman raises. I will ask the Department to dig it out, and I will look at it. We are always interested in finding as many ways as possible of getting skilled people into classrooms as teachers and as support staff, both through the fast track scheme for graduates and through other mechanisms.

Medical Students

9. **Dr. Evan Harris** (Oxford, West and Abingdon): What assessment she has made of the impact of redundancies of medical academics in London medical schools on the training of medical students. [64404]

The Minister for Lifelong Learning and Higher Education (Margaret Hodge): The additional costs of training new medical students were fully taken into account at the last spending review. Staffing levels at medical schools in London and elsewhere are for each institution to determine in the light of its operational needs and circumstances.

Dr. Harris: At a time when we are seeking to increase the number of medical students being trained, does the Minister understand the concern about the fact that hundreds of medical academics responsible for carrying out the training are losing their jobs? It seems to people on the ground that, when there is good news to announce, the Government cover themselves in glory and centralise praise, but when it comes to redundancies in institutions that are almost 100 per cent. funded by the Minister's Department and the Government, she says "It is nothing to do with us, guv." Is that not too much delegation of blame? How will we look after the interests of the medical students and consultants of the future?

Margaret Hodge: The hon. Gentleman is a member of a party that believes in the delegation of responsibility and devolution, so I am absolutely amazed by his view that there should be central control over the number of staff in each institution. He should be very careful not to muddle certain facts. Mergers, especially between London hospitals, have led to changes in staffing structures. Those changes have been made by local decision makers and local managers. Changes have also been made to the amount of money that hospitals and universities have received out of the research assessment exercise to cover the cost of training medical students—some have gained, and some have lost. For example, St George's hospital in London had a 48 per cent. increase—

Mr. Speaker: Order. Perhaps the Minister could write to the hon. Gentleman about St George's hospital.

Mr. Barry Sheerman (Huddersfield): Does my hon. Friend agree that there is serious concern in teaching hospitals throughout the country following the generous increase in pay to consultants in the health sector? Many people in the teaching profession would be very pleased to receive such an increase, with very little reform to the delivery of service. However, there is an important knock-on effect, because many leading people in our medical schools say that they will not be able to recruit senior staff as a result of the pay increase for consultants.

Margaret Hodge: I am discussing this issue with my colleagues in the Department of Health. Under the new consultants' contract, we must ensure that staff will be available to deal with patients, and that staff will be available to train the new consultants whom we require to expand services in the national health service.

Information Technology

10. **Mr. Bob Blizzard** (Waveney): What progress has been made with increasing the amount of information technology in schools since 1997. [64405]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Ivan Lewis): ICT in schools has increased significantly since 1998. The 2001 survey showed that the proportion of schools connected to the internet had grown from 28 to 97 per cent. The ratio of computers to pupils in primary schools had improved from 1:18 to 1:12, and in secondaries from 1:9 to 1:7.

Mr. Blizzard: May I welcome the huge increase in the number of computers in schools? However, the software requires licences. Is my hon. Friend aware that, although Microsoft will sell a site licence to a college or university—for example, Lowestoft college pays it £7,000 a year—Microsoft will not sell site licences to schools? Therefore, Kirkley high school in my constituency now pays £15,000 a year in licence fees. Does my hon. Friend agree that Microsoft is unfairly hoovering money out of schools and that it is no use producing glossies with children on the front if it is charging schools too much? Will he look into the matter?

Mr. Lewis: My hon. Friend makes an important point, and I give him the commitment that I will look into the issue. I do not want to condemn Microsoft until I have all the facts available to me—that would not be a particularly good idea! When I have the information, I shall get back to my hon. Friend.

Special Needs Education (Gloucestershire)

11. **Mr. Laurence Robertson** (Tewkesbury): When she next plans to discuss the provision of special needs education in Gloucestershire with the local education authority. [64406]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): The Secretary of State takes a close interest in the effectiveness of special educational needs provision in all local education authorities, through their education development plans and Ofsted inspections. Gloucestershire local education authority was required to prepare an action plan following an inspection by Ofsted in January 2002. Departmental officials are working with the authority's officers as they develop and implement their post-inspection action plan, and continue with their review of special educational needs provision in the county.

Mr. Robertson: I am grateful to the Minister for that response. Is he aware that Gloucestershire LEA, which is controlled by the Liberal Democrats and the Labour party working together, interprets the Government's intentions regarding inclusion as meaning that it can close all the special schools in Gloucestershire? Indeed, it has started on that programme. Does he approve of closing all the special schools in Gloucestershire? If not, will he communicate with the authority to tell it that what it is doing is very wrong?

Mr. Twigg: I am aware of the hon. Gentleman's long-standing interest in and views on this matter. We are not seeking to say to local authorities that they must close all their special schools. That is something that needs to be determined at local level. We want to see that done properly in Gloucestershire, as in other parts of the country. We want a proper balance between the rights of parents to have their children educated in mainstream schools, if that is what they want, and the role for special schools. As part of that, Baroness Ashton is conducting a review with a working party to examine the role that special schools can play in promoting special education.

SOLICITOR-GENERAL

The Solicitor-General was asked—

Crown Prosecution Service

35. **Mr. Bill Wiggin** (Leominster): If she will make a statement on the level of successful prosecutions by the Crown Prosecution Service over the last 12 months. [64430]

The Solicitor-General (Ms Harriet Harman): There is no single, obvious success measure for prosecutions. Sometimes it is the right decision to proceed with a prosecution even when the defendant is subsequently acquitted. Of the 1.4 million cases referred to the CPS last year, 950,000 went to the magistrates court and 120,000 to the Crown court. The conviction rate in the magistrates court was 98 per cent. and in the Crown court it was 88 per cent.

Mr. Wiggin: I am grateful to the Minister for that answer, but I am curious about how many cases failed. The Minister's initial response was that that was difficult to judge, but when the plea is either innocent or guilty it cannot be that difficult to judge whether a case has been successfully prosecuted.

The Solicitor-General: I am not trying to avoid the hon. Gentleman's important question, but we must ask what success or failure means in this context. If a case is prosecuted when it should not have been, that is wrong; but if a case is dropped when it should not have been, that is also wrong. The point is the quality of the decision making. The CPS inspectorate says that in 93 per cent. of the decisions about whether to proceed with a prosecution, the decision is right. However, we are not complacent. Too many cases are discontinued. We need more resources, better partnership with the police and constant pressure to improve. It is too easy to assume that acquittal is a failure or that dropping a case at an early stage is a failure. Sometimes it is right to drop a case at an early stage if we do not have sufficient evidence to proceed.

Mr. David Kidney (Stafford): Can the House be assured that the CPS takes seriously the issue of domestic violence? Is it understood in the service that successful prosecutions for domestic violence today could save lives tomorrow?

The Solicitor-General: My hon. Friend is right. Those who perpetrate domestic violence must realise that they cannot do it behind closed doors, regard it as a private matter, and get away with it. It is a violent criminal offence that will not be tolerated. Women must recognise that they do not have to put up with it, because they can have confidence in the criminal justice system taking their side and prosecuting offenders. The CPS has taken several important steps towards putting into effect that proper, up-to-date attitude. It is working closely with the police and the courts on that. In this day and age, it should not be the case that a quarter of all violence is perpetrated behind closed doors at home. That sort of thing should be stopped.

Mr. John Burnett (Torridge and West Devon): What priority does the Solicitor-General's Department—especially the CPS—give to large-scale fraud and what is euphemistically known as white collar crime? We have seen recent examples in the US on a huge scale. Accounts have been falsified, millions of dollars have been stolen and entire industries and markets have been undermined. We all hope that there are no such examples over here, but can the Solicitor-General assure the House that the CPS and the Serious Fraud Office have sufficient resources to deal swiftly and efficiently with large-scale fraud? Can she also assure us that the full rigour of the law will be visited on the perpetrators and their accomplices? She will know that half-measures and compromises would not be acceptable.

The Solicitor-General: The hon. Gentleman raises that question at an important time. Since the Attorney- General and I took office a year ago, we have been in no doubt that the work of the Serious Fraud Office in prosecuting serious and complex frauds is important. Even if the fraud is huge, the people who get ripped off are often poor and they can ill afford it and its criminality. In addition, such frauds hit the confidence in our economy and our financial services, which can affect the stock market. That is why we want to ensure that the Serious Fraud Office has the capacity to investigate and prosecute those big frauds.

When billions of pounds are at stake, the fraudsters think nothing of spending millions of pounds concealing their fraud and millions more on their legal defence teams. We have to ensure that it is not a David and Goliath situation and that the Serious Fraud Office is properly resourced at its baseline. It also needs to have the ability to go to the Treasury and apply to the reserve when the cases are big because confidence in our economy and economic system is at stake.

Mr. William Cash (Stone): Presumably the Solicitor-General took the figures that she gave to my hon. Friend the Member for Leominster (Mr. Wiggin) from the draft annual report of the Crown Prosecution Service. I have, of course, not seen that, but it is coming out shortly. To her knowledge—perhaps this is in the draft report—has the CPS acknowledged and apologised for the catalogue of problems? Some of those were recently highlighted by the chief constable of Thames Valley police, who said:

> "The bottom line is that justice is not being done thanks to the arcane rules and bureaucracy of our criminal trial process. The public knows this, the legal profession knows this, the government know this and it is time for action. Under the current rules of the game, everyone loses . . . It is the system itself which is at fault, a system so flawed that it provides loopholes which no one can be blamed for exploiting."

Will the Solicitor-General comment on the chief constable's damning observations, which were reinforced only this week, as she knows, by the fierce criticisms of the CPS by the National Audit Office and the Public Accounts Committee?

The Solicitor-General: The chief constable raises a number of issues, some about the conduct and process of prosecution and some about the rules that govern them. The hon. Gentleman will know that the Lord Chancellor, the Attorney-General and the Home Secretary are considering the contents of the White Paper that will follow the Auld report. It will address some of the issues that concern the chief constable and will be published shortly.

On how the CPS handles cases, it is right that we are not complacent. We need more resources and better systems. However, we should not panic. We are talking about 1.4 million cases, and the inspectorate says that 93 per cent. of the decision making is right. If 93 per cent. of the decisions that the hon. Gentleman or I made were right, we would not be doing too badly. We are not complacent. Every case is critical for the victim, so we must press on. However, we need to take a balanced view and work in partnership with the police instead of being on the defensive from their criticisms.

Lenient Sentences

36. **Mr. Andrew Turner** (Isle of Wight): How many cases have been referred since 1997 to the Attorney-General for review of allegedly inadequate sentences. [64431]

The Solicitor-General: Before 2000, the figures for unduly lenient sentences referred to the law officers were not collected in the way that the hon. Gentleman requests. However, 178 offenders were referred in 2000, 277 offenders were referred in 2001 and 144 offenders have been referred so far this year.

Mr. Turner: I thank the right hon. and learned Lady for that answer. Is she aware that a serial sex offender, who was sentenced to 18 months for a string of offences against young island boys, was released having served half his sentence and, within a year of his release, abducted a 14-year-old boy from a "Children in Need" concert in Southsea, who was then raped in a beach hut? That offender was sentenced to only four years.

Some of the offender's earlier victims—my constituents—have been horrified to discover that members of the public have only 28 days to draw such inadequate sentences to the attention of the Attorney-General. Will the Solicitor-General review that incredibly tight deadline or, at the very least, publicise it more effectively so people know what they have to do, and how quickly, to get things put right?

The Solicitor-General: I am only too well aware of the shocking circumstances that surround the case that the hon. Gentleman has brought to the attention of the House, and has already brought to the attention of the Attorney-General and me.

The very worst thing is for a case to be brought to us as an unduly lenient sentence, only for us not to be able to consider it for referral because it is out of time. There are two ways in which we can deal with that. We can either extend the time limit, which is a strict 28 days, or we can ensure that people know that there is a strict time limit and ensure that they all work to that deadline. I would think that the right course of action is the latter. We need to ensure that Members and victims know that the right is there, but that it has to be exercised within 28 days.

When the right was originally put in place, the House took the view that there was a wish for finality about the sentence—that when the judge passes sentence, that should be it, and that things should not be left for months, and then suddenly the Law Officers refer a case. There is a reason for the strict time limit, but to ensure that there is not injustice to victims we must ensure that people are aware of it and that the Attorney-General and I can consider such cases with the seriousness that they deserve. Cases where the sentence was inappropriate can then be referred to the Court of Appeal, which takes our references very seriously.

Business Statement

12.31 pm

Mr. Eric Forth (Bromley and Chislehurst): May I ask the Leader of the House to give the business for next week?

The President of the Council and Leader of the House of Commons (Mr. Robin Cook): The business for next week will be as follows:

MONDAY 8 JULY—Consideration of Lords amendments to the Employment Bill followed by Opposition Day [17th Allotted Day, 1st Half]. There will be a debate entitled "Crisis in the Care Homes Sector" on an Opposition motion.

TUESDAY 9 JULY—Progress on remaining stages of the Police Reform Bill *[Lords]*. To follow, the Chairman of Ways and Means has named opposed private business for consideration.

WEDNESDAY 10 JULY—Conclusion of remaining stages of the Police Reform Bill *[Lords]*.

THURSDAY 11 JULY—Debate on intelligence agencies on a motion for the Adjournment of the House.

FRIDAY 12 JULY—Debate on behaviour improvement in schools on a motion for the Adjournment of the House.

The provisional business for the following week will include:

MONDAY 15 JULY—Consideration of Lords amendments to the Education Bill.

TUESDAY 16 JULY—Consideration of Lords amendments to the Justice (Northern Ireland) Bill.

WEDNESDAY 17 JULY—Debate on defence procurement on a motion for the Adjournment of the House.

THURSDAY 18 JULY—Motion to approve a money resolution on the Proceeds of Crime Bill followed by consideration of Lords amendments to the Proceeds of Crime Bill.

FRIDAY 19 JULY—Private Members' Bills.

The House will wish to be informed that the business in Westminster Hall for the remainder of July will be:

THURSDAY 11 JULY—Debate on the report from the Health Committee on the role of the private sector in the NHS.

THURSDAY 18 JULY—Debate on poverty.

The House will wish to know that on Wednesday 17 July 2002, there will be a debate relating to waste from electrical and electronic equipment in European Standing Committee C.

Details of the relevant documents will be given in the *Official Report*.

[Wednesday 17 July 2002:

European Standing Committee C—Relevant European Union documents: 9923/01; Unnumbered EM, dated 15 March 2002, submitted by DTI: Waste from electrical and electronic equipment. 10143/01; Unnumbered EM, dated 15 March 2002, submitted by DTI: Hazardous substances in electrical and electronic equipment. Relevant European Scrutiny Committee Reports: HC 152-xxxii and HC 152-xxiv (2001–02).]

Mr. Forth: I thank the Leader of the House for letting us have those details. He will be aware that two significant reports on foot and mouth are now imminent. I hope he will be able to guarantee that the House will be given an opportunity to consider these reports, or at least to give preliminary consideration to them, before the House rises for the long summer recess. I am sure he would not want these important reports to go unconsidered by the House—there could be either a statement or a debate—before the recess. He would not want us to get all the way through to October without having a chance to say something about the eagerly awaited results of the reports on foot and mouth, would he? I hope that he can give us that undertaking.

Yesterday, we had questions to the Deputy Prime Minister, who now has responsibility for local government, the regions, housing and planning, matters which affect all the constituents of every right hon. and hon. Member. Yet astonishingly, the right hon. Gentleman had only about 26 or 27 minutes to give account of himself and his responsibilities to the House. I assume that this is an oversight and that we have not quite caught up with the new arrangement. I cannot imagine that the right hon. Gentleman wanted in any way to avoid answering questions. I am sure he takes a lot of pride in what he does and the way in which he does it. Please can the Leader of the House look again at whether the Deputy Prime Minister can have a full Question Time to give account of himself and his Department to the House, as that would be helpful for all right hon. and hon. Members?

When are we going to deal with the Data Protection Acts? The Leader of the House has kindly told us before that he has that in his sights and is aware of Members' anxiety. I hope he can reassure us that the Government will put something before the House before the summer recess so that we can finally resolve the anomalies that have arisen in those Acts. It would be helpful if he could do so.

The parliamentary ombudsman, in his annual report published today, launched an astonishing, blistering attack on the Government. I wonder whether the Leader of the House has had time to look at it, as the ombudsman says on page 8 that

> "in November 2001 the Government rejected, for the first time, a recommendation by the Ombudsman that information should be disclosed under the code"—

the code of practice on access to Government. He continues:

> "the Home Secretary refused, for reasons which I found wholly unpersuasive, to disclose purely numerical information regarding the number of times Ministers in his Department had made a declaration of interest to their colleagues under circumstances envisaged in the Ministerial Code of Conduct".

The ombudsman went on to say:

> "I cannot disguise my concern at what seems to be a hardening of attitudes in departments. The bad habit of citing exemption for the first time at a very late stage of an investigation has reappeared."

Finally, on page 9, the ombudsman says:

> "I am seriously concerned at these developments, which not only undermine the Code but also call into question the authority and standing of my office."

I cannot recall when someone as eminent as the parliamentary ombudsman has seen fit to make such comments in an annual report. Is the Leader of the House ashamed, and is he prepared to find time for us urgently to debate what is obviously a serious rift between the parliamentary ombudsman and the Government? I hope that at the very least he will take the opportunity to deal with the ombudsman's extremely serious criticisms.

[Mr. Forth]

Finally, in Prime Minister's questions yesterday, at column 218, the Prime Minister was at it again. He said:

> "The Conservative party is holding up the progress of the Proceeds of Crime Bill."—[*Official Report*, 3 July 2002; Vol. 388, c. 218.]

Can the Leader of the House explain what on earth the Prime Minister meant and what he was talking about? Does the Prime Minister now think that parliamentary debate on a Bill holds up its progress, or does he now expect a Bill to go straight through the House without touching the sides? If that is not so, the Leader of the House must either explain the Prime Minister's remarkable assertion, which has no basis in fact at all, or provide an early opportunity for the Prime Minister to come to the House and to apologise.

Mr. Cook: Before I respond to the right hon. Gentleman, may I congratulate him on the topicality of his Independence day tie? If I remember rightly, the independence of the United States was partly influenced by the Tory Prime Minister of the time, but we shall overlook that in the circumstances—the time has come to forgive and forget.

On the issues raised by the right hon. Gentleman, first, on the ombudsman, I do not feel that there is anything in the Government's record on which we can be impeached. After all, it is we who passed the Freedom of Information Act 2000. There were many times when I stood at the Opposition Dispatch Box and wished that we had such an Act so that we could find out what the right hon. Gentleman's Government were up to.

On the specific points made by the ombudsman about the Hinduja affair, we accept that the Cabinet Office was wrong not to provide information at the time and we have already apologised for that. I remind the House that the ombudsman came to precisely the same conclusion as the Hammond report. On the Equitable Life affair, which is also raised in the ombudsman's report, since the application for information, we have initiated two separate inquiries, one by the Financial Services Authority and one by ourselves. All matters will be fully investigated and laid before the House and the public.

As I am sure the right hon. Gentleman is aware, we have already taken steps to amend the code of conduct for Ministers so that, rather than one declaration being made at a given time, a comprehensive declaration of financial interests will be made to the permanent secretary; so that particular issue should not arise again. Against the totality of the greater openness brought in by the Government, those particular exceptions need to be kept in proportion.

We look forward to the foot and mouth reports with great interest. Their publication dates are not within our gift because they are independent reports. *[Interruption.]* There is nothing strange about the fact that those carrying out an independent report are responsible for its publication date. We have drawn it to their attention that it would be for the convenience of the House if the reports were published while the House was still sitting. I am sure there will be exchanges in the House on that matter and that, at an appropriate point, the House will wish to debate it in full.

I fully share the right hon. Gentleman's view that the Deputy Prime Minister could accept a longer period of time before the House, which he would richly deserve and by which the House would be rewarded. I would only gently point out that this is a zero-sum game—more time for the Deputy Prime Minister means less time for someone else, and I am not inundated by demands that there should be less time for any particular Minister to answer questions. However, I shall happily consider the matter and see whether we can do justice to the status and ability of the Deputy Prime Minister and to the interest in his comments. I shall take that point on board.

I do not quite understand why the right hon. Gentleman should wish to run away from the comments made on the Proceeds of Crime Bill. The fact is that his party, both here and, notably, in the other place, has resisted provisions in that Bill, and he really should not come to the Dispatch Box now and pretend otherwise. Opposition Members presumably knew what they were doing and supported what they were doing, otherwise I do not understand why they were doing it; and it is entirely legitimate for the Prime Minister to point out the totally bogus nature of the constant claims about law and order from a Conservative party which always opposes when we try to tighten up on the criminal.

Mr. Kelvin Hopkins (Luton, North): The stock market has fallen seriously once again and the speculation is that it will fall a lot further before we see an upturn. Does my right hon. Friend agree that that has serious implications for the interests of ordinary people, their savings and pensions, and that we should have a debate on the Floor of the House to ensure that we fully understand that and to decide what we should do about it? Does he further agree that that is another nail in the coffin of neo-liberalism and demonstrates clearly that Governments must play a greater role in managing and regulating economies?

Mr. Cook: On the last point, my hon. Friend is leaping from an innocent to a wide and general assertion, a move in which it would be extremely unwise of me to follow him. I remind my hon. Friend of the Government's excellent record on state pensions, for which we have provided an additional £6 billion over the sums that we inherited when we came to power, more than double the amount necessary simply to meet a link with earnings. We have honoured our commitment and the need to ensure that state pensioners are justifiably and properly treated.

With regard to the private pensions sector, we have taken two major steps which will help to protect people providing for their retirement. First, the introduction of the pension tax credit means that we shall be rewarding those who saved for their retirement and as a result have a little additional income, whereas the Conservative Government penalised those who had anything extra by means-testing them and clawing back benefit from them. Secondly, through the additional employment that we have created, particularly by means of the new deal for the over-50s, an additional 900,000 people over 50 are at work now compared with 1997. That is good for the economy, but it is also good for them because it gives them longer to prepare for their retirement.

Mr. Paul Tyler (North Cornwall): Will the Leader of the House give an explicit answer to the question about data protection to which he did not refer, and will he also give the House an undertaking that if the foot and mouth reports are out in time there will a debate on them in Government time before the recess?

On Wednesday last week, the Leader of the House was frank and robust in giving information to the House in response to my question about the RMT union. At column 872, he referred to an "oath of loyalty". This is an extremely important issue. Can he now tell the House that he is prepared to put all his correspondence with the RMT in the Library, so we can assess its importance?

A most extraordinary statement was made this week—I think that it came from No. 10 Downing street—about ministerial responsibility for the police. It dealt with the most odd idea that, somehow or other, a London Education Minister can now "oversee" street crime initiatives in South Yorkshire and that an Arts Minister in the Lords can do the same thing for Avon and Somerset. How exactly are they going to report back to this House? What is their ministerial responsibility, and will they answer questions on the matter?

On 25 June, at column 769 of *Hansard*, the Secretary of State for Health gave an undertaking that the draft mental health Bill could be considered by a Special Standing Committee. Has the Leader of the House been able to make progress on that?

Finally, a consultation is apparently going on at present about arrangements for visitors from our constituencies touring the House along the so-called line of route. Consultants have been appointed, but it is not at all clear whom they are consulting. I challenge any hon. Member to say whether they have been consulted on this matter, which is extremely important to us. The hon. Member for B[illegible]ley (Mr. Pike) and I took a prominent part in a debate on this subject, but we have not been asked anything about the consultation. Have the House staff been consulted, and when will there be a debate on these very important proposals?

Mr. Cook: The hon. Gentleman asks me six questions, which is entirely legitimate. I shall try to answer all of them, but he will forgive me if I am necessarily brief in trying to deal with each one.

First, I am justly rebuked for not responding to the point about data protection. I am happy to say to the House that it remains our objective to try to lay a statutory instrument on the matter before the House rises. I am not sure whether it will be possible to debate it before that but it will be laid, which will clearly show that we are taking very seriously the important issue of ensuring that Members can discharge their representative functions.

On the foot and mouth reports, I cannot give an undertaking to have a debate before the House rises. Indeed, we have only two and a half weeks left and there is a lot of business to be done in that time, but I am quite sure that the House will wish to return to the matter at an appropriate time. It may find it better to do so once it has had time to digest and consider the reports in full.

I personally have no objection to putting in the Library exchanges with the RMT. For the avoidance of any doubt, I should perhaps say that we as a group acted collectively in responding to the letter from Mr. Crow, the general secretary of the RMT. The collective response was given by my hon. Friend the Member for Streatham (Keith Hill), who is with me on the Front Bench and has given me permission to say that his letter may indeed be placed in the Library. I hope that we can address that point, but there is no mystery and nothing sinister is involved. The correspondence will merely confirm what has been said on the record.

On the role of Ministers in relation to a number of police constabularies around the country, the arrangement has been welcomed by the police themselves. Indeed, it stemmed from the recent meeting at No. 10, which one of the police constables in attendance described as the most successful and important meeting that they have had. It is very welcome that each of the major constabularies should have a direct link with Government. Of course, accountability in respect of the police force properly remains with the Home Office, which is well represented both in this House and the other place.

I am not aware of a proposal to put the draft mental health Bill before a Special Standing Committee. Standing Committees usually consider official Bills rather than draft ones, but we are of course very keen to ensure that pre-legislative scrutiny is carried out in respect of draft Bills and we will certainly be willing to consider ways in which that can be secured.

Lastly, on the feasibility investigation into a visitor centre, since the hon. Gentleman asked the question, I should say to the House that I have been consulted by those who are carrying out the feasibility study. I hope that, as Leader of the House, I spoke for many, if not all, in the House in the answers that I gave. The process is being taken forward on a very quick time scale, because we are keen to make progress. The report will, of course, come before the House of Commons Commission, on which all the parties here are represented. Plainly, before any major development could take place, the House would have to be consulted in some shape or form.

I end by asserting what I think many hon. Members already know: my strong view is that this place requires a proper interpretive visitor centre that places stress not on the extraordinary history or wonderful architecture of the building, but on our functioning as the heart of British democracy. Every distillery in Scotland now has a visitor centre; it is high time the House of Commons got one.

Mr. Derek Foster (Bishop Auckland): My right hon. Friend will have seen the reports in the broadsheets saying that the Chancellor is to announce in his forthcoming statement the national roll-out of educational maintenance allowances. Coming from a region that has always had a relatively low staying-on rate beyond the age of 16, I know that such a measure would be widely welcomed. Will my right hon. Friend give us a debate on this in advance of the Chancellor's statement, so that we can show the Chancellor and the Government how widely welcome that policy would be?

Mr. Cook: I am grateful to my right hon. Friend for his endorsement of that policy and of the commitment that we are making. Indeed, there is already evidence that, where there is financial support for children over 16, there is a higher continuation rate after the school-leaving age. That is entirely welcome, not just for the individuals concerned but for the strength of our future work force and economy. It would be indelicate of me to offer a debate on the matter before the Chancellor makes his statement, but I am sure that he, too, will welcome the support that my right hon. Friend has promised once he has made that statement.

Sir George Young (North-West Hampshire): Is the Leader of the House now able to answer the question that I put to him two weeks ago, and to give the House the

[Sir George Young]

date of the Chancellor's statement on spending? The right hon. Gentleman will know that the date of the Budget is announced many weeks in advance, and this statement will arguably be even more important than that, because it covers three years. Will the right hon. Gentleman give an assurance that, when the Chancellor makes that statement, he will be open with the House about all public expenditure, including contingent liabilities, and that he will not resort to some of the dubious accounting techniques used by the private sector which have caused such turmoil on the world markets?

Mr. Cook: I assure the right hon. Gentleman that nothing would ever be further from the mind of my right hon. Friend the Chancellor than a dubious accounting technique. On the date, the right hon. Gentleman quite properly said that he asked this question two weeks ago. I was asked it again last week, and I am happy to say that my answer is consistent: the statement will be made in July. It will not be made next week, but I anticipate that next week the right hon. Gentleman will be made a happy man by hearing the date announced.

Keith Vaz (Leicester, East): The Leader of the House will be aware that tomorrow marks the 11th anniversary of the closure of the Bank of Credit and Commerce International by the previous Conservative Government. As well as many private investors, organisations such as Channel 4 and councils such as that of the Western Isles lost a considerable amount of money as a result of that closure. Will my right hon. Friend give us a debate on the way in which the Insolvency Service deals with liquidations? A liquidation that has lasted 11 years and cost millions of dollars—possibly $1 billion—in fees is a very long liquidation. Will he also welcome the positive steps being taken by the employees and the liquidators to ensure that this liquidation is brought to a speedy conclusion?

Mr. Cook: My hon. Friend has followed this case with great diligence and activity since it first—

Mr. Forth: We did not close it; it collapsed.

Mr. Cook: With the greatest respect, my hon. Friend was not in government at the time. The Government of the time are now, happily, sitting on the Benches opposite us. I congratulate my hon. Friend on the effort that he has put into trying to achieve justice for those who were left as creditors of the bank. It collapsed amid great complexity, which explains, to some extent, the length of time that this has taken. I understand that 60 per cent. of the outstanding debt to creditors has now been met, and that there will be further dividends in the course of the next 12 months. I believe that there has also been progress on the agreement between the former employees and the bank, and I think we would all agree that the former employees should always be at the front of the queue when there is a need to meet the outstanding debts from the collapse. It is a matter of great regret that the process has taken this long, but my hon. Friend knows better than anyone else in the House the complexity of the issues involved.

Michael Fabricant (Lichfield): In the light of the similarities, and also the differences, between the Prime Minister on the one hand and President Bush and Colin Powell on the other, can we have a debate before the end of the year on the enduring relationship between the United Kingdom and the United States? On this, the first 4 July since the tragic events of 11 September, will the Leader of the House join me in wishing all Americans—both here in the United Kingdom and in the United States—a safe and happy Independence day?

Mr. Cook: I am delighted to join the hon. Gentleman in wishing all our United States friends a happy and safe Independence day. I fully share his view that there is a strong, strategic partnership between the two countries, based on two fundamental realities: we are each other's biggest trade partner, and each other's closest ally. Those long-term strategic relationships will continue. The hon. Gentleman rightly points out that today is Independence day in the United States—independence, of course, from us—and in those circumstances we should also recognise that we are two sovereign, independent countries, and we should not be unduly disturbed if, from time to time, we pursue different policies around the world, while in no way undermining the powerful partnership that is so important to both of us.

Joyce Quin (Gateshead, East and Washington, West): Given that the Government have recently published their regional government White Paper, which I warmly welcome, and given that there is a consultation attached to that White Paper, which will finish at the end of August, may I urge my right hon. Friend to give the House an opportunity to debate the issue so that it receives a public airing during this important consultation period?

Mr. Cook: For one moment, I was concerned that my right hon. Friend was going to invite me to recall the House at the end of August for that debate. I cannot promise a debate before the House rises, because there is a very crowded schedule, but we produced the draft local government Bill precisely because we wanted a wide consultation, not just with Members but with the local government movement. That will inform any Bill that is brought before the House, which would, of course, be debatable here. In the meantime, the Local Government and the Regions Committee is carrying out its pre-legislative scrutiny, and I am sure that it would welcome the views of colleagues.

Dr. Evan Harris (Oxford, West and Abingdon): In taking the Leader of the House back to the question of medical confidentiality and data protection, may I draw his attention to my membership of the British Medical Association medical ethics committee?

In the light of the comments of the BMA this week, which draw attention to the fact that confidential medical information is released by Members on both sides of the House—on the case of Rose Addis, for example, without it being clear that her explicit consent, and not just that of her family, was granted for that release—will the Leader of the House give further consideration to the question of guidance for Members to ensure that we stay on the side of not breaching medical confidentiality?

On data protection, does the Leader of the House accept that there will still be duties of medical confidentiality on bodies to which the Data Protection Act 1998 applies and that a very strong case would have to be made for exemptions for MPs from the need to get explicit, informed written consent from individuals before such information is handed over?

Mr. Cook: I would not presume to give hon. Members guidance on how they pursue their individual constituency cases. That will always be a matter for the judgment of Members, and it would be wrong to try to impose any other standard on them. The key lesson of the Rose Addis case is that, in the first place, there should be discussions with those who provide the medical treatment in the hospital, because it is those who provided the medical treatment in that case who were outraged by how it was misrepresented in the Chamber.

On data protection, I shall study carefully what the hon. Gentleman said, but I am not sure that I agree with it. If a constituent comes to us to raise a complaint about the local NHS trust, it is entirely proper for the Member to assume that the constituent wants the Member to do something about it. There is clearly an implied consent there.

The statutory instrument will put those NHS trusts and other parts of the public sector back in their pre-Data Protection Act position, so that Act will not be a barrier to them answering honestly and fairly the Member of Parliament's complaint. However, it will not remove any existing considerations on patient confidentiality and it will certainly not give us any licence to pry into matters that have not been raised with us by our constituents.

Mr. David Drew (Stroud): Will my right hon. Friend consider holding a debate on relations with our colleagues in the European Parliament? He will be aware that another investigation into foot and mouth is going on, held by the European Parliament. Bizarrely, Members of the House are being contacted through the individual offices of MEPs and the investigation has been accompanied by various Conservative party press releases, which do not give us a lot of faith in its being independent. The witness sessions also seem to leave a lot to be desired.

Is it not about time that we understood that if an investigation is being held by another Parliament but in this country, there are certain rules by which it should abide so that we have genuine independence rather than the charade that seems to be taking place?

Mr. Cook: I can only say that I find it challenging enough to remain on top of the rules and conduct of this House, without attempting to master the rules and conduct of the European Parliament.

Mr. Andrew MacKay (Bracknell): Is the Leader of the House aware of the widespread public concern following the Quintin Hann case this week about the conduct of rape trials and consequent publicity in the newspapers and elsewhere? Would it not be appropriate for a Minister to come here next week and give an initial view on whether we can amend the law to ensure that defendants remain anonymous until their cases are over and they are found guilty?

Mr. Cook: I understand the hon. Gentleman's point, and the concern about the case that he mentioned. I know that a number of newspapers have highlighted similar anxieties on behalf of the defendant.

I do not think anyone would want the balance to be redressed by a removal of victims' anonymity, which is an important consideration. Whether all the press would welcome an extension of that anonymity to defendants is a matter of judgment, but I imagine some newspapers would express concern.

The matter should of course be kept under review. We shall be examining the law on sexual offences and sexual offenders in the coming days, and the hon. Gentleman may wish to pursue it in that context.

Dr. Stephen Ladyman (South Thanet): I accept that this may have to take place after the recess, but could we have a debate on selective education? My right hon. Friend may know from press reports that I had to commission a study on the performance and structure of secondary education in Kent, which is a purely selective county, when the county refused to do so. It shows some incredibly worrying trends. For instance, a far higher proportion of grammar schools are exhibiting falling standards than we thought, and there is a polarisation of education in the county that is clearly detrimental to pupils. When will we have an opportunity to make clear in the House the fact that selection is a Victorian strategy for education which has no part in the current century?

Mr. Cook: I congratulate my hon. Friend on his energy and initiative. I understand that the study showed good results in some state schools which are not necessarily being matched in the selective system.

This is a matter to be pursued at local level, and I commend my hon. Friend on the way in which he has stimulated the process. I remain proud that I taught in a comprehensive and that my children went to one, and I believe they have served our nation very well.

Sue Doughty (Guildford): As the Leader of the House will know, the world summit on sustainable development will take place in under two months, in August and September. During debates, we have regularly asked the Secretary of State for Environment, Food and Rural Affairs to come to the House and make a statement, especially following the negotiations in Bali that constituted the final preparatory committee meeting. Those negotiations seem to have ended in failure, particularly in relation to agricultural subsidies. Will the Leader of the House make every effort to persuade his right hon. Friend to make a statement before the end of the Session?

Mr. Cook: I fully understand the hon. Lady's concern about the forthcoming summit, and the great importance attached to it. Let me say in fairness to the Government that we have made it clear that we want it to be a success, and have taken a number of initiatives with the aim of ensuring that it addresses real issues and has a real outcome.

Since Bali we have had a further discussion in Brazil attended by my right hon. Friend the Deputy Prime Minister, who has had discussions with both South Africa, the forthcoming host, and Brazil, which hosted the last summit in Rio de Janeiro 10 years ago. I understand from my right hon. Friend that the talks made good progress, and I hope we are now on course for a successful summit and outcome. We will keep the House posted.

Mr. Tony Lloyd (Manchester, Central): May I remind my right hon. Friend of the strategy the Government

[Mr. Tony Lloyd]

adopted two years ago, "Revitalising Health and Safety", which was rightly adopted because of the worrying increase in the number of injuries and accidents in the workplace? He will know that Sir Richard Wilson, the Cabinet Secretary, is conducting a consultation exercise to determine where the Health and Safety Commission and the Health and Safety Executive will be in the system of government. May I suggest that the exercise should be conducted very rapidly? It is important for the HSE to have certainty. I think it should end up in the Department of Work and Pensions, although others may disagree. The most important thing, however, is strong ministerial commitment to the strategy and the HSE, so that we can reduce the £19 billion cost of injuries and accidents in the workplace and, of course, the number of human tragedies that result.

Mr. Cook: I congratulate my hon. Friend on having raised that issue. It has always been a mystery to me that, although accidents in the transport industry are tragic and very grave for those involved and make mega-headlines, our press and political system do not give the same attention to the steady and, over the year, much higher toll of accidents at work. The Health and Safety Executive is an important bulwark against that trend getting worse.

We are indeed carrying out a review of the machinery of Government in order to ascertain what is the best ministerial home for the HSE. In particular, we are keen to ensure that there is close collaboration between it and the Department for Work and Pensions, to secure the best possible help for the victims of injuries at work. I assure my hon. Friend that the outcome will guarantee very real ministerial commitment on what is an extremely important issue.

Mr. John Redwood (Wokingham): Yesterday, the Prime Minister called for an early debate on the euro. When will the Leader of the House accede to that wise and excellent request, and when will the Government tell the House their preferred entry rate of the pound against the euro?

Mr. Cook: Even as I rise, I can see television screens all over the City of London switching on to our exchanges. The right hon. Gentleman has been here long enough to know that we never comment on currency movements. When the Prime Minister requests a debate, I shall be happy to arrange it.

Mr. Tony McWalter (Hemel Hempstead): Does my right hon. Friend agree that it is disappointing that the Modernisation Committee will not be able to report in time to obviate the problems faced by all hon. Members because of the 82-day recess, which means that many of the issues that we want to raise on behalf of constituents who approach us when we are working in our constituencies during September will not be dealt with on the Floor of the House? Will he seriously consider whether it is sensible to have such an enormously long time during which we are unable to bring to the attention of the House matters of serious concern?

Mr. Cook: I have already expressed my concern about the length of the recess and I fully share my hon. Friend's anxiety—I worry about how I am to fill in all that time in those 82 days without the House to debate matters with. I have proposed that we should change the long recess in future years so that we return in September and do not have the three-month absence. I anticipate that the House will have the opportunity to vote on that some time soon after the recess. It is a matter for the House, but I think that it would be wise to agree to shorten the long recess.

Mr. Roy Beggs (East Antrim): I welcome the decision of the Leader of the House to include a debate on the intelligence agencies in next week's business. The Secretary of State for Northern Ireland came to the House in March, four months ago, to answer a private notice question on the break-in at Castlereagh police station. At that time, it was rumoured that one or more of the intelligence agencies had played a part in it, but since then suspicion has shifted to the Provisional IRA. Will the Leader of the House make time available for the Secretary of State to come back to the House before the summer recess and tell us whether it was indeed the Provisional IRA that was behind the break-in, and if so, what action he intends to take against its political representatives in the Northern Ireland Executive?

Mr. Cook: The hon. Gentleman will be aware that my right hon. Friend the Secretary of State will be answering questions next Wednesday, and I am sure that that matter will arise then. Obviously, a police and security service investigation has to be dealt with with care and confidentiality, so I cannot advise on the extent to which he will be able to answer the question.

Mr. David Chaytor (Bury, North): In view of the publication today of the White Paper on the Liabilities Management Authority, with the expected increase in cost of the management of our radioactive waste and the prospect that it opens up of the French state-owned nuclear company taking over the management of our nuclear liabilities, will my right hon. Friend find time in the very near future for a debate on the subject, in Government time, on the Floor of the House, so that all the implications of this crucial issue can be discussed?

Mr. Cook: My hon. Friend raises a very important issue. He will be aware that the Minister for Energy and Construction has nuclear liability very much at the front of his work programme, and I anticipate that he will make an announcement in the near future. As to when the House can debate these matters again, I cannot give a commitment before its rising for the summer recess. However, there are many ways in which my hon. Friend can pursue his well-founded and genuine concerns in the House.

Dr. Julian Lewis (New Forest, East): May we have a debate in Government time on early-day motion 1490?

[That this House notes the comments of the Right honourable Member for Greenwich and Woolwich, the Minister responsible for electoral law, that "Any provisions on European Parliament elections laid down by the Council (including amendments to the 1976 Act) need to be ratified with an Act of Parliament in the UK"; further notes that the UK is, therefore, free to adopt any electoral system of its choosing for future elections to the European Parliament; believes that, by removing the vital

link between each elected representative and their constituents and consequently encouraging voter apathy, proportional representation has not served the UK well; also notes with concern that proportional voting systems in other parts of Europe have allowed far-right parties to gain a foothold; and further believes that the UK's next elections to the European Parliament could, and should, be held under the First Past the Post electoral system.]

I ask for the debate in Government time because 49 of the 53 hon. Members who have so far signed the early-day motion happen to be Labour Members. However, if such a debate is too embarrassing for the Government, I suggest an alternative one on the more innocuous subject of squatters' rights. In such a debate, the Deputy Prime Minister could explain whether he intends to stay in his RMT-owned flat, now that he has correctly resigned from that union on a point of principle.

Mr. Cook: My right hon. Friend has the security of a long-standing tenant, and the hon. Gentleman would not be helping himself and his constituency by suggesting that all secure tenancies involve squatters and squatters' rights.

On the early-day motion to which the hon. Gentleman refers, I fear that there are another 1,500 among which I have to choose. If I were to find a day for debating early-day motions, I might just be tempted to include a half-day on the hon. Gentleman's suggestion—if he will agree that the other half-day can be spent debating an early-day motion drawing attention to the fact that the Conservative website has no entry under "policy".

Ms Julia Drown (South Swindon): Constituents, bus drivers and local police tell me of their serious concern about the increasing number of dangerous incidents involving airguns and replica guns. Will the Leader of the House find time for a debate on this issue? If we want to make communities safer, we must take further action to get these dangerous guns out of circulation.

Mr. Cook: I am well aware of the concerns expressed about incidents involving airguns. Indeed, my hon. Friend the Member for Sunderland, South (Mr. Mullin) has raised very real concerns, based on what happened to a constituent of his.

Mr. Forth: The Government killed the private Member's Bill.

Mr. Cook: We have a long way to go before we rival the right hon. Gentleman's record on killing private Member's Bills.

I shall certainly draw the attention of my right hon. Friend the Home Secretary to my hon. Friend's comments. Should the Home Office wish to introduce a measure, I would be happy to ensure that we provide time for it.

Mr. Patrick McLoughlin (West Derbyshire): I refer the Leader of the House to a point made by my right hon. Friend the shadow Leader of the House. Will the right hon. Gentleman reconsider the issue of questions to the Deputy Prime Minister? Since the reshuffle, the responsibilities of the Deputy Prime Minister and the number of questions put to him have increased massively—at least I hope they have, given that his departmental and ministerial team has increased massively, from three to five. According to the ordered questions available this morning from the Vote Office, there will be only 50 minutes available for questioning the Deputy Prime Minister between now and Christmas. Is that really acceptable for such an important Department?

Mr. Cook: I am sure that my right hon. Friend the Deputy Prime Minister will be gratified at the excitement shown in the House about the importance of questioning him for longer, and I have already taken on board the point that was made. I shall happily look at the question rota, but before making a move I need to know that I will not be inundated at a subsequent Thursday business statement with complaints about where such time has been taken from.

Mr. Harry Barnes (North-East Derbyshire): Is there not an important tradition of liberal adult education—advanced especially by organisations such as the Workers Educational Association and university extramural departments—that was influential in, for example, getting people into higher education before the days of excessive modules, tests and certification? That is exemplified by the life of Royden Harrison, whose obituary appeared in *The Guardian* this week. It was written by my former colleagues at Sheffield university, Michael Barratt-Brown and John Halstead, and should be read by all hon. Members. May we have a debate on how to build on, further and nurture the tradition that Royden exemplified?

Mr. Cook: I am happy to join my hon. Friend in paying tribute to Royden Harrison, who brought to his work an enormous conviction and a commitment to teaching as a vocation. That commitment and sense of vocation are important if we are to have a successful education system.

For four years, I was employed by the Workers Educational Association, so I am very susceptible to the suggestion that we should have a debate on its work and on the important contribution made by adult education. That contribution is especially notable in regard to people with ability who may not have succeeded first time around during their education in school. As a responsible Leader of the House, I fear I cannot indulge my wish for such a debate, but I fully endorse everything that my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) said about the importance of education.

Andrew Selous (South-West Bedfordshire): Will the Leader of the House consider making time available to discuss the matter of enforcement in respect of the Child Support Agency? This is a serious issue for many hon. Members, and it is a matter of great concern that many mothers are unable to ensure payment from the fathers of their children. I know that the Select Committee on Work and Pensions is very concerned about that, and I believe that the matter should have an airing on the Floor of the House.

Mr. Cook: The hon. Gentleman will know that one of the first acts of this Government on taking office in 1997 was to reform the Child Support Act 1995, and ensure that we provided improvements. In my work in my constituency, I have noted a substantial decline in the number of people coming to me expressing concern—by contrast with what happened in the period immediately

[Mr. Cook]

after the previous Conservative Government introduced the legislation, when surgery time doubled because of complaints about the CSA. However, no one would deny that problems remain, and we are keen to make sure that we keep the matter under review. Where sensible improvements can be made, we will certainly want to make them.

Dr. Nick Palmer (Broxtowe): There are still frequent reports that the US Government are considering military intervention in Iraq, with a view to replacing the Government there. My right hon. Friend will be aware that that development would be very controversial in this House. There is a possibility that it might happen during the summer recess. Will my right hon. Friend find time for a debate on the matter, so that hon. Members can give their views before the House rises?

Mr. Cook: Well, I cannot promise such a debate before the House rises. I said earlier that we already face a very congested period, and I think that I have clocked up enough bids for debate in the past 45 minutes to keep us here well into September. However, if any such action were to be taken during the recess, I should be very surprised if hon. Members did not demand that the House reconvene to consider it. At present, I do not anticipate that any such action will be taken. As I have said repeatedly to the House, no decision has been taken, and none may ever be taken.

Mr. Alistair Carmichael (Orkney and Shetland): Will the Leader of the House make time available for a parliamentary first—a statement from the Advocate-General for Scotland? The right hon. Gentleman may be aware that Lord Nimmo Smith in the Court of Session yesterday ruled against the Advocate-General on the question of whether she should be involved in a case being brought in connection with the legislation outlawing fox hunting in Scotland. The right hon. Gentleman will know too that Lord Hardie ruled against the Advocate-General on the same point a few months ago.

Several hon. Members have never been clear about what the Advocate-General's job involves and, if Lord Nimmo Smith and Lord Hardie are correct, it now appears that the Advocate-General is among that number. Can we have a statement to clarify just what she is here for?

Mr. Cook: The hon. Gentleman speaks as a lawyer. I defer to his interest in the case. I am not sure that I would wish to encourage any of those of my hon. Friends who share the Government with me to come to the Dispatch Box to discuss an individual court case. I think that that would be ill advised, but I am sure that my hon. and learned Friend will note what the hon. Gentleman has said.

Paul Flynn (Newport, West): When can we have a debate on early-day motion 1538 about Hoopers Employment Law Publicity?

[That this House believes that the service offered by Hoopers Employment Law Publicity Ltd to redundant workers in the City of Newport is of little or no value; further believes that the publicity promised by the company for tribunal cases is vastly overpriced at £587.50 per worker and cannot be guaranteed; commends the splendid guidance and representation of 40 of those workers by the Newport Citizens Advice Bureau at no cost and urges other redundant people to seek advice and assistance from reputable groups such as the CABx.]

The firm wrote to recently redundant constituents of mine demanding £578 for a service which is likely to be of little or no value. Is not this particularly mean and despicable scam likely to impoverish people who are redundant and have already suffered severe financial losses, and who are in any case getting splendid advice from the Newport citizens advice bureau? Should we not advise any others who are redundant to avoid this particular company and seek advice from reputable organisations?

Mr. Cook: I am not aware of the company, so I cannot express a view on its merits or otherwise, but I am happy to endorse my hon. Friend's tribute citizens advice bureaux, whether in Newport or anywhere else. My hon. Friend asks for another debate on the subject. I remind the House that one of the great beauties of having a recess is that we have a half-day debate on the date of the recess when many of these matters can be pursued vigorously. My hon. Friend the Parliamentary Secretary will be delighted to give a full reply on that occasion.

Mr. Peter Duncan (Galloway and Upper Nithsdale): Will the Leader of the House confirm that it remains Government policy that the next elections to the Scottish Parliament will be held on 1 May 2003? Can he take this opportunity to deny persistent rumours circulating in Scotland that that is a potential date for a euro referendum and would give the Presiding Officer the opportunity to vary the date of the next elections? Surely the Scottish people have every ability to pass decisive judgment on both the euro and the Scottish Executive on the same day.

Mr. Cook: The date for the Scottish parliamentary elections is not simply a matter of Government policy; it is a matter for legislation. I suspect it would require primary legislation to change the date and I know of no suggestions that it should be changed.

Kevin Brennan (Cardiff, West): I refer the House to last week's business questions. [HON. MEMBERS: "Where's the tie?"] Will the Leader of the House find time for a debate on early-day motion 1524 in my name, on the abdication of King Edward VIII?

[That this House believes in open government and the timely release of public documents of historical interest; notes recent allegations in the Press about the Nazi associations of Wallis Simpson from public archives in the United States of America-deplores the fact that people in Britain have to rely on overseas sources for information about their own history; and therefore calls for the immediate release of all currently closed United Kingdom public records relating to the abdication of King Edward VIII.]

Is my my right hon. Friend aware of the recent American press reports about the alleged Nazi links of Wallis Simpson? Despite the very appropriate sartorial tribute today from the shadow Leader of the House to our

American friends, is it not a disgrace that we must rely on a foreign Government for information on our own history?

Mr. Forth: At least I'm wearing a tie.

Mr. Cook: I can fully understand why some of my hon. Friends feel that they cannot compete with the right hon. Gentleman's ties, so may have given up on the effort. My hon. Friend raises a matter of history of which I am woefully ignorant and into which I would not wish to be drawn. I can think of more important, more urgent and more strategically significant things that I would wish to know about in history than the matter to which he draws attention.

Richard Younger-Ross (Teignbridge): The Leader of the House is no doubt aware that in the Easter recess the Secretary of State for Trade and Industry said that she intended to remove the beer orders. The DTI has since had a consultation which finishes on 5 July. I understand that there is now a draft statutory instrument on the subject. Considering the concerns of the independent brewers and of the Campaign for Real Ale that this will seriously damage the small, independent, brewing industry, will the Leader of the House ensure that there is a debate in this Chamber and that the SI is not just pushed through in Committee?

Mr. Cook: I shall happily draw to the attention of my right hon. Friend the hon. Gentleman's remarks. Personally I would be keen to make sure that we stay on side with those who support real ale and the many independent breweries. I am delighted that real ales are now more freely available in off-licences around the country. I would wish to see that continue rather than dwindle.

Mr. Andrew Robathan (Blaby): When will the Government respond to the parliamentary ombudsman's grave criticisms of the Government today? The report on which the criticisms are based was brought out last autumn, yet there has been no response. This Parliament set up the parliamentary ombudsman and expects the Government to respond, but the Government will not make their response. It is all very well talking about freedom of information Acts, but should not the Government show them some real credence and deliver some access to information?

Mr. Cook: First of all, as the hon. Gentleman accurately and properly says, the report was laid today; it is therefore hardly surprising that at 1.24 pm we have not responded to it.

Mr. Robathan: When will you?

Mr. Cook: Not by 1.30 pm, I have to say. Of course we will respond to the ombudsman's report, as we always do. It is not a matter of my, or any other Minister's, having to stand here talking about the Freedom of Information Act 2000. We passed that Act. We have provided the greatest transparency and openness that this country has ever seen, and we have been far more transparent and open than the Conservative Government whom the hon. Gentleman supported.

Points of Order

1.25 pm

Mr. Graham Brady (Altrincham and Sale, West): On a point of order of which I have given you prior notice, Mr. Speaker. I want to ask a question on the theme of freedom of information and openness on the part of the Government, bearing in mind the gross discrepancy between a written answer that I received on 10 April from the Department for Education and Skills and the answer that I was given orally this morning by the Under-Secretary of State for Education and Skills, the hon. Member for Enfield, Southgate (Mr. Twigg). On 10 April, having asked the Government to set out how many teachers in maintained schools have been the victim of serious assaults by pupils or parents, I received this reply from the then Minister for School Standards, the hon. Member for East Ham (Mr. Timms):

> "My Department does not collect this information."—[*Official Report*, 10 April 2002; Vol. 382, c. 195W.]

This morning, the Minister was able to give those figures, which he said were collected not by his Department but by the Health and Safety Executive. Can you give any guidance to Ministers about the importance of giving full and open responses to written questions, rather than being deliberately evasive and trying to hide the truth that we are trying to reveal in doing our duties in opposition?

Mr. Speaker: All I can say to the hon. Gentleman is that Ministers are expected to give full and open answers.

Mr. Eric Forth (Bromley and Chislehurst): But they don't.

Mr. Speaker: Ministers are expected to do so.

Michael Fabricant (Lichfield): On a point of order, Mr. Speaker. Today, for the first time in my experience, an hon. Member spoke in the Chamber without a tie. That may or not be the new standard. I know that from time to time you deal with the Chief Whips of the various parties, and it might be helpful if the dress code were made clear, especially to hon. Gentlemen, who have less ability to vary their clothing than hon. Ladies. If there is a change in dress code, that is fine by me. I will come in in my chinos and open-neck shirt—or maybe I will not. Either way, I should like to know what is expected of us. I have always thought that we had to wear a jacket and tie, at least.

Mr. Speaker: Since the hon. Gentleman asks, my feeling would be that jackets and ties are best for hon. Gentlemen.

David Burnside (South Antrim): On a point of order, Mr. Speaker. On 22 May I raised a point of order about the Secretary of State for Northern Ireland not having answered my question on defining the status of the IRA ceasefire. Following your good offices, he immediately replied to me. In his reply, he said:

> "We are reviewing our procedures to ensure that we avoid such omissions in the future".

I welcomed that—and thank you for your help on the matter, Mr. Speaker.

[David Burnside]

On 2 June 2002, I tabled another question to the Secretary of State:

> "To ask the Secretary of State for Northern Ireland, if he will consult (a) the Northern Ireland Fireworks Association and (b) other interested parties"—

which he has a statutory obligation to do—about the Explosives (Fireworks) Regulations (Northern Ireland) 2002. In Northern Ireland, that is a matter of security importance, as well as being important in terms of the regulation and safe use of fireworks. I have received no answer from the Secretary of State. Could you give me some guidance, Mr. Speaker, as to how I should take the matter further? If the Northern Ireland Office's performance in refusing to answer or avoiding questions continues, we might as well have a recess all year round.

Mr. Speaker: I would advise the hon. Gentleman to seek advice from the Table Office.

Mr. Bill Wiggin (Leominster): On a point of order, Mr. Speaker. My question concerns my constituent Mr. Phillips. I have already delivered to your office a catalogue and diary of the relevant events. My constituent's sheep were culled in a contiguous cull and his farm was sprayed with FAM30—a biocide, which happened to kill his worms, into which he had diversified. Because of that, perhaps the Ministry is taking his case lightly, although he is claiming £50,000 in compensation.

I have written to the Minister on countless occasions. I have received acknowledgements of my letters, but I have not received a reply to the kernel of the problem: Mr. Phillips's compensation claim. Indeed, I wrote again on 17 January, and finally on 24 January, my letter was acknowledged and a full reply promised. On 7 March, I tabled a written question to ask when that full reply might be forthcoming.

Finally, at the end of June, I received a reply, saying that, because my constituent had gone to a solicitor as he had received no reply, the Minister felt that the case was sub judice. I cannot think of anything else that I can do to encourage the Ministry to reply to my letters, and I wondered whether you, Mr. Speaker, might have any pearl of wisdom that you might wish to cast before us.

Mr. Speaker: I am concerned that the hon. Gentleman has not received a reply. Of course he has put the matter on the record, but he could apply for an Adjournment debate—perhaps that would bring the Minister to the Floor of the House.

Dr. Julian Lewis (New Forest, East): On a point of order, Mr. Speaker. The whole House was very concerned about the inadequate sentence in the rape case that my hon. Friend the Member for Isle of Wight (Mr. Turner) raised in questioning the Solicitor-General. In her reply, the Solicitor-General explained that there were two possible courses of action: to extend the period of time in which application could be made to review the inadequate sentence, or to publicise the existing period of time. I do not know whether you noticed, Mr. Speaker, but in her answer the right hon. and learned Lady said that she inclined towards the former. However, she then went on to explain at length why she was recommending the latter. That was extremely confusing to the House on a matter of considerable concern, and I wonder whether the record can be clarified in any way.

Mr. Speaker: It could well have been a slip of the tongue by the Solicitor-General. I think that that was the case.

Mr. Andrew Robathan (Blaby): On a point of order, Mr. Speaker. You will correct me if I am wrong, but I understand that the parliamentary ombudsman is a servant of the House and is appointed by the House of Commons Commission. He certainly owes his allegiance to the Houses of Parliament. In the autumn, he placed a report in the Library because he could get no response from the Government. He has still received no response. Can you or the House of Commons Commission give him any advice on how he could get a response when he is carrying out his duties on behalf of the Houses of Parliament?

Mr. Speaker: The ombudsman is an Officer of the House, but he is not appointed by the House of Commons Commission. The hon. Gentleman must keep pursuing the matter. If he feels disappointed by any reply regarding that matter that he has received today or from any Minister, he must keep pursuing it.

BILL PRESENTED

WASTE (No. 2)

Mr. Desmond Swayne presented a Bill to grant additional powers to local authorities in England and Wales for the enforcement of controls and for the prosecution of offences relating to the unauthorised or harmful deposit, treatment or disposal of waste and the transporting of controlled waste without registering; to amend the Control of Pollution (Amendment) Act 1989 and Part II of the Environmental Protection Act 1990; and for connected purposes: And the same was read the First time: and ordered to be read a Second time on Friday 19 July, and to be printed [Bill 162].

Orders of the Day

Finance Bill

[2ND ALLOTTED DAY]

Not amended in the Committee and as amended in the Standing Committee, further considered.

New Clause 23

ROLLOVER OF CASH FROM ISAs AND TESSAs INTO SECURITIES

'.—(1) There shall be inserted into the Individual Savings Account Regulations 1998 (S.I. 1998, No. 1870) following Regulation 9 (qualifying investments for an insurance component)—

"*Qualifying transfers from cash component to stocks and shares component*

9A.—(1) This regulation permits investments originally made under the cash component of an account or under a TESSA only account to be transferred into the stocks and shares component of an account.

(2) Where on or after 1st October 2002 an account investor makes an election under this regulation in respect of an account then—

(a) the amount of the qualifying investments then held under the cash component of the relevant account as is specified in the election; or

(b) the amount of the funds then held under a TESSA only account as is specified in the election,

may be applied in purchasing investments which are qualifying investments for a stocks and shares component, within the meaning of regulation 7.

(3) The funds applied as mentioned in paragraph (2) shall be regarded as having always been validly made into the stocks and shares component of an account and any amount so transferred shall not count towards the subscription limits in regulation 4(2) and (3)(a) as the case may be.

(4) An election made under this regulation shall be made in writing to the relevant account manager and must fulfil the conditions set out in paragraphs (5) and (6) below.

(5) The election must satisfy such requirements under regulation 12 as would apply to an application to subscribe for a stocks and shares component of a new account.

(6) The election must specify—

(a) the cash component of the account or TESSA only account, as the case may be, out of which the transfer is to be made; and

(b) the amount of funds to be transferred (not to exceed the maximum amount then held in that account).

(7) The election made as described in paragraph (2) above shall be irrevocable."

(2) This section comes into force on 1st October 2002.'.—*[Mr. Flight.]*

Brought up, and read the First time.

1.33 pm

Mr. Howard Flight (Arundel and South Downs): I beg to move, That the clause be read a Second time.

New clause 23 is a straightforward and down-to-earth probing suggestion. PEPs, followed by ISAs, have been very successful in attracting large numbers of people, extending down into society, to the savings habit. The structure of ISAs has been perhaps more complicated than many people might like, although that structure was chosen for good reasons.

As hon. Members will know, mini and maxi ISAs are available. People can invest £3,000 in mini ISAs, all of which can be in cash, and a maximum of £3,000 cash can be invested in maxi ISAs. Historically, people also have cash savings under TESSAs. When those cash savings mature after five years, the interest can no longer be part of the contract, but the principal element can be carried forward into a cash ISA. Perhaps I should have started by declaring an interest in accordance with my entry in the register, although the matter that I am raising is purely practical.

The issue is that once people lock into the cash element of a savings plan, they cannot move out of cash into securities. In the current economic climate people will understandably be cautious and will want to stay in cash. As times move on, however, and as markets go up and down, people may want to move into securities. Indeed, the original purpose of PEPs and ISAs was to encourage investment in securities and not just in cash. The cost to the Revenue can be more in relation to cash, as the amount of tax-free interest is usually greater than the level of dividends paid on equities.

The new clause simply proposes that people who have their cash element in mini and maxi ISAs, and in maturing TESSAs, should, if they wish, be able to invest that cash in securities, but not revert to cash in the future. Although, in principle, it might appeal to people to be able to move all the time between cash and securities, that poses both tax and administrative problems.

The House will be aware of the need to boost savings in this country; perhaps the savings rate should not be boosted by too much in the next few years, as that may cause a recession, but it has fallen to too low a level. I accept, however, that we face difficult and out of the ordinary circumstances in the financial markets.

I repeat that the new clause is a simple, probing amendment. I understand that there may be some degree of support for the idea in the Treasury and in the Revenue, and it would not amount to an additional cost to the Exchequer—if anything, it might be to the Revenue's advantage. I hope that the Minister will respond supportively. I candidly do not know whether the new clause is perfect or imperfect; I expect that it is imperfect, as it is on a difficult, technical matter. What it proposes, however, is eminently clear.

Rob Marris (Wolverhampton, South-West): I welcome the fact that the hon. Member for Arundel and South Downs (Mr. Flight) has at last put forward an amendment that might—I stress the word "might"—have a beneficial effect on many of my constituents, because the issue affects many of them. I shall be interested to hear what the Financial Secretary to the Treasury says about it.

Mr. Flight: I thank the hon. Gentleman for his kind comments. May I make the point that a healthy and strong British economy is of enormous benefit not just to all of his constituents but to every other individual? There are many issues that may appear to be macro rather than micro ones, but they are all about the efficient working and prosperity of our economy.

Rob Marris: Those are interesting words from the hon. Gentleman, as I am not sure that they will be a sequitur to what I am about to say. I sat through most of the debate

[Rob Marris]

on the Finance Bill yesterday, the last four new clauses put forward by the hon. Gentleman—new clause 10 on attribution of gains to members of non-resident companies; new clause 11 on capital allowances for expensive cars; new clause 12 on investment companies and trading companies; and new clause 13 on stamp duty exemption on disposal of substantial shareholding—appeared to deal with taxation issues for the very rich, which do not affect many of my constituents. When I put that to the hon. Gentleman last night, he said:

> "These clauses have been proposed by the non-political and unbiased Chartered Institute of Taxation".—[*Official Report*, 3 July 2002; Vol. 388, c. 357.]

I have no doubt that they were. Interestingly, two debates later, the hon. Member for Kingston and Surbiton (Mr. Davey) moved new clause 19. He said, at column 361—

Madam Deputy Speaker (Sylvia Heal): Order. Perhaps the hon. Gentleman could now move on to discuss new clause 23.

Rob Marris: May I briefly finish my point, Madam Deputy Speaker? The new clause moved by the hon. Member for Kingston and Surbiton was entitled "Simpler Tax Assessment for Low-income Pensioners", and it was also suggested by the Chartered Institute of Taxation. Was this new clause suggested by the institute or does the hon. Member for Arundel and South Downs take up the institute's proposals only when they deal with the very rich?

Mr. Flight: That is a pretty poor line of attack. I do not think that my track record illustrates what the hon. Gentleman is seeking to imply. This new clause covers a matter that has been discussed widely within the Revenue and other bodies. It has nothing to do with the Chartered Institute of Taxation.

Rob Marris: I am grateful for that clarification. Perhaps we can now move on to debate this important subject.

The Financial Secretary to the Treasury (Ruth Kelly): I am pleased that the hon. Member for Arundel and South Downs (Mr. Flight) recognises the important contribution that ISAs make to our savings strategy. I recognise his long-standing interest in these issues, and I know that he takes a keen interest in the workings of the ISA market. He has outlined the reasons for the new clauses, which would affect ISAs and TESSA-only ISAs. From what he said, I gather that its essence would be to allow tax-privileged cash savings to be converted into stocks and shares ISAs through what would essentially be a one-way valve. It would not then be possible to convert the equity investments back into cash.

The hon. Gentleman mentioned current market conditions and the encouragement to cash investors to diversify their savings into equities. As he recognised, there are difficulties with the drafting of the new clause. It is a little unclear what it is precisely intended to achieve. However, I have listened with interest to his proposals. As ISAs are such an important part of our savings strategy and have already extended the opportunity to save to new groups of people—particularly those on lower incomes, women and previous non-savers—we consider the rules governing ISAs extremely carefully and keep them constantly under review.

We would have to consider the issues and implications relating to the new clause. However, I assure the hon. Gentleman that we are prepared to consider, in principle, his proposals along with other changes to the ISA regime, which may become possible when the review of the polarisation regime concludes following the Financial Services Authority's recent consultation paper. We take these issues seriously and we want to encourage savings. ISAs form a major plank of our savings policy, so we will keep the issues under review.

Mr. Flight: I thank the Financial Secretary for her comments. Do not take too long, however, because many citizens in the constituency of the hon. Member for Wolverhampton, South-West (Rob Marris) might think, as and when markets recover, that it was a pity that they were totally locked into cash savings. I am glad that the Government are interested in pursuing the idea in principle. I made it clear that it was a probing new clause, so I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 24

SIMPLIFYING MARRIED COUPLES ALLOWANCES

'(1) Section 257A of the Taxes Act 1988 shall be amended as follows—

(2) In subsection (2) the amount specified for the year 2002–03 shall be £5,535.

(3) Omit subsections (3) and (4).

(4) In subsection (6), after the words "entitled to relief under this section", leave out from "this section shall have effect" to the end of the subsection, and insert—

"he shall be entitled to the relief under this section as if he had been married throughout the year of assessment.".'.—*[Mr. Edward Davey.]*

Brought up, and read the First time.

Mr. Edward Davey (Kingston and Surbiton): I beg to move, That the clause be read a Second time.

The hon. Member for Wolverhampton, South-West (Rob Marris) may be pleased to learn that the new clause results from another suggestion made by the Chartered Institute of Taxation. It was not suggested by the institute's Low Incomes Tax Reform Group, which was the genesis of the two new clauses that I moved last night, but by the institute's campaign for simpler taxation. This evolving campaign has a manifesto for tax simplification, and this new clause derives from the proposals for personal tax quick wins. It does not really distinguish between the wealthy and the not-so-wealthy, because both groups would potentially gain. One change in new clause 24 would lead to a gain of the princely sum of £7 per annum for pensioners aged between 65 and 74. That is not a huge amount, although £7 is arguably worth more to someone on a low income than to those on a higher income.

1.45 pm

The institute is keen on the changes in new clause 24 because it wants to simplify the tax system in simple ways—for example, by reducing the number of boxes on the self-assessment form that drops through so many letter boxes every year, by reducing the number of civil servants who have to wade through the forms and by saving time in the private sector. Every year, we need to consider how we can simplify the tax system, and new clause 24 contains two simple proposals for advancing that agenda.

Both proposals relate to the married couples allowance, which was recently restricted to 10 per cent. and has now been restricted to pensioners and those who were born before a certain year. That strengthens the case for reform, because the allowance is effectively withering on the vine. While it remains with us, it makes sense to make its administration as simple as possible. At the moment, different rates for the married couples allowance apply to different ages of pensioner. Someone aged between 64 and 75 in the fiscal year 2002–03 has a married couples allowance of £5,465, which is £70 lower than the rate for pensioners aged 75 or above, who receive an allowance of £5,535.

New clause 24 seeks to equalise the allowance at the higher rate. That is not a very generous change, because it would be worth only £7 a year, but it would mean that the coding that pensioners receive would not need to be changed. Savings would also be made in the production of the self-assessment form. The CIT suggested that it would remove at least one box from the form. Coupled with other simplifications that the institute suggests, 22 boxes and one whole page could be removed from the tax form and guide. This proposal is a small step towards meeting that objective.

The second proposal is perhaps more interesting. At the moment, if a pensioner who is eligible for married couples allowance marries, he or she can receive only a proportion of the allowance in the year of the marriage. That necessitates a complicated calculation that requires five boxes on the form and half a page in the tax guide to explain. That is a waste of time. It is an unnecessary calculation, because there cannot be that many pensioners who marry aged 66 or above.

The amount that the Exchequer would lose by the proposed change would be tiny. The new child's tax credit will not have an in-year restriction, so the change would bring the remaining age-related married couples allowance in line with the Government's legislation elsewhere and would be a slight bonus for pensioners getting married. It could not be described as giving a huge tax incentive to pensioners to rush out and wed, but it would remove complications and give them a little extra to spend on their honeymoon. I hope the Paymaster General will take the new clause in the spirit in which it is intended, so that we simplify the tax system for elderly people.

The Paymaster General (Dawn Primarolo): I am afraid that I have to disappoint the hon. Gentleman on his plans to alter the married couples allowance. We have discussed the systematic approach to simplifying the system before on the Floor of the House. For example, yesterday we debated making it easier for pensioners and others to comply with their obligations in the self-assessment system. I am a little surprised at his piecemeal approach to a project that he expects the Government to approach systematically and thoroughly. His suggestions are out of context.

It is important to remind the House of the status of the married couples allowance. The hon. Gentleman said that it sits with the priorities of Government policy, but it is difficult to understand how that can be justified. The married couples allowance has been abolished for the vast majority of married couples for good reasons. He is confusing two things: the approach to simplifying the tax system where possible, and whether it is good policy to amend an allowance that has been abolished for everyone else.

The previous Government reduced the value of the married couples allowance for a number of years before it was phased out. In the end, the allowance did not merely support marriage; it could also be given to single parents and unmarried people who were living together. That reflected the piecemeal approach of altering and fine tuning a particular relief, which is what the hon. Gentleman wants to do.

The Government replaced the married couples allowance with the child's tax credit and other changes to the tax system to support families with children. They decided that it was correct to protect the position of elderly people who were in receipt of the higher age-related married couples allowance. It is not right in principle to go beyond the commitment to maintain the position of those pensioners in the name of simplification, and I do not think that the new clause would provide us with that in the long run.

A line has to be drawn and logic applied. I would hardly describe having two rates of the married couples allowance which are dependent on age as complex, although I listened carefully to what the hon. Gentleman said about the form and the boxes in the self-assessment requirement. However, that goes back to the principle, which we discussed again yesterday, that it is more important for the Revenue and the Government to approach the problem of the form's complexity by asking whether we are asking for information that we do not require and whether we can remove people completely from the tax system. It is not a matter of tinkering around with the tax relief itself.

The hon. Gentleman rightly said that it is a relatively low-cost proposal. It is. However, I remind him that most pensioners already do not pay tax. The Government's approach to the question of support for pensioners has been extremely clear, not only in the raising of allowances but in the introduction of pension credit and minimum income guarantee, and in the numerous other ways that the Government are supporting pensioners, especially the very poorest. We are now spending an extra £6 billion a year from April as a result of the tax and benefit changes that we have made.

I entirely appreciate and accept the principle behind the hon. Gentleman's point, which is to continue to keep the pressure on the Government to simplify the system wherever we can, but I think that he falls into the very trap into which he argues that the Government should not fall: that is, to tinker for the short term without taking a strategic approach to wider questions.

With regret, I have to say to the hon. Gentleman—I know that he sincerely advocates this line—that I am not prepared to recommend to my right hon. and hon. Friends that they should accept the clause. If there were a vote, I would ask them to vote against. I believe that what I said last night is a much better way to approach the matter,

[Dawn Primarolo]

namely, the work that the Inland Revenue has undertaken with TaxAid, with the Low Incomes Tax Reform Group and the Working Together Group. That is the best way forward, and the new clause is not.

Mr. Flight: The point that others have raised before becomes all the more important given the pension crisis and the fact that many people will not get the pensions that they expected. There are many who are already drawing pensions who will not get the increases that they expect.

Certainly people older than 50 or 55 have saved for their old age, to the extent that they have made such savings, on the assumption that the married couples allowance would be there when they retired. When it was taken away rather arbitrarily and cut at the age of those born in 1935, that recognised that principle but a great raft of people were excluded who had still been making their retirement plans and their saving plans on the reasonable assumption that the allowance was a main part of the income tax system.

When the Government think about their fundamental reforms, perhaps they would have to give a different—

Dawn Primarolo: Perhaps the hon. Gentleman would explain why the Conservative Government reduced significantly the value of the married couples allowance. If the principle that he is now advocating applied, why did it not apply when the Conservatives were reducing the allowance from 40 per cent. to 10 per cent?

Mr. Flight: That to which I think the Minister refers essentially did not affect the great majority of retired people. In relation to the tax credit, it affected those who were younger and earning more money. Secondly, for better or worse, the changes were phased.

For those who have retired and for whom the married couples allowance was higher, that allowance was a material factor in terms of their disposable incomes. When the Minister finally got rid of the allowance, that significance was acknowledged in terms of increasing support for children, although people had to wait a year. The argument was that the moneys were better paid to children than to parents. For those who were retired, and particularly for the great bulk of people in the middle, I am not aware that there was any substitute for the loss of the married couples allowance.

2 pm

Perhaps the reform which the Minister plans to look at would need a different name to save face. Given the great fears and concerns of huge numbers of people over 50 about the value of their pension on retirement, the Minister should look at the problem urgently to alleviate it and honour the basis on which people saved for their retirement. It may be worth while incorporating the new clause in such reform, as there is little logic in having an allowance which changes slightly according to age, as the hon. Member for Kingston and Surbiton (Mr. Davey) pointed out. However, the more important aspect of the proposal is the restoration of something analogous to the older persons' marriage allowance.

Mr. Edward Davey: I welcome the fact that the Paymaster General repeated her assurance of last night that the Government will undertake a wide-ranging review to try to see whether the elderly person's experience of filling in tax returns and dealing with the Inland Revenue and other tax authorities could be improved by making the forms simpler and fairer. I am sure that her comments will be welcomed by people outside the House who read them.

I obviously disagree with the Paymaster General's description of the new clause 24 as "tinkering" with the allowance. She graciously pointed out last night that I have pursued these issues for a number of years, so I hope she accepts that I am a little impatient for the overall review and a full examination of the problem. I do not apologise for a proposal of modest chunks, which would not be costly for the Exchequer. I am trying to get the Government to move a bit further as we wait for the review.

It is a good idea to conduct a review with a wide-ranging remit, as tax simplification at all levels is about a process, not an event. We therefore need to come back to it every year and find out whether we could dispense with things that would help us to get rid of a box on the form, a page in the guidance notes or pages in the tax statute books.

Dawn Primarolo: I concur with the hon. Gentleman, who has a long track record of pursuing the issue. As I said at 12.15 am today, we should ask first whether everyone in the self-assessment system should be part of it. If not, we should remove them from the system. Secondly, we should consider whether the form is too complex and asks for too much information or information that is not required. Consequently, we may find that changes may need to be made to the relief itself. The process is continuous—I have no qualms at all about admitting that, and have no complaints about the hon. Gentleman continuing to press me on the matter.

I hope that I have clarified the Government's approach and explained why the new clause would make an unacceptable change to the principle of the married couples allowance. However, I agree entirely that there is not a big bang solution to the issue.

Mr. Davey: The Minister and I agree about a lot. I accept her assurance from last night that the approach is to remove as many people as possible from the self-assessment system. However, we can envisage a different way of assessing tax for people on lower incomes. We can imagine two types of self-assessment forms, such as many other countries have. However, I do not disagree with the thrust of the Minister's remarks, given our present tax and pay-as-you-earn systems. The process underlying her thinking is correct.

I still do not accept the Paymaster General's argument that new clause 24 is inconsistent with the Government's chosen path. It is consistent with that. I do not seek to change the Government's stated policy on married couples allowances, for which we voted. It was an overdue reform and while one can quibble about the way in which the Government went about it, particularly the delay, it was certainly needed and got money to children, which was an aim that we shared. I do not seek to go back over that ground.

The Government said that this allowance should stay on the statute book and that it will wither away over the years, but while it is there—it will be with us for two or three decades—it should be made as simple to operate as possible, and that was the intention behind the new clause.

I know that the Paymaster General will not accept it today, but I have raised the issue. I have also raised the more strategic issue that the Chartered Institute of Taxation, like other tax professional bodies, is considering this area of simplification and coming up with a series of quick win, simple measures which the Government could embrace, thereby gaining political advantage. If the Government take up the institute's ideas, it will do not just the tax system but the Government good.

As the Paymaster General has been generous in explaining how she sees Government policy unfolding, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 3

DUTY ON BEVERAGES MADE WITH SPIRITS TO BE AT SPIRITS RATES

Mr. Christopher Chope (Christchurch): I beg to move amendment No. 1, in page 2, leave out lines 20 to 25.

This is a debate about flavoured alcoholic beverages, otherwise known as FABs, but it might better take its title from another late-night beverage, Horlicks, because the Government have made a total horlicks of this provision in the Budget.

Clause 3 introduces a tax increase of 64 per cent.—the highest percentage increase—which is about a 12p duty increase on a standard bottle of one of these beverages. The Government justified that extraordinarily high increase in the explanatory notes on clause 3, which states that between 1999 and 2001

> "the standard pub retail price"—

of spirit-based coolers—

> "rose by around 60 pence per bottle, despite the level of duty falling in real-terms. Tax as a proportion of the retail price is now lower for spirit-based designer drinks than for any other type of alcoholic drink in both the on and off-trades."

Based on that information, the Government said:

> "it is no longer possible to justify the concessionary duty treatment for this particular class of spirit drinks."

In Committee, I and other members of the Committee challenged the accuracy of the facts used by the Government to justify this massive increase in duty, which, incidentally, was introduced without any consultation with the industry. The problems that have followed would not have occurred if there had been proper consultation. I accept that the Government did not deliberately get the figures in a mess, but they were negligent because, had they had proper discussions, there would not have been this misunderstanding.

Mr. Tom Harris (Glasgow, Cathcart): The hon. Gentleman is right to criticise the Government for lack of consultation, provided that he is attacking the 1996 Budget statement, which also introduced a major increase in tax on those drinks without any prior consultation. I do not recall the hon. Gentleman complaining about that.

Mr. Chope: Sadly, I was not in the House in 1996. If I had been, I am sure that I would have been alert to that matter. As the Committee heard, when I represented Southampton, Itchen—I did so until 1992—one of the largest manufacturing plants producing the beverages was situated there. It has also emerged, however, that the current incumbent, the Minister for Policing, Crime Reduction and Community Safety, last year opened a new production facility in the area and praised the company and work force in respect of the extra jobs that would be created by the investment, but did not say anything at that time about the fact that the Government had it in mind to change the duty regime and threaten that investment.

On 18 June, the Economic Secretary finally admitted that the Government were wrong and that the Opposition were right about whether there had been an increase of 60p or 20p in the retail price of coolers between 1999 and 2001. He said that in 1999–2001, the retail price of coolers went up not by 60p, but by an amount

> "closer to the 20p figure suggested by the industry."

I understand that the exact figure is 20.7p—20p is almost spot on—rather than 60p. That represents a compound interest increase of about 6 per cent. over three years. To put it in context, that is slightly less than the average increase in council tax over the same period.

Rob Marris: [illegible]nder whether this could be a question of mixing apples an[illegible]nges. The explanatory notes refer to the standard pub re[illegible]rices, but is the hon. Gentleman referring to the retail p[illegible]in, say, a shop, or to a pub retail price? As we all know[illegible]b retail prices can be more expensive and can increase at[illegible] greater rate.

Mr. Chope: I am referring, as the Economic Secretary was, to the retail prices cited in the explanatory notes. The Economic Secretary has admitted—as a member of the Committee, the hon. Gentleman will have received a copy of the letter that he sent to me—that the note in question was incorrect in its reference to an increase of 60p, and that the figure is closer to the 20p suggested by the industry.

After being forced to admit that there was such a gross error in the calculations, any decent Government would have apologised to the industry, consumers and Parliament. They would have withdrawn the proposal and deferred a decision on any tax increase while reassessing the impact of the evidence. However, I am sorry to say that that is not what the Government did; indeed, that is not the way in which they operate. The Economic Secretary had the gall to say in his letter to me:

> "I want to assure you that—while regrettable—this error does not affect our rationale for this change or its estimated impact."

What a contrast with what the Chief Secretary, formerly the Financial Secretary, told us in Committee on 14 May:

> "One of the key issues for consideration was whether the coolers market could support the removal of the concession. Our evidence showed that it could. There is nothing improper about considering whether a market can bear the burden of taxation. Between 1999 and 2001, the consumption of coolers more than doubled, and during that period, the average pub price of a bottle of coolers rose by 60p per bottle. Some hon. Members with peerages suggested that the increase was closer to 20p, but I have to tell them that the figure of 60p comes directly from an analysis of market research data by the Office for National Statistics. Customs has discussed that figure with the industry and I am confident that agreement will be reached to clear up confusion on the part of Opposition Members."—[*Official Report, Standing Committee F*, 14 May 2002; c. 47.]

The right hon. Gentleman referred to the increase in price as a key issue for consideration, but when the figure was proved incorrect, what did the new Minister say? He did

[Mr. Chope]

not say that he was sorry and that he would go back to the drawing board. Instead, he is still blustering away, arguing that nothing has changed and that the previous arguments still apply.

2.15 pm

Mr. Edward Davey *rose—*

Rob Marris *rose—*

Mr. Chope: I give way to the hon. Member for Kingston and Surbiton (Mr. Davey).

Mr. Davey: I want to back up the strength of the hon. Gentleman's argument by saying that, when the Committee questioned the Minister closely on the underlying rationale behind this change in the tax regime, he relied heavily on this piece of evidence. We were surprised, because there had been a change in the underlying rationale of the taxation of alcohol in other areas. The hon. Member for Christchurch (Mr. Chope) is right, and the fact that the Government have been found out suggests that this has nothing to do with rational taxation, and more to do with a raid on people's purses.

Mr. Chope: The hon. Gentleman is absolutely right. It is apparent that the Government are motivated by prejudice rather than reason. That is their driving force, and, as so often happens, that prejudice is tinged with a certain amount of arrogance—the inevitable ingredient of this Government.

Rob Marris: The hon. Gentleman quoted the Minister referring in Committee—I recall being there—to one of the factors. The other factor referred to in the explanatory notes is the chief medical officer's report of 2001, so the hon. Gentleman's suggestion that there was only one reason for the Government adopting this approach does not sit well with what we were told in Committee, or what is said in the explanatory notes about the health aspect of the issue.

Mr. Chope: I have not said that that was the only justification; there were two justifications. But, in Committee—the hon. Gentleman was there; he will remember this—the Minister had to back-pedal pretty rapidly on the assertion that there was some reason for raising the tax on this particular kind of drink, when it became apparent that certain lagers and ciders with a much higher alcohol content were less highly taxed. The Minister moved back from the position of saying that the provision could be justified as a way of addressing binge drinking. Indeed, the Government's argument in Committee was that the consequence of this steep increase in tax would not involve any reduction in the consumption of coolers.

Mr. Davey: The hon. Gentleman is exactly right. The health argument put forward by the Government was put in total disarray by the fact that they had been arguing for a reduction in tax on cider. According to the chief medical officer—and evidence, no doubt, from all our constituencies—cider is a drink most associated with teenagers and with binge drinking. So the Government's coherence on this issue is, frankly, non-existent.

Mr. Chope: I am grateful to the hon. Gentleman for reinforcing that point. Much as the hon. Member for Wolverhampton, South-West (Rob Marris) may try to argue the Government's case, I am afraid that the Government abandoned that particular ground in Committee, relying heavily on the 60p increase over the three-year period. Now, when that has been found to be totally wrong, they have resorted to bluster and other arguments.

Rob Marris: Will the hon. Gentleman give way?

Mr. Chope: Not at the moment; I must make some progress. I am sure that other hon. Members want to contribute to the debate, and the hon. Gentleman will have the chance to make his own speech later.

The Government are still saying that the Budget duty increase will have little impact on the demand for coolers. That is why their argument that this would be a good way of addressing binge drinking is obviously ludicrous. A number of people who produce these drinks have written letters of complaint. One such letter comes from Bill Oddy, the managing director of a relatively small firm, employing about nine people. He says in his letter:

> "We believe that this decision is unfair to the consumer and, since these products are price sensitive, will have a seriously adverse effect on our industry and those related to it, including producers, bottlers and glassware manufacturers, many of them SMEs"—

small and medium-sized enterprises—

> "who have enjoyed UK-based success in recent years bringing jobs and prosperity here. This success countered a large influx of foreign bottled beers in the late 1980s which saw UK bottlers and glass makers hit a low point."

He goes on to say how disappointed he was that this measure was brought in without any consultation.

In Committee, the Minister argued that the concerns of the industry were of no moment whatever. He quoted Karen Salters of Beverage Brands, using her words to make this assertion:

> "I do not think that anyone could argue that the measure will be an inhibitor on the business and will cost jobs."—[*Official Report, Standing Committee F*, 14 May 2002; c. 45.]

We were slightly dumbfounded by that, so we looked up the whole quote. We found that Karen Salters said quite the reverse of what the Minister attributed to her, as she described the measure as wholly unjust and said that it would

> "stimulate a shakeout in the trade as smaller"

producers

> "will not be able to weather the increased duty demands".

So, Karen Salters was arguing that the measure would put the small businesses under pressure, if not out of business, but the Minister used her words, selectively quoted, to justify quite the reverse proposition. I am afraid that it is not good enough for the Government, who should act responsibly, to address serious arguments by using selective quotes that really are critical of their policy and try to turn them round so that they seem supportive.

We are arguing that the Government should make a fresh start with the issue, because there is confusion between what is a spirituous drink and a made wine.

There was no problem over that before, because both products were in the same tax category. Now, people will be able to use spirits as a base, mix them with wine and market them without having to pay the higher tax set out in clause 3.

To do so, however, people will have to agree their formulae and recipes with Her Majesty's Customs and Excise. I shall not trouble the House with the detail, but I have here a letter from Steve Nicholson, who is in charge of alcohol and tobacco regimes, which gives guidance on the excise duty liability of spirit-based drinks after the Budget. It runs to about three and a half pages. The guidance is incredibly vague, and because it is so vague it introduces uncertainty—indeed, it is oppressive for those who are trying to invest in the industry. That is another powerful argument for the Government going back to the drawing board, holding discussions with the industry and trying to achieve a just and fair result.

The Government have asserted fairness, consistency and consultation, and that is what we think they should deliver on the issue. Paragraph 7 of the Customs and Excise 2002 Budget press release says:

> "The Government has taken consistent steps to deliver a fairer balance in the burden of taxation falling on different alcoholic drinks and on different types of drink producers."

They can be true to those words only by withdrawing clause 3.

Mr. Iain Luke (Dundee, East): Although I support the Government proposal and oppose the Opposition amendment, I speak as an individual and as a concerned parent who has served locally as a councillor for a long time. I have seen the trends—perhaps not those in other parts of the country, but those in Scotland, where alcopops or coolers have become the predominant drink taken up by youngsters. The Treasury explanatory notes show that uptake of alcopops has doubled, but I do not believe that the increase in cider uptake, especially in my part of the world, is comparable. Such arguments are fatuous.

During my time in Committee, I came to hold the hon. Members for Arundel and South Downs (Mr. Flight) and for Christchurch (Mr. Chope) in very high regard. I believe that they are decent, polite and knowledgeable adversaries, but this advocacy of the amendment on behalf of the drinks industry does them and their party no particular credit.

Chris Grayling (Epsom and Ewell): What the hon. Gentleman says about alcopops in his part of the world may be true. None the less, does he accept the comments about cider made in Committee by the hon. Member for Kingston and Surbiton (Mr. Davey) and by me? Does the hon. Gentleman not accept that a strategy that cuts duty on one type of strong drink and raises it on another has no consistency, either in protecting industries or in protecting young people?

Mr. Luke: I am happy with my view on drinks taxation: it should be uniform and it should be high to discourage a large uptake, although I enjoy a beverage occasionally. Specifically, drinks targeted on and taken up by the young must be addressed, so I hope that those on the Front Bench take on board the points made by the hon. Gentleman and review the matter. I am setting out my concerns about the situation in my area.

The Economic Secretary to the Treasury (John Healey): On the objection raised by the hon. Member for Kingston and Surbiton (Mr. Davey) and echoed by the hon. Member for Epsom and Ewell (Chris Grayling), does my hon. Friend recognise that the chief medical officer's annual report for 2001 expressed concern about binge drinking and young drinkers? It also mentioned designer drinks, but it did not mention cider.

Mr. Luke: I acknowledge those points.

Mr. Tom Harris: Like me, my hon. Friend was present for the first couple of Committee sittings. He may recall the hon. Member for Christchurch (Mr. Chope) pointing out that alcopops are a particular favourite drink of members of Christchurch Conservative club. My hon. Friend may also remember that the hon. Member for Buckingham (Mr. Bercow) subsequently pointed out the 11.7 per cent. swing from the Liberal Democrats to the Conservatives in the Christchurch constituency at the 2001 general election. Does my hon. Friend agree that there may be a causal link between those two facts?

Mr. Luke: I am not particularly aware of the political situation in the Christchurch constituency, but I remember the informative and polite exchange between the hon. Member for Christchurch and me on that specific issue. I shall return to it, because certain elements must be addressed.

The Government's proposals have merit in several areas and they deserve universal support in the House. First, there is an anomaly in the tax regime that should be addressed. Secondly, given how such drinks are marketed and targeted, specifically at the younger drinker, there are moral and health imperatives to introduce this tax change. Any price increase may restrict access and discourage the purchase of what is a particularly addictive drink by the most vulnerable, young and often under-age consumers.

I was brought up in a strongly Presbyterian household, where the consumption of strong drink was frowned upon, but I must confess that I have lapsed from those strict religious leanings. [HON. MEMBERS: "Shame."] One has to be open and honest in the House. I have become more of an irregular Episcopalian in later years. Like many of my generation, I was introduced to the demon drink through the accepted convention in Scotland at that time—sipping lager and lime.

That mixed drink was commonly how young, inexperienced drinkers came to grips, for better or for worse, with the initially harsh taste of alcohol on the younger, more innocent palate. Alcohol was made much more acceptable by the use of a sweetener, and a dash of lime cost one old penny. Times have moved on, however, and the market has become more sophisticated. Young people today have much more money than the youngsters of my generation could ever have dreamed of.

Rob Marris: Because of the Labour Government.

Mr. Luke: Yes. More young people, often at an early age, are encouraged to take a drink whose true strength is often masked by sweetness, which is the basis of alcopops or coolers. Such drinks can have an impact on a younger person's health owing to greater intake prompted by sweetness and accessibility, and that can cause serious damage in later life.

[Mr. Luke]

The habit is strengthened through the fashionable image given to such drinks by high-profile marketing campaigns undertaken by the producers of the commodity who are promoting opposition to the tax change. Again, that marketing is aimed solely at the young and the partying life that they are so desperate to enjoy as an introduction to adulthood.

2.30 pm

Life for the young, if it is anything, is an experience to be enjoyed to the full, with little thought for the consequences of their lifestyle. Ageing can be a difficult process, but it can also be educative. The hon. Member for Christchurch entertained us in Committee by revealing the drinking habits of members of the Christchurch Conservative club, where, he said,

"every hour is a happy hour".—[*Official Report, Standing Committee F*, 14 May 2002; c. 33.]

It seems, however, that in that club the ageing and educative process I have described stands still.

It also emerged from our Committee debate on clause 3 that the favourite alcopop—or cooler, as it is described in the Christchurch Conservative club—is a drink called WKD.

Mr. John Bercow (Buckingham): I feel duty bound to defend the honour and integrity of the upstanding—even after their consumption of alcohol—members of the Christchurch Conservative club. Will the hon. Gentleman confirm that he is not suggesting that my hon. Friend the Member for Christchurch (Mr. Chope) secured the result he secured because of the inactivity of those members, who were busily engaged in another pursuit, and that he recognises that they were celebrating the success of their efforts to increase his majority?

Mr. Luke: That was an entertaining intervention. The formula succeeded in Christchurch, and may indeed be adopted by other Conservative clubs to ensure success at the next general election.

In Committee my right hon. Friend the Chief Secretary was quick—perhaps too quick—to let us know that another name for WKD was Wicked. As that libation is based on a mixture of vodka and Irn Bru, the more the Christchurch Conservative club consume it, the more the people of Scotland—where Irn Bru originates—will celebrate. Given the state of the Conservative party nationally, other Conservative clubs may seek to emulate the Christchurch club's intake of WKD. Irn Bru, which purports to be made of girders, could go a long way towards stiffening the Conservatives' performance at the next general election.

The more serious comments I made in Committee still stand, despite the changes contained in the explanatory notes and mentioned in letters from Ministers. Whatever the price increases involved, such are the sales of coolers—promoted through the "happy hours" more commonly found in student union and trend-setting bars than in the Christchurch Conservative club—and the heavy discounts to encourage overall sales and increase bar takings, that those changes will have no significant impact on jobs in the company that produces them. The Opposition's main argument against the tax increase was that jobs would be lost.

Those who take time to study local off-sales will find that nine times out of 10 there is a cut-price offer on drinks of this kind. Marketing techniques and fashionable images aimed at the young have led them to start drinking, which often—although not always—results in a catalogue of disorderly acts, especially among young females. Drinkers in that particular group have also fallen prey to a range of well-documented drink problems in later life, which may lead to criminal activity and health problems.

It is outrageous of the Conservative party to support an amendment of this kind. The proposal should be seen for what it is. It is not accepted by the vast majority of the population, I think it deserves little sympathy in the House, and I am sure that it will find little sympathy among my many constituents. I urge my hon. Friends to vote against it.

Mr. Edward Davey: It is tempting to follow the speech of the hon. Member for Dundee, East (Mr. Luke) with accounts of my own revelries as a youngster, or of revelries I have observed in various political clubs across the country. I am sorry not to share my memories of those enjoyable events, but I want to take up some of the serious points that the hon. Gentleman made so well.

It is true that there is a problem of binge drinking. It is true that many youngsters have a bit more money in their pockets than they had a few years ago, and—partly owing to advertising campaigns—are choosing to spend it on alcohol. I think, however, that alcohol problems extend across the age spectrum. Having spoken to magistrates and police in my area, I understand that alcohol is the drug behind most offences, especially violent offences, both in the home and on the streets. I am sure that the same applies in all constituencies, and I am sure that members of all parties accept that it is a problem.

What we must decide now is how to tax alcohol in general. There are many types of alcohol, as our debates have revealed. I did not know that this "Wicked" drink existed, and I certainly did not know that it contained girders or Irn Bru. I now know that there is a huge variety of alcoholic drinks that people can purchase.

Parliament, the Government and Customs and Excise really must develop an overall approach to alcohol taxation. I see no consistency or coherence in the present policy. Should there be changes in the retail price? The Government initially said that that was behind the strategy. Should the tax be based on alcohol content, on competition between different products, or on the impact of smuggling or cross-border shopping? There are a number of possibilities.

The decision on which drinks should be taxed most heavily might indeed be based on health findings, as the hon. Member for Dundee, East suggested, but the Government have produced no such rationale. They have made no clear statement since their election in 1997. They have not said "Here we have a number of alcoholic products, which are varied and which are changing. Here is our overall strategy for taxing alcohol." Theirs has been a piecemeal, reactive approach, driven more by revenue-raising considerations than by anything connected with such matters as health.

I accept that the hon. Member for Dundee, East has good intentions, but I think it unfair to castigate the hon. Member for Christchurch (Mr. Chope) or, indeed, to describe other Conservatives who oppose the present position as "outrageous". We share the hon. Gentleman's concerns, but we are trying to probe the Government. We are asking for consistency and coherence in an important policy area.

I shall not repeat points made by the hon. Member for Christchurch, which appeared in briefings I received from the industry and which the hon. Gentleman made very well. Let me, however, refer to an example on which he touched but did not dwell. Changes such as this have an impact on the market. The associations are worried because they fear that people may switch from coolers to wine-based drinks. As a result of a ministerial decision, Customs and Excise is having to grapple with the business of labelling and categorising, and with trading standards in the regulations, when dealing with different types of drink. When the market was taxed uniformly, some of those problems did not arise. Now Customs officers must—as the hon. Member for Christchurch pointed out—deal with such matters as the difference between spirituous drink and made wine. Even from the briefings that I have received, I know that the issue is incredibly complicated. It is not yet clear what form the regulations will take. They are still under discussion because the matter is so complicated.

When such a tax change is made, with all its implications for the market, one has to question its root cause. The Government have not given us a good reason for this change. I am not suggesting that it is easy to achieve consistency in this area, but I am pushing the Government for it, because if we do not get it we will have little changes every year that will affect relative prices, market shares and investment decisions.

We want to avoid such uncertainty. If we want a thriving drinks industry, which I am sure the hon. Member for Dundee, East wants, despite his reservations about some of the outcomes, we have to allow it to plan and invest and take strategic decisions. Unless there is a long-term strategy on the taxation of alcohol, problems will arise. We are worried because the Government have not shown that. That is why it is right for us to probe them further on the matter today.

John Healey: This has been a useful short debate, although it reopens discussion on a matter that was extensively dealt with in Committee. The amendment is designed to achieve the same result as Opposition Members wanted then: to allow spirit-based coolers—or alcopops, or FABs, as the hon. Member for Christchurch (Mr. Chope) called them—to retain the concessionary duty treatment that they have enjoyed since 1988 and to continue to be treated in the same way as low-alcohol wines.

It is clear that the pretext for reopening the argument is the fact that since we debated the clause in Committee, the Office for National Statistics has uncovered a mathematical error in the data that it supplied to Customs before the Budget, concerning increases in the retail price of coolers between 1999 and 2001. I was disappointed by what the hon. Member for Kingston and Surbiton (Mr. Davey) said. He is normally rational and moderate, but to describe the Government as being "found out" on this, when it was a genuine technical error, is a gross overstatement.

I wrote to all Committee members and made a statement to them concerning the error. I do not propose to trawl over all the details again here, other than to remind Opposition Members that the most important thing that I said in my letter and my statement—it could have saved us all a lot of time this afternoon if they had taken greater note of it—was quoted only partially by the hon. Member for Christchurch. My letter said:

> "I want to assure you that—while regrettable—this error does not affect our rationale for this change or its estimated impact. The fact remains that—over a period when consumption of coolers was rising rapidly—their retail price was also rising well above inflation. This suggests that the Budget duty increase will have little impact on demand for coolers, but will ensure that they are taxed at a fair rate rather than retaining their previous concessionary duty treatment."

For the benefit of Opposition Members, let me explain as simply and clearly as I can why the mathematical error makes no difference whatever to the rationale for the measure proposed in the Bill. Contrary to the assertion of the hon. Member for Christchurch, its justification does not rest on data that have proved to be incorrect.

Whether the increase is 20p or 60p, the fact remains that, over a period when the consumption of coolers was doubling, the retail price was rising at a rate well above inflation. That suggests to us, and to independent market analysts, that demand for coolers is very inelastic. That suggests, in turn, that we can remove the concessionary treatment of coolers without damaging the growth of the sector. That was one of the key issues that we stressed in Committee.

2.45 pm

Mr. Chope: The Minister says that it makes no difference whether the increase is 20p or 60p. How, then, does he explain what the Financial Secretary—now Chief Secretary—said in Committee, at column 47, where he informed us that one of the key issues for consideration was whether it was 60p or 20p? He rejected our arguments for 20p and said that it would definitely be 60p.

John Healey: The hon. Gentleman intervened too soon and did not hear out the rest of my argument. One of the key issues, as my right hon. Friend indeed said in Committee, was whether the proposed increase in the duty rate would damage the growth of the sector. The evidence demonstrates, regardless of whether the rise is 20p or 60p, that consumption rose at the same time as prices were rising well above the rate of inflation. The sector can withstand this duty increase, and it is appropriate to make such provision.

Mr. Edward Davey: Is the Minister now saying that the Government's taxation of alcohol is driven by an underlying rationale of price elasticities and that, where the price is deemed to be most inelastic, they believe that they can get away with shoving up the tax? Is the rationale that they will charge what they can get away with?

John Healey: No, it is not the underlying rationale, but it is one of the factors that we take into account when considering duty changes.

Mr. Bercow: I have to say to the Minister, who is as honest and upright a fellow as a member of this Labour Government can be, that no one believes a word of it. Everyone believes that Governments tax as much as they can get away with at any particular time.

[Mr. Bercow]

On a lighter note, whatever the implications of the tax regime for the elasticity of demand for coolers, there is likely to be some increase in the demand for them this afternoon, in the light of the splendid news that Tim Henman has won his match.

John Healey: I do not know whether Mr. Henman will celebrate by consuming alcopops this evening, but I am sure that the whole House will welcome his victory.

The hon. Member for Kingston and Surbiton pressed me on the narrow point concerning the first part of the justification and rationale for the duty increase, which is, as I stress again, that in our judgment removing the concessionary treatment, whether the price increase is 20p or 60p, can be done without damaging the growth of the sector.

Secondly, whether the increase is 20p or 60p, the fact that coolers remain the fastest growing sector in the drinks market, and now rank alongside cider as the fourth largest sector, renders obsolete the original rationale for granting them the concessionary status alongside other obscure niche products.

Thirdly, it seems unfair that a vodka and orange mixed at the bar should be taxed differently from a vodka and orange drink pre-mixed in the bottle. It seems especially unfair that such a bottled drink should bear a lower rate of tax as a proportion of its average price than any other alcoholic drink.

Whether the increase was 20p or 60p made no difference to our deliberations on whether it was right to retain concessionary treatment for a drink with links to binge drinking among young people, about which the chief medical officer has raised specific concerns. In a thoughtful speech, my hon. Friend the Member for Dundee, East (Mr. Luke) echoed those concerns in respect of his constituency, as did the hon. Member for Kingston and Surbiton in a moderate, measured and rational contribution.

I genuinely hope that, based on my explanation, Opposition Members can see why the 20p-60p issue does not affect our decision that the concessionary treatment for coolers can no longer be justified, and does not warrant reopening the debate. Having said that, I am glad that this debate has enabled me to alert Opposition Members to what industry experts themselves have said about the strength of the coolers market—just as my right hon. Friend the Chief Secretary to the Treasury did in Committee when he was responsible for this clause. On 1 June, a full 18 days after our debate in Committee, *Drinks International* said:

> "New figures reflect the relentless march of pre-mixes in the UK on-trade. Of the top 5 premium packaged drinks . . . in value terms, 3 are spirits-based mixes."

On 31 May, *Off Licence News* said that suppliers of "Flavoured alcoholic beverages"—one of the many alternative names for coolers—

> "are looking forward to a buoyant summer, despite duty on spirits mixers being raised recently. The sector was worth £1.4bn in 2001. This year it is estimated that the category will be worth £1.6bn."

Although I shall not stray into mentioning individual brands, I am aware that one leading cooler manufacturer has recently forecast turnover for 2002 of £50 million—a full two hundred and fiftyfold growth in just four years.

I conclude by assuring all hon. Members that although we regret reproducing the erroneous 60p figure—which I have been happy to correct on becoming aware of it—its revision makes not one bit of difference to the rationale for the change or its estimated impact. This measure supports the steps that we have consistently taken to deliver a fairer burden of taxation on different alcoholic drinks and different producers. These drinks are spirits, they are marketed as spirits and they should be taxed as spirits. Any justification that may once have existed for affording them concessionary status no longer applies. They are well established in the marketplace and they can pay their fair share of duty—at a rate that properly reflects the nature of the alcohol that they contain. Doing so will not damage the future growth of their sector. On that basis, if the amendment is pressed to a vote, I urge the House to reject it.

Mr. Chope: We are not convinced. The Government argued that there was significance in the 60p retail price increase—and if they did not think that, why did they include it in the explanatory notes to clause 3? Why did it feature in Budget day press releases, and why did it feature so prominently in the arguments deployed in Committee by the then Financial Secretary? Only one month after being pressed on the matter, the Government admitted that the figures on which their argument was based were incorrect. They should therefore go back to the drawing board and discuss with the industry the introduction of a rational and consistent taxation regime that fits with other alcoholic beverage duties. It appears that this type of beverage is being discriminated against badly, compared with some of the more potent lagers and ciders. That is a significant factor.

The hon. Member for Dundee, East (Mr. Luke) made an entertaining speech and tried to draw me back into our debate in Committee on Christchurch Conservative club. The relevant extracts from *Hansard* have done wonders for the reputation of the club's secretary. The hon. Gentleman made some serious allegations about the use of flavourings in such beverages to appeal to the underage market, but that practice was put to an end by the Portman Group, which worked closely with the Government. In Committee, Ministers and the then Financial Secretary accepted that, thanks to the work of the Portman Group and other responsible people in the industry, hooches are no longer on the market. The hon. Gentleman's arguments may have been relevant at one time, but they are certainly out of date now. We are talking about a growing, successful and responsible part of the drinks industry, and it is a great pity that the Government have chosen to discriminate against it in this way.

Question put, That the amendment be made:—

The House divided: Ayes 136, Noes 276.

Division No. 291] **[2.55 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baron, John
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom
Brazier, Julian
Brooke, Mrs Annette L
Burnett, John

Burns, Simon
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clappison, James
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Djanogly, Jonathan
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
George, Andrew *(St Ives)*
Gibb, Nick
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hammond, Philip
Hancock, Mike
Hayes, John
Heald, Oliver
Heath, David
Heathcoat-Amory, Rt Hon David
Hermon, Lady
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jenkin, Bernard
Key, Robert
Knight, Rt Hon Greg *(E Yorkshire)*
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Prisk, Mark
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Roe, Mrs Marion
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Yeo, Tim
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mrs. Cheryl Gillan and
Mr. Laurence Robertson.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Allen, Graham
Anderson, Rt Hon Donald
(Swansea E)
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Bennett, Andrew
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas
(Newcastle E & Wallsend)
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davis, Rt Hon Terry
(B'ham Hodge H)
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Illsley, Eric
Jackson, Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Ann *(Brentford & Isleworth)*
Kidney, David
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Lloyd, Tony
Llwyd, Elfyn
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
McDonnell, John
McFall, John
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marris, Rob

Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moran, Margaret
Morgan, Julie
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Joan
Salmond, Alex
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, Rt Hon John
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Sutcliffe, Gerry
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watson, Tom
Weir, Michael
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Joan Ryan and
Mr. Fraser Kemp.

Question accordingly negatived.

Clause 5

BIODIESEL

John Healey: I beg to move amendment No. 38, in page 5, line 10, leave out—

'the date on which this Act is passed'

and insert—

'such date as the Commissioners of Customs and Excise may by order made by statutory instrument appoint'.

Madam Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 39 to 41.

John Healey: Part of the Budget 2001 package that my right hon. Friend the Chancellor introduced to develop the green fuel strategy was the decision to introduce a 20p per litre duty incentive for biodiesel in the Budget 2002. The Government decided to delay implementation until this year because we recognised that we would need a derogation of the EU mineral oils directive before the new rate could be introduced.

Over the past year, we have worked to secure that derogation. Hon. Members will know that the process can be difficult and protracted, but we now expect to receive all necessary European clearance before Royal Assent, when the new rate of duty will come into force. The derogation received final approval from the EU Agriculture Council on 25 June, and is now in place. The new duty rate, therefore, awaits only clearance by the Commission as an allowable state aid. The Government expect that clearance in the next two weeks.

However, if for any reason Royal Assent were to occur before we have been given state-aid clearance from the Commission, the UK technically would be in breach of the treaty of Rome. The amendments are simply a sensible precaution against breaching treaty obligations, although we expect to get the required clearance before the date on which Royal Assent is granted.

Mr. Bercow: I think that the Economic Secretary has finished his speech on these amendments, so I shall ask a question to which I think hon. Members and people outside will be anxious to know the answer.

There is an implication that the Economic Secretary might be mistaken about when clearance might be received. That is not very likely: he seemed confident that the required dates will be met, but he admitted to the possibility that they may not. That is why the Government feel it necessary to protect themselves against a possible breach of the treaty. Will the hon. Gentleman describe the revenue implications if the date that he envisages is met, and also if there is a delay?

John Healey: We do not expect any Revenue implications. Should we not get final clearance from the Commission before the date of Royal Assent—we do not expect those circumstances—immediately we get that clearance, Customs Commissioners can sign into force this provision, and they will do so without delay.

Mr. Simon Thomas (Ceredigion): The speeches are so short I do not know whether they are interventions or speeches. Mine is a very short speech. I simply want to ask the Minister a question. I welcome what the Minister is doing—it is important to get that across. He obviously needs to make arrangements to be sure of compliance within Europe. Can he say something about the new biofuels that are being discussed at European level? Will that impact on the Government's planning? Will it be permissible for the Government to reduce the rate still further in future or, having agreed to this derogation—which we hope will be passed—does this now tie the Government's hands as regards any further reduction and support for biofuels in future Budgets?

John Healey: No, this does not tie the Government's hands. Any decisions that flow from this will be for the Chancellor of the Exchequer. I will stop now because I am in danger of straying well beyond the terms of a narrow technical amendment designed as a belt-and-braces job to make sure that the Government do not fall foul of the treaty of Rome.

Amendment agreed to.

Amendments made: No. 39, in page 5, line 17, leave out—

'on which this Act is passed'

and insert "appointed under subsection (6)(a)".

No. 40, in page 5, line 26, leave out—

'that on which this Act is passed'

and insert—

'the date appointed under subsection (6)(a)'.

No. 41, in page 5, line 28, leave out—

'day on which this Act is passed'

and insert—

'date appointed under subsection (6)(a)'.—*[John Healey.]*

Clause 19

VEHICLE EXCISE DUTY

Mr. Bercow: I beg to move amendment No. 25, in page 13, leave out lines 41 and 42.

Madam Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 26, in schedule 5, page 135, leave out from beginning of line 38 to end of line 2 on page 136.

No. 27, in page 136, line 4, leave out from "vehicle" to end of line 6.

No. 28, in page 136, line 8, leave out "or (1A)(a)".

No. 29, in page 136, line 14, leave out "or (1A)(b)".

No. 30, in page 136, line 20, leave out "or (1A)(b)".

No. 31, in page 136, line 25, leave out "or (1A)(a)".

No. 32, in page 136, line 28, leave out "or (1A)(b)".

No. 33, in page 136, line 31, leave out "or (1A)(a)".

No. 34, in page 136, line 35, leave out "or (1A)(a)".

Mr. Bercow: I am in the mood for brevity, Madam Deputy Speaker, as you have become aware over the past 24 hours. Other right hon. and hon. Members may wish to contribute to the debate. I should like to remind the Economic Secretary of the interest taken in this subject in Committee by my hon. Friends the Members for Christchurch (Mr. Chope) and for Arundel and South Downs (Mr. Flight). That interest was reflected in speeches from other political parties.

Our concern all along has been about the ambiguity, if not impenetrability, of clause 19 in its unamended form and of schedule 5. Specifically, we wish to see in the Bill, as my hon. Friends previously indicated, a declaration of a nil rate vehicle excise duty for vehicles that are neither used nor kept on the public highway. We do not dispute the need to charge back VED on things that may have been vehicles if, and only if, it can be proved that they were used or kept unlicensed at one time on a public road. The terms "unregistered" and "unlicensed" could be used to clarify what the Government are aiming at. Unless there is a specific declaration in terms in the Bill that people who are manifestly innocent cannot end up copping it simply because there is no one else able to foot the bill, the concern of reputable organisations will persist that there could be unintended consequences and financial penalty resulting from the way in which, no doubt inadvertently, the clause is drafted.

I am also aware, as no doubt other hon. Members are, that the Government have provided themselves with their old and favourite facility: the statutory instrument. If memory serves me correctly, they are in a position to proceed on this matter through their preferred route, the negative—as distinct from the affirmative—resolution procedure. While on the subject of ambiguity and impenetrability, I am conscious of a certain irony and I owe it to the House and, more important perhaps, to people outside the House, to underline the significance of the difference between the two.

3.15 pm

If there is an affirmative resolution procedure and the regulations, which in due course are forthcoming, are subject to debate on the Floor of the House, however inadequate and truncated that debate might be, we shall at least have the opportunity to see whether the spirit to which we think the Government during the Committee and Report stages have committed themselves, is reflected in the terms of the regulations. If, however, we are to be fobbed off—I hesitate to use that term in relation to the Economic Secretary, because he is a decent cove—with the negative resolution procedure, there will not be another opportunity to debate this matter and we have to take the Government purely at their word—the Government purely at their word in terms of what they say and of their capacity to ensure the equity as well as the intelligibility of the regulations.

Once again I therefore ask the Minister whether he recognises that there is a case for ensuring that only people who are guilty will face a charge and that those who have not possessed a vehicle for a long time and are thus in no sense liable for its current whereabouts will be faced with a VED charge back. That is what we want to know. It seems a reasonable request. It is not necessary to go to the wall on it, but I am not persuaded that my hon. Friends' efforts have met with the fair result that they wanted and that the Automobile Association and other organisations have a right to expect.

John Healey: The amendments would stop the registered keepers of vehicles which ceased to be mechanically propelled from being liable for their vehicle. That would not help to tackle the abandoned vehicles problem, but it would undermine the integrity of the vehicle database that we are seeking to reinforce, and the whole thrust of our policy that those who abandon their cars are more easily called to account and made to pay would be undermined.

The purpose of clause 19 and schedule 5 is to reduce the number of abandoned cars and to deal with VED evasion by improving the quality and integrity of the vehicle records that we keep through ensuring that the registered keepers retain liability for their vehicles until they notify the DVLA of a change in circumstances. Were the amendments successful, the registered keeper could abandon their vehicle and avoid their fiscal responsibilities for the vehicle simply by disabling it. That would not help us tackle the problem of abandoned vehicles but would undermine the thrust of our policy.

The hon. Gentleman was concerned, as he said in rather colourful language, about innocent people "copping it". The schedule already contains clear exemptions from the

[John Healey]

new offence of being the keeper of an unlicensed vehicle. These include circumstances in which the vehicle has been stolen, the DVLA has been notified of its disposal or that it has been scrapped, and the vehicle has been taken off the road and a statutory off-road notification has been made.

The schedule also allows for new exemptions to be made through secondary legislation if necessary. The hon. Gentleman might see this as a strength, rather than a weakness. It could be the outcome of the discussions and consultations that the Government are conducting with stakeholders, including the AA, on the best way to implement the provisions.

Let me again give the assurance that clause 19 and schedule 5 will not affect the current exemptions for pre-1973 vehicles and that the current system of statutory off-road notification will remain in place. On that basis, I ask the hon. Gentleman to withdraw the amendment.

Mr. Bercow: I fear that the Minister has said his final word on the matter. I do not dispute the fact that the regulations could provide an opportunity to give reassurance to the AA, the DVLA and other organisations that may not be convinced that the clause is as fair, or will prove to be as judicious, as Ministers suppose.

The Minister and the Paymaster General will be aware of my deep attachment to the affirmative procedure. I am very suspicious of the negative procedure. It is always supremely ineffective for Ministers to say, "Ah, but it happened when your lot were in power." I always reply, "I wasn't here, I didn't know, I'm not responsible, I couldn't care less, I won't be held to account. I will deal with that for which we are responsible now, rather than that which was ostensibly done in our name at some time in the past when I was busily completing my A-level studies." If there were to be a proper debate on the Floor of the House at a later date, we would have the chance to put to the test what the Minister is inviting us to accept on trust.

I know that hon. Members will want to move on to consideration of the amendments relating to controlled foreign companies and a number of other important matters, so, in my usual genteel and understated fashion, I will accept the Minister's assurances and not press the matter any further. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 89

CONTROLLED FOREIGN COMPANIES: TERRITORIAL EXCLUSIONS FROM S.748 EXEMPTIONS

Madam Deputy Speaker: We now come to amendment No. 3.

Mr. Bercow: Well, this is a first. One never knows what will happen on these occasions; my hon. Friend the Member for Arundel and South Downs (Mr. Flight)—

Dawn Primarolo: I wonder whether it might help the hon. Member for Buckingham (Mr. Bercow) if he moved the amendment and I responded to it. If he feels that I have not quite covered everything that he wanted me to cover, he can then make his substantive points.

Mr. Bercow: I beg to move amendment No. 3, in page 64, line 16, at end insert—

> 'and ceases to have effect in relation to accounting periods of controlled foreign companies beginning on or after the earlier of:
>
> (a) the third anniversary of the day on which this Act is passed; and
>
> (b) the expiry of any twelve month period during which no statutory instrument is approved under section 748A(5) of the Taxes Act 1988 (territorial exclusions from exemption under section 748).'.

The Paymaster General made an extraordinarily helpful suggestion. As she knows, it is just that I do not want to subject the House to my tones for too long. I am thirsting to hear her mellifluous tones, and I know that hon. Members will prefer hers to mine.

Dawn Primarolo: Clause 89 provides for a reserve power to make regulations specifying overseas jurisdictions in which all controlled foreign companies would automatically fall within the charge to tax made by the controlled foreign company rules. The aim of the measure is to protect the United Kingdom against harmful tax practices where they continue to be prevalent. It reflects the Government's determination to promote fair tax competition and to take effective action where jurisdictions do not remove the harmful features of their tax regimes. It would not be used where appropriate action is being taken by jurisdictions to remove harmful tax practices.

The amendment accepts clause 89, but seeks to insert a sunset clause to limit the life span of the reserve power to the earlier of either three years from the date on which the Finance Bill receives Royal Assent or the expiry of 12 months during which no statutory instrument specifying a jurisdiction has been made. I know that the hon. Member for Buckingham is, as he said, very attached to the affirmative resolution procedure. The reserve power ensures that the Government would have to bring before the House regulations making it clear why a jurisdiction had been designated, and no jurisdiction could be designated unless and until the House voted through regulations to that effect.

The clause was introduced for a specific and highly focused purpose, and we hope never to use it. But we should signal that we are serious about our desire to protect the United Kingdom's interests in the long term and to be in a position to provide that protection should harmful tax practices be introduced in the future or continued in some way. If the amendment were to be accepted, and the clause lapsed, we would have to consider reintroducing such provisions in Parliament, taking up valuable parliamentary time to have exactly the same debate.

In 1985, the Conservative Government took the same reserve power, which could have been used against the United States in respect of unitary taxation. It did not contain a sunset clause. The hon. Gentleman takes the view that he bears no responsibility for what happened in the name of his party before he entered the House. I hate to have to point out to him gently that there is such a thing as responsibility in politics, which is not only about discharging one's obligations but about understanding that one has to account for decisions taken in our collective names. We entirely supported the reserve power taken in 1985. The Conservatives never sought to remove the provision and, although it has not been used, it remains on the statute book as section 812 of the Income and Corporation Taxes Act 1988.

Clause 89 provides for the Government to defend the UK's best interests in exceptional circumstances. I could not agree to recommend to the House that we limit the time period over which the power could be used without seriously undermining the Government's ability to defend our tax base. I therefore ask the hon. Gentleman to reconsider the matter. If he presses the amendment to a vote, I shall have to ask my hon. Friends to oppose it on the basis that unfortunately, in this instance, his party is not acting in the best interests of UK taxpayers.

Mr. Bercow: The Paymaster General did her best to reassure us, but, as she knows, I am not easily reassured. As things stand, the Treasury has far-reaching powers in these matters, and we are not convinced that those powers are desirable or will be needed. We are concerned about the Government's intentions towards several Crown dependencies.

The thrust of our proposed sunset clause is sound. If it turns out that the Government do not need these provisions, they should not rue the passage of the sunset clause because all it says is that these provisions will expire after

"the third anniversary of the day on which this Act is passed"

or

"the expiry of any twelve month period during which no statutory instrument is approved"

under these provisions.

If the Government have had no reason to use these provisions, it is not clear why they should object to the sunset clause. However, if the Government use these provisions, they ought to be prepared to go through the minor and trifling inconvenience of returning to Parliament to renew them on the statute book, given that it is a matter of legitimate contention whether they will need these provisions.

3.30 pm

I was a little disappointed, particularly as the Paymaster General is rather a keen parliamentary advocate, to hear her talk about valuable parliamentary time being taken up. This is an extremely important matter. If the Government used these provisions, they would have far-reaching implications for the people and companies affected. In those circumstances, it is not unreasonable to assume that the Government would be willing to tell Parliament that, because these important provisions have expired, they need legislatively to renew them.

Moreover, there is some form on this subject, as the Paymaster General will know. She chided me because the Conservative party did not propose a sunset clause when we were last in government. The answer is that we subsequently recognised that it would be wise to introduce all sorts of things that we did not do then. The theme of sunset clauses was taken up enthusiastically by a number of my hon. Friends and myself during the previous Parliament.

Rob Marris: Apart from sunset clauses, would the hon. Gentleman care to give some other examples of things that were not done that he now thinks should have been done?

Mr. Bercow: The hon. Gentleman tempts me down a path that is not altogether virtuous and that I doubt will prove to be in my interest, but on the basis that I cannot be accused of saying something new—I merely repeat what I have said before—I shall tell him that I prefer to put it the other way round: we have done things that I should have preferred we had not done and to which I never signed up. We passed a silly treaty at Maastricht. I was opposed to it then, and I am opposed to it now. I hope that we would not pass it again.

I shall be tempted no further down an unvirtuous path, the prospect of which the hon. Gentleman has dangled before me. However, I would tell him that a decent debate on sunset clauses has taken place. Sadly, he did not contribute to that debate because he was not a Member of Parliament at the time. I highlighted the significance and potential of sunset clauses with reference to the experience of our friends in the United States of America when, on 27 April 1999, I introduced a ten-minute Bill that related to this subject, among others.

I was mortified that the Government did not accept my Bill. I thought that they would provide time for it. I rue the fact that it never became law, but I note that some significance and value were attached to my proposal on sunset clauses because the then Secretary of State for Trade and Industry, the right hon. Member for Tyneside, North (Mr. Byers), subsequently included a sunset clause in the Electronic Communications Act 2000.

The then Secretary of State was very proud of the inclusion of that sunset clause. He drew attention to it during our exchanges on Second Reading and said he thought that I ought to be satisfied, having highlighted the arguments for such clauses in my ten-minute Bill, that he had introduced such a clause. The trouble is that the Government have since lost enthusiasm. Their appetite has diminished. I am not aware that there have been further such clauses. If a sunset clause was good for that Act, there is at least an argument for the Government to consider such a clause in relation to the Bill.

However, there are other matters to discuss. My hon. Friend the Member for Arundel and South Downs (Mr. Flight) is now in the Chamber. He has a wealth of expertise on this subject; he may be tempted to share just a portion of it and therefore I shall now, blessedly, conclude my remarks.

Mr. Deputy Speaker (Sir Michael Lord): Does the hon. Gentleman wish to withdraw the amendment?

Mr. Bercow: I withdraw. No, I wish to press the amendment to a Division. I am sorry, Mr. Deputy Speaker. For the avoidance of doubt, I was tempted to withdraw the amendment because I thought that you were accusing me of a parliamentary infelicity. My hon. Friends and I wish to press this matter to a vote. That is why I have been banging on about it for the past 10 minutes.

Mr. Deputy Speaker: I think that the hon. Gentleman has now made his intentions quite clear.

[Mr. Deputy Speaker]

Question put, That the amendment be made:—

The House divided: Ayes 105, Noes 305.

Division No. 292] **[3.34 pm**

AYES

Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baron, John
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Burns, Simon
Burnside, David
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Djanogly, Jonathan
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Francois, Mark
Gibb, Nick
Gillan, Mrs Cheryl
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Hague, Rt Hon William
Hammond, Philip
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hoban, Mark
Hogg, Rt Hon Douglas
Horam, John
Jack, Rt Hon Michael
Jenkin, Bernard
Key, Robert
Knight, Rt Hon Greg *(E Yorkshire)*
Lansley, Andrew
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr Andrew
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Prisk, Mark
Redwood, Rt Hon John
Roe, Mrs Marion
Ruffley, David
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Ann *(Congleton)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Laurence Robertson
and
Mr. Charles Hendry.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Allan, Richard
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradshaw, Ben
Brake, Tom
Brennan, Kevin
Brooke, Mrs Annette L
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cotter, Brian
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Doughty, Sue
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Hanson, David
Harris, Dr Evan *(Oxford W)*
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Holmes, Paul
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead)*
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Ann *(Brentford & Isleworth)*

Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lamb, Norman
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony
Llwyd, Elfyn
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, John
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Milburn, Rt Hon Alan
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moore, Michael
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pound, Stephen
Prentice, Gordon *(Pendle)*
Primarolo, Dawn

Prosser, Gwyn
Quinn, Lawrie
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John
(Glasgow Anniesland)
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Ryan, Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Spellar, Rt Hon John
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watson, Tom
Weir, Michael
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Willis, Phil
Winnick, David

Winterton, Ms Rosie *(Doncaster C)*
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Younger-Ross, Richard

Tellers for the Noes:
Mr. Ivor Caplin and
Derek Twigg.

Question accordingly negatived.

Clause 91

SUPPLEMENTARY CHARGE IN RESPECT OF RING FENCE TRADES

Amendment proposed: No. 43, in page 64, leave out from beginning of line 34 to end of line 33 on page 68.—*[Mr. Salmond.]*

Question put, That the amendment be made:—

The House divided: Ayes 151, Noes 270.

Division No. 293] **[3.46 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baron, John
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom
Brazier, Julian
Brooke, Mrs Annette L
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Rt Hon Menzies
(NE Fife)
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Clappison, James
Clarke, Rt Hon Kenneth
(Rushcliffe)
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*

Francois, Mark
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Hayes, John
Heald, Oliver
Heath, David
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hermon, Lady
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jenkin, Bernard
Key, Robert
Knight, Rt Hon Greg *(E Yorkshire)*
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Liddell–Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Osborne, George *(Tatton)*
Page, Richard
Paice, James

Prisk, Mark
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Waterson, Nigel
Watkinson, Angela
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Yeo, Tim
Young, Rt Hon Sir George
Younger–Ross, Richard

Tellers for the Ayes:
Mr. Simon Thomas and
Hywel Williams.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Begg, Miss Anne
Bell, Stuart
Bennett, Andrew
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis–Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Foster, Rt Hon Derek
Foulkes, George
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Rt Hon Ms Patricia
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Illsley, Eric
Irranca–Davies, Huw
Jackson, Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, John
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Milburn, Rt Hon Alan
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moran, Margaret
Morgan, Julie
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Sutcliffe, Gerry
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*

Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watson, Tom
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Ivor Caplin and
Derek Twigg.

Question accordingly negatived.

Clause 98

GIFT AID: ELECTION TO BE TREATED AS IF GIFT MADE IN PREVIOUS YEAR

Mr. Flight: I beg to move amendment No. 4, in page 75, leave out from beginning of line 39 to end of line 6 on page 76 and insert—

'or a series of qualifying donations made by him in one or more of the previous three years of assessment (a year in respect of which an election is made being an "elected year" for the purposes of this section).

(2) Any such election may be made by notice in writing to an officer of the Inland Revenue before or at the time that the donor delivers the return required under section 8 of the Taxes Management Act 1970 (c. 9) (personal return) for the year in which the gift is actually made.

(3) An election may be made in respect of an elected year only to the extent that the grossed-up amount of any gift or part-gift would, if made in that elected year, be payable out of profits or gains brought into charge to income tax or capital gains tax for that elected year. Where an election is made to treat a single gift as if it had been a series of qualifying donations made in one or more years, the sum of such qualifying donations may not exceed the amount of the actual gift.

(4) On receipt of an election under this section, the Board of Inland Revenue shall make such payments and adjustments as appear necessary to them to leave the donor in the position he would have been in had he made the relevant gift or part-gift in the relevant elected year and the provisions of section 25(6) to (9A) of the Finance Act 1990 had then taken effect.'.

We have previously welcomed the Government's initiative to follow United States law and practice in terms of introducing incentives for the gifting of substantial assets. As hon. Members will be aware, when the first package was introduced, it was confined to listed securities. We then argued that it should be extended to land, unlisted securities and works of art, all of which qualify for gift-aid relief in the US. The package now includes land, but not the other two assets. At this rate, unlisted shares and works of art may be covered next year and the year after that.

In the case of land and unlisted securities, a wealthy potential donor may often be rich in assets but not particularly rich in income terms. As the incentives currently stand, they will not work particularly well and—dare I say it—there might be an element of intent that they should not. I hope that that is not so.

There are lessons to be learned from the United States, so our simple proposal is that those gifting substantial assets but who do not have the income in the year of gifting sufficient to qualify for the relief should be able to cast back three years or obtain relief against income in the previous three years. That would change the provisions in the Bill, which allow only a single year's carry-back, to make it easier to fit into the self-assessment regime. The amendment would allow an individual to go back three years by making a claim at the time that they submit their tax returns for the year of the gift and to split large gifts between years, through an adjustment outside the self-assessment return.

4 pm

The Minister may tell me that the amendment needs further technical improvement—I hope not—but we want an acknowledgement from the Government of the need for a bigger carry-back than one year if the gift aid scheme is to be really effective. That is particularly so with the gift of land and buildings, because in those cases the owners are more likely to be asset-rich but income not-so-rich.

Our objective is to make the welcome reform of gift aid relief work. The bigger the voluntary sector the better, and we want to encourage people to give to universities and schools to build up the voluntary sector which so often does things for better value and more efficiently than the public sector. That is the motivation behind the amendment.

Chris Grayling: I rise to speak briefly in support of amendment No. 4. Through gift aid, successive Governments have made a significant contribution to an important part of our society—the voluntary sector. As my hon. Friend the Member for Arundel and South Downs (Mr. Flight) said, the voluntary sector makes a significant difference across our society in a variety of ways.

The amendment highlights the role played by more substantial gifts and endowments. In the US, major institutions, foundations and charities benefit from substantial donations from wealthy individuals who have often built their wealth in the form of assets, rather than in ready and available cash. Many people in this country—I know of some in my constituency—have the resources to be major contributors to the voluntary sector. I hope that our society will become more like the American model, with people more inclined to make substantial donations to support our major institutions or to enable significant charitable facilities to be established.

My hon. Friend has highlighted a potential extension of the gift aid provisions that would encourage substantial donors to take a major step towards enabling charitable and voluntary organisations to build substantial foundations for the work that they do. I hope that the Minister will accept the spirit of the amendment even if, as my hon. Friend suggested, it is not drafted in a way that he finds acceptable. I hope that the Government will recognise the potential that has been developed in the US and accept that it could make a significant difference in this country. If the Government cannot accept the amendment today, I hope that they will undertake to accept the principle in the future.

John Healey: I welcome the welcome for the tax breaks that the Government have provided to boost gifts to charity, especially through the extension of gift aid. In

[John Healey]

many ways, the arguments that we have heard from the hon. Members for Arundel and South Downs (Mr. Flight) and for Epsom and Ewell (Chris Grayling) were a brief reprise of the discussions that we had in Committee, which turned on a concern for those who may be asset-rich, but income not-so-rich. Amendment No. 4, however, relates to gift aid, which applies only to cash. The arguments that both hon. Gentlemen voiced are not relevant to gift aid, which is not effective for gifts of assets.

I recognise the spirit in which the amendment has been tabled, but it would add considerable complexity to a system that we have introduced to benefit both charities and taxpayers. The existing measure in the Bill will act as a prompt and an incentive to higher rate taxpayers by making gift aid relief immediately available.

The amendment would give further time for electing to gift aid a donation by extending the time limit, but the link to the filing of the self-assessment return for the previous year is a key part of the Government's planned measure in offering the incentive of claiming relief early rather than waiting until completion of the return for the year in which the gift was made. Allowing further time for an election to be made would dilute the incentive to take a decision and make a donation.

The amendment would go further by allowing the donation to be deemed to have been made not only in the previous tax year but also in one or more of the three previous tax years. For a small number of donors that would be beneficial, perhaps because they were unable to claim higher rate relief in the previous year but had higher rate liability in an earlier year. However, in practice, for higher rate taxpayers it would mean that earlier years would have to be reopened and tax liabilities recalculated. Clearly, taking advantage of a gift aid scheme would no longer be a straightforward part of the completion of the self-assessment return, which is the purpose of the provision.

The current measure uses the self-assessment return to provide a straightforward mechanism for the donor to make the gift aid election and claim the relief without the need to complete any further claim forms. For the reasons I have given, I hope that the hon. Gentleman will withdraw amendment No. 4 and allow the House to report clause 98 as it stands.

Mr. Flight: The Minister has responded negatively on the grounds that the amendment is defective. However, I had hoped to hear from him a response to the intention of the amendment. The intention was to ensure that if large donors to charities, whether by gifts of land, securities or cash, do not have sufficient income in the year of the gift to take advantage of the income tax offset, they should be able to cast back the value of the gift for up to three years and gain the full income tax incentive on the gift. I apologise for the imperfect wording of the amendment, but it is tricky territory.

The Government reject the amendment on technical grounds, because they want to limit the income tax incentive to the year in question. Our worry is that that would not encourage major gifts, especially of property, because the income tax write-off will not work.

I wanted the Minister to reply to the substance of my argument. Even if the amendment is defective, we will divide the House on it as a matter of principle. We want the tax incentives for gifting highly valuable assets to work as well in this country as they have worked in the United States.

Question put, That the amendment be made:—

The House divided: Ayes 151, Noes 260.

Division No. 294] **[4.10 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Bacon, Richard
Baron, John
Beggs, Roy
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom
Brazier, Julian
Brooke, Mrs Annette L
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, John
Calton, Mrs Patsy
Campbell, Rt Hon Menzies
(NE Fife)
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Clappison, James
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Hayes, John
Heath, David
Heathcoat–Amory, Rt Hon David
Hermon, Lady
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Key, Robert
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Liddell–Grainger, Ian
Lidington, David
Llwyd, Elfyn
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Prisk, Mark
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Roe, Mrs Marion
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*

Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Yeo, Tim
Young, Rt Hon Sir George
Younger–Ross, Richard

Tellers for the Ayes:
Mr. Laurence Robertson and
Mr. Charles Hendry.

NOES

Adams, Mrs Irene *(Paisley N)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Begg, Miss Anne
Bell, Stuart
Bennett, Andrew
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Godsiff, Roger
Goggins, Paul
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Illsley, Eric
Irranca–Davies, Huw
Jackson, Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, John
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Sutcliffe, Gerry
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watson, Tom
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Winterton, Ms Rosie *(Doncaster C)*
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Jim Fitzpatrick and
Mr. Ian Pearson.

Question accordingly negatived.

Clause 99

FILMS: RESTRICTIONS OF RELIEF TO FILMS GENUINELY INTENDED FOR THEATRICAL RELEASE

Amendment made: No. 13, in page 76, line 13, leave out Clause 99.—*[Dawn Primarolo.]*

Clause 114

CONTRACTS FOR THE SALE OF AN ESTATE OR INTEREST IN LAND CHARGEABLES AS CONVEYANCES

Amendments made: No. 19, in page 92, line 9, leave out from first "of" to "exceeds" in line 10 and insert "the consideration".

No. 20, in page 92, line 13, leave out from "consideration" to "exceeds" in line 14.

No. 21, in page 93, line 1, leave out subsections (6) and (7).

No. 22, in page 93, line 15, at end insert—

'( ) Schedule [*Stamp duty: contracts chargeable as conveyances: supplementary provisions*] contains provisions supplementing this section.'.

No. 23, in page 93, line 16, leave out subsection (9).

No. 24, in page 93, line 17, leave out "applies" and insert "and that Schedule apply".—*[Dawn Primarolo.]*

New Schedule 1

STAMP DUTY: CONTRACTS CHARGEABLE AS CONVEYANCES: SUPPLEMENTARY PROVISIONS—

SUBSALES

Introduction

1 This Part of this Schedule has effect for affording relief from duty under section 114 (contracts chargeable as conveyances) on a subsale.

Meaning of "subsale"

2 For the purposes of this Schedule there is a subsale—

(a) where the purchaser under a contract or agreement for the sale of an estate or interest in land in the United Kingdom ("the original sale"), without having obtained a conveyance of the property contracted to be sold, contracts to sell the whole or part of the property to another person, or

(b) where the sub-purchaser under a subsale of an estate or interest in land in the United Kingdom, without having obtained a conveyance of the property contracted to be sold, contracts to sell to another person the whole or part of the property contracted to be sold by the original sale,

so as to entitle that person to call for a conveyance from the original seller.

Relief where duty paid on original sale or earlier subsale

3 (1) Where duty under section 114 has been paid—

(a) on the original sale, or

(b) on an intervening subsale,

duty under that section on a subsale, or subsequent subsale, is chargeable only in respect of the amount (if any) by which the chargeable consideration on that transaction exceeds the chargeable consideration on the earlier transaction.

(2) If there is more than one such earlier transaction on which duty has been paid, the reference in sub-paragraph (1) to the chargeable consideration on the earlier transaction shall be read as a reference to the higher or highest amount of chargeable consideration on which duty has been paid.

(3) If the subsale does not relate to the whole of the property to which the earlier transaction related, the references in sub-paragraphs (1) and (2) to the chargeable consideration on an earlier transaction shall be read as references to an appropriate proportion of that consideration.

(4) What is an appropriate proportion shall be determined on a just and reasonable basis having regard to the subject matter of the subsale and of the earlier transaction.

(5) For the purposes of this paragraph the chargeable consideration on a transaction is the consideration that falls to be brought into account in determining the duty chargeable on it.

(6) Where under this paragraph duty on a subsale is chargeable in respect of part only of the consideration for the subsale, it is chargeable at the rate that would be applicable if the whole of the chargeable consideration on the subsale were taken into account.

SUBSEQUENT CONVEYANCE OR TRANSFER

Introduction

4 (1) This Part of this Schedule has effect for affording relief where *ad valorem* duty is chargeable both—

(a) under section 114 on a contract or agreement ("the original sale"), and

(b) on a subsequent conveyance or transfer by the original seller to the purchaser, or a sub-purchaser, in conformity with that contract or agreement.

(2) References in this Part to the purchaser under the original sale, or a sub-purchaser under a subsale, include a person by whom the rights of the purchaser, or a sub-purchaser, are exercisable by virtue of any assignment (in Scotland, assignation) or agreement (other than a subsale).

Conveyance or transfer of property contracted to be sold

5 (1) Where the original seller conveys the whole of the property contracted to be sold—

(a) to the purchaser, or

(b) to a sub-purchaser in circumstances in which section 58(4) of the Stamp Act 1891 (c. 39) applies (conveyance chargeable only on consideration moving from sub-purchaser),

the conveyance or transfer is chargeable with duty only to the extent (if any) that the *ad valorem* duty chargeable on it (apart from this sub-paragraph) exceeds the duty paid under section 114 on the original sale together with the amount of any such duty paid on an intervening subsale.

(2) Where—

(a) the original seller conveys the property contracted to be sold to different sub-purchasers in parts or parcels, and

(b) section 58(5) of the Stamp Act 1891 (c. 39) applies (conveyance chargeable only on consideration moving from sub-purchaser),

the conveyance or transfer of each part or parcel is chargeable with duty only to the extent (if any) that the *ad valorem* duty chargeable on it (apart from this sub-paragraph) exceeds an appropriate proportion of the *ad valorem* duty paid on the original sale together with an appropriate proportion of any such duty paid on an intervening subsale.

(3) What is an appropriate proportion shall be determined on a just and reasonable basis having regard to the subject matter of the conveyance or transfer and of the earlier transaction.

(4) Where sub-paragraph (1) or (2) applies to reduce or extinguish the duty payable on a conveyance or transfer, the Commissioners shall, upon application and upon production of the earlier instrument or instruments, duly stamped, either—

(a) denote the payment of the whole of the *ad valorem* duty upon the conveyance or transfer, or

(b) transfer to the conveyance or transfer the *ad valorem* duty paid on the earlier instrument or instruments.

Repayment of duty in certain cases

6 (1) Where—

(a) duty is paid under section 114 on the original sale,

(b) one or more conveyances or transfers are executed in conformity with that contract or agreement so that the whole of the property contracted to be sold is duly conveyed to a purchaser or to one or more sub-purchasers,

(c) those conveyances or transfers are all duly stamped, and

(d) the aggregate amount of the duty that would have been paid on those conveyances or transfers but for duty having been previously paid on the original sale is less than the duty paid on the original sale,

the Commissioners shall repay the difference to the person by whom the duty was paid on the original sale.

(2) If duty has been paid under section 114 on one or more intervening subsales, sub-paragraph (1) has effect with the following modifications—

(a) the reference to duty having been paid on the original sale shall be read as a reference to duty having been paid either on the original sale or on an intervening subsale;

(b) the reference to the amount of duty paid on the original sale shall be read as a reference to the aggregate of the amounts paid on the original sale and any intervening subsales, and

(c) any repayment shall be apportioned among the persons by whom those amounts were paid.

(3) The apportionment mentioned in sub-paragraph (2)(c) shall be made on a just and reasonable basis having regard to the subject matter of the original sale and of the subsale or subsales in question.

GENERAL SUPPLEMENTARY PROVISIONS

Construction of references to duty on transactions

7 Any reference in section 114 or this Schedule to duty chargeable or paid on a transaction is to duty chargeable or paid on the stamping of the instrument by which the transaction is effected.

Transactions relating to land in the UK and to other property

8 (1) Where a transaction relates both to land in the United Kingdom and to other property, section 114 and this Schedule apply as if there were separate transactions.

(2) Similarly, the reference in section 114(1)(b) to a series of transactions is to a series of transactions so far as relating to land in the United Kingdom.

(3) If, in a case where a transaction or series of transactions relates partly to land in the United Kingdom and partly to other property, the consideration is not apportioned in a manner that is just and reasonable, section 114 and this Schedule shall have effect as if the consideration had been apportioned in such a manner.

Person claiming relief to establish entitlement

9 It is for a person claiming any relief under this Schedule to prove to the satisfaction of the Commissioners that he is entitled to relief and in what amount.

Construction as one

10 Section 114 and this Schedule shall be construed as one with the Stamp Act 1891 (c. 39).'.—*[Dawn Primarolo.]*

Brought up, read the First and Second time, and added to the Bill.

Schedule 8

CHARGEABLE GAINS: EXEMPTIONS IN CASE OF SUBSTANTIAL SHAREHOLDING

Amendment made: No. 12, in page 153, line 36, leave out paragraph 5 and insert—

5 (1) Where in pursuance of arrangements to which this paragraph applies—

(a) an untaxed gain accrues to a company ("company A") on a disposal of shares, or an interest in shares or an asset related to shares, in another company ("company B"), and

(b) before the accrual of that gain—

(i) company A acquired control of company B, or the same person or persons acquired control of both companies, or

(ii) there was a significant change of trading activities affecting company B at a time when it was controlled by company A, or when both companies were controlled by the same person or persons,

none of the exemptions in this Schedule applies to the disposal.

(2) This paragraph applies to arrangements from which the sole or main benefit that (but for this paragraph) could be expected to arise is that the gain on the disposal would, by virtue of this Schedule, not be a chargeable gain.

(3) For the purposes of sub-paragraph (1)(a) a gain is "untaxed" if the gain, or all of it but a part that is not substantial, represents profits that have not been brought into account (in the United Kingdom or elsewhere) for the purposes of tax on profits for a period ending on or before the date of the disposal.

(4) The reference in sub-paragraph (3) to profits being brought into account for the purposes of tax on profits includes a reference to the case where—

(a) an amount in respect of those profits is apportioned to a company resident in the United Kingdom by virtue of subsection (3) of section 747 of the Taxes Act 1988 (imputation of chargeable profits etc of controlled foreign companies), and

(b) a sum is chargeable on that company in respect of that amount by virtue of subsection (4) of that section for an accounting period of that company ending on or before the date of the disposal.

(5) For the purposes of sub-paragraph (1)(b)(ii) there is a "significant change of trading activities affecting company B" if—

(a) there is a major change in the nature or conduct of a trade carried on by company B or a 51% subsidiary of company B, or

(b) there is a major change in the scale of the activities of a trade carried on by company B or a 51% subsidiary of company B, or

(c) company B or a 51% subsidiary of company B begins to carry on a trade.

(6) In this paragraph—

"arrangements" includes any scheme, agreement or understanding, whether or not legally enforceable;

"major change in the nature or conduct of a trade" has the same meaning as in section 768 of the Taxes Act (change of ownership of company: disallowance of trading losses);

"profits" means income or gains (including unrealised income or gains).'.—*[Dawn Primarolo.]*

Schedule 28

DERIVATIVE CONTRACTS: TRANSITIONAL PROVISIONS ETC

Amendment made: No. 45, in page 375, line 11, leave out sub-paragraphs (4) and (5) and insert—

'(4) If the sum of the amounts that would, on the assumptions in sub-paragraph (6)(a) and (b), have fallen to be brought into account as regards the contract in accordance with—

(a) Chapter 2 of Part 2 of the Finance Act 1993 (c. 34), or

(b) Chapter 2 of Part 4 of the Finance Act 1994 (c. 9),

for the purposes of computing corporation tax for an old period of the company is different from the sum of the amounts that would, on the assumption in sub-paragraph (6)(c), have fallen to be brought into account as regards the contract in accordance with Schedule 26 for those purposes (if that Schedule had had effect in relation to that period), sub-paragraph (5) shall apply as regards the amount of that difference.

(5) Where this sub-paragraph applies, the amount of the difference shall be brought into account—

(a) as a credit under Schedule 26 in the company's first new period, if a greater profit or smaller loss would have been brought into account for the old period under that Schedule, or

(b) as a debit under that Schedule in the company's first new period, if a smaller profit or greater loss would have been brought into account for the old period under that Schedule.

(6) The assumptions referred to in sub-paragraph (4) are that—

(a) section 137 of the Finance Act 1993 (c. 34),

(b) sections 165 to 168A of the Finance Act 1994 (c. 9), and

(c) paragraphs 23 to 31 of Schedule 26,

would not have had effect in the case of the contract.'.—*[Dawn Primarolo.]*

Schedule 29

GAINS AND LOSSES OF A COMPANY FROM INTANGIBLE FIXED ASSETS

John Healey: I beg to move amendment No. 14, in page 434, line 22, leave out sub-paragraph (4) and insert—

'(4) Sub-paragraph (1) has effect subject to—

(a) paragraph 126 (application of Schedule to fungible assets), and

(b) paragraph 126A (certain assets acquired on transfer of a business treated as existing assets).'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 15 to 18.

John Healey: I shall be brief. Amendments Nos. 14, 15 and 18 are designed to correct a mismatch which has come to light between schedule 29 and the capital gains rules on company reconstructions. Amendments Nos. 16 and 17 deal with a problem in the drafting that was identified by the hon. Member for Arundel and South Downs (Mr. Flight) in Committee. The hon. Gentleman was assiduous throughout our proceedings in Committee, paying great attention to detail. I promised further consideration when he withdrew his amendments in Committee. Amendments Nos. 16 and 17 are the result of that further consideration. They will help to ensure that the major reform of corporation tax treatment of intangible assets will now work in a way that all those with an interest in these matters would wish.

Amendment agreed to.

Amendments made: No. 15, in page 437, line 28, at end insert—

126A (1) This paragraph applies where—

(a) an asset that is an existing asset in the hands of a company ("the transferor company") is transferred to another company ("the transferee company"), and

(b) the transfer is one in relation to which—

(i) section 139 of the Taxation of Chargeable Gains Act 1992 (reconstruction or amalgamation involving transfer of business), or

(ii) section 140A of that Act (transfer of UK trade to company resident in another member State),

applies with the effect that the transferor company is treated for the purposes of that Act as disposing of the asset for a consideration that secures that neither a gain nor a loss accrues to that company.

(2) Where this paragraph applies the asset shall be treated for the purposes of this Schedule as an existing asset in the hands of the transferee company.

(3) This paragraph does not apply where the transfer mentioned in sub-paragraph (1) occurred before 28th June 2002.'.

No. 16, in page 437, line 39, leave out sub-paragraph (3) and insert—

'(3) If the asset—

(a) was acquired before the beginning of the first accounting period to which this Schedule applies in relation to it, and

(b) is a chargeable intangible asset immediately after the beginning of that period,

it shall be treated for the purposes of Part 7 (roll-over relief on realisation and reinvestment) as if it had been a chargeable intangible asset at all material times between its acquisition and the beginning of that period.'.

No. 17, in page 438, line 16, leave out sub-paragraph (4) and insert—

'(4) If the asset—

(a) was acquired before the beginning of the first accounting period to which this Schedule applies in relation to it, and

(b) is a chargeable intangible asset immediately after the beginning of that period,

it shall be treated for the purposes of Part 7 (roll-over relief on realisation and reinvestment) as if it had been a chargeable intangible asset at all material times between its acquisition and the beginning of that period.'.

No. 18, in page 444, line 5, at end insert "(and see paragraph 126A)".—*[Dawn Primarolo.]*

Schedule 31

GAINS OF INSURANCE COMPANY FROM VENTURE CAPITAL INVESTMENT PARTNERSHIP

Amendments made: No. 35, in page 456, line 40, leave out—

'and also includes any debentures'.

No. 36, in page 456, line 41, at end insert—

'and also includes any debentures'.

No. 37, in page 458, line 20, leave out sub-paragraph (2).—*[Dawn Primarolo.]*

Schedule 37

AGGREGATES LEVY AMENDMENTS

Mr. Alex Salmond (Banff and Buchan): I beg to move amendment No. 11, in page 478, line 29, at end insert—

'(3A) In subsection (3) at end insert—

"(g) it consists wholly of uncrushed aggregates to be used for harbour sea defence projects or coastal erosion protection.".'.

We were making such good progress too, but now we come to something slightly more controversial, and something significant to the economic life and environmental concerns of many coastal communities throughout the United Kingdom.

I have debated the issue several times with the Minister's predecessor in a number of different places, including Westminster Hall and a statutory instruments Committee. Given that that Minister was promoted to the Cabinet half way through these debates, it could only be that his promotion was based on his superb ability to deliver a very bad case in a really eloquent way. That is what delivered the right hon. Gentleman's promotion. I commend the present Minister, however, and perhaps he could deliver a much better case in an eloquent way. Who knows where he might end up if he were able to do that? A number of Members across the House would appreciate a reasonable concession on this important issue.

The amendment is specifically about exempting coastal protection defences from the imposition of the aggregates levy. We have had debates in other places at other stages of consideration on the aggregates levy as a whole, and I do not intend to repeat these arguments, except to say that there are aspects of the levy that should cause concern even for those who say that it was justified on environmental grounds.

For example, there is regional disparity in the impact of the levy. The levy is gathered on aggregates as produced. The Government announced that there was to be a fiscally neutral measure and proceeded to offer a small rebate on national insurance contributions. However, areas that have few people but many aggregates—for example, rural areas such as Scotland, Wales, much of Northern Ireland and much of the north of England—could end up paying a substantial proportion of the tax, whereas areas with large numbers of people will get a rebate in the form of national insurance contributions.

An example that I shall give concerns Peterhead Bay Authority. The impact of the aggregates tax on its proposed breakwater is an extra £1.2 million imposition. In return, it will receive a rebate of about £650 in national insurance contributions. I accept that that is an extreme example, but even when a tax is announced as neutral by the Treasury, it is as well for many people in many areas carefully to count their fingers to assess what the impact will be in practical terms.

I have a real concern. Unlike the oil tax, which, as we debated yesterday, was a surprise to many people, not least some Labour Members representing constituencies in the north-east of Scotland, the aggregates levy, to be fair to the Government, was announced several Finance Bills ago. It went through exhaustive consultation and debate with the industry. There is nothing wrong with a consultative process in terms of the levy, but basically the problem with the tax is that the Government, after that consultation, went for a sharp change in direction, which took in things such as coastal defences and the aggregates that are used for those defences. Originally the Government had intended them not to be taxed, but that was an unintended consequence very late on in the process of consultation.

The Government originally envisaged that aggregates used for coastal defences would be untaxed because by and large these are uncrushed, unprocessed and unmachined aggregates. The environmental impact of such aggregates is much less than the ones that have gone through an industrial process. The Government's intention in introducing the tax was to try to substitute reclaimed and recycled aggregates for machine-processed aggregates. In Peterhead Bay Authority's proposal, 99 per cent. of the aggregate to be used for a breakwater in my constituency is uncrushed, unprocessed aggregate from a quarry five miles away. There is no environmental saving whatsoever in taxing that aggregate, as large blocks of rock will be taken from one part of Buchan and moved five miles along the road to another.

4.30 pm

There is no environmental gain from putting the finances of that breakwater in jeopardy, but there will be a substantial environmental and economic loss if it is not built. The bay authority, like many small harbour trusts and boards the length and breadth of the country, is responsible for sea defences, protection against the erosion of beaches and sea walls, and other aspects of coastal protection. If we are to believe Government forecasts, there is a genuine possibility that much of southern England may be under water, or at least under threat, within a hundred years or so. On balance, that is bad thing, although it is a close call.

Given those environmental problems, we can expect a greater call for coastal defences in the next generation. Many of the organisations with responsibility for defences are not multi-million-pound or billion-pound bodies—they are small trust ports or harbour authorities charged with the task of securing the defence of the coastline. In my constituency, Peterhead Bay Authority has been husbanding its resources for 10 years, and has saved up £10 million in revenue. It undertook an extensive consultation to produce the breakwater project, which will provide a calm harbour 365 days of the year—arguably the best deep-water port on the east coast of Scotland—and secure coastal defences. Late in the day, as an unintended consequence of the imposition of the aggregates levy, the authority was faced with an additional bill of £2 million, which has subsequently been reduced to about £1.2 million, but which still makes the economic viability of the project marginal.

To be fair to the Minister, whom I met this morning, and his predecessor, every Minister or Government spokesman to whom I have spoken is sympathetic to the project in my constituency, and I am sure that they would be sympathetic to ports and bay authorities contemplating similar harbour defences throughout the country. Everyone agrees that such projects are a good thing for the environment and the economy, so why are they being taxed under the aggregates levy? It has been argued that

[Mr. Alex Salmond]

the objective of the levy is to secure more recycled aggregates. The technical specifications for the breakwater in my constituency make it impossible to use recycled aggregates. The authority has reduced the use of aggregates to the minimum needed to secure the calming of the harbour for which they have statutory responsibility.

It is invidious to tax a body that is trying to discharge its responsibilities for protecting the environment and providing an infrastructure to stimulate the economy in north-east Scotland. It would be wrong to make a similar imposition on other authorities which are trying to do comparable things. It is not as if there are not exemptions from the levy. In fact, there are a total of some 22 exemptions, including, for example, the sand for children's playground sandpits. Clay pigeons are exempt from the levy—good news for clay pigeon fanciers across the country.

Mr. Tom Harris: For real pigeons too.

Mr. Salmond: I can hear roars of assent, and am sure that Labour Members lobbied hard, as I would have done, and now approve of the exemption of clay pigeons from that iniquitous tax.

Harbour walls, defences and breakwaters are as important as the pursuit of clay pigeon shooting which, naturally, we all support. I urge the Government to see whether they can find a way of not penalising such important work. Coastal communities are experiencing a range of pressures—those of us representing constituencies with fishing interests are only too well aware of pressures on the fishing industry. Projects undertaken by relatively small organisations to deal with the ever-increasing environmental threat from rising seas are expensive, so it is unfair to impose an additional burden on them, given that their work is for the public good. I urge the Minister, whose predecessor was sympathetic to the argument, but unable to deliver a solution without damaging the integrity of the tax, to use his ingenuity and fresh approach to see whether it is possible to avoid the huge imposition on harbour and bay authorities across the county that is an unintended consequence of the levy.

Sir Robert Smith (West Aberdeenshire and Kincardine): I support the amendment and the arguments of the hon. Member for Banff and Buchan (Mr. Salmond). In particular, I support his point that there are unintended consequences from not thinking through the aggregate tax, as environmental costs will be recycled back into the community. When the environmental impact of quarrying was assessed, much was found to be local to the community in which the quarry is situated. However, the tax takes money away from that community and spends it across the whole country, well away from the quarry. In Peterhead, the fact that the aggregates will have to be transported five miles suggests that any recycling, even if up to specification, would hardly reduce journey times or environmental impact.

The Government would do well to accept amendment No. 11, which would maintain the status quo on coastal defences and allow them to find another way to close a worrying loophole, which stems from a lack of thought about the impact of the aggregate tax and the way in which it would work. I urge the House to support the amendment, but it would be even better if the Government came up with a constructive proposal that would render it superfluous by making it possible to get coastal defences built without an unnecessary tax burden.

Mr. Alan Reid (Argyll and Bute): I, too, support the amendment tabled by the hon. Member for Banff and Buchan (Mr. Salmond).

Climate change is leading to higher sea levels and increasingly violent storms, which means that coastal communities are under even greater pressure. Coastal communities on the Atlantic islands suffer from extremely violent storms and are under great threat from coastal erosion. The aggregates tax will simply put a greater burden on Argyll and Bute council and private individuals who want to build coastal defences to protect local villages and roads.

The tax is supposed to have an environmental purpose, but I do not envisage any environmental benefits from imposing a tax on aggregates used for coastal protection. On islands, for example, the aggregates would be quarried and moved, in some cases only a few hundred yards, for use in coastal protection. Alternatives simply do not exist. The Economic Secretary, in his letter to me of 11 June, said that "alternatives do exist." I should certainly like to hear exactly what they are. On small islands like Tiree and the slate islands of Easdale, Luing and Seil, villages are under threat, as the tax puts a greater burden on their efforts at protection.

Mr. Salmond: I agree with the hon. Gentleman. The alternative would be to bring a recycled aggregate, which would be suitable for some projects, many hundreds of miles by land and then over sea, but that would hardly meet environmental standards.

Mr. Reid: That is a valid point. An alternative may exist several hundred miles away, but in environmental and financial terms a long road and sea journey would be more expensive than paying the tax. The alternatives simply do not exist on the islands.

The purpose of the tax was supposed to be environmental, but I cannot see the environmental benefit in charging people more money to avoid having their house washed into the sea. There cannot be a much greater environmental disaster than that. I hope that the Government will listen today and accept amendment No. 11.

Mr. Flight: I, too, support amendment No. 11, which is obvious common sense. I am not at all happy with the aggregates levy. I was in Inverness last weekend and I must warn hon. Members that I shall be in Scotland again next week, so sinking England is driving us north.

Mr. Salmond: We will make appropriate sea defences for the hon. Gentleman's visit.

Mr. Flight: Yes, sea defences for the invasion.

Coastal protection work is needed elsewhere in the British Isles and I can see no logic in simply increasing the cost of that as a result of the aggregates levy. If we cannot stop that misguided tax altogether, let us at least have the exemption that is proposed here for something that of itself serves an environmental cause.

John Healey: I welcome this short debate and was glad to discuss the matter with the hon. Member for Banff and Buchan (Mr. Salmond) this morning.

Let me begin by being blunt. I do not accept that there is a case for exempting virgin aggregates used for harbour sea defences or coastal erosion protection projects from the aggregates levy. The levy is designed to address the significant environmental costs of extracting aggregates, including dust, noise, visual intrusion, loss of amenity and damage to biodiversity. Those environmental costs are associated with aggregates used in coastal defences, just as they are associated with aggregates used in other construction processes.

Sir Robert Smith: Was not the levy initially aimed at the crushing of aggregates to the fine aggregates, which gave rise to the estimates of the impact of dust, while this measure is aimed at large boulders and rocks, which do not produce that much dust or noise when put into the sea?

4.45 pm

John Healey: I shall come to the rationale for the clause dealing with uncrushed aggregates, and treating them in the same way as crushed aggregates, which were part of the original legislation.

Mr. Salmond: The Minister will confirm that the Government's original intention was not to include uncrushed aggregates within the levy. I understand that he says that the Government responded to consultations with the industry and so on, but if they are environmentally damaging, why were they not included in the original Government proposal?

John Healey: The nature of legislation is that it evolves. As the hon. Gentleman says, we are making this amendment as a result of points raised with us by the industry, which was concerned that not to do so would create opportunities for avoiding the tax and for unfair competition, to which I shall come in a moment.

The levy, in building in a recognition of the environmental costs of extraction, recognises those costs by making the price of aggregates better reflect their true social and environmental costs; encouraging more efficient use of aggregates; encouraging the use of alternative materials such as recycled materials and certain waste products in construction; and encouraging the development of a range of other alternatives, including the use of waste glass and tyres in aggregate mixes.

Mr. Alan Reid: Will the Minister explain where on a small island one can find those materials in sufficient quantities to substitute them for the aggregates that are being taxed?

John Healey: The hon. Gentleman will appreciate that we simply cannot devise a fiscal regime with a particular constituency in mind. This is a UK tax regime designed to apply consistently across the piece. It is not practicable to take into account arguments about whether a particular material is transported five miles or more in primary legislation.

Mr. Salmond: Surely special island allowances in the fiscal regime, support for lifeline services or the passenger duty, are examples of where a fiscal regime has been tapered to meet social need and common sense, so why not do the same here?

John Healey: Social need and other objectives are often built into tax and duty legislation. However, the hon. Member for Argyll and Bute (Mr. Reid) was putting the case of his own constituency, and that level of detail cannot be dealt with.

I have explained why the aggregates levy was introduced on 1 April this year and I want briefly to elaborate on why this Finance Bill brings into its scope aggregates that are extracted as uncrushed aggregates.

Rob Marris: Will my hon. Friend elucidate for hon. Members such as myself who represent constituencies in the middle of the country? Who pays for coastal erosion projects, for example, on the island of Tiree, and have special island allowances been adjusted for the increased cost that might be incurred by coastal defences as a result of the aggregates levy?

John Healey: A feature of my hon. Friend's interventions during the passage of this Finance Bill has been a request for such factual information. An exhaustive list of the sources of support for such projects would take some time. They range from local authorities to special Government funds and, in the case of Scotland, the Scottish Executive would have a part to play.

Armourstone, the large blocks of aggregate that are often used in sea walls or coastal protection, was brought into the scope of the levy as a result of the levy's extension to uncrushed rock. That was a necessary change. Because aggregates can be produced from rock without crushing it, consultation with the industry suggested that there was a danger of distortion of competition and the distinct possibility of avoidance.

Mr. Alan Reid: The Minister referred to a distortion of competition, but we are talking about small islands. Does he seriously think that there will be two competing quarries on one small island?

John Healey: The operation of the levy will encourage much greater efficiency in the use of aggregates, which will help in the sort of circumstances to which the hon. Gentleman is referring. It will also help to encourage the use of alternatives to virgin aggregates and a reduction in the amounts that are used.

If coastal protection projects were to be exempt, as the amendment proposes, requests for exemption would inevitably be made in respect of other worthy projects such as the building of schools and roads, for which there may be the social case to which the hon. Member for Banff and Buchan referred.

Mr. Roy Beggs (East Antrim): I, too, represent a coastal area, and I cannot foresee any means of reducing the amount of aggregate that is needed to provide

[Mr. Roy Beggs]

sea defences. Will the Minister tell us whether the Government plan to compensate those who will have the responsibility of providing sea defences by giving grant aid towards such defences?

John Healey: If the hon. Gentleman doubts that the levy can help to encourage those who are considering plans for such projects to reduce the amount of aggregate that is involved, he might like to have a word with the hon. Member for Banff and Buchan, as that is exactly what is currently happening as a result of the levy in the Peterhead bay project, to which he referred.

The Government are sympathetic to the fact that coastal defence projects are designed to protect the environment. We support such projects in a range of ways, but I must tell the hon. Member for Banff and Buchan that I do not propose that an exemption from the aggregates levy should become one of the ways in which we support such work.

The hon. Gentleman also raised with me the question whether an alternative source of support may be available through the Public Works Loan Board in relation to the Peterhead bay project. I am sympathetic to that idea. As he knows, I am sympathetic to the project itself and would not want it to be jeopardised. I understand that there may be some legal difficulties in securing a loan from the board, but I would urge the local authority to explore that option with the board as a way of providing extra support.

On that basis, I encourage the hon. Gentleman to ask leave to withdraw his amendment. If he is not prepared to do so, I ask the House to reject it.

Mr. Salmond: I thank the Minister for those last few words. Hon. Members will understand that the bay project in Peterhead is very important to my constituency, not least because of the economic benefits that could flow from it in an area that has been extremely hard pressed economically, so I welcome his sympathy and support. I also freely acknowledge that his predecessor shared a similar opinion. I hope that we can find a way forward through other mechanisms and I accept his bona fides and word on that matter.

However, I hope that the Minister will not think that I am grudging if I wish to push the matter in principle. Although we agree that the project in my constituency and, no doubt, similar projects in other constituencies, are a good thing, a principle is involved, and I should like to spend a very few minutes explaining what I think is the disagreement in principle.

As I pointed out, the Government originally accepted that uncrushed, unmachined aggregates did not pose the same risk of environmental damage as machine-processed aggregates. They moved from that position only because it was suggested that there might well be areas of exemption and unfair competition. Indeed, if I had proposed in the amendment again to exempt unprocessed aggregates, that would have been a fair argument against it. However, the amendment suggests only that as coastal defences are a good thing for the community, they should be exempt.

I pointed out to the Minister that some 22 exemptions were already covered, and I gave some illustrations involving clay pigeons and other things. I have no quarrel with those exemptions and have suggested merely that approved coastal defence projects seem to me a legitimate exemption.

Sir Robert Smith: Did the hon. Gentleman notice that the Minister's strongest argument was that he was frightened of agreeing to add coastal defences to the list because someone else might want to be included on it afterwards? That is one the weakest arguments to have come from the Government. Obviously, the coastal defence issue would be defined by the fact that there were no alternatives.

Mr. Salmond: That point makes itself.

I have a lot of sympathy with the Minister, as he has had to argue a very difficult case. His predecessor had exactly the same difficulty in Westminster Hall and in the Committee considering the statutory instrument. Ministers sometimes find themselves in that position, but they also have a wider responsibility. When a case appears very difficult to progress, it may be because there is something wrong with the argument that the Minister is being asked to deliver.

The case of the island communities has been made. Other legislation sets out special requirements for such communities and I see no reason why the Bill should not contain similar measures. In respect of the particular case in which I have a constituency interest, it is impossible to argue that environmental damage will be caused by taking materials from Stirlinghill quarry five miles along the road, with community support, and putting them in the breakwater to calm the harbour. There is no environmental concern in my constituency.

Rob Marris: I appreciate that that may be the case in the hon. Gentleman's constituency, but perhaps he will also accept that it might not be the case in other parts of the United Kingdom. Would not a better way of addressing the issue be for those in Banff and Buchan, Tiree and other places to seek greater grant aid, rather than to change the basis of the tax system for the whole country?

Mr. Salmond: I thought that I was doing quite well in gaining the Minister's sympathy with regard to the Public Works Loan Board. If the hon. Gentleman is suggesting that we up the ante for grants, I would be the first to agree. None the less, he has a fair point. When introducing legislation, we have to look for unintended consequences. If the Government had said that they were going to end up taxing coastal defences without having meant to do so and were putting in place fiscal help to compensate through grant aid, his point would have been well made. We are not in that position, however, and the reason for tabling the amendment progressing the case is to advertise to the Minister that there is a genuine problem that will affect my constituency immediately and will very shortly affect island constituencies. I suggest that it will also affect coastal constituencies throughout the United Kingdom. The problem needs to be dealt with in one way or another.

While I welcome the Minister's assurances and sympathy in relation to the Public Works Loan Board—the principle could perhaps be applied not only in my constituency, but to appropriate cases in a wider sphere—

I would like to press the amendment in principle. I believe that coastal defences are a good thing and should not be taxed, because the community purpose that they serve will increase in future, not decrease.

Question put, That the amendment be made:—

The House divided: Ayes 161, Noes 263.

Division No. 295] **[4.58 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baron, John
Beggs, Roy
Beith, Rt Hon A J
Beresford, Sir Paul
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom
Brazier, Julian
Brooke, Mrs Annette L
Burns, Simon
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Hayes, John
Heath, David
Heathcoat–Amory, Rt Hon David
Hendry, Charles
Hermon, Lady
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Liddell–Grainger, Ian
Lidington, David
Llwyd, Elfyn
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Price, Adam
Prisk, Mark
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thurso, John
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Yeo, Tim
Young, Rt Hon Sir George
Younger–Ross, Richard

Tellers for the Ayes:
Mr. Simon Thomas and
Hywel Williams.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Begg, Miss Anne
Bell, Stuart
Bennett, Andrew
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David

Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Illsley, Eric
Irranca–Davies, Huw
Jackson, Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, John
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Milburn, Rt Hon Alan
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Robertson, John
(Glasgow Anniesland)
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruddock, Joan
Ryan, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Sutcliffe, Gerry
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watson, Tom
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan
(Swansea W)
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Ivor Caplin and
Derek Twigg.

Question accordingly negatived.

Order for Third Reading read.

5.10 pm

Dawn Primarolo: I beg to move, That the Bill be now read the Third time.

Five years ago, the Government's first Budget set out our objectives, our plans for reform, and the disciplines to achieve economic stability, higher employment and sustained prosperity. On 17 April, my right hon. Friend the Chancellor was able to report in his Budget speech that Britain had enjoyed the lowest inflation and the lowest interest rates for 40 years. For the first time for half a century, unemployment in Britain is lower than in America, Japan and Europe. In the year just ended, Britain had the highest growth of any of our major competitors.

Last year, the main economies of the industrialised world started a synchronised slowdown. In the past, during such slowdowns Britain entered weaker and suffered longer, unable to act because of higher inflation and higher borrowing. Britain has faced this world downturn with low inflation and sound public finances, both delivered by our new monetary and fiscal frameworks. This time, the Bank of England has been able to adjust policy at the right time and in the right way. Last year, it cut interest rates seven times.

With the support of fiscal policy, we have been able to safeguard economic stability and growth, and last year Britain was the fastest-growing G7 economy. The challenge for British industry and investors at this time is to build on hard-won stability and to accelerate productivity improvements, thereby increasing output, employment and prosperity. The economy has been stable, but it can and must grow stronger.

Mr. Edward Davey: The Paymaster General is giving a eulogy on the Government's macro-economic performance. Will she say a few words about manufacturing? In the last four quarters, output has fallen; in the last six, manufacturing employment has fallen.

Dawn Primarolo: As the hon. Gentleman knows, expectations are rising and output was improving in the last quarter. As he rightly acknowledges, the long and hard position of the manufacturing industries is improving—*[Interruption.]* It ill behoves Opposition Members to make jests or to laugh from a sedentary position about the serious issues and considerations for the British economy.

I was stating the current position to the House and putting the Bill in that context. Clearly, it is important that we build on that increasing output, employment and prosperity, and there is a clear role for the Government in establishing the conditions necessary for that development, which must take place. The UK is—

Adam Price (East Carmarthen and Dinefwr) *rose—*

Dawn Primarolo: If the hon. Gentleman is patient, I shall give way later.

The UK is, and will remain, a low-tax environment, and the Bill introduces important measures to modernise tax, keep pace with real-world developments and the global economy, promote enterprise and cut red tape.

Adam Price: I am grateful to the Paymaster General for giving way. She knows, of course, that manufacturing output is down 6 per cent. over the last year whereas retail spending is up 6 per cent. Is that not a case of simultaneous boom and bust?

Dawn Primarolo: It is necessary that the Government establish the right framework and the stability for that growth. Of course, investment, which is very much part of the Bill, is a key driver of growth. To encourage more investment, we have, in past Budgets, cut corporation tax from 33 to 30 per cent.—the lowest rate in our history. To enable investment in high-growth, high-technology industries, clause 53 and schedule 12 extend and enhance the research and development tax credit to all companies. That means a £400 million boost for innovation and research.

Clause 44 and schedule 8 specify an exemption for companies disposing of substantial shareholdings. That will enable them to restructure without an essential business decision being constrained by the tax system. The new relief forms part of the Government's commitment to reforming and modernising the corporate tax system, and ensuring that the United Kingdom remains a good place in which to do business.

The Bill establishes a new regime to provide relief for the cost of intangible assets, including intellectual property and goodwill. The relief proposed in clause 84 and schedules 29 and 30 will encourage business to take advantage of opportunities in the knowledge-based economy. That is another important step in our programme of corporate reform, ensuring that our tax system supports, encourages and reflects the change in the business environment.

Mr. John Redwood (Wokingham): When the Government imposed their big windfall licence fee on the telecommunications industry—a very big one-off tax—I warned that it would lead to job losses and slashes in the investment programmes of our lead sector. The Government said it would not. Will the Minister now apologise and explain what went wrong?

Dawn Primarolo: The right hon. Gentleman has made many forecasts that turned out to be wrong. If there is a list of apologies that need to be made to the House, we may be here for a long time hearing members of the last Government apologise for all their errors.

In clause 91 and with the reforms of North sea oil taxation, the Government recognise the need to strike the right balance between a fair share of profits for the nation from the exploitation of a scarce resource and the encouragement of investment. The 100 per cent. first-year allowances on capital expenditure, along with the commitment to abolish North sea royalties and the supplementary 10 per cent. charge, strikes that balance.

Small businesses account for 55 per cent. of all private sector jobs, more than 10 million, and for nearly half the economy's output. Small firms are important drivers of growth and support for them is an important theme of the Bill. In 1997 we cut the small companies tax rate from 23p to 21p in the pound, and in 1998 we cut it again to 20p, with a starting rate of 10p. Now, in 2002, clause 31 lowers it further, to 19p, with immediate effect.

Clause 32 proposes a fall in the starting rate for corporation tax from 10 per cent. to zero. That means that companies with profits of up to £10,000 will pay no corporation tax, and that the tax regime for small companies is more favourable than those of any of the other advanced industrial countries.

To fund the growth of our young companies, we need to increase business investment. Private equity investment has doubled since 1997, which is an important contribution to an entrepreneurial economy. But there is more to be done, and to maintain the momentum the Bill cuts capital gains tax to 20 per cent. in respect of business assets held for a year or more. In the case of business assets held for more than two years, it cuts the tax to 10 per cent. That means that, overall, Britain's capital gains tax regime is more favourable to enterprise than that of the United States.

I know that for many small businesses the cost of compliance is important. The Budget set out proposals to reform the administration of VAT, to help smaller firms comply with PAYE, and to remove unnecessary regulation. Clauses 23 to 25 set out the steps we are taking to simplify and streamline the VAT regime.

In disadvantaged areas too, however, businesses can be a catalyst for community regeneration. In recognition of that, in 2000 we designated enterprise neighbourhoods. Small business tax cuts will be supported by further measures to encourage social entrepreneurs. We introduced the community investment tax credit, creating an incentive to invest in disadvantaged communities.

The emerging consensus on the idea of sustainable development is also an opportunity for British companies. Investing now in energy-saving technologies and techniques is the best way of getting ahead of the game and gaining an important advantage over our foreign competitors. Investment in energy-saving technologies will qualify for enhanced capital allowances at a rate of 100 per cent., strengthening our economy as we move towards our Kyoto targets. Incentives will also be introduced to drive cleaner vehicles, with a reduction in the licence fee of £30 for the most efficient cars, £55 for the least polluting vans and £35 for the least polluting motor cycles. This is a balanced approach, taking into account the needs of the economy and our communities and the need for secure employment.

To ensure fairness for taxpayers and for business, we must act swiftly to close tax loopholes and be vigilant against tax avoidance. We have decided to act with immediate effect on the avoidance of stamp duty on property and to put an end to artificial schemes for VAT avoidance.

The United Kingdom remains a low-tax environment, favourable to business and enterprise. That has been acknowledged by a wide range of surveys and reports from business management. The Institute of Management development study, published recently, states that the United Kingdom has better withstood the uncertainties of the global economy. The Government have put in place a comprehensive set of measures aimed at raising competitiveness and closing our productivity gap with our major competitors.

[Dawn Primarolo]

Another survey, conducted earlier this year, said:

> "In our analysis of the business environment the United Kingdom and the United States of America stand out as leaders in the environment they provide for growth companies."

The Bill promotes investment in our families and communities, in those who are disadvantaged, in enterprise, in the future growth of the British economy and in the national health service and our public services, providing for the people of the United Kingdom security, opportunity and a future in which they will be able to contribute to a growing and flourishing economy. I commend it to the House.

5.23 pm

Mr. Flight: The Bill is, to use the old cliché, something of a curate's egg. There are certainly some good things in it, such as the simplification of the VAT regime for small business, the modernisation of business taxation and, we hope, the capital allowance regime for larger companies—we hope that the one for smaller ones will not be too complex to be effective. I thank Treasury Ministers for their courtesy in Committee, where we underwent a useful process and some issues that we raised were noted for inclusion in the Bill.

However, some bad things remain, and some for which the case was not made at all in any of our debates. I do not intend to repeat the exhaustive debate that we had on increased taxation on North sea oil exploration yesterday, but we remain powerfully convinced of the view that it will damage Britain's interests and greatly reduce extraction of the oil that remains there, at a time when our current account position is already the worst it has been in our history. I noticed that there was no response to the crude point that the loss of output will add on average about $12 billion a year to our current account deficit, although I am not saying that the tax increase is the only cause.

Yes, we all like small business, which is the majority employer. A small tax will be popular, and we must all like it, but it is unwise of the Government to forget about the self-employed, because self-employment is crucial. The ability to make a living through self-employment has been one of this country's strengths, particularly in difficult economic circumstances. All measures tend to have contrarian effects if they are not thought through, but as we have argued, masses of modest self-employed people will have to queue up to incorporate, in order to gain—potentially—£3,000 or £4,000 a year in tax terms. The costs will be a lot greater than the Government estimate, and it is not desirable for small self-employed businesses to incur yet more regulatory costs and hassle as a result of incorporation. It would have been better to balance fiscal incentives for small businesses between the incorporated and the unincorporated.

Mr. Edward Davey: Does the hon. Gentleman share my surprise that this is one tax cut for business that many people do not welcome? However, they do not welcome it because, as he says, it might distort choice in an unplanned and unstrategic way.

Mr. Flight: Indeed. Many self-employed people tell me that they thought they were getting a tax cut, only to discover that they are not. They ask me what they should do to get it, and I tell them to get an accountant. To be candidly cynical for a moment, the Government have not got the bang for their buck from the small business community that they perhaps expected. The point is one of principle: if the objective was pure, there should have been a mixed reduction involving the incorporated and the self-employed, rather than a reduction weighted entirely in one direction.

The Government may regret their approach to stamp duty. It is fine and correct to attack tax avoidance, but the basic issue is whether it is right and economically sensible for business to pay 4 per cent. stamp duty. That has not been a huge issue until now because there were many schemes through which to avoid such duty; indeed, many businesses believed that the Government regarded such schemes as an incentive for business. Whether there has been a change of policy or merely a waking up to it, the fact remains that a business's physical assets—the property—are just as much of a component as the machinery and the people. Taxing them more will lead to less mobility and greater costs.

We have debated the unfortunate principle of the alcopops tax, whereby it is okay to proceed with a tax based on data that prove bogus. On green fuels, green taxation and car legislation, I do not understand why the Government did not include liquefied petroleum gas in the incentives. Some of the fiscal arrangements, particularly those relating to company cars, may prove mind-blowingly complex.

We had a strong debate on mandatory e-filing. Of course, technology advances and we will all comply with it, but regardless of the intention, it must be wrong to begin by saying that we will force everybody—businesses, little old ladies—to file tax returns electronically. The underlying mindset is unnecessarily authoritarian.

I apologise for not being present when controlled foreign company legislation—the Jersey clause—was addressed in detail. I strongly object to two aspects of CFC legislation. First, it is bad for the UK as a multinational base for business. Whatever the Government may think, we are becoming less attractive in terms of tax and regulations, and are slipping down the competitive league table. If multinational companies based here become subject to an arbitrary power to change the tax rules governing their international operations—in other words, if the Treasury suddenly has random power to decide that they would not get the CFC exemption—they will face a disincentive to doing business. Arbitrariness of any sort is undesirable.

Secondly, I believe that one element of the legislation has been mis-sold, as there is widespread support for the savings directive. It was the alternative to the silly proposal that is the common EU withholding tax, and it was effective against tax evasion. However, the Opposition certainly do not like the notion of EU tax harmonisation, and elements of the EU unfair tax competition code lean in that direction. I want this country to retain its autonomy to set taxes as we wish, as a way of encouraging what we want to encourage. Competitive taxation is healthy: anything that compromises that rather invites a tax cartel.

Finally, 30 years ago huge negotiations took place with regard to the Channel Islands. They had a degree of independence, and they remain outside the EU. I do not like the UK exerting back-door leverage to bring them within the ambit of EU initiatives. Given their particular relationship with the UK, there is some justification for that approach when it is in Britain's interests, but not when it is used to get around, by the back door, a position settled 30 years ago.

The Prime Minister visited Jersey in June. I was amazed to read that he said Jersey had its own rights in this situation, that the Government would protect them, and that the Government were not trying to affect tax rates. Either the Prime Minister does not know what he is talking about, or he was being deliberately misleading.

It was a pity that the new clause on the tax law commission did not get selected for debate. The exercise of trying to rewrite tax law more simply has had some success—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman must not comment on Third Reading on a new clause that was not selected for debate.

Mr. Flight: Let me put it another way, Mr. Deputy Speaker. We are faced with 505 pages of taxation—surely it is possible to have tax rules that are simpler and more comprehensible. It is a question not merely of drafting tax law more simply, but of establishing bodies that would contribute to simplifying our tax system.

The Bill does not address the pension crisis that we face and that is largely a result of the Finance Act 1997. I shall not repeat what was said in yesterday's debate, but I hope that the Government took note of the growing concern registered by the financial community, citizens and others at the growth in off-balance-sheet, Enron-style accounting.

People are also worried by what can only be described as the tangled web involved in getting public sector investment off the balance sheet. It seems that tax vehicles are being shaped to meet the rules rather than the substance, and I wonder whether the Government know the full extent of the liabilities that are lurking in wait. If not, given the difficult economic times, some extremely unpleasant things could happen.

Above all, the Budget in aggregate is bad for business, and it is bad for business at the wrong time. It will do some helpful things to encourage research and development, but it also imposes massive increases in employment costs on business, just when business and enterprise face considerable problems. At the root of the problem and the reason why the stock exchange has been collapsing is the problem of corporate profitability. If anything, corporate profitability is contracting. Companies are finding it increasingly difficult to sustain profits, let alone increase them. Continually adding regulatory and fiscal costs to business produces a downward spiral which will then reduce pension fund values and investments still further, and so forth.

The Chancellor thought, as ever, that he was very clever with his Budget. He went out to the focus groups who said, "Yes, we quite like the idea of hypothecating extra national insurance to pay for more health care." I think they also said, "We certainly agree with more spending but, like the Conservatives, we do not agree that more spending will be effective without the necessary reforms." The Chancellor sold the whole package on hypothecation: more money to pay for more health expenditure. The figures, however, show that half of it is not that at all.

There are £4.7 billion-worth of tax credits, bringing the total tax credit cost up to some £16 billion. As we have pointed out, those tax credits will discourage pension saving for many and are in danger of providing excess job subsidies, militating against skill training and increased productivity. It may be no accident that after four years of the working families tax credit we are now seeing productivity declining. We have not only the lowest productivity growth for some time, but falls in productivity when for five years the Chancellor has gone on saying that his Government will increase and improve productivity.

It is no use spending huge sums on health unless those amounts will be effective. As we have said again and again, a package of increased spending without the necessary reforms should not be supported. The crude fact that in Scotland, Northern Ireland and Wales, where spending as a proportion of national income is already above European levels, delivery is even worse than in England is straightforward evidence that reform is needed. We hear of more administrators than beds and only 17 per cent. of new expenditure going to front-line delivery. Those have all the hallmarks of the inefficiency of nationalised industries the world over. The risk is that all that expenditure will in reality go on wage increases.

In an entirely different area, the problem is becoming more apparent of the black hole in the Chancellor's plans—something like £7 billion. Indeed, it was heartening to find the Government's own new economic adviser at the Department of Trade and Industry, Vicky Price, warning publicly that the Government may be about to embark on too much spending which they will not be able to finance. The expectation is that quite soon taxes may have to increase again. Apparently the Chancellor said that he thought the statement was a spoof. Perhaps it is he who is out of touch and not the rather tough and honest speaking new economist at the DTI.

Productivity is falling. London job prospects are the worst since 1993. Tax receipts are declining for the first time in nine years. Corporation tax receipts are down 12 per cent. and Inland Revenue receipts down 7 per cent. Hearing the rosy picture which the Paymaster General described, who would imagine that we had a crashing stock market? Of course, it happens just like that. Stock markets are not at all predictive, are they? That is not their role. But what the stock markets are telling us is that corporate profitability is vulnerable and falling. That is the key point. The worst aspect of the Budget overall is that it will be bad for business, as business has made clear.

We have heard all the spin about the Government's wonderful finances. That is the point of raising the off-balance-sheet issue, because however one looks at it—whether one talks about sticking to the rules rather than the substance, or potentially breaking the rules—all that has been happening is that the capital expenditure side is being hidden off balance sheet. People know that. There may be several benefits in involving the private sector, but everyone knows that in reality the state of the public finances is not the rosy picture that is painted by the Chancellor.

Yet again, we had a clever-clever Chancellor's Budget. It got all the headlines that he wanted on the day, but now people are focusing on realities such as their declining

[Mr. Flight]

pensions, businesses weighed down with tax and regulation, and the problem of sustaining profitability. This morning I turned on my radio as I was getting up and the chap said, "Yes, the Chancellor's going from boom to bust." One of the problems with allowing the savings ratio to fall so badly is that when it recovers—and it will recover in a recession—consumption falls by too much. The Chancellor has presided over a period in which overall saving has declined too much, consumption has risen too much and the external balance has gone to hell; and the time will come to pay the price for that. It was an arrogant and unwise Budget. The details of the Bill are good and bad, but there will be a growing mess for us to sort out in due course, and the Government will need more than the ability to deliver a bad case in an eloquent fashion.

Above all—this is why we are going to vote against the Bill—there has been a foolish arrogance as regards the whole issue of North sea oil taxation. The resource of North sea oil is not the family silver in the Treasury, but one of nature's great gifts of good fortune to this country. The new tax measures mean that instead of managing it to make the most of it, we are going to under-exploit it. That will be to the country's disadvantage over the coming years.

5.43 pm

Mr. Luke: Thank you, Mr. Deputy Speaker. I am glad to have caught your eye in the twilight of our deliberations on the Budget and to be able to make a further contribution to the debates on the Finance Bill as it proceeds through its final stages towards enactment. As a Back Bencher new to the ways of the Budget and to the intricacies of the tax-raising powers of this House, I feel privileged to have been able to make contributions at every stage of the Budget process.

I am glad to have witnessed at first hand the nature of the response by Opposition Members to the proposals brought to the House by the Chancellor in his Budget on 17 April. There has not generally been a great deal of heat in the arguments that they put forward, despite the contribution just made by the hon. Member for Arundel and South Downs (Mr. Flight), but sufficient light has been engendered in Committee and on the Floor of the House for us to recognise that although there have been genuine areas of disagreement, the many positive aspects of the Budget have met with general agreement.

The Budget was carefully crafted and constructed not to deceive the British people but to create a fairer and more efficient tax regime that will benefit the majority of taxpayers, investors and companies that contribute so much to the well-being of the economy and to the UK's continued economic health and prosperity. I firmly believe that, as the Paymaster General said, the initial view of many of the informed commentators who voiced opinions on the nature of the Budget will be fully substantiated: that view was that it was a defining moment in the life of this Government.

The major issue of this Budget is close to my heart, close to the heart of the labour and trade union movement of which I am a representative and, indeed, close to the hearts of my constituents and all those who believe in Britain: it is the health and well-being of this country in the widest sense. The future of the national health service and how it will be financed was certainly the major focus of the Chancellor's Budget.

I shall take up the points made by the hon. Member for Arundel and South Downs. In the past two to three years, the people in my constituency have noted the much improved health service in Scotland. We have done away with the internal market. We have reorganised the service in Scotland to provide a sharper, leaner service, and I believe that the money coming from the Budget will obviously deal with many of the criticisms that have been levelled at the Scottish NHS and ensure that the services are delivered properly.

I shall not linger on this, but there has to be recognition of the fact that rates of illness are obviously higher in Scotland. There is a need for greater spending given the higher levels of cancer and coronary heart disease. It is right in a country that cares for all its component parts that the Government should take account of that in their Budget formulae.

Leaving that aside, the Budget was certainly crafted to ensure not only that the NHS survives but to secure the health of Britain's poorest communities, the health of the British economy and the health of this country's companies and corporations—the sinews and muscles of Britain's economic health.

I am certain that, just as the people's Budget at the beginning of the last century laid the foundations of Britain's nascent welfare services, in bringing the Budget proposals to the statute book at the beginning of the new century, this Finance Bill will reaffirm this Government's and this nation's belief in and commitment to modern, inclusive welfare provision, where wealth and opportunity are in the hands of the many, not the few.

The Government and the Chancellor have clearly indicated the need for a process of redistribution to ensure the vitality and the very existence of Britain's poorest, most disadvantaged communities and social groups, so that they are given an injection of assistance and support, delivered, in the words that Winston Churchill used when Chancellor of the Exchequer, via the ambulances of state aid.

Many fellow Members of Parliament will welcome those Budget provisions that directly relate to their constituencies, be they the community development tax credits and community development funds; the new incubator funds to help new innovative companies to grow; the removal of the stamp tax on the sale of property in Britain's most socially deprived areas—I am glad to say that my constituency will be one of those that benefits most from those innovative provisions—or the encouragement of small business start-ups and enterprise. All those provisions will help areas that have suffered significantly through urban and social change and economic decline to begin to make serious starts to regenerate themselves.

I believe the Budget proposals in the round are to be welcomed. They clearly show the political differences between the two major parties, despite the many agreements that we have had in Committee and on the Floor of the House. The Government believe in social justice, equity, enterprise and opportunity, but the Opposition put business first, not the people. In Committee, the Conservative party defended the tobacco industry, just as Conservative Members have today defended the drinks industry. They have promoted the abolition of inheritance tax and the complete removal of the stamp tax, while opposing the Government's prime proposal to improve this country's health service.

Politics can best be defined as the battle of two conflicting groups of ideas, struggling to achieve popular endorsement for policies and programmes. The Budget has been branded as unwise, but the British people have clearly indicated their massive endorsement of the Budget proposals—even a majority of Conservatives endorse them—and by implication accept the means by which they are to be funded. In a question asked recently at Prime Minister's questions reference was made to our all being Thatcherites now, but the Budget and the Labour party's stewardship of the nation's finances invite us to beg to differ.

5.49 pm

Mr. Edward Davey: May I start by agreeing with a major point made by the hon. Member for Arundel and South Downs (Mr. Flight)? He said that the Paymaster General's opening remarks describing the performance of the British economy and its management under the Government were far too rosy; I would say that they were Panglossian. There may have been successes in the last five years, particularly Bank of England independence and the increased stability that that has given to monetary policy, which Liberal Democrats have welcomed on many occasions. To suggest that the whole picture of the macro-economy is rosy, however, is far from the truth.

I suggest to the Paymaster General that, rather than simply reading the briefing from Treasury officials, she should go to the House of Commons Library to read the latest research paper on economic indicators, published this week. Merely browsing through that will show her that a whole range of indicators are flashing red, which the Government appear to be ignoring totally. I was therefore very worried by the right hon. Lady's speech.

Manufacturing output has fallen in the last five quarters. Indeed, in 2001, it fell by 2.3 per cent. We can also consider other industries, such as agriculture, hunting and fishing, whose output has of course been falling for many quarters; it fell in 2000 and 2001, and it fell in the first quarter of this year. Other industrial sectors show similar falls. Manufacturing is perhaps the most worrying because of its importance to the tradeable sector. We have seen large falls in that sector, especially in manufacturing employment, which fell in 1998, 1999, 2000 and 2001, and is falling again this year. In fact, manufacturing employment is falling at around 5 per cent. a year, while manufacturing output is falling at 6 per cent. a year. Can the Government be proud of that?

I remember that, when the Chancellor of the Exchequer was in opposition in his role as shadow Chancellor and, prior to that, as the Opposition spokesman on trade and industry, he was on the television night after night talking about manufacturing—manufacturing investment, manufacturing output and manufacturing jobs. Under his stewardship, however, we have seen declines in all those areas. He does not have a record of which to be proud.

Mr. Tom Harris: I had not intended to intervene at this stage. I must point out, however, that when my right hon. Friend the Chancellor was making those points in opposition, it was in the context of interest rates of 10 per cent. or 11 per cent., which are debilitating to manufacturing industry. The fact is that we have the lowest interest rates for 40 years, which is testament to the success of the Government and to my right hon. Friend's policies.

Mr. Davey: The hon. Gentleman is right about interest rates. The problem with the Government's management of the economy has been a totally benign approach to the exchange rate.

Mr. Flight: With respect to the hon. Gentleman, he is wrong about interest rates. As soon as we came out of the exchange rate mechanism in 1992, interest rates fell like a stone, and they were miles lower than 10 per cent. while the Chancellor of the Exchequer was making his points throughout the period from 1992 onwards.

Mr. Davey: I would caution the hon. Gentleman about intervening too much to praise the Conservatives' record on managing the economy. I am afraid that I will not agree with him on their overall performance, given that we saw debt triple and years of high interest rates.

I was focusing on Labour's record. Because of the high exchange rate—which is still too high—the manufacturing sector has been haemorrhaging jobs.

Mr. Tom Harris: Can the hon. Gentleman tell the House how the Liberal Democrats would engineer a devaluation of the pound to help manufacturing industry? I know that that is a very dangerous thing for any Government to do. I presume that the reason why the Liberal Democrats claim that they can do it is that they will never be the Government.

Mr. Davey: We have argued consistently—it is not a new argument but one that we have been making for many years—that if the Government had a positive approach to joining the single currency and gave us an indication of when the referendum would take place, the foreign exchange markets would push sterling down to a competitive rate.

Mr. Harris: Fingers crossed.

Mr. Davey: The hon. Gentleman says from a sedentary position, "Fingers crossed"—

Adam Price: Signalling effects.

Mr. Davey: As the hon. Gentleman says, however, the signalling effects have been proven, not just in the case of the UK but in the case of Italy when it announced that the lira would join the single currency. There was a sensible, slow, gradual and sustainable depreciation, so that the lira could move in a competitive way into the single currency.

Directly after the general election, the markets perceived that the Government, who had kept their large majority, might be more positive about their approach to, and timetable for, joining the single currency, and the foreign exchange markets reacted to that by putting downward pressure on the exchange rate. The Treasury stepped in to say, "Hold on a minute. We have no

[Mr. Davey]

intention of joining," and tried to scupper the rumours, and it was only then that the pound went back up again. That proves my point entirely.

The Government have failed to give a clear lead on the exchange rate and so must take the blame and the responsibility for many of the thousands of jobs that have been lost in manufacturing. Let us remember that 500,000 jobs have been lost in manufacturing over the past five years.

Rob Marris: I represent a constituency in the west midlands, the manufacturing heartland of the United Kingdom. In contrast to the hon. Gentleman's view, it seems to me that the cross rates between sterling and non-euro currencies show that the problem is that the euro is too low rather than that the pound is too high. Does the hon. Gentleman disagree with that analysis? If so, what level does he think the pound should be at?

Mr. Davey: When we carried out a review with a whole range of independent economists who were experts on exchange rates, we published a guideline on the sort of range at which the pound could join the single currency. We challenged the Government to provide their range and enter the debate. That is how we should start to consider and face up to the issue. The Government's failure to do that concerns me greatly.

Mr. Flight: Since the hon. Gentleman has focused on this territory, will he complete the story? The Chancellor and the Treasury are terrified that, if sterling were to depreciate significantly, inflation would be imported into this country, interest rates would rise and the housing market would crash. The Government would then become the most unpopular of all time. That completes the circle.

Mr. Davey: The hon. Gentleman is almost beginning to suggest a conspiracy theory which says that the Government are deliberately not acting because of the housing market. I am not sure that that is the case. The Government do not control interest rates; they rightly gave power over them to the Monetary Policy Committee, which has the difficult task of trying to judge the balance between the external side and the domestic side and to deal with the dilemma of domestic inflation in sectors such as the housing market and external deflation in the tradeable sector.

Mr. Flight: The hon. Gentleman has missed the point. The Bank of England will certainly continue to control interest rates; but given the state of the economy, the Government know that if they talk down sterling, inflation is likely to increase. If inflation increased, the Bank of England would be obliged to put up interest rates. If interest rates were put up in the current property market, with many people dangerously over-borrowing at low rates of interest, there would be the risk of a crash in the property market. That is the circle.

Mr. Davey: The hon. Gentleman is wrong. Many people in the Treasury and the Bank of England would like a readjustment of monetary policy in exactly the way that he describes—a lower exchange rate and a higher interest rate. That would probably be a much better solution. The Government could engineer that if their policies on the euro were much clearer, but the examples that I have given show that their failure to go down that route is leading them into a dangerous position in which the housing market is being allowed to overheat. That will store up trouble for the future.

Mr. Michael Jack (Fylde): On a point of detail, the Government in fact retain control of monetary policy by virtue of the fact that they set the target for inflation. Section 11 of the Bank of England Act 1998 requires the Bank and the MPC thereafter to hit that target. If the Chancellor wanted to affect the range of interest rates, he could, if he so wished, change the inflation target.

Mr. Davey: The right hon. Gentleman makes a valid point, and I refer him to the report of the Committee that debated the Bill. I served on that Committee and argued for target independence for the Bank of England, so that the Monetary Policy Committee could set its own targets instead of the Chancellor doing it—in the same way as the European Central Bank does. I argued that because if the markets think that the Chancellor may use that remaining power to set targets and thus affect interest rates and the exchange rate, that will undermine the credibility of the inflation rate.

Long-term interest rates show some evidence that we are still paying a premium in the UK. We have slightly higher long-term interest rates than many other of our competitor countries. That slight premium exists partly because the Bank of England does not have target independence. *[Interruption.]* If hon. Members wish to dispute that, I am more than happy to show them some of the figures that I have seen. I also refer them to the recent article in the *Financial Times* by Chris Huhne, a Liberal Democrat Member of the European Parliament.

Mr. Redwood: If the hon. Gentleman cares to check today's *Financial Times*, he will see that the long bond yield in Germany is slightly higher than the long bond yield in the UK. He has only to read it.

Mr. Davey: The House of Commons information document on economic indicators, which was published this week, shows that on 10-year Government bonds, the figure for the UK is 5, in the US it is 4.83, in Switzerland it is 3.21 and in Japan it is 1.25. My point is backed by the evidence in the latest publication from the Library.

The Government's rosy picture of the economy is complete nonsense. Indeed, the whole strategy behind the Bill is very worrying. In the Budget, the Chancellor increased his forecasts for the underlying growth rate of the economy. He did that to try to balance the public finances. By increasing the underlying rate of growth by just 0.25 per cent., the Chancellor found £4 billion or so over the forecast period.

The change in forecast is highly contestable, for reasons to do with the overall performance of the economy that I have discussed and, if one looks at the background documents published at the time of the Budget, the overall rationale behind it. On Second Reading, I asked why the Government had not chosen the central forecast from the Government Actuary's Department. The rationale for increasing the growth rate was that the population was increasing faster than had previously been expected.

The Government relied on the report from GAD for that information. However, instead of taking the central forecast from that report, the Government chose a figure in the mid-range between the central forecast and the most optimistic forecast. By doing so, they tried to provide an explanation for increasing the underlying growth forecast.

I received no reply when I asked why the Government had decided to make that change. It was arbitrary and stealthy, and the only way in which the Chancellor could balance the books. I am concerned by that. The Government's positive spin on the performance of the economy is very worrying, because they are misleading themselves into believing their own public finance forecast.

I support the Government on one major change: the increase in taxation to fund the extra health spending, which is key to the Budget. My hon. Friends rehearsed the argument in favour of such a policy on Second Reading of the National Insurance Contributions Bill and elsewhere, although we would not raise the money in the same way. Income tax is our preferred route because it would be fairer and more efficient. It would not hit employers and would ensure that people who enjoy high investment incomes pay their fair share.

The fundamental question that the Conservatives have ducked is whether they support the extra money for the health service. That is the key consideration. We have campaigned for that increase in spending for many years. It is one reason why we voted against Third Reading of the Finance Bills in 2000 and 2001. It would be hypocritical to vote against Third Reading today because the Government have done what we have been calling for, albeit with significant differences. The basic thrust is right, however, which is why we support them.

Chris Grayling: The hon. Gentleman's comments highlight the often two-faced nature of Liberal Democrat politics: on the one hand, he criticises the Government on manufacturing industry and is concerned about the predicament that it faces; on the other, he supports tax increases that place a huge additional burden on manufacturing industry. Can he explain that?

Mr. Davey: The hon. Gentleman has not been listening. When we debated the key problem facing manufacturing, I spoke about the exchange rate. Had I spoken about the rate of taxation, he would have a point, but the key problem facing manufacturing is the exchange rate because they are the major exporters in our economy. He need only talk to a few manufacturers to know that. It is possible to be in favour both of a higher rate of tax to ensure that the health service has the money that it needs and of an exchange rate that is competitive and assists our exporters, which is why we support the euro.

There are a few problems with the details of the Bill—the North sea oil issues and the freeze in personal allowances, for example. I think that the cut in the starting rate of corporation tax to 0 per cent. is a mistake, as the hon. Member for Arundel and South Downs explained. However, the Bill contains some good measures, such as those on amateur sports clubs, the tidying up of film tax relief and the streamlining of VAT.

It is worth focusing on one significant aspect of the Bill and the Committee proceedings. Some 60 per cent. of the Bill—300 pages—was published in draft form for consultation. That is a major and serious change. It should be welcomed by hon. Members on both sides of the House and should be repeated and extended. Conservative and Liberal Democrat Members have said that one major problem is the complexity and vastness of tax legislation. By publishing things in advance we can ensure that the professionals have a chance to make comments to us and the Government so that many of the problems are ironed out by the time the Bill is introduced. For that reason, the Committee proceedings were relatively uncontroversial. There was much agreement among hon. Members and excellent work was done, not least by the hon. Member for Arundel and South Downs, who did an exceedingly good and thorough job.

The Government have some way to go on the simplification agenda. The Bill adds some complexities. They should continue some of the good work but also go much further. I have a radical suggestion to make. One reason why we have an annual Finance Bill is the Provisional Collection of Taxes Act 1968. We do not need a huge Finance Bill every year. One reason why the tax system is so complicated and weighty is that the Chancellor, Customs and Excise and the Inland Revenue want to get their sticky fingers on the statute book every year. We should move to a system in which a full Finance Bill is introduced every other year. That would enable the Government to undertake even more consultation on draft clauses. In the years when we did not have a proper Finance Bill, we could have a small Bill that followed the Provisional Collection of Taxes Act, to make sure that income tax and corporation tax could be collected each year. That would mean that we would not keep adding so much extra taxation legislation every year, which by its nature has a degree of complexity.

Mr. Flight: First, I thank the hon. Gentleman for his kind comments. Secondly, I say, "Dear God, not 1,010 pages every other year!"

Mr. Davey: I am grateful for the hon. Gentleman's intervention. If we moved to a biennial Finance Bill, I would not want that Bill to be twice the size of the present annual Bill. The purpose of the idea is to stop the tax legislation juggernaut. I think it would complement the way in which the Government are now trying to consult.

Having spoken for 38 minutes on Second Reading, I promised myself that I would not speak for so long on Third Reading. I intend to draw my remarks to a close.

I am delighted that the Government did a U-turn by understanding that taxation needed to increase if we were to make essential investments in our public services. I have some concerns about the amount within the economy as expressed. Similarly, I have some concerns about the way in which the Government are presenting their public finances. However, overall it was a tax rise that was needed both by the health service and to ensure that our public finances are on a secure footing. For that reason alone, we shall be giving the Bill our support in the Lobby.

6.11 pm

Mr. Jack: This has been an interesting Finance Bill, first, in terms of the personnel who have dealt with it on both sides of the Committee and on both sides of the

[Mr. Jack]

Chamber. I associate myself with the remarks of the hon. Member for Kingston and Surbiton (Mr. Davey) about my hon. Friend the Member for Arundel and South Downs (Mr. Flight). He did a remarkable job, in many instances singlehandedly, speaking with a rapid-fire delivery about incredibly complex matters, which he at least followed. Occasionally, the rest of us were left trailing verbally in his wake, trying to keep up with his flow of intellect. He did the proper job of probing the Government sometimes on their more technical measures, leaving the more salacious parts of the Bill to lesser beings sitting behind him.

I acknowledge the excellent work that was carried out by my hon. Friends the Member for Fareham (Mr. Hoban), for Cities of London and Westminster (Mr. Field) and for Epsom and Ewell (Chris Grayling), who were considering their first Finance Bill. They performed an admirable task.

On the Government Benches there was a sort of game of musical chairs. We started with the Financial Secretary who became the Chief Secretary, while the Economic Secretary was promoted to be the Financial Secretary. In the past few days, we had the pleasure of welcoming the Economic Secretary to the Treasury, the hon. Member for Wentworth (John Healey), as the new kid on the block. I tried my very best to try to read the new body language of Treasury Ministers, not always with great success. However, I think we learned something about what goes on in their minds by their demureness and the way they communicated with us.

The hon. Member for Wolverhampton, South-West (Rob Marris) marked himself out by developing an interesting line of asking the uncomfortable question but without quite getting himself into the uncomfortable position. The Government have found someone on the Labour Benches who is prepared to ask the difficult question, and the Bill's scrutiny was made the stronger as a result.

For a moment, I shall take up the thoughts that have been expressed by those on the Opposition and the Liberal Democrat Front Benches about the complexity and length of legislation. With no disrespect to those who have spoken of the subject, perhaps they did not press the Government to give us a definitive statement. A Bill of more than 500 pages and in excess of 125 clauses illustrates that we have added much more legislation to the statute book, and it shows that the world is a complex place and that tax law reflects it.

I would not go so far as the hon. Member for Kingston and Surbiton and suggest that we should have a biennial Bill. Sometimes there are people who seek to avoid their just deserts. A Finance Bill must move quickly to secure the revenues for whichever Government were legitimately elected. Over the years, I have received representations from the Chartered Institute of Taxation, the Institute of Chartered Accountants in England and Wales, the Confederation of British Industry, the British Chambers of Commerce and many other individuals and organisations, all of whom, notwithstanding the tax law rewrite exercise, call for work to simplify our tax system and to improve its scrutiny.

The publication, "Towards a better tax system", issued by the Institute of Chartered Accountants, points out that the Finance Bill of 1978 had 75 clauses and the Finance Bill of 1999, 140 clauses. In 1978, 53 clauses were debated, but in 1999, only 42 were debated, which illustrates a scrutiny deficit that has crept into our proceedings. For perhaps understandable reasons of pre-legislative scrutiny, we did not go through every single clause in the current Finance Bill, but the time has now come for the Treasury to consider bringing together representative bodies who have made representations and, more importantly, have ideas about ways in which the operation of the tax system could be improved beyond the rewrite exercise. Discussion of the rewrite is timely, as next week a new measure on the topic—the second—will be published, demonstrating the totality of part of the tax universe. When preparing a Finance Bill, no Treasury Minister ever sees all the relevant parts of the Taxes Act 1988. Those Ministers only see one bit and consider one set of implications. Only when the rewrite is submitted can we see the enormity of their proposals.

It is time to assemble a body under Treasury chairmanship, including parliamentary representatives with an interest in the subject and, more importantly, practitioners, to try to map out an agenda to simplify the tax system and improve its operation. The idea that simplification can do the surgeon's job of cutting chunks wholesale from the tax system is not realistic. The Government, and indeed the previous Government of whom I was a member, have always looked for opportunities to remove unnecessary legislation. Making legislation work better and making it more understandable, however, as well as the need to consider the effect of the tax code on the economy, provide a perfectly legitimate opportunity for people involved in tax to have their say.

I should be grateful if the Financial Secretary in her winding-up speech nodded in that direction, and accepted the need for the Treasury to consider a meeting of interested parties to try to find a way forward. There is universal support for that, and not of a party political nature, deriving from a genuine and rational wish to establish a better tax system, which would build on pre-legislative scrutiny and the rewrite exercise for the benefit of all of us.

In conclusion, I have often asked Treasury Ministers for an explanation or economic, arithmetical or algebraic justification of the formulae used to support their position. In a world of increasing transparency, with greater pressures for freedom of information, the Treasury must re-examine the need for clearer statements on the economic effect of its measures and their justification; the way in which things have been calculated; and indeed the very oil of the system—details on tax revenue. I have asked for forward monthly projections from the Treasury, which are required for resource accounting and with which Departments illustrate their cash flows, but so far the Treasury has been reluctant to make that information available.

If our country's financial institutions are to map the progress of the economy, it is important that information on the cash flow of the British economy be made available to them on a regular basis. On the question of simplification, however, I hope that the Treasury is willing to be more sympathetic and call the type of meeting which I have suggested.

6.19 pm

Mr. Redwood: I have declared my interests in the Register of Members' Interests.

I, too, join my right hon. Friend the Member for Fylde (Mr. Jack) in paying tribute to those Opposition Members who have worked hard in Committee—I have read of their progress—and to my hon. Friend the Member for Arundel and South Downs (Mr. Flight) who has done sterling work, as a result of which there have been improvements to the legislation.

I am glad that my hon. Friend is asking the official Opposition to vote against the Bill on Third Reading in principle. We have heard Labour Members explain that the Bill presents a series of tax measures that they say are necessary to fund our health service. If only it were so. But when I have sought promises from Health Ministers that the taxes in the Bill would lead to the provision of consultants, nurses, doctors and other personnel whom I need in my local hospital, I can get no guarantee. I have every fear that we shall not get them quickly or in the numbers that we need.

When I read in my papers and hear in the House from time to time of the massive losses being built up in the Post Office, the financial catastrophe that is Railtrack and the massive increase in budgets for the Government's burgeoning welfare bills, I see that this legislation is part of the Government's policy of tax and waste. It is the high taxation side to pay for large bills, many of them going on things that the public does not want, or just reflecting bad management.

I am not just voting against the Bill because I object to the whole strategy; I am also voting against it because some of the taxes embedded in the legislation are especially damaging.

Paul Farrelly (Newcastle-under-Lyme): Will the right hon. Gentleman give the House the benefit of his wisdom in relation to the Conservative party's policy on funding the NHS, or would he admit that we still await that?

Mr. Deputy Speaker: Order. I hope that the right hon. Gentleman will resist that invitation while we are debating the Third Reading of the Finance Bill.

Mr. Redwood: I am grateful, Mr. Deputy Speaker.

We need to spend money on sensible things and to raise taxes for that, but I believe that the Government are raising far too much and that a lot of it will not be well spent, which is what the public thinks.

The first tax in the legislation that I am worried about is stamp duty. Some amendments have been made, but the Bill does nothing for an area such as mine, with high and rapidly rising house prices, in which many people who are seeking to buy for the first time will be paying rather high levels of stamp duty compared with the modest sums that they have been able to save in their short careers so far.

That should matter to a Government who want more teachers, nurses and junior doctors, the very people who will have to pay those penal stamp duties when they are struggling to get together a deposit to buy their first flat or small house. In many parts of the country now where house prices are high and when the duties and thresholds incorporated in the legislation leave such people cruelly exposed, it makes it so much more difficult to populate the public sector with the good young talent that we need. Stamp duty is becoming one of the substantial barriers to their successful mobility and employment in places of high cost.

Mr. Edward Davey: I have just spoken to my hon. Friend the Member for Sutton and Cheam (Mr. Burstow) and he agrees with me. Is it right that one pays stamp duty on one's first house purchase? Does not one pay it when one sells?

Mr. Redwood: I have always had to pay it on purchase. I do not know where the hon. Gentleman has been, but it is a tax imposed when one buys a property. It is particularly hard for someone with a big student loan, who has tried to save for two or three years and put together a small deposit, to then discover that the biggest cost that they will have to face in addition to the legal bills and other necessary expenses will be stamp duty to a Chancellor belonging to a Government who say that they want such public sector workers to be able to work in expensive parts of the country as well as in cheaper parts, and then weep crocodile tears about the housing problems that they face.

The second tax that I wish to express concern about is the one highlighted by my hon. Friend the Member for Arundel and South Downs as his principal reason for opposing the legislation—that is, the taxation that is likely to be enacted for the oil industry. Here, again, one would hope that the Government would listen and learn from their own experiences if not from those of Governments in other parts of the world. Surely they can understand that the decision to impose a large one-off tax on the telecoms industry a few years ago was one of the main reasons for the precipitate collapse in investment expenditure and employment in that industry. What was once the proud growing industry that led the renaissance of the British economy in the 1990s is now a disaster area that is leading the economy down. We hope that that will not spread to every part of the economy, but it was a very big chunk of it to hit so heavily. Please will the Government understand the damage that will be done by taking that much money out of a high-investing industry? Will they recognise that their oil taxation, which is on a smaller scale and is therefore unlikely to do so much damage will, none the less, do some damage to the investment and employment prospects of that industry?

Mr. Tom Harris: I intervene on a point of clarification. The right hon. Gentleman mentioned the one-off tax on telecoms. Was he referring to the auction of digital bandwidths? We must be very clear that an auction is not a taxation policy. The Opposition have made mistakes about that many times before. The process was freely and voluntarily entered into by the telecoms industry.

Mr. Redwood: It certainly was not. It was a tax on staying in business, because if the companies wished to stay in business, they had to buy a licence. The Government did not offer enough licences, of which they were the monopoly supplier, so the measure acted in exactly the same way as a tax and they were taking huge sums out of a very successful industry. Surely the hon. Gentleman can at least grasp the very simple point that if

[Mr. Redwood]

£22.5 billion is taken out of the pockets of companies that were going to invest a great deal, they will spend less and get into financial difficulties. Indeed, some of them went bankrupt or needed financial reconstruction.

Rob Marris: The right hon. Gentleman seems to be setting out a very curious scenario that does not at all accord with my recollection of history. Companies were bidding for licences, and the Government were selling a state asset—access to the airwaves—for a decent price, in contradistinction to what happened when his party was in office. In Italy, for example, where a similar process was undertaken, some of the telecommunications companies simply dropped out of the bidding or failed to bid, as some in the United Kingdom did. He is trying to blame the Government for the commercial decisions and mismanagement of telecoms companies in the United Kingdom.

Mr. Redwood: Labour Members protest too much. The policy was a tax and it did a lot of damage. I am warning the House and the Government that they are now imposing a less dramatic tax on the oil industry, but one that will have a proportionate effect on investment and jobs in the oil industry. The danger in the oil industry is that if even a marginal increase in taxation coincides with a lower oil price or some other worsening of the terms of trade of an oil company, it could lead to a very big cancellation of investment programmes.

The Government are therefore in a paradox. If they are lucky, the oil price will increase a lot, which will conceal the impact of their taxation, but have all sorts of other unpleasant consequences for the economy. If they are unlucky, the oil price will go down, which will magnify the impact of their tax increases and lead to the cancellation of projects or to a desire in the industry not to pursue marginal North sea projects that will be very damaging. A previous Labour Government found that out in the 1970s, so one wishes that the current Government had some folk memory of those experiences and had learned from them.

Ruth Kelly: Does the right hon. Gentleman not accept that, by introducing a 100 per cent. first-year capital allowance, it is the Government who are taking the risk of lower oil prices and not the companies?

Mr. Redwood: One must consider the impact of all the oil tax measures that the Government are proposing, and not just the capital allowances. As the oil industry has made clear to the Government, the overall impact will be negative, and if circumstances deteriorate further on the demand or price side, further cancellations will result. I am surprised that the intelligent Minister cannot understand that.

Mr. Flight: My right hon. Friend might also be aware that large numbers of new participants in the North sea have not got any profits on which to use a capital allowance.

Mr. Redwood: My hon. Friend makes a very valuable point. Of course, that is exactly what I had in mind when I was saying that if other conditions deteriorated further, more companies would find themselves in that position, which reinforces the fact that the overall balance of tax measures will be negative in the industry.

My third worry about the Bill is the measures that my hon. Friend the Member for Arundel and South Downs highlighted in relation to Jersey. I think that the offshore Crown dependencies that are part of the Great Britain island group have done an amazing job for their people and demonstrated that good honest businesses that generate many well-paid jobs can be run by keeping corporate and financial taxes low and keeping regulation within bounds. I regret that the Government are not standing up for that important set of principles and for the offshore islands within the European Union in the way that they should.

I fear that the measures in the Finance Bill are only part of a series of measures that are going to be taken gradually to make it more difficult for the offshore islands under the Crown to pursue their legitimate and decent businesses with the benefits of lower taxation and lighter regulation that are essential to their well-being. These islands are great success stories. They have little other natural advantage, but they have attracted talent and now have home-grown talent. They have good levels of employment and income as a result of concentrating primarily on financial services, and encouraging them through lower taxation and light regulation.

The Bill is another step in the wrong direction. It may not be the killer step, but it is part of a process in which the terms are going to deteriorate for the offshore islands. It may also spark more political opposition on the islands to their continuing relationship, in its current form, with the United Kingdom. That is something that I rather regret, and we ought to be very worried about it.

My fear about the Bill is that, when it targets specific areas or places for extra taxes without understanding the impact that it will have, it is too draconian. In other ways, however, it does not measure up to the growing storm clouds here and elsewhere in the world that might have benefited from a rather different response from a Government concerned about our future prosperity, the value of our savings, and our livelihoods.

The Government would be well advised to take the message of the United Kingdom stock market a little more seriously. It has now been falling solidly for two and a half years. It has been falling not just because of the world background, and it is certainly not just because a few big companies in the United States of America have made mistakes, or worse, in their accounting practices and undermined confidence recently on Wall street. It is falling partly because too much tax has been taken out of companies by the Government, and partly because the Government are moving towards greater hostility to the idea of making a profit on enterprise and being able to reinvest it.

The savings rate is too low, and our pension funds are in a state of crisis, as we debated recently in the House. The Finance Bill reaffirms the £5 billion a year tax hit on those very pension funds, which should be providing a better future for many of our constituents than they are now going to do, because of this continuing tax raid.

The Finance Bill is the product of a tax-raiding Chancellor who really believed that British business was so successful and so profitable that it did not matter what taxes he threw at it. I fear that we are going to discover that mistakes have been made in the Bill in its taxation of savings, its taxation of the housing market, its taxation of profits and, in particular, its taxation of the oil industry. Times are tough and different out there now. The Bill does not recognise that; it is part of the Government's policy of tax and waste, when we need a policy that promotes savings and enterprise.

6.33 pm

Chris Grayling: This has been a wide ranging and fairly complex Finance Bill. As my right hon. Friend the Member for Fylde (Mr. Jack) mentioned, it is the first experience of a Finance Bill for my hon. Friends the Members for Cities of London and Westminster (Mr. Field) and for Fareham (Mr. Hoban) and me. I have been impressed by the good spirit that has existed both in Committee and in these debates today. Having listened to all the arguments, however, there are still a number of points on which I take great issue with the Government over what they are trying to do.

The issues relating to business taxation touched on by my right hon. Friend the Member for Wokingham (Mr. Redwood) a moment ago are at the heart of my concerns. The debate about national insurance contributions has taken place under a different umbrella, but that is part of a complex range of issues relating to business taxation which reflects a careless approach to business by the Government. I do not think that they understand what they are doing. Nor do I think that they understand the implications of their actions for individual companies and for industrial sectors. Moreover, the Government are doing this at a time when it is only too clear that business is under pressure. I was flicking through the financial pages this morning, and thinking that, in recent years—probably since the late 1980s—I could not remember seeing quite such consistent bad news right across the corporate spectrum.

Precisely when the storm clouds seem to be gathering, the Government have chosen to put significant additional taxes on business. I fundamentally disagree with the comment made by the hon. Member for Kingston and Surbiton (Mr. Davey) following my intervention. Whatever the rights and wrongs of the debate on the euro, they cannot be dealt with now, but the new taxation measures on business will affect business now, they will affect profitability this year, they will cost jobs, they will cost investment and they will make a cash difference to companies when they can ill afford it. The consequence of that—inevitably, in my view—will be seen in the employment market.

We have discussed extensively the Bill's impact on the North sea oil industry, which is probably the most acute example of the Government's failure to understand the consequences of what they are doing. The Government, in all their arguments on the North sea, remind me of a mugger who takes someone's wallet, but is kind enough to give him back the bus fare home.

The Government talk about the capital allowance that they are making available, but at Question Time a couple of weeks ago the Chancellor referred to the £500 million that he is levying from the industry. He cannot take £500 million out of an industry that employs 300,000 people and is a significant part of the employment base, not just in Scotland, but across the country, without affecting jobs and investment.

The Budget's cumulative tax measures will have an adverse effect on businesses beyond North sea oil. We have discussed the impact of the aggregates levy and the climate change levy. In Committee, we talked about the problems that the aggregates levy will pose in remote areas where such companies are often the principal local employer and a real driving force in the local economy, yet its continuing provision will remove funding from those companies and local communities and take it back to the metropolitan areas. That, inevitably, will affect communities in such areas.

There are, undoubtedly, good points for business in the Budget—no Government ever do everything badly—but equally there are fundamentally ill-thought-out measures. We have discussed the shortcomings of the mandatory e-filing proposals as well as the implication of the zero tax rate for small listed companies and the failure to extend that same benefit to unincorporated companies. Likewise, the measures to tackle the deductions to payments to subcontractors where there are undoubted anomalies go some way to solving the problems, but it is far from clear that they have dealt with all the difficulties that my constituents and others have raised with me.

The Bill also contains inconsistencies. We heard this afternoon and in Committee that the Government wish to raise duties on alcopops to tackle health and social issues, but they are also cutting duty on strong ciders, which we know are also a contributing factor to the problems that the Government are trying to address through the alcopops measures. There are vehicle excise duties adjustments for low-emission cars, yet, as I argued in Committee, the measures for vans do not reflect the changes in that marketplace.

My other big concern is key workers and the impact of the tax increases on the labour shortages in London and the south-east, to which my right hon. Friend the Member for Wokingham referred, as well as in other parts of the country that are affected by high housing costs and other high costs of living. We discussed the raised national insurance contributions during proceedings on the National Insurance Contributions Bill, but this Bill will enact a freeze in personal allowances, which will add another burden. That burden will be relatively small, but it will also be another straw on the camel's back for public service workers who find it increasingly difficult to live and work in the south-east.

As my right hon. Friend the Member for Wokingham said, the more the Government tax those people, the more difficulty they have buying a house under the stamp duty system. That will make it less likely that they stay and work in our high-cost areas and less likely that we will have good, effective public services in those areas. If that happens, we will undermine the very areas that deliver the tax revenues that support public services across the country.

I believe that the Finance Bill fails badly, and it comes from a Government who do not understand that if they put up taxes on an industry, it will cut jobs and invest less. The Government do not understand that if they increase the complexity of tax rules and tax regulations for small businesses and make their life more complicated, fewer people will take the trouble, invest the time and work the long hours that it takes to run a small business.

[Chris Grayling]

The Government do not understand that if they put up taxes for key workers, even in relatively small amounts, those people will not stay in the most expensive parts of our country. They will look to work elsewhere, and our labour and skill shortages as well as the absence of teachers, nurses and doctors will get worse.

This Budget, and this Finance Bill, fail to address problems that are manifesting themselves throughout our country. For that reason—along with many others that we have discussed in detail over the past couple of months—I shall be joining my colleagues and voting against Third Reading.

6.40 pm

Mr. Mark Hoban (Fareham): I share the experience of my hon. Friend the Member for Epsom and Ewell (Chris Grayling)—this is my first Finance Bill. I thought it would be remiss of me not to participate in its closing stages.

I see a number of strands in the Bill. Let me say first that from time to time the Treasury has betrayed what could be described as a lack of understanding of the way in which businesses and people work. One example is the complexity of the relief for community and sports clubs, which have to jump through a number of hoops to claim it. Requiring treasurers of such small clubs to calculate how much expenditure is allowable and how much is not places a burden on them that I think will restrict take-up in many instances.

Mandatory e-filing has been mentioned. A few days ago it was reported that the Inland Revenue could not even allow its staff to use e-mail. How much confidence will small businesses have in their ability to transmit their tax returns to the Revenue electronically if at this stage the Revenue cannot even sort out its own e-mail system? It is legitimate for people to ask whether it is appropriate for them to deal with the Revenue when it has manifestly failed to provide services for its own staff.

In this and other debates, we have discussed the differential tax treatment of small businesses. It was interesting that the Paymaster General carefully used the word "company" rather than the word "business" this evening when welcoming the changes. In fact, many small businesses will lose out. I am not thinking just of sole traders; many other large unincorporated businesses and, in particular, partnerships will not be able to take advantage of the reliefs. Those that can will see a move towards incorporation, along with the costs involved in becoming a limited company—the costs of maintaining registers of shareholders, directors, mortgages and debentures, and of opening books for public inspection. The Government should consider changing the balance to remove the possibility of any deliberate or even implicit policy in favour of incorporation.

Rob Marris: The hon. Gentleman seems to be advancing a curious, if interesting, argument. If I have not understood it properly, perhaps he will correct me. He seems to be saying that if the costs of incorporation outweigh the tax breaks in the Bill, a small business will not incorporate. So what? The business will be where it is now. If the costs of incorporation are less than the tax breaks, it will incorporate. Again, so what? It will still be ahead of the game.

Mr. Hoban: What we do not want to do is impose unnecessary regulatory burdens on small businesses. Yes, there will be a financial incentive if the tax benefits of incorporation exceed the costs, but do we really want to impose those costs? We do not want to place an ongoing burden on small businesses; we want those businesses to focus on building themselves up, rather than complying with rules and regulations dreamt up to keep them occupied.

Rob Marris *rose—*

Mr. Hoban: I am loth to give way to the hon. Gentleman again, but as he asks such penetrating questions I will do so.

Rob Marris: Would the hon. Gentleman prefer the tax breaks not to be there at all? That seems to be the thrust of his argument.

Mr. Hoban: It manifestly is not the thrust of my argument. I would like a level playing field for businesses, be they incorporated or unincorporated. They should not be forced to choose one legal form or another simply to benefit from tax breaks. The Government have shown a lack of understanding of how business operates and how people run their personal affairs.

We have also seen the benefits of consultation, and the way in which certain aspects of the Bill have been discussed with representative bodies has been very valuable and has cut down the amount of time that we needed to spend discussing them in Committee. It is interesting to note, however, that the area of greatest disagreement has been the one on which there has been no consultation—oil taxation. The Government need to learn the lesson that consultation makes for a better Finance Bill—one that gains the acceptance of the community for which it is trying to create a suitable tax regime. The oil industry has been in uproar because the Government failed to consult it.

This is a long and complex Finance Bill. My right hon. Friend the Member for Fylde (Mr. Jack) was right—we need simpler tax legislation to reduce the burden of compliance on business and its advisers and to make it far easier for people throughout the country to understand their own tax affairs, without recourse to expensive legal and tax advice.

6.46 pm

Mr. Mark Field (Cities of London and Westminster): As with many Finance Bills, I suspect that this one will be remembered as being good for lawyers and tax accountants. They, perhaps alone, will admire the increasing complexity introduced by a somewhat meddlesome Treasury team.

My hon. Friend the Member for Arundel and South Downs (Mr. Flight) spoke skilfully about many matters throughout our proceedings. As he said, we find the oil and gas provisions and the straitjacket imposed on the Channel Islands and other Crown dependencies especially objectionable, and that is why we will vote against Third Reading.

Even the Government's own advisers now highlight the fact that the Chancellor's growth projections are likely to prove grossly optimistic. Projections made only a matter of weeks ago now look hopelessly out of date. We are expecting to have growth of 2.25 per cent. in the current year, rising to 3.25 to 3.5 per cent. in the next financial year. On that basis alone, we have had vast acceleration in public expenditure. A Government who promised the end of boom and bust have placed their foot firmly on the spending pedal at just the wrong time in the business cycle.

Spending on health is rising, not just for the next five years as shown in the Budget, but presumably at similar rates for the period beyond 2006–07. It seems that it will largely be business that continues to be milked. Many of us have spoken in past years about the Government's redistributive agenda, which may have seemed out of keeping with a generally fairly successful economy, but we had an interesting discussion on property and capital taxes in what seemed a fairly innocent debate on clause 115 and, as my hon. Friend the Member for Epsom and Ewell (Chris Grayling) said, it seems that the Government regard London and the south-east as fair game for a higher burden of tax, be it inheritance tax, a vast increase in stamp duty or a whole array of other corporation and income taxes; yet there is little evidence of the investment in the public sector to which the Paymaster General refers as being focused on that area.

As the Member of Parliament for Cities of London and Westminster, I have been the first to give credit where credit is due. To a large extent, in their first five years the Labour Government have been able to be true to their watchword of stability in the economy. They have gained many plaudits for that from the business community, of which I was a member before 7 June last year. Many business people admired what the Government had done, especially when we take into account the fears that existed before May 1997. However—there is always a "however" on the Opposition Benches—although the Treasury has played the hand that it inherited in 1997 skilfully, it is fair to say that it was a very good hand. That fact has, perhaps, not been recognised as readily as Opposition Members hoped.

In keeping with the comments of my right hon. Friend the Member for Wokingham (Mr. Redwood), I am concerned about the sense of denial and complacency in much of what the Treasury—and the Government as a whole—say about the future of the economy. For the good of the economy and the country, I hope that I am wrong, but I suspect that when we gather next year to consider another Budget and another Finance Bill—I fear that the wish of the hon. Member for Kingston and Surbiton (Mr. Davey) for a biannual Finance Bill will not come true for some years to come—the economic climate will be very different. By then, we will see the damage to business of much of the meddling to which we have referred.

I wish Treasury Ministers the very best, because it is in the interests of this country that we have a strong economy—not least in respect of the investment in the public and private sectors that we all want to see. However, difficult times lie ahead. We have put prudence to one side, and the foot is firmly on the public expenditure pedal at what is probably entirely the wrong time.

I shall be interested to hear what the Financial Secretary has to say. I thank her and her ministerial colleagues for providing a constructive basis for our discussions in Committee, on Report and on Third Reading. However, I shall join my hon. Friends—notably my hon. Friend the Member for Arundel and South Downs—in voting against granting the Bill a Third Reading, because some serious problems lie ahead.

6.52 pm

Ruth Kelly: I welcome this opportunity to bring the debate on Third Reading of the Finance Bill to a close. This, too, was my first Finance Bill, and I have enjoyed it very much. I want to begin by thanking my hon. Friends and other hon. Members, the special interest groups and others who took a great interest in the Standing Committee's proceedings. Their close attention to detail and their unflagging enthusiasm have done much to smooth the Bill's passage. We certainly heard some interesting speeches—from both sides of the House—today and in Committee.

Government is all about choices, and the Finance Bill is no exception. We have chosen in favour of economic growth and prosperity; in favour of enterprise and innovation; in favour of a sustainable future. Liberal Democrats and the hon. Member for Arundel and South Downs (Mr. Flight) have accused the Government of being Panglossian—of putting too rosy a glow on our economic success. I am the first to admit that there is great uncertainty about the world economic outlook, but the fact is that the macro-economic framework that we have put in place is the right one.

On coming to power in 1997, we gave the Bank of England independence, and an independent Monetary Policy Committee is delivering pro-growth low inflation. It has the right symmetrical inflation target to deliver the dual objectives of growth and low inflation. We also have a tough fiscal framework. Over the next five years, net debt will rise no higher than 31 per cent., according to the figures in the Red Book. We now have the most open and transparent fiscal framework that I know of in any of the major G8 countries. The evidence of the success of that framework is clear. Long-term interest rates are at their lowest level for 40 years. We have had the longest period of sustained low inflation since the 1960s. Employment has risen by 1.5 million since 1997, and in the past year we have enjoyed the strongest growth of any of the seven largest industrialised economies

Mr. Redwood *rose—*

Ruth Kelly: If the right hon. Gentleman will allow me, I shall make a little progress.

The hon. Member for Kingston and Surbiton (Mr. Davey) highlighted the prospects for manufacturing. Of course, I acknowledge that world trade growth was near zero in 2001—down from 12 per cent. in 2000. It was inevitable that UK manufacturing would be hit when world trade growth collapsed, and that the internationally exposed sectors of the UK would be affected. Manufacturing output fell in all industrialised nations, but by less in the UK than in our major competitors. For example, manufacturing output in Japan fell by 13.75 per cent. last year—more than twice the fall in this country.

[Ruth Kelly]

The first signs of tentative recovery in the manufacturing sector are appearing. The Red Book forecasts that output will gradually pick up in the second half of the year. The answer is not artificially to massage down the exchange rate, as the Liberal Democrats proposed. That has been tried in the past, and it does not work. It leads only to higher inflation, and boom and bust.

Mr. Redwood: If everything is so stable and well run, why have we had boom and bust in the stock market and in the telecom and high-tech industries over the past five years?

Ruth Kelly: It is clear that stock markets across the industrialised world have fallen, or does the right hon. Gentleman believe that the UK stock market has been especially badly affected? The causes have been the uncertainty of the world economic climate and the vulnerability of corporate profitability which, as the hon. Member for Arundel and South Downs pointed out, has resulted from the recent Enron and WorldCom events.

I turn now to some of the issues raised in the debate. The hon. Member for Arundel and South Downs claimed that the Budget was somehow bad for business. It is not; it is good for business. It promotes enterprise, growth and productivity.

The Government have introduced measures to extend the research and development tax credit to all companies. The Budget cuts the small companies rate of tax by 1p and, by means of a 10p cut, reduces the starting rate to zero. We have introduced measures to reduce the administrative burden of VAT for small companies, and to improve their cash flow. We have also introduced the community investment tax credit. The Budget will increase enterprise and promote entrepreneurship in the UK economy.

The other major point raised in the debate concerns the North sea oil regime. It is right in principle to tax a scarce resource produced under Government licence. Every oil-exporting country has a special tax regime for that purpose. The Government are clear about our principles—to raise a fair share of revenue for the country, and to promote investment.

That is what we have done with the 10 per cent. supplementary charge on oil, and with the 100 per cent. capital allowance. The reform is right in principle, and we now have a stable oil taxation regime for the future.

Opposition Members have criticised the Bill for its complexity, even though 152 of its pages introduced tax relief, 160 simplified the tax system and more than 200 pages were repealed.

I know that the right hon. Member for Fylde (Mr. Jack) has a great interest in simplification. He has demonstrated a long-standing interest in the tax rewrite project, and I was privileged to serve on the consultative committee before I became a Minister. However, he suggested that the Bill has not been scrutinised thoroughly. In fact, the Government have involved just those representative bodies that the right hon. Gentleman suggested in the extensive consultation that has been carried out on the measures.

The Bill means that the UK will remain a stable, low-tax environment, favourable to business, enterprise and innovation. The overall tax burden is lower than the EU average, and lower than each of our main EU competitors. The atmosphere and climate in the UK are right for economic growth.

The Bill supports innovation and entrepreneurs. It releases productive potential as it promotes sustainable development. It joins the hands of business and communities in the cause of regeneration.

Innovation, enterprise and regeneration: those are the Government's ambitions, for the Bill and for Britain. I believe that we are achieving them, and I commend the Bill to the House.

Question put, That the Bill be read the Third time:—

The House divided: Ayes 277, Noes 109.

Division No. 296] **[6.59 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Rt Hon Donald
  (Swansea E)
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Begg, Miss Anne
Bell, Stuart
Bennett, Andrew
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brennan, Kevin
Brooke, Mrs Annette L
Brown, Rt Hon Nicholas
  (Newcastle E & Wallsend)
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Cable, Dr Vincent
Caborn, Rt Hon Richard
Cairns, David
Calton, Mrs Patsy
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda
  (Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry
  (B'ham Hodge H)
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobbin, Jim
Dobson, Rt Hon Frank
Doughty, Sue
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Efford, Clive
Ennis, Jeff
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gidley, Sandra
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John

Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hesford, Stephen
Heyes, David
Hill, Keith
Hinchliffe, David
Holmes, Paul
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lamb, Norman
Lawrence, Mrs Jackie
Laws, David
Laxton, Bob
Lazarowicz, Mark
Lepper, David
Linton, Martin
Lloyd, Tony
Love, Andrew
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Merron, Gillian
Milburn, Rt Hon Alan
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moore, Michael
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Raynsford, Rt Hon Nick
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John
(Glasgow Anniesland)
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Spellar, Rt Hon John
Starkey, Dr Phyllis
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Ward, Claire
Wareing, Robert N
Watson, Tom
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Roger *(Brecon)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Ayes:
Mr. John Heppell and
Mr. Ian Pearson.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baron, John
Beggs, Roy
Beresford, Sir Paul
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brazier, Julian
Burns, Simon
Burt, Alistair
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Clappison, James
Clarke, Rt Hon Kenneth
(Rushcliffe)
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Djanogly, Jonathan
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Fabricant, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Francois, Mark
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hammond, Philip
Hayes, John
Hendry, Charles
Hoban, Mark
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Key, Robert
Kirkbride, Miss Julie
Knight, Rt Hon Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr Andrew
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Prisk, Mark
Redwood, Rt Hon John
Robathan, Andrew
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Selous, Andrew
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
W[illegible]hire, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Laurence Robertson
and
Mr. Stephen O'Brien.

Question accordingly agreed to.

Bill read the Third time, and passed.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

INVESTIGATORY POWERS

That the draft Regulation of Investigatory Powers (Covert Human Intelligence Sources: Code of Practice) Order 2002, which was laid before this House on 10th June, be approved.—*[Joan Ryan.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): I think the Ayes have it.

Hon. Members: No.

Division deferred till Wednesday 10 July, pursuant to Order [28 June 2001].

INVESTIGATORY POWERS

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

That the draft Regulation of Investigatory Powers (Covert Surveillance: Code of Practice) Order 2002, which was laid before this House on 10th June, be approved.—*[Joan Ryan.]*

Mr. Deputy Speaker: I think the Ayes have it.

Hon. Members: No.

Division deferred till Wednesday 10 July, pursuant to Order [28 June 2001].

Mr. Deputy Speaker: With permission, I shall put together motions 5 and 6.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LOCAL GOVERNMENT FINANCE

That the Local Government Finance (England) Special Grant Report (No. 101) (HC 942), on Personal Social Services Performance Grant for 2002–03, which was laid before this House on 19th June, be approved.

GOVERNMENT TRADING FUNDS

That the draft Queen Elizabeth II Conference Centre Trading Fund (Variation) Order 2002, which was laid before this House on 19th June, be approved.—*[Joan Ryan.]*

Question agreed to.

Public Trustee (Liability and Fees) Bill *[Lords]*

Motion made,

That, during the proceedings on the Public Trustee (Liability and Fees) Bill *[Lords]*, the Standing Committee on the Bill shall have leave to sit twice on the first day on which it shall meet.—*[Joan Ryan.]*

Hon. Members: Object.

PETITIONS

Water and Sanitation

7.12 pm

Ms Julia Drown (South Swindon): I am pleased to present a petition, which was signed by about 300 people in my constituency, that states that safe and affordable water and adequate sanitation are an essential part of ending world poverty.

The petition states:

The petition therefore requests that the House of Commons takes steps to ensure that the Prime Minister and the UK Government urge all UN member governments to agree an action plan for meeting the UN agreed target to halve the number of people without access to drinking water by 2015, and to increase the UK's official development assistance to the agreed UN target of 0.7 per cent. of GNP, prioritising . . . water resources within that.

To lie upon the Table.

The Wilson Hospital

Siobhain McDonagh (Mitcham and Morden): The petition has more than 4,000 signatures and states:

The petition of residents of Mitcham and Morden

Declares that the present provision of intermediate care services for the people of Mitcham and Morden is inadequate and that the Wilson Hospital, presently used as health authority offices, should be re-opened as an intermediate care home.

The petitioners therefore request that the Hose of Commons urge the Secretary of State for Health to make adequate provision to protect the health of the people of Mitcham and Morden, by providing locally-based intermediate care services at the Wilson Hospital.

To lie upon the Table.

Care Homes (Kent)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pearson.]*

7.14 pm

Miss Ann Widdecombe (Maidstone and The Weald): I am very grateful to have this opportunity to raise an issue of supreme importance for my constituents in Kent, where 236 care beds and 17 care homes have closed in the last year alone.

I am not seeking to make specific party political points in this debate. The Minister may or may not be aware that in 1990 I led a rebellion—very unlike me, of course—against the then Government on a similar issue in respect of a constituent, Florence Smith, who I believed under regulations that then existed, but which were changed, was not getting a fair deal in her care home. Today it is a widespread phenomenon for people who are in care homes to face eviction through closure.

In that debate in March 1990, when I raised the case of Florence Smith, I was supported by the now Leader of House. He said:

> "I am bound to ask how we, as a legislature, can have permitted circumstances in which elderly men and women—too confused and too disoriented to know what is happening to them—are evicted from residential care homes".—*[Official Report,* 13 March 1990; Vol. 169, c. 198.]

Tonight, I ask exactly the same question. The Government, through the care standards regulations, are assessing not the degree of care, attention and love that should be given to the elderly and the vulnerable but the extent of the physical facilities. That is causing untold hardship.

The new minimum care standards will impose a considerable cost burden on the new care homes and on their owners. It is not good enough for the Prime Minister to say, as he did when answering questions yesterday, that some of these regulations will not take effect until 2007. Some of them take immediate effect, and I shall refer to one of them specifically, but even if others do not have to be introduced for a few years, we must remember that things cannot be introduced overnight: preparations must be made now, money must be found now, plans must be made now, and an immediate financial burden results from all of that. We end up with a complete nonsense whereby married couples are unable to share a bed.

The Minister of State, Department of Health (Jacqui Smith): Rubbish.

Miss Widdecombe: I will give the exact case. Further examples include sisters separated by fixed screens, and en suite facilities that are never used because residents are incapable and need to be escorted to specially adapted bathrooms. All that regulation has not been backed up with the funding to meet it. Care home owners are therefore being driven out of business because they cannot afford the provision of the facilities now laid down as required.

For example, I have received a letter from an elderly constituent who until a few weeks ago was resident in a home that has now closed. She said:

> "I am nearly 70, and have been in Residential Care for the past 18 years. I suffer from short-term amnesia. We have just been told that the . . . Nursing Home has to close down, in a matter of weeks, as it cannot come up to new guidelines: i.e. en-suite bathrooms and other absurd requirements. I have been wonderfully cared for here, and have no other place to go, especially as I am on Income Support. I have written to Mr. Blair asking him what option he would take, in my position".

Regulations have led not only to homes closing but sometimes to their tottering on the brink of closure, thus creating uncertainty and tensions for some of the most vulnerable people for whom they are caring.

Under the Care Standards Act 2000, it has become an offence to run a home that is not financially viable, yet homes now have to meet huge extra costs to meet the regulations. If that means that they cannot break even, they risk prosecution if they continue to function. Precisely because of that, two homes in my constituency have closed. I submit that that is not just an unsatisfactory but a profoundly cruel state of affairs.

Let us consider the case of Hawkhurst Castle in Kent. It has become another casualty of the ongoing crisis in the care home sector. Because it does not come up to specifications, it has failed to win placements from social services, and that has led to a decline in the number of residents. Kent is not exactly generously treated under the revenue support grant settlement. Kent gets for a granny in Kent only a third of what a granny in Islington would get, and it finds it difficult to meet the current standards. It is certainly not able to fund the new standards that are required. Sadly, as a result of that, Hawkhurst Castle will close on 14 August.

One resident who has been in the home for 20 years says that she would like to spend the rest of her life in what has naturally become her home. Not only does she say she is happy, but her friends who visit her say objectively that even when they arrive unannounced they find that she is well cared for, happy and content. In that same home is a man with Down's syndrome. His sister has said that the home is wonderful and the staff devoted and that the family has no idea how it will find another home.

I now turn to the case of the Greenbank residential care home and will develop the comment that caused the Minister to heckle "rubbish" at me. The proprietor of Greenbank is concerned about standard 23.11, which is due to come into force on 1 April 2007. The standard stipulates that existing homes must provide 80 per cent. of places in single rooms. Greenbank currently has 15 rooms, 13 of which are single and two double—so 86 per cent. of its rooms are single, but only 76 per cent. of the places are in single rooms. The home thus falls below the standard.

The problem is not even ridiculous. The owner says that, if a double room is converted to a single room, the cost will be about £16,000 per annum. That is the hard money involved. And what about choice? A husband and wife who had been together for 50 years would have to be split up. Even if a room that could take two people were available, it could not be used because it would take the home below the standard 80 per cent. of places. The choice should be left with the residents whom the decisions will affect. Indeed, the proprietor of Greenbank says that we are talking about counsels of perfection. It is simply not possible to meet all the requirements.

The Salvation Army care homes in the London and south-east division also raise major concerns. The sheer costs of refurbishment and staffing to bring them up to

[Miss Widdecombe]

the new standards will only exacerbate what is already a bad situation caused by gaps in local authority funding. In the three care homes that the Salvation Army runs, it faces an estimated deficit of £340,000 for this financial year, and that is even before all the new regulations take effect. Of course, it will now be an offence to run a home that is not viable.

Refitting the Salvation Army's homes will make hundreds of thousands of pounds of new work necessary. The Salvation Army—like other care home owners to whom I have spoken, residents and the Conservative party—accepts that a Care Standards Act is, in principle, a good thing and that there is no possible objection to minimum standards. However, practicalities must be taken into account and sensible commonsense standards applied.

Probably worst hit of all are the religious orders, which now cannot even nurse their own members, because the standards cannot be met. Iden Manor in my constituency, which closed recently, was run by Roman Catholic nuns. They used to care for drug and alcohol-dependent women, a rare service to which it is not easy to find alternatives. As they told me when I visited them last weekend, they had to close because it was illegal to run a home that was not viable. With the new regulations and requirements, there was no earthly way their home would be viable.

Where will those women dependent on drugs and alcohol go now? It is not only the elderly who are affected by the present situation. It is a sad state of affairs when a devoted nursing order, which has run Iden Manor for years and years, to the huge benefit of individuals, has to close its doors simply because the physical requirements do not match up. That is God's work being destroyed by the wisdom of bureaucrats.

What is the answer to the problem, not least given that NH[illegible]eds, which are urgently needed, are occupied by people ready for discharge but who have nowhere to go? The Government should suspend the implementation of the minimum standards and follow our suggestions in the new clause 4 that we tabled when the 2000 Act was discussed. The Government rejected that new clause. At the time, we argued that while we accepted the need for minimum standards, we also needed to ensure that they did not become counter-productive. Therefore, we needed an extensive consultation period and then to subject all the standards to proper parliamentary scrutiny.

New clause 4 also suggested other safeguards to try to ensure that the minimum standards that would be imposed on those essential services would be reasonable and achievable, and that did the job of ensuring proper quality of care without making it impossible to provide that very care. The feeling in Kent, in Greenbank, Iden Manor, Hawkhurst Castle and other homes that are tottering on the brink but are not quite over it, is that the minimum standards as currently laid down—I have given the House only a selection tonight, because I could not go into full details if I wanted to hear the ministerial reply—spring from an Alice in Wonderland world in which the Mad Hatter rules. Sadly, the elderly, the sick and the vulnerable are the victims.

I ask the Minister today for the application of some common sense, before more care homes close, more residents have nowhere to go and more people are stuck in hospital through no fault of their own, occupying desperately needed beds. We need sensible standards and proper funding for local authorities and, at the same time, a recognition that it is the care, love and attention received, and not the presence of a fixed screen and an en-suite lavatory, that decide whether someone is happy in old age,

7.28 pm

The Minister of State, Department of Health (Jacqui Smith): I congratulate the right hon. Member for Maidstone and The Weald (Miss Widdecombe) on securing this debate on an issue that is, I agree, important and significant. She has rightly had much to say about the state of the care home sector in her area. I recognise that the care home market in Kent is not ideally balanced, and some care home owners remain under pressure to sustain viable businesses.

It is worth reminding ourselves of how we got to this position. It is important to remember that Kent, along with other parts of the country, experienced a significant, but unplanned and unmanaged, expansion in the independent care home sector as a result of the use of an uncapped Department of Social Security budget throughout the 1980s. That led to the unnecessary and completely avoidable admissions of many older people, and others, into institutional care. We are still dealing with that legacy of the 1980s.

Let me make it clear that I agree that some people will always need residential care, and we need to ensure that they get it, but the Opposition have been all too quick to scaremonger about a crisis in the care home sector. Care homes have always closed. What the Opposition choose to ignore is that new homes are opening and existing homes are expanding.

According to the independent care consultants, Laing and Buisson, there has been a drop of about 19,000 places since 1997. That is a far cry from the figure of 50,000 often bandied around by the Opposition, although I accept that the right hon. Lady did not quote it this evening. Once again, even within Kent, there is evidence of expansion in care homes. I understand that 25 care homes either received planning permission in the past year or are awaiting it so that they can extend their premises. The story is not all one way as the right hon. Lady would have us believe.

What matters, however, are not political number games but whether older people are getting the right care in the right place at the right time. The legacy that we inherited means that there are genuine concerns in the sector. We are addressing those by providing extra money, for which the right hon. Lady called, and by developing innovative new approaches to care.

The Government have made unprecedented investments in social services. Between 1996–97 and 2002–03, personal social services resources increased by more than 20 per cent. in real terms—an average real terms increase of more than 3 per cent. a year. That compares with an average annual real terms growth of only 0.1 per cent. per annum between 1992–93 and 1996–97 under the previous Government. The right hon. Lady outlined the issues on fees, but the build up of underfunding in our social services departments as a result of the level of funding provided when she was a Minister bears some responsibility for that.

The right hon. Lady can see the results of the Government's investment in her area. Kent county council's personal social services standard spending assessment increased by 4.9 per cent. this year following an increase of 5.7 per cent. in the previous year. We acknowledge the need for continuing investment in social services. That is why personal social services resources will increase, as my right hon. Friend the Chancellor announced, by an average of 6 per cent. a year in real terms over the next three years. That increase is a result of the Budget and the Finance Bill that Conservative Members have just voted against.

We listened to the concerns of local authorities and announced the £300 million building care capacity grant last year to address how we maintain capacity in long-term care, especially for older people. Kent received £2.1 million last year and £4.4 million this year from that grant. It has enabled Kent to improve on its target of a 25 per cent. reduction in delayed transfers from hospitals by using the funds in a variety of ways.

About half the grant has been used to uplift contract prices in the types of homes that the right hon. Lady mentioned, especially in localities where supply had been under the most acute pressure. I agree that it is important for the extra resources to be reflected in fee levels. However, I disagree about who has been prepared to will those extra resources into local authorities, and we should bear in mind who has voted against them. Local councils are also choosing to spend some of their additional money on fee increases for care homes, which in Kent amounts to an increase of £2.5 million for 2002–03. It has also committed £1.54 million to domiciliary care price increases. Those have largely been funded by the grant.

Although money is important, alone it is not enough. Local commissioning arrangements also need improving. That is precisely why my predecessor formed the strategic commission group, and why I continue to chair it. We have established a new and more positive partnership between the statutory and independent social care and housing sectors at a national level. This needs to be replicated at a local level. That is why we published the agreement "Building Capacity and Partnership in Care" last October. This guidance sets down how councils and their partners should work together.

Kent council has also heeded the advice of the joint review undertaken by the Audit Commission and the social services inspectorate between November 2000 and February 2001. The report, which was published in October 2001, encouraged Kent to develop more locally sensitive commissioning through consultation with precisely the providers that the right hon. Lady is concerned about. There is a need, especially in a council with 1.3 million residents, to balance carefully the allocation of resources to the different types of need.

In addition, the Department's change agents team is to provide further assistance to the local whole systems planning groups in Kent in getting the balance and composition of local services right. That is largely due to concerns expressed not least by my hon. Friends the Member for Chatham and Aylesford (Jonathan Shaw) and for South Thanet (Dr. Ladyman). They have expressed their concerns, along with their colleagues, about the position in Kent. They have taken up especially what the Government can do to support the commissioning that is necessary for older people.

The change agents team will also work at a regional level to analyse the structure of the market, and the trends that are evident. This will enable councils and their partners, working collaboratively, to make the appropriate decisions to ensure that the national standards for older people are achieved, and that independent living is a reality for those who wish it.

I move on to the issue of national care standards. It has always been the case—at least since 1984—that, rightly, care homes have been regulated. However, before the Care Standards Act 2000, they were regulated by 150 different authorities in a different way, often with different standards. There was confusion among users and their families, and there was confusion also among providers. That is why those providers were among some of the most vocal of those arguing for national minimum standards and for the National Care Standards Commission to enforce them.

I acknowledge that there is considerable concern and anxiety about the new care standards and how they will be enforced. Some care home providers are worried that the new standards will impose unreasonable and unsustainable costs on them and force them out of business. I shall shortly set out the action that the Government have already taken to ensure that that is not the case. However, such concern is not alleviated by hon. Members—the right hon. Lady is not alone in this—who choose to misrepresent the truth of what the standards mean. Misinformation is good neither for the older people and others who depend on care homes, nor for providers.

It is not the case that our standards prevent those who choose to share from sharing. Married couples would not be forced to separate. Existing homes do not have to have en suite bathrooms. The constant repetition of these claims by people who should know better and could read the facts which are set out in the national minimum standards does nothing to safeguard our care homes and does nothing to reassure our older people.

Miss Widdecombe: The Minister has said categorically that it is not necessary for people who want to share to be split up. How does Greenbank address the issue that the standards refer not to 80 per cent. of rooms but 80 per cent. of places? Unless it splits up the occupants of double rooms, it will not be able to meet that standard. Is the Minister saying that it need not bother?

Jacqui Smith: The answer is found precisely by recognising the right hon. Lady's concerns for a commonsense approach. Earlier this year—I wrote to hon. Members about this as well—I instructed the National Care Standards Commission to consider precisely those circumstances where the needs of older people in a home should take precedence over the type of environmental standards issues that the right hon. Lady raises. I have made it completely clear that the needs of older people should be considered when enforcing those standards. As the National Care Standards Commission itself made clear, those standards are not about closing good homes—that clarification was welcomed by care home representatives as a common-sense approach.

The right hon. Lady slipped in concerns about staffing. I must take issue with her, as it is not unacceptable for us to expect that the care homes that some of our most vulnerable older people live in should be staffed by people

[Jacqui Smith]

trained to care for them. The right hon. Lady seemed to imply that it was unreasonable to expect that of staff caring for vulnerable people. It is a reasonable requirement which, once again, we are matching with extra resources to ensure that care home providers can access the necessary training.

Most responsible care home providers, as I have suggested, welcome the introduction of new national standards, which aim to protect the vulnerable in our society. We are determined to take a commonsense approach to those standards, and have already done so. Long-term care, however, is not just about care homes. Increasingly, older people want the choice of staying at home. Sometimes the emphasis on the concerns of care home providers has stopped us focusing on the choices of older people. We are giving them independence through alternative, more flexible forms of provision, such as extra care housing, and more intensive home care packages to keep people in their own homes longer.

We must aim to provide more of those modern alternatives, balancing them with good, effective, high-quality residential accommodation where necessary. It is a matter of getting the balance right for local communities. Investment from the Government has given Kent a massive increase in intensive home care packages—there was a 37 per cent. increase in households receiving them between September 2000 and September 2001. There is therefore a choice of support for older people.

Another alternative for older people is intermediate care, a new service providing an essential bridge between home and hospital, which is why we have made a substantial investment in it. Good progress is being made on meeting the NHS plan targets. By the end of this year, compared with the baseline of 1999 to 2000, we shall have an additional 2,400 intermediate care beds; 6,200 non-residential intermediate care places; and 126,000 more people will be in receipt of intermediate care services. The 2003–04 target of an extra 1,700 non-residential places has already been exceeded. The hon. Lady called for more funding, on which there has been progress, with additional capital investment to fund intermediate care. On 6 March, we announced the allocation of the first phase of £46 million-worth of funding for 80 projects, with an increase of more than 1,300 beds. Further bids have since been approved and additional funds are still to be allocated. In Kent, the number of people receiving intermediate care services increased from 4,975 in 1999–2000 to 10,758 in 2001–02, which represents an increase in excess of 5,000 people having the services that they need to keep them out of hospital in the first place and gain fuller independence on discharge.

I therefore agree with the right hon. Lady that we need to take a commonsense approach to care homes and that we need to invest. The Government are doing so in the face of opposition from Conservative Members. We must ensure that we provide the resources needed to pay fees for residential care, but we must also provide the alternatives that older people themselves say that they want. We are accomplishing those goals and are steering away from the scaremongering that we have heard too often from Opposition Members.

Question put and agreed to.

Adjourned accordingly at sixteen minutes to Eight o'clock.

House of Commons

Friday 5 July 2002

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Gambling

[Relevant documents: Volume of memoranda published by the Culture, Media and Sport Committee, Gambling, (HC 827) and the Minutes of Evidence taken before the Committee on 11th and 25th June and 2nd July.]

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pearson.]*

9.33 am

The Minister for Sport (Mr. Richard Caborn): When the Secretary of State announced the publication of "A safe bet for success" in March, she made it clear that we would continue to involve a wide cross-section of stakeholders in working up the detailed legislative proposals for the reform and modernisation of our gambling laws. Today's debate, which I am pleased to introduce, is an important part of that process, as is the inquiry being undertaken by the Select Committee on Culture, Media and Sport under the chairmanship of my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), to which I gave oral evidence earlier this week.

We want the debate on these important reforms to be open and inclusive. The changes that we propose will have significant implications not only for the gambling industry and those who work in it—I remind the House that the industry employs more than 100,000 people—but for the three quarters of the adult population who enjoy gambling as one of their leisure pursuits, whether that be on the racecourse or in the bingo hall, the betting shop or the casino. That is reflected by the fact that we received almost 5,000 responses to our original consultation, and many more in response to "A safe bet for success".

Constructive debate and dialogue continue, and I am well aware of the interest that many colleagues in the Chamber have in our proposals, so I was pleased that the House business managers could offer a slot today, in advance of the major Bill that will be needed if we are to implement most of the changes. The debate, like the discussions that we are having with the industry and other stakeholders, will help to inform our detailed policy development as we begin to draft the necessary legislation.

Our overriding objective is to create an environment within which a well regulated British gambling industry can flourish and prosper, under sensible modern laws that deliver adequate protection for its customers and for society as a whole—an industry equipped to respond rapidly and effectively to the technological and customer-led developments in both the domestic and the global marketplace.

As right hon. and hon. Members will know, three major Acts of Parliament, with a vast array of subsidiary orders and regulations, cover gambling. The Betting, Gaming and Lotteries Act 1963 covers betting in its various forms, the Gaming Act 1968 covers bingo, casinos and gaming machines, and the Lotteries and Amusements Act 1976 covers charitable lotteries and amusements. There is also a separate Act covering the national lottery.

As hon. Members will know, the legislation was drafted at a time when gambling was seen as a rather shady activity that needed to be carefully controlled and managed. If we cast our minds back 30 or 40 years, we will remember that the social climate demanded that gambling should be frowned upon as a leisure pursuit—I come from a strong Methodist background, so I know all about that. The prevailing tone of the resultant statutes reflected that attitude, and the legislation of that day could be described by the phrase "grudging toleration".

During our consultations it has been clearly shown that things have changed dramatically. Our gambling industry has earned itself a reputation for integrity and quality, and is respected world wide. Gambling is now seen as a legitimate mainstream leisure activity that gives pleasure and excitement to millions of our citizens. Many people relax by going to the races, the bingo club or the casino. Business opportunities are growing with the increased globalisation of gambling products, across regulatory jurisdictions, by electronic means such as the internet and interactive television.

Our laws, however, have not kept pace with that activity. They are woefully out of date, hard to understand, inflexible and difficult to amend. Hon. Members know how many times we have had to introduce orders and other statutory instruments, which eat up valuable parliamentary time. The present law certainly does not cater for the electronic communications age. It is now an obvious one-liner to say that the e-revolution is here and affects all our lives—and that revolution has not bypassed the gambling industry. One of the reasons for the review was the fact that information can now be passed electronically.

Businesses are saying that they are being held back, and opportunities for this country are slipping away. Consumers are beginning to look elsewhere for variety and choice, particularly in online gambling. Reform and modernisation of our system of regulation are long overdue.

Mr. Gareth Thomas (Harrow, West): I entirely endorse my right hon. Friend's point about the need to regulate online gambling. May I highlight the issue raised by the BBC programme "Kenyon Confronts", which examined the problem of betting exchanges? People can place bets there, which allows people who have not passed the "fit and proper person" test to act as bookmakers. That threatens the integrity of our bookmaking industry. Will the regulation of online gambling be able to deal with that?

Mr. Caborn: Very much so. As my hon. Friend knows, the new gambling commission—which I shall discuss in due course, and to which we will give considerable powers—will deal with the eventualities to which he refers.

As we embrace the need for change and modernisation, we must not lose sight of the fact that gambling can harm some of our citizens. That is why, when the then Home

[Mr. Caborn]

Secretary announced the gambling review in 1999, he stated that, while seeking to relax some of the outdated controls, the Government's aims were that the industry should remain crime free, that players should know what to expect and not be exploited, and that children and vulnerable people should be protected. We attach the utmost importance to those aims, and I shall return to them shortly.

The gambling review report—published in July 2001—was researched and written by the independent gambling review body, which was ably chaired by Sir Alan Budd. The review's remit was to consider the gambling industry today and how it may develop over the next 10 years, in order to update outmoded legislation. It was asked to evaluate gambling's social impact, weighing up the costs and benefits. The need to protect the young and vulnerable from exploitation, and to protect all gamblers from unfair practices, were key factors to be taken into account. Those issues were addressed in the case to which my hon. Friend the Member for Harrow, West (Mr. Thomas) refers.

The scope for criminal infiltration is a very serious consideration, particularly given that, as I have said, current legislation was in part a reaction to infiltration of the industry by organised crime in the 1960s, under cover of what were then legitimate gambling businesses. The terms of reference also required the review body to consider the availability and effectiveness of treatment programmes for problem gambling, and to make recommendations for their future provision. It was also asked to look at the need for new, more streamlined approaches to the practical regulation of the industry.

The review body was not asked to consider changes to the national lottery itself, but it was expected to consider and assess the impact on the lottery of any recommendations that it might make. In short, the review aimed to bring gambling legislation into the 21st century, while ensuring that gambling remains a transparent and fair activity, and that the vulnerable in society are properly protected from its downside effects.

I have already explained that the existing laws no longer meet the needs and expectations of today's gambling industry and its customers. Advances in technology are not provided for within current legislation, and Britain is missing out on the opportunity to keep pace internationally. In some instances it is hard, in today's context, to fathom the reasons behind the rules, which are holding back legitimate business. Some regulations appear to defy common sense, although there were doubtless good reasons for their introduction at the time. However, do we really need regulations that prevent casinos from offering any form of live entertainment—not even a pianist or a string quartet, let alone Tom Jones or Shirley Bassey, who are probably of greater interest to people like the hon. Member for Ryedale (Mr. Greenway) and me—or which stop betting offices serving anything other than pre-packaged food? Why, for example, is it okay to visit a casino in Reading or Brighton, but not in Swindon or Worthing? What is the sense in obliging those of our citizens who wish to game on the internet to choose between gambling sites based and regulated in central America or the south Pacific, for example, while preventing the operation of such sites in the UK?

These are by no means the only examples of regulations whose sell-by dates have passed. The relaxation of gambling laws worries many people, and we must respect and respond to those concerns. Like many hon. Members, we have received many letters from individuals who are worried about exposing some of our population, particularly children and vulnerable adults, to a more deregulated gambling regime. For example, my Department recently received a letter from a lady who was married to a compulsive gambler for many years. The husband managed to conquer his addiction, but unfortunately the marriage broke down during the process. Thankfully, they have got back together, but she is extremely concerned that loosening the restrictions may increase the risk of her husband's exposure to gambling, thereby causing him to slide back into his former habits. I am sure that many hon. Members have heard similar stories. These fears are real, and the House cannot and should not ignore them.

The prevalence of problem gambling in this country is reckoned to be low by international standards—the figures were given to the Select Committee only this week—but that is no reason for complacency. I make it clear on the Government's behalf that we must ensure that deregulation and the relaxation of controls go hand in hand with effective measures to minimise harm. We must ensure that children do not develop gambling problems and take them into later life. Many of the proposals in "A safe bet for success" are geared to ensuring that children are properly protected—a point that applies particularly to gaming machines, from which the review body considers that children are most at risk. We did not agree with all of Sir Alan's recommendations about such machines. In our view, the evidence did not support a complete ban for children, but a clear distinction should be drawn between machines that children may continue to play, and those which they should not.

Getting the balance right between freeing up regulation and ensuring that proper and proportionate safeguards are in place is a challenge, but I believe that this can be achieved, and that the proposals in "A safe bet for success" will enable us to do so. The key component in the new regulatory system will be the gambling commission. The creation of this new regulatory body will, for the first time, centralise responsibility for the licensing of all gambling operators. The commission will have a vital role in monitoring the conduct of gambling in this country, and in responding to developments, whether on its own account or through advice from Government.

At the heart of the relationship between the commission and the industry that it will regulate must be an acknowledgement by operators that corporate social responsibility will be an integral feature of the way in which they run their businesses. My dialogue with industry representatives in the past six to nine months has left me in no doubt that they understand and accept that responsibility, which will attach to the additional opportunities offered to them. I have been particularly impressed by the way in which all sectors of the industry have embraced the review body's recommendation that an independent trust be established to fund research not only into the day-to-day issues of problem gambling, but into the equally important issue of why people get involved in such gambling—a problem that the Budd report highlights. However, nobody should be in any doubt that the Government and the gambling commission will monitor developments very closely, and that we will be ready to respond if standards are allowed to slip, or commitments are not honoured.

I want to put one myth to bed. Several critics have said that our review was led by fiscal considerations and the prospect of significantly increased revenue from additional gambling activity. It was not. Although we asked the gambling review to take into account the implications for the current system of taxation, and the scope for its further development, that was not the main driver for reform. Although the changes may generate more revenue from gambling, our assessment is that such increased spending will mostly constitute money previously spent on other taxable leisure activities. Consequently, we do not expect any extra revenue from gambling or significant increases for the Government coffers.

What will change? What are the likely impacts? The reforms outlined in "A safe bet for success" will have a profound impact on the gambling industry. Casinos are significant winners, with major deregulation affording substantial business opportunities and customer benefits. Bingo clubs will also enjoy greater freedom, with many restrictions removed following changes in the deregulation order that I laid before Parliament in March.

The world of online gambling will, at last, be properly opened to British businesses, and the Government are committed to ensuring that our e-gaming services are as well regulated and enjoy the same reputation for fairness and transparency as the bricks-and-mortar gambling premises. Society lotteries will also do well out of the changes with higher stakes, sales and prize limits that allow them to raise more money for their good causes.

I am pleased that we have already been able to implement some modest reforms, as we promised in "A safe bet for success". For example, we have already lifted restrictions that prevent customers in casinos from enjoying a drink while they are gaming. We have doubled the stake, sales and prize limits on society lotteries, as they requested. Orders will be laid before Parliament before the recess to increase bingo limits and allow live entertainment in casinos. An order has already been debated to allow betting shops to offer a more attractive range of refreshments, but not alcoholic drinks.

All this should have a positive spin-off for our tourist industry, which we all want to return to its former glory. It was badly affected by last year's foot and mouth crisis and the events of 11 September in the United States. Anything that we can do to help it become a vibrant, major industry again is welcome. It would be good to think that we could attract to tourist destinations in this country punters who prefer to play in the large resort casinos, but currently do so abroad.

We will allow UK casino operators to offer a broader and more attractive leisure experience in a well planned and pleasant environment. I am sure that that is welcome. Places such as Blackpool are making great strides to ascertain whether they can be first out of the starting blocks. I wish them well.

As I said earlier, we did not accept all the review body's proposals, but we did not reject many. Out of the 176 recommendations, the Government rejected only nine. We decided that another 10 needed further substantive consideration. I am not surprised. The report has been acknowledged to be solid, well thought out and sensible. That is a testament to Sir Alan Budd's professionalism and that of other members of the review body. I want to put on record our appreciation of their work. It was a professional job, which enabled the Government to do their job much more easily. I hope that it will lead to good quality legislation.

Mr. Gareth Thomas: I endorse my right hon. Friend's comments. However, I ask him to keep under review the recommendation for the floor space devoted to table games in casinos to be 2,000 sq ft. Does he realise that there is much anxiety about that? Paul Bellringer of Gamcare suggested that the floor space should be 10,000 sq ft and that space of 2,000 sq ft would lead to many more casinos on the high street, perhaps threatening existing bookmakers and exacerbating problem gambling.

Mr. Caborn: We are in the process of consulting, and we are prepared to consider such representations. As my hon. Friend knows, my officials have maintained a close dialogue with Gamcare and others who have genuine anxieties about deregulation. Gamcare's approach has been positive; it welcomed the Budd report. We are trying to work out a way in which to implement the recommendations.

Of the nine recommendations that we rejected, the one that appeared to cause most concern was the recommendation that members' clubs should lose their entitlement to jackpot gaming machines. We received over 3,400 representations on that proposal. I would be surprised if any hon. Member had not written to me about the matter, and I have received strong representations from my city of Sheffield. I am sure that hon. Members have received letters on the subject. We listened to what people said and were persuaded of the harm that a ban would do. As an honorary member of the Working Men's Club and Institute Union, I shall now expect to visit any club in the country free of charge.

The Budd report may have reached the wrong conclusion about jackpot gaming machines, but it is important to consider its rationale on the matter. The review body was worried about children's access to the machines. We have had effective discussions with the industry and the clubs, and I thank hon. Members who have been involved in that. We have held constructive dialogue with them, and they accept the need to ensure that children do not have access to the machines. We are considering methods that will achieve that.

We also rejected the recommendation that side betting should be permitted on national lottery results. I accept that there are conflicting views. We acknowledge that the available evidence on the possible impact is conflicting and, some would say, inconclusive. However, in the context of the other opportunities that are being offered to the commercial gambling sector, the Government were not willing to gamble, as it were, with the future income for good causes that flows from the national lottery.

The reforms will not be cost free. My hon. Friend the Member for Harrow, West asked about the way in which we will regulate them. The gambling commission will be expected to recover its costs fully through licence fees paid by operators. The same will apply to local authorities; under our proposals, they will assume responsibility for licensing all gambling premises. In "A safe bet for success", we provided some initial estimates of the likely cost of the new regulatory arrangements.

[Mr. Caborn]

Our initial estimate is that the arrangements will cost between £11.3 million and £17.7 million. That is a net increase on current regulatory costs of between £5.7 million and £12.1 million. Those estimates will be refined as we develop detailed proposals for the way in which licensing and regulation will work in practice. The Government are clear that any additional costs will be a small price to pay for the increased freedoms and opportunities that reform will bring.

Where do we go from here? We will continue our dialogue with the industry and others in the coming months as we put more flesh on the bones of our proposals. We have had a good dialogue with those who have a vested interest and those who could be affected. As I said earlier, we aim to introduce a major gambling Bill as soon as parliamentary time permits. I hope that will happen in the 2003–04 Session.

In the meantime, I look forward to hearing hon. Members' opinions in today's debate, which we view as an important part of the consultation process. It will enable us to introduce legislation that is fitting for the 21st century.

9.59 am

Mr. John Greenway (Ryedale): I welcome the opportunity to debate the Budd proposals for modernising Britain's gambling laws. However, I think that the House will agree that it is disappointing that this important issue is being debated on a Friday, when many Members are unable to be present due to constituency commitments. Were this debate to have been held between a Monday and a Thursday, I think that a considerable number of Members would have been present because, as the Minister said, there is great interest in the issue across Parliament.

That said, the Conservative party welcomes the long overdue review of our gambling laws by Sir Alan Budd. It facilitates the reform of outdated gambling legislation and seeks to bring gambling even more into the mainstream of the leisure sector.

The Government's response to the report, by and large, has been measured, and we agree with and support many of their conclusions. However, there remain a number of areas in which, on points of detail, reconsideration may be appropriate, and the debate today greatly aids that process. I welcome the Minister's comment that more discussion can take place because we hope that this will not be the last word prior to the Government introducing a draft Bill. If that happens in 2003–04 at the earliest, there is plenty of time for further consultation and reflection.

In addition, and perhaps more importantly, the White Paper responses represent decisions of principle and policy. Those decisions, in turn, beg a great many more questions concerning the implementation of the proposals. I want to take the opportunity of this debate to outline what we see as some of the more important issues for the Government and the industry in the light of what the Government intend.

We agree that the national lottery income stream for good causes should be safeguarded, subject to the lottery's continuing success in the longer term. The national lottery's ability to operate under an exclusive contract should continue for the foreseeable future, and ensuring continuity of that income stream for good causes remains vital. Of course, right hon. and hon. Members would expect me to say that as it was a Conservative Government who established the lottery in the first place.

We believe that the performance of the National Lottery Commission has been unconvincing thus far. We are unimpressed by the reports of the reforms planned by the Secretary of State for Culture, Media and Sport. We understand that the right hon. Lady is unwell and send her our good wishes for a speedy recovery so that we can hear more of what she plans for the commission and other matters. However, it seems relevant, given that this is a wide-ranging debate, at least to pose the question whether we need a separate regulator—a lottery commission—or whether the Government should be moving towards the lottery coming under the same regulatory supervision as the new gambling commission will provide.

We agree that the creation of a new single regulator for all gambling is a good idea. However, the case for continuing to exclude the national lottery indefinitely is not entirely persuasive. We note the Government's White Paper commitment to review the issue, but suggest that it may need to be decided quickly so as to accommodate any change in the forthcoming Bill, even if the proposal is permissive. As the right hon. Gentleman has said, gambling deregulatory measures come before the House all too rarely in the form of primary legislation.

We accept that the national lottery should continue to enjoy the exclusivity of a single licence, but we must also bear in mind the value and importance of society lotteries, which raise much needed funds for many national and local charities. Similar lotteries are run for the benefit of local football clubs—most professional league clubs have one—and many are facing financial crisis. The income stream from such lotteries has been seriously dented by the creation of the national lottery. That was anticipated when the lottery was established by the inclusion of charities. It was not originally intended to do so but charities were included during the legislative process as one of the good causes. Nevertheless, it was also envisaged that society lotteries would continue to exist. We need to be sure that the regulatory regime in which they operate is not unduly restrictive, or more than is necessary, to ensure the pre-eminence of the national lottery.

The Budd recommendation that maximum stakes and prizes for society lotteries should be abolished met with huge resistance from Camelot. The Government's response to allow doubling of stakes and prizes makes sense. In fact, at the Lotteries Council conference—where the right hon. Gentleman was stuck on a train one day and I got stuck in traffic coming back the next day—I suggested that a doubling would be a sensible compromise. So we welcome the changes introduced by the statutory instrument that took effect last month, to which the right hon. Gentleman referred, as was evidenced by our passive response to the measure.

The Government should consider whether they need to do more. The Lotteries Council is also pressing for roll-overs or accumulators to be permitted. It took me a while to work out what the effect would be, but I understand that that would involve only a proportion of prize money, there would be a limit on the number of lotteries over which the roll-over would operate and, consequently, the amount payable. Within those limits, such rollovers, which would be very useful to the society lotteries, would be unlikely to pose any threat to the national lottery. I hope that when the Minister has time and meets up with the Lotteries Council again next year, this can be examined further.

Despite the White Paper's suggestion to the contrary, charity lotteries frequently return a bigger proportion of money to good causes than charities will ever receive from the national lottery. The hon. Member for Knowsley, North and Sefton, East (Mr. Howarth) knows the work that Littlewoods does in promoting and supporting many of these lotteries. Should right hon. and hon. Members wish to have this information to prove my point that I am making, it is available.

Whatever Ministers decide now, these issues will come up again in the future. There will be a need to keep these stakes and prize limits under further review. So we think that in the longer term, it could well make better sense to include both the national lottery and the society lotteries under the same regulatory umbrella, subject of course to the caveat that some of the smaller lotteries have local authority licensing. That would ensure a more even-handed approach, notwithstanding the general requirement to protect the national lottery's exclusive national licence. There is a precursor for this, because when the Government decided to move the legislative responsibility for gambling from the Home Office to the Department for Culture, Media and Sport, some people wondered whether there would be a conflict between the national lottery, which the Department for Culture, Media and Sport has the responsibility to promote, and other forms of gambling, but it has not worked out that way. The same could well be true of a single regulator.

It would in my view be unforgivable if Parliament and the Government unfairly disadvantaged the future prospects of society lotteries and, as a consequence, damaged the fundraising activities of the many worthy charities that depend on society lotteries for their income. A single regulator would help facilitate an independent judgment on the right regulatory environment, and the gambling commission would be well placed to do that.

As to the success of the commission more generally, much will depend on the quality of the new regulator and those appointed to the commission. They will need wide experience of a complex industry and it is important that they command confidence and respect not only within the industry but from the public. The commission will have a crucial role in shaping the new landscape post-deregulation, especially in the growth of harder gambling opportunities, casinos and the increased use of machines in dedicated premises. It is important that they make a good and certain start. I wonder, therefore, whether the Minister has considered establishing a shadow commission. That might help the Government and the industry facilitate and manage change with consistency and confidence. The commission would clearly have a major role in, for example, determining the suitability of applicants and their planned projects for new casinos. There is much work to be done in this area, as I will explain later.

A shadow authority would have the time in advance to work with the Government and the industry to put in place the structures that the new process will require and give direction to the industry in the new gambling environment. The concept of a shadow authority has worked well for the financial services industry in the creation of the Financial Services Authority. We hope that Ofcom, which has been created as a shadow authority by the Department for Culture, Media and Sport, will also be a success. I hope that Ministers will consider whether a shadow gambling commission makes equal sense, so that we avoid the big bang of a new regulator coming in on the day that the Bill receives Royal Assent.

Dr. Stephen Ladyman (South Thanet): Far be it from me to agree with the hon. Member for Ryedale (Mr. Greenway), but his idea is excellent. One of my concerns about framing the legislation is what needs to be in the Bill and what we can afford to leave to the commission. A shadow commission would allow us to decide what works in the commission's hands and what needs to be in the Bill.

Mr. Greenway: I am grateful to the hon. Gentleman for his support. I think that it is already clear that we do not need to fall out with the Government on this matter—indeed, I hope that we can help them.

The society lottery community is not the only part of the present gambling environment that is fearful that it will be put at a competitive disadvantage by deregulation in other sectors of gambling. For example, the horse racing industry is being offered little if no opportunity to widen the distribution of its product, yet racing and bookmaking face a number of competitive threats from the new betting opportunities in communities where previously the local betting shop was the main or only gambling outlet. The hon. Member for Harrow, West (Mr. Thomas) made that point in an intervention.

Although the recent agreement between the betting industry and horse racing on a new five-year rights deal to settle their dispute over the horse racing levy is extremely welcome, racing and bookmakers are not in agreement about the places where off-course betting on horse races should be permitted. I hope that the new sense of partnership between racing and bookmakers will encourage bookmakers to maximise the proportion of turnover derived from betting on racing. Bookmakers are certainly disappointed that the Government have rejected the Budd recommendation to allow side betting on the outcome of the national lottery, especially as the lottery has permission to promote its own game, Hot Picks, which is side betting by any other name. The racing industry none the less agrees with the Minister and, on balance, so do we.

The key point for bookmaking and racing is that unless the racing industry can be confident in the belief that the present structure and distribution of betting shops delivers the maximum possible return for racing from betting on horse races, it will continue to press for other retail outlets to be permitted to offer small stake, big win prize betting opportunities on a set number of events.

One suspects that ministerial concerns about the impact on the national lottery of, for example, a Tote terminal in pubs is as important a consideration as the impact on betting shop viability. In that sense, the protection afforded to the lottery disadvantages both bookmakers and racing in a way that cannot be justified by any other argument. For example, there is little if any opportunity for repeat play and the immediate chasing of losses in the type of bet that I mentioned, about which the Budd review

[Mr. Greenway]

expressed concerns in recommending that the mix of gambling and alcohol should not be permitted. However, that argument is inconsistent with the agreement that alcohol should be allowed on the gaming floor. Indeed, I welcome what the Minister has done in bringing that about. People can already drink themselves silly while playing high-stake, high-prize machines in certain premises so, for that reason alone, we should continue to resist credit card payment in gaming machines.

The racing and bookmaking sectors are equally concerned to ensure that the integrity of both the racing product and the operation of betting shops is beyond reproach. The Jockey Club has constantly expressed concern about the sport's vulnerability to criminal activity, and I commend its briefing document for this debate to the Minister and his officials.

I know that the right hon. Gentleman agrees that the highest standard of integrity is crucial. I assure him that that is appreciated by the racing industry. None the less, will he have regard to the concerns of bookmakers—who generally have confidence in the present system—that the introduction of firmer regulation of the betting industry, especially the proposed replacement of magistrate licensing with a new role for local authorities, will be fair and consistent?

Racing's enthusiasm for early reform of the gambling laws, coupled with the anxieties of those in the betting industry about what that will mean for them, offer a further reason for the establishment of a shadow gambling commission, as it might aid progress and provide reassurance.

The publication of the Budd report a year ago and its recommendations on gaming machines prompted widespread concern across the gaming industry that the Budd review body held a particularly negative view on gaming machines in premises that are not dedicated for gambling. The Minister has already pointed out that he has sensibly rejected the proposal to ban jackpot machines from clubs, and we strongly agree. One of the few benefits of opposition is that I was able to announce our position long before the Minister could make an announcement. I am not making a political point by saying that—it was obvious that the proposal was a non-starter, and we welcome the Minister's comments.

We must ensure that children aged under 18 should not be permitted to play gaming machines. It would be sensible to ensure that the reformed legislation makes it a criminal offence to allow under-18s to play such machines. We agree with the Government's decision to reject the Budd proposal to allow local authorities to institute a blanket ban on gambling premises in a specified area, although the legacy of that recommendation has been to increase the anxiety and nervousness with which proprietors of premises in which gaming machines are situated view the proposal to strengthen the role of local authorities in licensing. Despite the rejection of the proposal, that nervousness is clear in various submissions to me.

The recategorisation of gaming machines seems sensible and should end the confusion about which machines are permitted in various locations. I agree with the Minister that it must be clear which machines can and cannot be played by children. However, the proposals in the Government's response to Budd about gaming machines in pubs and the future of amusement-with-prize machines in seaside arcades require further thought.

If the law is strengthened, as I have suggested and as I believe the Government intend, is it really necessary to insist that machines sited, for example, in public houses should be in separate areas? That would create serious administrative and logistic difficulties for pub landlords. Many licensed premises have an open-plan environment, especially those which encourage families and offer meals. Will the Minister explain why it is thought insufficient to rely on strong management, proper staff training and the successful prosecution of those who break the law? Furthermore, there would be clear signs on the machines stating "No under-18s to play". Indeed, Business in Sport and Leisure has carried out research that suggests that 92 per cent. of the public believe that the law currently forbids under-18s from playing because of existing signage to that effect.

The Budd report recommended that a maximum of two machines should be permitted in pubs and other premises that have a liquor on-licence. The Government's response was that local authorities should have discretion to grant more permits. However, that is entirely arbitrary and takes no account of the fact that some public houses are significantly larger than others—in some cases the equivalent of three or four pubs are in the same building. The Minister will know that the trade in general thinks that licensed premises should be allowed up to four machines as of right, with further machines permitted on application. There is concern that limiting pubs to two machines could create serious administrative difficulty for local authorities and that about 12,000 licensed premises might have to reapply for permission for additional gaming machines. I hope that we can come to a sensible agreement on that point.

There is huge relief that the Budd proposals to restrict low-stake, low-prize machines, such as those in seaside arcades, to cash prizes only have been rejected. The hon. Member for South Thanet (Dr. Ladyman) led the campaign on that and, as he knows, he had Opposition support. Nevertheless, there is disappointment that the Government intend to reduce the current maximum stake on amusement-with-prize machines, recategorised as category D machines, to only 10p and the maximum prize to £5 or equivalent value.

There is no doubt that we need more research on that matter—as we have constantly pointed out. However, we must not predetermine the outcome of that research. There appears to be no mechanism that will subject those minimum stakes and prizes to review in future. Will the Minister consider giving the gambling commission the requirement to undertake such a periodic review in the light of the outcome of the research?

Dr. John Pugh (Southport): Does the hon. Gentleman agree that such machines could become uneconomic and that, in effect, they are among the more innocent forms of gambling?

Mr. Greenway: Yes. Indeed, the hon. Gentleman anticipates my next comment.

It should be beyond argument that children must be discouraged from playing even amusement-with-prizes machines without supervision. However, for many families a visit to the amusement arcade is an integral part of their seaside experience—it certainly was for me and it did me no harm. Those arcades are also a vital part of the seaside local economy. Like the Minister, I came from a very strict background, where gambling was frowned on, yet we were allowed to play amusement and prize machines at Blackpool. With seaside tourism already under pressure, we must take care not to impose unjustified restrictions without clear evidence that harm is being done; otherwise, as the hon. Member for Southport (Dr. Pugh) said, there will come a point where these machines become uneconomic and a valuable part of the seaside experience will be lost.

The future of seaside tourism is an integral feature of another major Budd recommendation, which the Government have accepted: the removal of current restrictions on the location of casinos, giving rise to the opportunity to create Las Vegas-style casino resorts. However, we need to be clear in our minds as to what we mean by a casino or a resort casino. It should not mean wall-to-wall high-pay-out slot machines. It should mean the availability of gaming in a leisure mix. That is why the ability to enjoy live entertainment, a drink and a restaurant all within the same premises makes sense and will make the casino experience something that people look forward to, as an event that is out of the ordinary and not something that they would wish to partake of every day, or even every weekend.

The popular game of bingo is inextricably linked to the deregulation process, because it provides the opportunity to include bingo in casinos. As the Minister knows, the industry is divided on the sense of that, as many smaller operators fear that it will lead to a decline in the number of stand-alone bingo clubs. We must listen carefully to those in the industry who have expressed a fear that over time the local bingo club might lose its original primary identity and be transformed into a casino dominated by gaming machines with unlimited stakes and prizes. What was once a soft gambling environment, where the housewife or pensioner could enjoy social company and a bit of fun at a limited cost, may be gradually transformed into a hard gambling environment, where the opportunity to lose money is unlimited. Players are not always conscious of the addictive effects of trading up and chasing losses. I shall discuss the consequences for increased problem gambling in a moment.

Of course, it is quite likely that such a hard gambling environment will have little appeal to a great many people who enjoy bingo now, although, with bingo turnover profits already in decline, the order that the Minister is going to lay might begin to reverse that process; we hope so. Nevertheless, the temptation for bingo hall proprietors to maximise alternative income streams will prove hard to resist.

A key question for the reform process is whether the new regulatory framework should at least provide the opportunity to protect bingo as a distinct form of soft gambling. Many in the industry believe that it should, while others believe and argue that we should leave it to the market. However, there is a real danger that the relaxation of planning and licensing could lead to bingo being used as the first step towards the establishment of an amusement arcade with amusement machines in, for example, retail outlets in resorts that cater for adults only. That would not be a bingo hall in the soft gambling environment; it would become a very hard gambling environment. However, it would have an adverse impact on bingo-only premises. We should have a mind to that.

Although we are in general agreement with the Government's decision to deregulate the casino industry, we have real concerns that deregulation should not lead to proliferation and a consequent rise in problem gambling. Even the creation of, for example, a casino resort experience such as that proposed by the Blackpool challenge partnership would be undermined if deregulation leads to the establishment of small casinos in just about every small working-class town in the north-west. Why should people want to go to a resort casino in Blackpool if they already have a casino opportunity in Wigan, Skelmersdale, Burnley or, as I suggested to the hon. Member for Knowsley, North and Sefton, East, even Knowsley? For that reason I believe that the suggestion made by the Blackpool challenge partnership that Blackpool might be a pilot area has attractions. I hope that the Minister and the Government will consider it. There are reasons to doubt that the market or the Government's proposal for a minimum floor space of 2,000 sq ft alone will provide adequate barriers to entry.

The guidance that the Government issue to local authorities on the planning aspects of casino developments and, of course, the robust licensing and regulatory framework that the new gambling commission will need to put in place, are crucial elements of the ability of Government to deregulate and yet control expansion. Indeed, the more I read the White Paper, the more it seems to me that its authors within the Department for Culture, Media and Sport recognise that. I do not think that we are talking about a difference of concept. We now need to progress to considering the ways in which that will be achieved, and that is one reason why a shadow gambling commission would be such a good idea.

Local authorities will need to have regard to many considerations. For example, in assessing the proposed location, they will need to have regard to the current practice that casinos remain open until 6 am. While the industry is keen to ensure that there is consistency of decision making and an appeal process where outcomes can be reasonably predicted, many existing casino operators have expressed concern that if the planning process is too easy we could see the creation of a significant number of relatively down-market establishments, which characterised the industry in the early 1960s, before the current legislation was introduced. I was in the police at west end central when the Gaming Act 1968 was introduced, and I have seen some of these places in London. The casino industry has now been professionalised and brought into a world of total integrity and probity. We do not want to return to the previous situation, but there are dangers that if the process is too easy, that is precisely what will happen.

Other responsible elements within the gaming industry generally have equally expressed anxiety that deregulation should not lead to the creation of what are little more than gaming machine warehouses. These would have high social costs but bring low economic benefits. As I have indicated, they would also be to the detriment of economic regeneration if they discouraged the development of specialist resort casinos.

[Mr. Greenway]

We believe that the gambling commission must have the powers necessary to discourage that type of approach, and the necessary power and responsibility to ensure that persons seeking licences are beyond reproach and that criminal elements are prevented from permeating an industry that currently has impeccable standards of integrity and probity. In that, controls to prevent opportunities for money laundering are vital.

Another issue for planners could be to require the operators of new casino developments to demonstrate how their proposals will aid the regeneration of the area in which they hope to locate. That could be particularly appropriate for planned developments in seaside resorts and other tourism destinations. Arguably, planning guidance might be framed so as to be generally favourable towards granting consent in locations where the leisure industry is crucial to the economy.

The support or endorsement of the regional development agency may be another factor to consider, as the RDA is well placed to judge where a casino development fits into the plans for urban renaissance within the region, and its view would be of benefit.

The ability to demonstrate tangible benefits to a local community might also be relevant. That is certainly the view and intention of the Blackpool challenge partnership. It wants to support good causes from gambling profits, although its ability to do so will of course depend on the tax structure that the Government introduce. An accusation was levelled at the Government that higher taxation was behind the deregulatory process. I was actually asked at the Bingo Association conference whether our response was generated by concerns about how much revenue we might make when we get back into government. Well, we might well be back in government when these proposals are implemented, but I agree with the Minister—I do not believe that taxation is driving this agenda. However, taxation is crucial to the ability of gambling to benefit the local communities in which these casinos are likely to be placed, so when may we expect to see some guidance on the likely taxation environment? It will be important to have the Government's view on that by the time that Parliament begins to deal with the Bill.

The concept of community benefit sits well with the attitude of the gambling industry at present about social responsibility and the need to minimise the negative social consequences of deregulation. That brings me to the final point that I want to address: the proposal for the establishment of a new gambling trust, to which the Minister also referred. The British Casino Association and others have taken the lead in working with other trade bodies in the industry to establish the gambling industry charitable trust. I am sure that there is no need for me to restate the excellent initial progress that has been made by the trust, but its future funding remains an issue yet to be finally resolved.

Although I am sure that responsible elements in the industry will be willing to provide their fair share of the cost of supporting the trust's work in helping people who develop problems with their gambling as well as researching the issue, that apparent willingness is no guarantee that the entire industry will be as forthcoming or that the necessary funding will be secured. Some people in the gambling industry have already commented that it would be a bit rich if they were asked to pick up the social cost of developments that they advised against at the start.

The Minister has said that, if necessary, the Government will impose a statutory scheme. I should be grateful to him if, in his winding-up speech, he would give the House and the industry some indication of the basis on which a statutory scheme would be established. If he cannot do so today, perhaps he will consider doing so in the weeks ahead. We agree that the imposition of any levy must apply to the entire industry, not merely to the members of the trade bodies.

We generally support the Government's approach, although of course we are concerned that deregulation should not lead to an increase in problem gambling, with the difficult social consequences that that would bring. Nevertheless, I hope that we can work with the Government to establish a common way forward and that, in that spirit, the Minister will accept that what I have said today is intended to be constructive and helpful in ensuring that this once-in-a-lifetime opportunity to create a gambling environment more appropriate to contemporary society is properly secured. Proceeding at a sensible pace and always with a clear eye on the importance of social responsibility and economic regeneration will help to achieve our objective.

10.31 am

Miss Anne Begg (Aberdeen, South): I suppose that I should begin by congratulating the Government on dropping their plans for members' clubs. I have to admit that I was one of the many hon. Members who had deluged the Minister with letters that I received from my constituents and from everything from the local trades club to bowling clubs and golf clubs, which thought that a valuable part of their income would be lost.

I find it slightly amusing that I am speaking in a debate about gambling. I am one of the 3 per cent. of the population who has never bought a lottery ticket in their lives. Apart from taking part in the ubiquitous raffles that seem to pervade every social event in Scotland, I do not gamble at all, although I have to make a big confession: when I was teaching, I quite enjoyed the end of term sweepstake—we called it a sweepie—that we used to run on the length of the head teacher's speech on prize-giving day.

I always took a very hard-headed approach to gambling and knew that the figures always mean that people lose more than they ever win. That concept brings me here today, and I want to concentrate on a specific part of gambling legislation. I wish to refer to some of my constituents' experience of a pyramid gifting scheme called Women Empowering Women. It is an insidious scheme that tricks women into parting with large sums of money in the belief that they will win back even larger sums.

I have pursued the issue of pyramid gifting schemes for some time. I did so initially with the Department of Trade and Industry, as it issued warnings against such schemes on its website, saying that women in particular—although men have been involved—should not become involved in them. I had naively assumed that such schemes might be covered by the Trading Schemes Act 1996, the regulations of which came into force in 1997. Of course, that Act covers the regulations regarding pyramid selling.

I had thought that pyramid gifting schemes would be covered under that legislation, but the DTI says that that is not the case. It claims that only pyramid selling is covered and that goods and services have to be involved. I found myself in a circular argument with the DTI about whether gifting schemes should be covered by that legislation, but it says no. I have asked parliamentary questions, and found that there have been no prosecutions under the legislation. The DTI kept telling me that any such scheme should be covered under gambling legislation. That is why I am here today to make my plea to the Department for Culture, Media and Sport to ensure that it will seriously consider such gifting schemes.

Such schemes should not be regulated, but made illegal. I wish to take some of the House's time to explain how such schemes work. Women Empowering Women is the current scheme, but there are many more, and they keep changing their names. Apparently, a new one called Diamonds is now doing the rounds in the midlands. Women Empowering Women came from the United States of America, started on the Isle of Wight, made its way up the country and reached Aberdeen as a brand new thing last summer.

Lots of women were sucked into the scheme, believing that they would make lots of money, but when the scheme hits a new area, women are invited to a party and asked to invest—that is the word that is always used—£3,000 of their own money. If they then recruit two friends to the scheme, they will work their way up the pyramid from the gifting level to the receiving level. They are told that they will get £24,000 when they get to the receiving level, and that happens.

The first people to go into those pyramids win large sums. We can imagine the excitement. The schemes are often arranged at parties, and women go along and get sucked in because they see wads of money being thrown down on the table and women walking out with £12,000 or £24,000, which they have picked up that night. They are carried along with that spirit of excitement, and they pledge their £3,000.

In Aberdeen, with a fairly buoyant economy, that happened for some time. Believe it or not, quite a number of women can put their hands on £3,000 ready money, but the arithmetic obviously does not add up and, very quickly, the number of women who can put their hands on that kind of money soon dries up. Of course the amounts that then have to be pledged are reduced to about £100.

At Christmas last year, leaflets went through letter boxes in Aberdeen telling women that if they invested—again, the word "invested", not "gamble", was used—£100, they would have £800 for Christmas. By the time that the scheme reaches that stage, the women who get involved tend to be the poorest and most vulnerable.

Just last week in Scotland, the *Daily Record* and the *Sunday Herald* ran articles saying that, in Glasgow, some of those women are going to loan sharks to borrow the money. Of course they lose the money and are then at the mercy of the loan sharks.

The scheme is appalling. The women who are involved in it do not even think it is a gamble; they think that it is an investment, and there is a strange belief that, like the stock market, more money will be created somehow.

I shall briefly explain why the arithmetic does not add up. For one person to win, eight people have to lose. For those eight people to win—I suppose that this is the gambling terminology—64 people have to lose. If those 64 people were to win, 512 would have to lose. For those 512 people to win, 4,096 have to lose. So it is obvious that all those people in an area who are gullible enough, or who have not really appreciated what they are getting themselves into, quickly lose their money.

The scheme always gets legs again in an area because the men then get involved. The scheme has run out of women, so men are encouraged to become involved. I know of a pensioner in Aberdeen who has lost £1,000, which was his holiday money for this year. He intends to take a case against the women whom he thinks tricked him out of £1,000 to the small claims court in Aberdeen next week. I have no idea how well he will get on, but the police have told him that such schemes are not illegal and his lawyer has said that it is not worth engaging him because of the sums involved.

The way in which schemes are perceived is a problem. The folk involved do not believe that they are gambling or that there is anything morally wrong with them. Of course they are morally wrong; it is a con trick. Like the cleverest and best con tricks, there always have to be winners to fool and persuade others that perhaps they can be winners too. I am most concerned about vulnerable people.

I spoken to many people about such schemes, and I found myself appearing on GMTV, for example, this morning. Those who have won say, "Oh, but it's just a gamble. People know that they might lose." I am afraid that, very often, people do not know that they will lose. It is not a gamble; if it we were, it would be regulated, as gambling generally is.

The participants do not believe that they are gambling. They think that they are investing their money and that, somehow, they will get that money back. Pyramid gifting schemes cannot be regulated: they need to be completely outlawed. That has been done in some states in the United States, and there have been successful prosecutions. The prosecutions have been of people who participate in the schemes, not necessarily those who organise them—it is difficult to work out who is at the head of the pyramid. As schemes move into an area, the people involved are not necessarily those who thought up the scheme.

I am raising the issue again this morning because I am still not convinced that the Government have got the message. I hope that I will get a good response from the Minister this morning. On page 23 of the Government's response to the Budd report, under the title "Prize Competitions", it states:

> "The consultation, however, threw up a number of concerns, and we are not, at this stage, satisfied that all of the potential issues have been fully identified. We therefore intend to undertake a separate, detailed review of prize competitions and similar quasi-gambling products."

I suspect that Women Empowering Women and other gifting schemes are the quasi-gambling products. That is fine. As a result, I tabled a parliamentary question a few weeks ago to discover that that separate report was announced on 23 May; I must have missed it. The consultation paper mentions quasi-gambling products.

In relation to the consultation document, chain letters are mentioned, which work in a very similar way. Letters are sent saying, "Send £10 or £200 to the person at the

[Miss Anne Begg]

top of this letter, put your name to the bottom of it, and send it to 200 people you know,"—or do not know, as the case may be. The consultation document states:

> "There is a legal ruling of long standing to the effect that a chain letter . . . can come within the definition of a lottery. The legislation on gambling which the Government now plans to promote—and whose broad outline is set out in 'A Safe Bet for Success'—may provide an opportunity to improve legal safeguards, in as far as these are necessary, and that is something which we will need to consider."

Pyramid gifting schemes, however, are not mentioned unequivocally. I want to make sure that pyramid gifting schemes will definitely be covered in any new legislation. The Government's intention to bring in new legislation on prize competitions as part of the Bill that may come out of the report that we are discussing is mentioned at the end of the document.

I do not want to be in the same circular position that I was in with the Department of Trade and Industry. I am fairly sure that the Department for Culture, Media and Sport is not like the DTI at all, and I will not get fobbed off as I feel that I have been—slightly—by the DTI. I make a plea for a definition not only of chain letters but of a pyramid gifting scheme—it cannot be called Women Empowering Women, as, by the time that the legislation is introduced, that particular scheme will have been and gone. The idea of these schemes continues to have currency, however, and they have been bubbling around for a number of years. A definition would allow us, at long last, to outlaw them. We should make it absolutely clear to anyone who takes part in such a scheme that it is immoral, wrong and illegal.

I have taken the Department of Trade and Industry's advice, and I am pursuing the matter through the gambling legislation. The ball is now in the Government's court. I make a plea to the Government to make the legislation watertight and to outlaw these odious, insidious schemes once and for all. We should make it absolutely clear to the vulnerable, and to those who do not realise what they are getting involved in, that this is a gamble, and a gamble that they will lose.

10.44 am

John Thurso (Caithness, Sutherland and Easter Ross): May I begin by picking up on the excellent point made by the hon. Member for Aberdeen, South (Miss Begg)? I learned this morning that a number of women in the company that I left shortly after the election had become victims, after my departure, of the scheme to which she referred. They have lost quite a lot of money. These are intelligent, hard-working, professional women and, as the hon. Lady said, it is the excitement, the party atmosphere, and, possibly, having a few glasses of wine, that makes it far more a gamble than anything else.

The hon. Lady was right to mention that those who perpetrate these schemes pretend that it is an investment, which it clearly is not. I would say that it is not even gambling, as there is almost no hope whatever of winning. The hon. Member for Ryedale (Mr. Greenway), with his police background, would probably be able to advise us of the proper term for it, but it is probably fraud and obtaining money by deception. The Government should take note of that, and I hope that they will take it on board. The hon. Lady might like to consider submitting a short memorandum to the Select Committee on Culture, Media and Sport. I see other members of that Committee in the Chamber, whom I think were equally struck by these schemes, and we may want to include them in our report.

I am pleased that we have this opportunity to discuss the Budd report and the Government's response to it. I congratulate the Government's business managers on having it brought forward—like the hon. Member for Ryedale, I am sorry that the debate is on Friday; it would have had an even greater attendance had it been held between Monday and Thursday. We should be grateful, however, and I am delighted that we have the debate. It might have been better to hold it a little later because the Culture, Media and Sport Committee's inquiry is at an advanced stage. I anticipate that its report will be available in the not-too-distant future. I hope that it would have added to our debate.

Notwithstanding that, I warmly welcome the Budd report, which was excellent. It dealt with the issues in considerable detail, as well as the many recommendations that were put forward. I congratulate the Government on their response to the report, which, in the main, was measured, and showed that there is considerable agreement in all sectors and in all parts of the House on the recommendations and any eventual legislation.

It is clear that the gambling legislation needs to be reformed because it is a piecemeal agglomeration from the 1960s. That alone would be a significant reason for reform, but there is another reason. A significant change in attitude has taken place since the 1950s and 1960s, when gambling was fairly frowned on. It was tolerated in the sense that, if people had to do it, they could do it somewhere fairly uncomfortable. Today, however, it is broadly recognised as an acceptable leisure pursuit, and it is therefore right that regulation should be relaxed.

Budd appropriately considers first principles, and that is where our debate today should begin. I am glad that the Minister referred to that. Clearly, there is a balance to be struck between the individual freedom that any person may have to do what they choose, and the appropriate control of an activity that clearly has a downside. A difference also exists between the rights of individuals to enjoy gambling in good premises that are well looked after and properly protected and the rights of companies. I do not think that companies have a right, as such, to offer gambling; they are permitted to offer gambling provided that they obey the rules that are set out and operate in a fit and proper, generally responsible way. There is a difference between what individuals are entitled to do and what companies should be permitted to do.

The central thrust of the report is the way in which gambling is to be controlled in the future. Liberal Democrats welcome the concept of a single regulator—a gambling commission—to bring all the central issues together. The key principle behind that is set out in paragraph 1.9 of the Government's response, which says:

> "gambling should be crime-free, honest and conducted in accordance with regulation . . . players should know what to expect and be confident that they will get it and not be exploited . . . there should be adequate protection for children and vulnerable persons."

I am sure that we all agree that such principles should be the basis for regulation.

I may not look it, but I am just old enough to remember reading the newspapers in the 1960s. I remember the stories of the Krays and the Richardsons and the problems that surrounded gambling. It is imperative that we exercise a certain caution as we relax the legislation to ensure that there is no chance of those days returning.

We should also pay regard to the sophisticated money laundering that now takes place. I am not sure where I learned this, but I believe that the best and cheapest way to launder money is through an on-course bookmaker. In considering the relaxation of the legislation, it is important to ensure that we do not allow money laundering activities to increase. The punter should be able to play an honest, fair and open game with a clear knowledge of what he can win and lose.

Of the three key principles stated in the Government's response, the protection of children and of those who suffer from gambling are at the top. The proposals for a single controlling body will go a long way to help to achieve that aim. The gambling commission must set out clearly the rules that will be applied to the individuals who take part in gambling and stipulate the basic requirements for each premises. In particular, I welcome the proposal for increased application of the fit-and-proper test to people involved in offering gambling activities.

Clearly, there is tension between the central and local provisions for the licensing of premises. I welcome the move away from licensing justices to licensing authorities. It is an essential part of local democracy that elected people can be held to account for the decisions that they take. I was a licensee in England and I owned a licensed premises in Scotland, so I have seen the workings of licensing justices in England and licensing local authorities in Scotland in relation to places that sell alcohol. There is no substantial difference between the two. One is as likely to get a good local authority as a bad one in Scotland, and one is as likely to find good licensing justices as bad ones in England. Therefore, the question is not whether we should have licensing justices or licensing authorities, but how the legislation is passed and the instructions that are given.

A local authority, with the backing of its electorate, should be entitled to say that it does not want gambling in its area. Companies should not necessarily have the absolute right to intervene to offer gambling wherever they want if local people do not want it.

I welcome the increase in the use of the fit-and-proper test to deal with problem gambling and the move to place a duty of care on casinos. It is right that casino employees should have a duty of care. I am sure that they know when a person is a problem gambler, so the employers should be part of the solution and not part of the problem. In that regard, we would benefit from more research. I hope that the Minister will reflect, in the months before any legislation is introduced, on what research can be undertaken on problem gambling. That would give us a proper idea of its extent. There is not much research going on at the moment.

An industry trust is an excellent idea. A statutory levy would be better than a voluntary one because it would be clear-cut and laid down by Government with no one excepted from it. That is the best way for people to contribute. I accept that it is more likely that we will start with a voluntary levy, but I hope that we will have provision to make the levy statutory should the voluntary one not work.

The lottery is clearly different from other forms of gambling; it is at the softer end of the spectrum. It also exists to deliver funds for good causes. I disagree with the hon. Member for Ryedale in that I believe that we should leave the national lottery with a separate and independent regulator, because there are many differences between it and the rest of the gambling industry. However, I happily accept that, in the fullness of time, my view may prove to be based on an incorrect assumption. I therefore agree with him that there should be provision in the legislation to bring the lottery within the remit of the central gambling commission should that become necessary. That is a sensible suggestion.

I would be unhappy to see side-betting on the lottery. I am convinced by the evidence that I have heard in the Select Committee on Culture, Media and Sport that that is dangerous. However, I am not convinced by Camelot's arguments about society lotteries. As has been said, they are an important way of funding a number of charitable causes, so we should be careful about over-regulation.

I welcome all the Government's suggestions about gaming machines and, as every hon. Member who speaks is likely to say, I welcome the proposals for members' clubs. I welcome the fact that the Government listened on that issue even if one sometimes needed a megaphone to make one's point. I also believe that the changes to category D machines will be good, but the reduction in the stake from 30p to 10p will make them a borderline economic activity. As my hon. Friend the Member for Southport (Dr. Pugh) pointed out, they might become uneconomic. It is another issue on which we should show flexibility.

On casino resorts, the Minister will be aware of my long connection with the tourism industry. Some seaside resorts, such as Blackpool, Brighton and Bournemouth, will have an opportunity to develop an exciting product that can help to regenerate their areas. However, I add a note of caution. We will not be able to create a casino resort in every county—there is not room to do that—so they will not be a general panacea that will attract tourists to all parts of the country. The Minister and the Department would therefore be wise to consider how best to manage the process. The worst of all worlds would be to have 20 seaside resorts simultaneously competing for business when there is not sufficient business for them all.

I am delighted that e-gambling and e-commerce will be brought within the law. Clearly, it is better to have them covered by UK law, as that will enable us to control them.

The Minister suggested that he hoped that legislation would be introduced in 2003–04. Four years ago, I remember being told by a Minister that he was hopeful of introducing legislation on alcohol licensing in the not-too-distant future. We are still waiting for that. I hope that the Department for Culture, Media and Sport has the resources and the power to introduce legislation on gambling, because many of the suggestions that have been aired have excited an appetite for change within the industry. If we do not have change, we will face problems.

It being Eleven o'clock, MR. DEPUTY SPEAKER *interrupted the proceedings, pursuant to Standing Order No. 11 (Friday sittings).*

Vaccine Manufacture

11 am

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I should like to make a statement about the use of animal products in the manufacture of vaccines. The purpose of this statement is to correct the public record and to inform Members that I have placed three detailed reports on these issues in the Library. Nothing in any of the reports alters the assessment of experts: there are no transmissible spongiform encephalopathy-related safety issues arising from the use of relevant animal-derived materials in the production of vaccines authorised for use in the United Kingdom. However, I thought it right to come to the House to apologise for any inaccurate information that has been provided, and to set out the actual position as clearly as possible. It is important in particular to provide clear assurances for the public that the vaccines that protect both children and adults from harm are manufactured to the highest and safest standards.

On 23 October 2000, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), the former Minister for Public Health, reported to the House that an oral polio vaccine had been recalled. That action was a precautionary measure because the vaccine licensed to Medeva Pharma used UK-sourced bovine material in its routine manufacturing production. My hon. Friend informed the House that a full review would be undertaken of all the advice given to Ministers on BSE-related issues and vaccines since 1997 in order to ensure that all the information given to Parliament was correct. She also advised the House that she had asked the Government's expert advisory body, the Committee on Safety of Medicines, to produce a comprehensive assessment of BSE-related issues in vaccines.

Bovine—cattle—products are a traditional component of vaccine manufacture worldwide. Without them, it would not have been possible to have produced so many vaccines over the years that, literally, have been life-saving for millions of people. Routine childhood vaccines such as diphtheria, tetanus and pertussis, HiB—haemophilus influenzae b—and measles, mumps and rubella, will have involved the use of cattle products at early developmental stages in their production, and some of those might have been UK sourced.

The manufacture of vaccines is an extremely complex and technical process involving a number of different stages. For example, one bovine product, foetal calf serum, is regularly used at a number of stages in the manufacturing process of viral vaccines. It is used first at the earliest point, when stores of viruses and cells are first created. They are known as master seeds and master cell banks. Secondly, it is used when material is drawn from those stores to be grown further. Such materials are known as working cells and seeds. Thirdly, it is used during the phase when greater volumes of material are grown, which is known as bulking up. At the very final stage of vaccine production, inactive ingredients such as stabilisers are added, but they are highly processed and, as I say, inactive products. It is worth adding that the Medicines Control Agency advises that UK-sourced gelatin, which can be used as a stabiliser, is no longer used in pharmaceutical manufacture.

The oral polio vaccine that was withdrawn in October 2000 was the only vaccine then in use in the United Kingdom vaccine programme for which UK-derived cattle blood products had been used in the later stages of the manufacturing process. It transpired on investigation that one constituent of the vaccine had been produced using material drawn down from old stored stocks dating to 1985 which had been produced using UK calf serum. The material had been used in the routine production process, not just in the early developmental stages—the production of master and working cell and seed banks. That did not apply to other vaccines in use at the time. That is why OPV was different.

The chief medical officer has examined the circumstances of the production of that vaccine and its subsequent withdrawal. He concluded that, on a precautionary basis, the decision to withdraw was the correct one. However, he also concluded that the public health implications were reassuring for three reasons: first, because of the major dilution effect during purification and washing, which removed all but traces—estimated to a dilution of one part in 10 million—of serum; secondly, because foetal calf serum is a substance classified by the relevant 1999 European guideline as having "no detectable infectivity"; and thirdly, because the Committee on Safety of Medicines ad hoc working party on TSE and safety of vaccines concluded in October 2000 that the risk of Medeva oral polio vaccine transmitting new variant CJD was "incalculably small".

At Ministers' request, the Committee on Safety of Medicines has looked more widely at all vaccines available on the UK market. It was assisted by a working party of experts consisting of members of the Committee on Safety of Medicines and its sub-committee on biologicals, as well as experts in TSEs, vaccinology, epidemiology, paediatrics, molecular medicine, virology and biological medicines. The CSM drew the following conclusion:

> "there were no demonstrable TSE-related safety issues arising from the use of relevant animal-derived materials, including UK bovine (cattle) materials in the manufacture of vaccines currently available on the UK market".

In other words, after an exhaustive and rigorous review, the CSM found no source for concern in relation to TSEs about the safety of vaccines used in this country.

We should also remember, when considering the safety profile of these vaccines, that they are manufactured for a global market. We import from other EU States and the rest of the world, and we export UK-manufactured vaccines to them. The vaccines that are available globally have been the subject of similar safety reviews by the United States Food and Drug Administration and its Centre for Biologics Evaluation and Research, the Committee for Proprietary Medicinal Products at the European Medicines Evaluation Agency, and the Australian Therapeutic Goods Administration. They have all independently arrived at similar conclusions.

Ministers have now received three reports, which together provide a comprehensive analysis and account of the issues related to TSEs and vaccines. They have today been placed in the Library. The first is the chief medical officer's report into the issues surrounding the withdrawal of the Evans/Medeva oral polio vaccine. The second is the consolidated review of TSE agents and the safety of UK-authorised human vaccines, which was undertaken by the Committee on Safety of Medicines at Ministers' request. The third is a report by the Medicines Control Agency, which explains in detail the development of the guidance and the agency's approach to its implementation.

It is clear from those reports that some statements have been made in Parliament that have been either incorrect or misleading. Ministers made the statements on the basis of incorrect advice and information given to them at the time by the Medicines Control Agency, which licenses medicines for the UK market and monitors the safety of medicines in use. I repeat my apologies to the House and convey those of my predecessors for the fact that incorrect or misleading information was thus given to Parliament, albeit in good faith.

I have placed in the Library a detailed index of the written answers that are being corrected or clarified. I have today written to Members who asked those questions, explaining how events occurred and setting the record straight. Copies are available in the Library. I have also answered a written question tabled by the hon. Member for Lewes (Norman Baker) about the rules that apply to the use of animal material in the production of vaccines.

There are five areas in which statements made by Ministers based on advice and information from the MCA have been shown to be incorrect or misleading. As I have mentioned, full details of those errors are available to Members in the Library. These factual errors arose through misinterpretations, in the advice to Ministers, of the highly technical and continually evolving guidelines governing the use of animal products in medicines, together with the difficulties of establishing a clear audit trail for vaccines whose manufacture may date back decades.

The first area to clarify is that, contrary to earlier advice from the MCA, the guidelines have never entirely ruled out the use of UK-derived bovine material. Secondly, statements indicated that the MCA would not license any product that did not comply with the guidelines. In fact, the MCA can in certain circumstances license products that do not fully comply, provided that the necessary risk assessment has been carried out. Thirdly, contrary to information supplied by the MCA, not all licence holders were able to demonstrate through documentary evidence that all their materials complied with the guidelines.

Fourthly, dates cited for switching from UK-derived materials were inaccurate, and so were expiry dates given for some vaccines. Finally, statements indicated or implied that bovine-derived excipients are not used in the manufacture of vaccines. In fact, excipients, which as I said are highly processed and inactive substances and which may be derived from bovine materials, are sometimes present in finished vaccines.

Guidelines aimed at minimising the risk of transmitting animal spongiform encephalopathies via medicinal products have been in existence since 1989, first in the UK. TSE guidelines have increasingly applied Europe-wide and have evolved over time. Since March 2001, they have had the force of European law for all licensed medicinal products.

A major exercise is now taking place under the auspices of the European licensing authorities to ensure that all vaccines are assessed for compliance against a revised set of guidelines, which we expect to be introduced this summer. That will apply to all European countries, not just the UK. The revised European guidelines will allow working seeds and working cell banks for which relevant animal material has been used to comply, provided that they are subjected to a properly conducted risk assessment by a competent authority in the country concerned—in the United Kingdom's case, the MCA.

Many vaccines will be technically in breach of European guidance until the new guidelines are adopted. There are 95 licensed vaccines in the United Kingdom. Of those, 26 are still completing the process. However, in the United Kingdom, the appropriate risk assessment has already been carried out on all licensed vaccines, including those 26, and no TSE-related risks have been found.

The House can be assured that public health and safety is a top priority for the Government. We will continue to ensure that the public health implications of the use of animal materials in the manufacture of all medicines are rigorously evaluated and that any concerns identified are referred to the relevant domestic and European scientific committees for consideration and resolution. If any new public health concerns come to light, we will not hesitate to act in a precautionary manner, as indeed we did in the case of the oral polio vaccine in October 2000.

Let us be in no doubt that vaccination is the single most important public health measure of modern times. Vaccines save millions of lives around the world every year. When we think about the terrible unsolved health problems of the developing world, we look to vaccines to conquer disease and death, and in our own country vaccines continue to save lives.

I am grateful for the opportunity to come to the House to correct the parliamentary record and to provide the fullest possible information to hon. Members and the public on this important subject.

Mr. Oliver Heald (North-East Hertfordshire): I thank the Minister for an early sight of her statement; it was a most useful quarter of an hour.

The statement is important. We all remember the fears expressed when the polio vaccine was recalled that new variant CJD might have been spread and that something like 100,000 doses of the vaccine had been used in the preceding year. So today's reassurance about the safety of the vaccines is welcome. However, it seems that the advice of the Medicines Control Agency to Ministers was comprehensively inaccurate and led to many UK vaccines breaching European guidance and—perhaps the Minister can confirm this—European law. How did that happen? What steps will she take to ensure that it does not happen again?

We have four concerns: first, that advice to Ministers is accurate; secondly, that the mechanisms by which the authorities are alerted to non-compliance of vaccines with national and international standards is robust; thirdly, that the tendering process is effective and transparent; and fourthly, that the Government's response is speedy and swift when they are alerted to such problems.

Will the Minister publish the guidance that Ministers were given, including the new guidance? Can she confirm whether the Medicines Control Agency licensed products that were not compliant with European guidance, as apparently it was allowed to do, and will she identify which products? Which licence holders were unable to show compliance with the guidance issued in Europe, as set out in her statement? What were the inaccuracies with regard to the switch from UK-derived materials and what expiry dates were wrong? Will she also outline the

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involvement of the company that gave rise to the original concerns—PowderJect—given its dominant position in the UK market and the fact that the company's chief executive is a major donor to the Labour party?

On the particular case of the oral polio vaccine, how did the authorities discover that it was not compliant or that there were concerns about it, and on what date? Did PowderJect inform the authorities, or was it the other way around? When was Medeva made aware of the concerns of the authorities? PowderJect purchased Medeva in September 2000 and the recall occurred just a few weeks later on 20 October 2000. In its press statement, PowderJect said that it

"did not, and does not, intend to manufacture"

the Medeva oral polio vaccine. Did the authorities alert PowderJect to the concerns about the oral polio vaccine prior to the purchase of the company? What was the lapse of time between the authorities becoming aware of non-compliance and acting to recall the vaccine? What reassurances can the Minister give that the tendering process for vaccines will be transparent and effective in ensuring compliance and safety?

Finally, the speed of the Government's response is crucial. We know that there were concerns that they did not act quickly enough over foot and mouth. What can she say to reassure us that swift and prompt action was taken in this particular case given that it involved human health rather than that of animals, important though that is?

Ms Blears: The guidance available to Ministers from the European guidelines is published and available. A full description is in the report by the Committee on Safety of Medicines, which has been placed in the Library.

On whether the MCA licensed products that did not comply with guidelines, the example of lactose has been brought to my attention. As the necessary risk assessment had been carried out, it was proper for the MCA to do that. Statements were made that it was not possible to license a product that did not comply with the guidelines, but those statements were wrong, hence my correction. In fact, it was possible providing the necessary risk assessment had been carried out. It is important to be aware that in the UK a risk assessment of every vaccine has been carried out and that no risks have been found. That applies equally to lactose products.

The hon. Gentleman asked about licence holders who are unable to comply. At the moment, 26 vaccines are going through the European process. Some of them do not comply because the working seeds and working cells contain UK-derived bovine material. When the guidelines are revised later on in the summer, working seeds and working cells will comply because the guidelines are evolving. Already master seeds and master cells are outwith the guidelines. We anticipate that in the latest revision of the guidelines working seeds and working cells will be compliant. A number of vaccines are simply waiting for that revision to the guideline. Other vaccines require further documentary evidence of the audit trail of their materials before they can be fully compliant. I do not have a list of the individual licence holders who are unable to comply at the moment, but a range of manufacturers and vaccines are in that position because of the vaccines' components.

PowderJect was in the same position as many other manufacturers because the oral polio vaccine did not comply with guidelines. The legal advice received by the MCA was that while companies were trying to comply and going through the lengthy European process of providing documentary evidence, prosecution for non-compliance would have been a disproportionate step to take. PowderJect was treated no differently from other manufacturers that were in the same position.

On the mechanisms for alerting PowderJect, I am not aware of advice given to it in the way that the hon. Gentleman describes. On 17 August 2000, the company itself, having received an inquiry about the status of the vaccine, notified the MCA that the product had been made using material that had been exposed to UK-derived calf serum. On 18 August, the MCA began to investigate, and in the week commencing 16 October, after two months of investigations, it informed the Department of Health of the matter. Ministers decided, on the precautionary principle, to withdraw the vaccine, and it was recalled from 20 October, so it is clear that swift action was taken on the oral polio vaccine.

As I said, that was a precaution because at the time that the vaccine was withdrawn the European guideline did not have legal effect; that did not begin until March 2001. In October 2000, it had the status only of guidance, so technically there was not an offence or a breach of a legally binding guideline. It is therefore fair to say that Ministers acted very swiftly. The chronology of events is set out in the chief medical officer's report, which is in the Library. That goes into great detail about the various stages at which information was known and about what action was taken. The chief medical officer has confirmed that the correct decision was made on the oral polio vaccine.

I entirely agree with the hon. Gentleman that we must ensure that advice to Ministers is accurate. That is essential, particularly when we are dealing with issues of safety and public confidence. I agree too that mechanisms for alerting Ministers should be robust and rigorous. On the MCA, various steps have been taken. It was announced on 13 June that it is to merge with the Medical Devices Agency to create a new agency.

We are also introducing non-executive directors, which the MCA did not previously have, and appointing a chairman to the authority to make sure that its governance is more robust. On its reporting mechanisms, particularly concerning TSE issues, it has been directed to set up a database to ensure that everything is properly calculated and monitored.

We have also asked for more steps to be taken to try to check the validity of what manufacturers tell the MCA. It is an established principle that regulators would find it impossible to follow up or question the validity of every statement made to them by companies. The role of a regulator is to set a regulatory framework and to leave accountability with the producers. However, there is a case for the MCA to carry out more sampling to establish the validity of some of the information supplied by companies.

It was the information supplied by companies about the expiry dates of vaccines, which the MCA gave to Ministers, which proved to be incorrect, so it is important to follow up such information, but we must recognise that it would not be appropriate or possible to check everything. Certainly we must try to make the process more robust.

The hon. Gentleman referred to the need for the tendering process to be transparent. That is important, and people ought to have access to the decision-making process.

Dr. Evan Harris (Oxford, West and Abingdon): I too thank the Minister for the day's notice that she gave me of this statement and for giving me three reports to read in 20 minutes, plus a statement saying that there is another important document in another building. This experience, which started just over half an hour ago, has been interesting.

Will the Minister pay tribute to my hon. Friend the Member for Lewes (Norman Baker), who has been assiduous in pursuing his concerns about the presence of bovine material in the vaccine manufacturing process? He began with a parliamentary question on 25 March 1999 to the Minister's predecessor but two, the right hon. Member for Dulwich and West Norwood (Tessa Jowell), which is when the inadvertent misinformation started. My hon. Friend also secured an Adjournment debate in March 2000 in which further inaccurate information was passed on.

I understand that my hon. Friend wrote a letter to the hon. Member for Pontefract and Castleford (Yvette Cooper), who is in her place, in May 2000. Two years later, he says that he has still not had a reply, so in addition to the supply of inaccurate information, there is a question about Ministers giving no information at all in response to questions.

I want to place on record my belief that the current vaccine programme has integrity, that it is important that people should continue to have vaccinations and that their enormous benefits outweigh any risk from TSEs, however small that may be or have been. Does the Minister accept, however, that faith in that important and effective vaccine programme is based on full openness and clarity on the issues from Ministers and their advisers to the public at large?

In her statement, the Minister said "Nothing in any of the reports alters the assessment of experts: there are no transmissible spongiform encephalopathy-related safety issues arising from the use of relevant animal-derived materials in the production of vaccines authorised for use in the United Kingdom." However, the report talks about "no demonstrable" TSE-related safety issues. It is not clear whether the Minister was talking about the vaccine programme now—I am sure that if there was a risk, the programme is much safer than it was—or whether it was always the case that there were no safety issues. It is important that that is clarified. The Minister also talked, in her statement, about the manufacture of vaccines that are currently available on the UK market, and it is not clear whether her remarks relate to vaccines that were previously available. People will have concerns about that.

The Minister did not answer the question asked by the hon. Member for North-East Hertfordshire (Mr. Heald) about whether she had published the guidance given to her. She said that Ministers were misled by advice and information from the MCA in five areas, and some of those, such as the presence or not of excipients in the finished vaccine product, are so obvious that it would be useful for the House, in judging whether her actions on the MCA are sufficient, to see that guidance in its original form. We could then judge just how deficient it was, not only in what the MCA had been told by the manufacturers but in its conclusions about the basic make-up of the finished vaccine.

Will the Minister clarify certain issues relating to PowderJect? As was set out in her statement, in the chief medical officer's report and in her response just now, the MCA was informed in August 2000 that the oral polio vaccine was not compliant. Indeed, the agency established that for itself on a visit to the Speke factory in September 2000. Why did it take until 16 October for Ministers to be informed, during which period another company paid to take over Medeva and Evans vaccines? Clearly the company, and possibly the purchasers, had market-sensitive information that Ministers and other market players did not.

What action does the Minister propose to take against manufacturers such as Evans who failed to respond quickly to the request for information made in spring 2000 and who may have given misleading information? I am sure that although there was no breach of the law the Government must have some sanction, such as the withdrawal of preferred supplier status, that they could use against those companies.

Clearly we need a debate on this subject. Will the Minister ask her business managers whether we can have a proper exchange, in Government time, so that we can have a full and frank discussion of the extent to which Members of the House have been inadvertently misled by Ministers? We could use the opportunity further to reinforce the confidence that the public should have in the current vaccine programme.

Ms Blears: I am happy to acknowledge the contribution of the hon. Member for Lewes (Norman Baker) in pursuing these matters in parliamentary questions and in an Adjournment debate in March 2000. Following that debate, Ministers asked the Committee on Safety of Medicines to start the first of its three reviews on the matter, so the hon. Gentleman certainly played an important role.

I am grateful also to the hon. Member for Oxford, West and Abingdon (Dr. Harris) for confirming his support for the current vaccine programme and the important role that vaccinations play in public health. He is right that openness and clarity on the issue is crucial to public confidence, and that is why I am here today: to set the record straight and to reassure the public about the safety of the manufacturing of vaccines.

The hon. Gentleman asked about the conclusions of the Committee on Safety of Medicines reviews. I can confirm that there were three reviews, one of which was looking at the current vaccines that are available. There was a risk assessment of the components, and the reports looked at the matrix of where materials came from and what kind of materials were used at what stage of the production process. There was a good examination of all the current products that are used.

At the request of Ministers, the committee went on to look at the possibility raised in the Phillips report on BSE as to whether BSE might have emerged earlier than is the accepted case, in the 1970s. The committee was looking at the worst possible scenario. It said that there was no

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reason to depart from the conclusions of the first review: that there was no demonstrable TSE risks in the use of animal derived material in the manufacture of vaccines.

Clearly, the further we go back, the less documentary evidence is available. In looking at the master seeds that were manufactured in the 1960s, it is difficult to find a paper audit trail to take source material and traceability back to that level. However, the committee asked what the situation would be had BSE been around in the 1970s and what the effect would have been on TSEs in vaccines. That matter is in the full CSM report, which is in the Library.

In terms of the advice given by the MCA to Ministers, I can do no better than say that the advice given by the MCA was contained in the incorrect answers to the parliamentary questions. That was the advice given to Ministers and clearly the parliamentary answers were prepared on the basis of that advice. That is in the public domain.

In terms of the oral polio vaccine withdrawn in October 2000, the two month gap between the MCA being notified and Department of Health of Ministers being informed was criticised in the chief medical officer's report, which, again, is in the Library. This was too long a period for action to be taken and I have set out, in my reply to the hon. Member for North-East Hertfordshire (Mr. Heald), the steps taken with regard to strengthening the advice and the systems at the MCA and the merger with the MDA.

In terms of action against individual manufacturers, I have explained that, where they are going through the process of seeking compliance with European guidelines, the advice is that prosecution would be disproportionate. Clearly, if there is a deliberate and wilful failure to present information, the MCA has a mechanism open to it through the suspension of licences.

The European committee is considering 400 different substances. It is half way through the process, and it will be some months yet before full documentary evidence is available to qualify for what is called the EQDM process. That process is ongoing and we are keen to make sure that we get as many products to comply with the guideline as quickly as we can. I am pleased that the guideline is to be varied to allow the working seeds and working cells to comply. That is a recognition that the science has developed a little faster than the legislation in this area. It is a constantly evolving process.

I am more than happy to discuss with Members the question of a debate. There is a need to make a request to the business managers in the usual way. I am keen that we are open and that we have the fullest disclosure to the public and Members of Parliament about the safety of UK-marketed vaccines. That must be in the public domain and discussed.

Ross Cranston (Dudley, North): I thank my hon. Friend for the frankness of her statement. I remind her that the vaccines victims support group, with which I have had a close relationship since coming to the House, supports the vaccination programme and has nothing but praise for the Government in terms of the way in which they have made up to £100,000 available for parents of children damaged by vaccine. In this area, confidence is crucial. Can she say more about the changes in procedure and personnel in the MCA? Can she assure us that the changes will prevent this sort of faulty information from being given to the House in future? Finally, can she prepare summaries of these weighty documents in the Library so that hon. Members can fully understand them?

Ms Blears: I am grateful to my hon. and learned Friend for his support for the Government's action in relation to vaccine damage payments. We are all too well aware of the tragic nature of the cases involving those families. As he says, confidence in the vaccination programme is crucial. Vaccinations have saved millions of lives throughout the world and continue to do so.

I have outlined some changes in the procedure, organisation and governance of the MCA and the way in which it will perform in future. A decision has been taken to merge the MCA with the MDA. There will be a stronger unit and organisation and that will take account of the increasingly blurred lines between medicines and devices. As technology develops, products are becoming increasingly difficult to distinguish. In addition, we will have the non-executive directors and there will be a rigorous external perspective on the work of the MCA. There will be also be a chairman who will be able to represent the MCA, so that we have a more public presentation of the agency. It is important that there should be transparency so that the public can be confident in the procedures.

I have explained that we want to strengthen the database and the information management of the MCA; again, that issue was raised by the chief medical officer in his report. I can reassure my hon. and learned Friend that that will be done.

Mr. David Tredinnick (Bosworth): The hon. Lady deserves congratulations on doing something very rare for this Government—coming to the House to apologise for a mistake. What will she do to reassure the public that these products are safe? One of the greatest health failures of the Government has been their inability to persuade the public that the MMR vaccine is safe. What is she going to do to improve that desperate situation? Can she confirm that despite the Oxford survey showing that anti-oxidants are not necessarily effective in treating heart disease, generally speaking vitamin supplements can be very helpful to the health of the nation?

Ms Blears: The hon. Gentleman is absolutely right that the key issue is to reassure hon. Members and the public about safety and about the rigorous way in which the issues are examined. That is why the three reports in the Library—from the chief medical officer, the Committee on Safety of Medicines and the MCA—are important. These reports must be fully available.

I say to my hon. and learned Friend the Member for Dudley, North (Ross Cranston) that the summaries at the beginning of the reports set out the main recommendations, and making those accessible is very important. At all stages of the vaccination programme, Ministers have tried to be as open and honest as possible and have tried to share the advice of the medical experts. The amount of consideration that a range of scientific experts have applied to the vaccination programme has been immense. I am sure that the hon. Member for Bosworth (Mr. Tredinnick) will be aware of the wide range of authorities involved. As I have said, the CSM, in its ad hoc working group, involved epidemiologists, virologists, immunologists, paediatricians and a range of scientific experts. It is very important that the public know that the Government take the matter extremely seriously and will look at every piece of evidence as it emerges.

The hon. Gentleman referred to vitamin supplements. I have not had an opportunity to look at the issue, which is clearly of concern to him. I can assure him that all the matters that arise are considered by the Government and by experts in the field.

Mr. Keith Simpson (Mid-Norfolk): I am sure that the Minister and hon. Members will be grateful that the ministerial reaction to this matter came about largely as a consequence of hon. Members raising it in the form of questions and in the course of a debate. That should prove to people outside the House that Parliament often has an effective role.

I want to put two questions to the Minister. First, as a member of the Select Committee on the Environment, Food and Rural Affairs, it is clear to me that there is a read-across between health and agriculture in terms of science, disease and farming. Is the Minister satisfied that there are no other areas where the Department of Health is having to reassess statements or answers to the House concerning major health questions?

Secondly, the Minister stated that there is not a danger from TSE in vaccines. Is she also saying that there is no TSE health danger to the public if they eat lamb?

Ms Blears: I certainly agree with the hon. Gentleman that Parliament works and that it is a testament to the former Health Minister, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), that following the Adjournment debate with the hon. Member for Lewes (Norman Baker), she asked the Committee on the Safety of Medicines to investigate the whole area and to review all the advice that had been given to Ministers since 1997, to try to ensure that what had been passed on to Parliament was correct. That is why I am here today—to ensure that the whole parliamentary record, which is so important, is put right.

On reassessing evidence, I can tell the hon. Gentleman that the Department does that all the time as regards such complex scientific issues. If questions were raised, in the House or elsewhere, that threw doubt on statements that had been made, of course it would be right and proper to reassess the situation. I am not aware of any current such issues. I am sure that the hon. Gentleman will be aware from his experience on the Select Committee of the constantly moving nature of the science in these areas. As we discover more, matters need constantly to be assessed and reassessed.

On the hon. Gentleman's second, more detailed, question about lamb, such matters should be considered by the Food Standards Agency, not by me.

Mr. Patrick McLoughlin (West Derbyshire): The Minister says that she came to the House as soon as it was practical and possible for her to do so, and we are grateful to her for that. It is vital that there be consent and agreement about the importance of vaccination and the role that it plays in the prevention of very serious diseases. Is she worried about the fact that it took the MCA two months to notify Ministers at the Department of Health? Has she any idea of how many vaccines were issued during the two-month period in which alarms were first raised at the MCA?

Since knowing that she was going to make the statement, has the Minister had time to reflect on the calls made this week by the British Medical Association to take the percentage of vaccines administered out of doctors' contracts? People might have more confidence in the information that doctors give them on the urgency of taking vaccines if that was not part of doctors' contracts.

Ms Blears: Yes, the Department is worried about the two-month gap. Indeed, in his review, the chief medical officer expressed his concern about the fact that it took the MCA two months to tell Ministers about the situation. I have outlined in my answers to other hon. Members the serious steps that we have taken as a result not only of that, but of the incorrect information that the MCA gave to Ministers over a period of time about the scope, extent and effect of the guidelines.

I do not know precisely how many vaccines have been issued. If that information is available, I undertake to provide it to the hon. Gentleman.

On the target payments for immunisation that are paid to general practitioners, there are two levels of payments—a higher level of 90 per cent. and a lower one of 70 per cent. That provides enough flexibility for GPs to be able to reach a certain level of immunisation. Any imputation that GPs would do things that they did not support to reach their target payments would be highly inappropriate. There are therefore no plans to change the situation.

Mr. Richard Bacon (South Norfolk): The Minister announced that the Government were wrong in five major areas. I must say that that does not surprise me. My year in this place has taught me that the Government's capacity to get things wrong is more or less limitless. However, it is good that Ministers have come to the Dispatch Box to explain where they went wrong.

The Minister referred to the question of confidence. My hon. Friend the Member for Bosworth (Mr. Tredinnick) asked about MMR as well as vitamin supplements, but when she replied her lips did not utter the word "MMR" at all. I remember that when the former Minister, the hon. Member for Pontefract and Castleford (Yvette Cooper), answered a question on MMR some time ago, she castigated one of my hon. Friends for even suggesting that there could be something wrong, on the ground that that was "irresponsible". Does the Minister understand why there is public fear about MMR? One accepts that Ministers can make statements to the House only on the basis of the scientific advice that they are given, but the controls on that advice are not always adequate. Does the Minister accept that there is a case for carrying out further research on MMR, and can she tell the House what is being done in the way of Government-sponsored research to establish whether a small sub-group may be susceptible to the MMR vaccine in a way that most are not?

Ms Blears: I must make it clear to the hon. Gentleman that where incorrect or misleading answers were given, they were entirely based on advice from the MCA; Ministers are right to seek advice from people in the field. I have come here today to correct those factual

[Ms Blears]

inaccuracies. The answers did not change the scientific position; they were simply wrong in terms of dates and scopes of guidelines. Ministers rely on the advice that they receive from their scientific experts, and that is why I am here to correct the record.

The MMR vaccines are in exactly the same position as many of the other vaccines that are waiting to become compliant. Essentially, they are working seeds and working cells that contain UK bovine-sourced material. When the guidelines are revised in the next few weeks, working seeds and working cells will be deemed to be compliant if they have had a risk assessment. They have all had a risk assessment by the CSM and the MCA, and there are no demonstrable TSE safety risks in relation to them. They are in exactly the same position as many of the other vaccines that are waiting to become compliant with European guidelines. The position as regards their manufacture is thus exactly the same—that is, no TSE safety risks are involved.

On the other statements that Ministers have made on MMR, the hon. Gentleman must be aware, although he has been in the House for a relatively short time, that Ministers have always made statements on the basis of a range of scientific expert advice. In that, they are supported by the World Health Organisation, the Royal College of Nursing and the Royal College of Paediatrics and Child Health. All those expert bodies have supplied information to Ministers, whose statements have always been made on the basis of the best scientific information that is available to them. That is entirely the appropriate way for Ministers to approach such matters.

Mr. Bacon: Will the Minister give way?

Ms Blears: On further research—

Mr. Bacon: I just want an answer to my question.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I must say to the hon. Gentleman that when he is questioning a statement, he gets one bite at the cherry, and he did take a rather large bite.

Ms Blears: A great deal of research is going on in this area. It is important that we get as much knowledge and information as we possibly can. I return to the first principle that I mentioned—public confidence in the vaccination programme is key, because vaccinations have saved many, many lives.

Gambling

Question again proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): We now resume the debate on gambling. I understand that the hon. Member for Caithness, Sutherland and Easter Ross (John Thurso) had not quite exhausted his advice to the House when I terminated his previous remarks.

11.50 am

John Thurso: May I reiterate briefly the last point that I made, which is that the tourism, hospitality and gambling industry has given a warm welcome both to the Budd report and to the Government's response? That in turn has excited a keen anticipation that something will actually happen. I suggest to the Minister that having excited this anticipation, the introduction of legislation at the earliest practical moment would be much appreciated by the industry.

11.51 am

Mr. George Howarth (Knowsley, North and Sefton, East): I begin by referring the House to my declaration of interest, which is fully and clearly set out in the Register of Members' Interests. There is also great constituency interest. In my constituency, we have the Ladbroke's call centre at Aintree. Vernons Pools are located at Aintree. Vertex, which operates the bet direct call betting service, is at Kirkby in my constituency. Merseyside in general has Littlewoods as a major employer. A number of relevant matters are of direct concern to my constituents.

First, I congratulate my right hon. Friend the Minister for Sport on having the debate, which has already been significant and important. Secondly, I congratulate him on the excellent way in which he has conducted this part of his brief over the past 12 months. He has earned the trust of all parts of the racing and betting industries. He is listened to with great respect by all sections of an important industry. The same comments apply, of course, to the Secretary of State.

I apologise to my right hon. Friend because unfortunately I will not be able to stay in the Chamber to hear his wind-up speech. I have a constituency surgery tonight. However, I shall read his reply with great interest next week. I hope that he will recognise that if I am not in my place to hear him, that is not out of any discourtesy. My absence will be due to a constituency necessity.

I shall try to be brief because I know that other Members hope to speak. However, I shall raise a few points. The first relates to casinos. I welcome the Budd proposals and I welcome the Government's response to them. I welcome also the proposals that are being made for Blackpool being brought to fruition. There is a great deal of potential in revitalising Blackpool on the strength of some of the proposals that are being put forward. It is obviously important that the process that the partnership is going through is completed in a proper manner, and I am sure that it will be.

Comparisons with Las Vegas are invidious. The idea that Blackpool will suddenly recreate itself as Las Vegas is neither appropriate nor, I suspect, realistic. None the less, there is something that can be done that will be for the benefit both of the people of Blackpool and those who want to operate casinos. There will also be benefit for those who want to make use of the facilities. The hon. Member for Caithness, Sutherland and Easter Ross (John Thurso) referred to the tourist industry.

It is important that if there is to be an extension of casinos—the hon. Member for Ryedale (Mr. Greenway) made a similar point—we should be cautious and careful about the way in which we do so, especially in high streets, small towns and areas where there is currently no record of casinos. I am mindful of the point that the hon. Gentleman made—others have echoed it—that a rapid increase in the number of casinos would almost certainly suck in some inappropriate sources of investment. No matter how well developed the regulatory framework was, it would be difficult to prevent that investment taking place.

I think we all know of the way in which licensed premises and clubs are increasingly being used for money laundering. There is a lot of money that, as it were, is looking for opportunities. I would be cautious, but I accept that there is a need to modernise regulation and also to modernise the primary legislation that covers it.

There is also the role of magistrates and, as is proposed, local authorities in relation to betting shops. I favour the idea of leaving things as they are. The hon. Member for Ryedale made a similar point. I do not have any in-built prejudice against local authorities. I hardly could, because I was a member of Hyton urban district and then a member of Knowsley borough council for about 14 years before I came into the House. I have parts of Sefton council in my constituency, along with the hon. Member for Southport (Dr. Pugh). Both councils do an excellent job.

At the same time, the magistrates already have a body of experience, and they are once removed from the pressures that would inevitably come on local authorities if they had licensing responsibility. I am sure that the authorities would carry it out well, but I think that magistrates courts are probably the most appropriate places for licensing.

Side betting on the national lottery is important. My right hon. Friend the Minister understandably, and probably rightly, has to be mindful of the responsibility that his Department has to protect the proceeds of the lottery. That is particularly so in terms of the money for good causes that the lottery produces. However, I believe that the issue of betting on the lottery has already, to some extent, been solved through the lottery itself. Camelot is allowed to use hot picks, which is a form of fixed-odds betting on the lottery. That rather destroys the policy. There is some fairness about that. If Camelot is allowed to have fixed-odds betting on the lottery, when in effect it is not supposed to be in that business, it is rather difficult to exclude others from being involved in that market. My right hon. Friend should give that some thought. No doubt he will do so when he decides to read my speech. He is obviously not listening to it.

There is the question of whether there should be a trust, a voluntary operation between bookmakers and other gaming interests, a voluntary levy or some form of compulsory arrangement. First, as did the hon. Member for Ryedale, I draw my right hon. Friend's attention to the excellent work that has been done by Gamcare. There is probably an arrangement to be worked out. If talks take place in good faith on all sides, I believe that he could come to an arrangement that would be to the benefit of everyone concerned. I urge him to take that approach. The implication of that is that he does not close his mind to other possibilities that may be put to him. We all agree on what we want the outcome to be, and it is a matter of how we get there. I believe that there is a way forward, without spelling it out today, that could be of some significance.

I move on to jackpot machines. I have some knowledge, having had some responsibilities for that area when I was a junior Minister in the Home Office.

I welcome the Government's acceptance of the Budd report's recommendation that betting shops should be allowed to have jackpot machines. I do not think that there is much opposition to that idea—certainly not in this House, nor, I suspect, in another place. As my right hon. Friend does not envisage introducing primary legislation until 2003–04, I urge him to consider whether that change could be made by a statutory instrument such as an order. I know from experience that secondary legislation on such matters can be a somewhat fraught process, but as there is widespread support for the proposal, I think that it could be used in this case.

I have here a letter from Littlewoods Leisure, which, as I said earlier, has considerable importance in my constituency; I suspect that other Members may have had a similar letter. For the benefit of my right hon. Friend the Minister, I shall read out a small section of it. Richard Boardley, Littlewoods director of games and lotteries, writes:

> "I would also hope that . . . the Government resist attempts by the National Lottery operator to water down the Budd recommendations, as far as they relate to free and fair competition across the gambling industry. Whilst we all want the National Lottery to be successful, this must not be at the continued expense of other competitors. You are already acutely aware of how much damage the lottery has inflicted on our Littlewoods pools business."

I hope that my right hon. Friend will give serious consideration to that point, not least because Littlewoods is still a large employer on Merseyside, and has a long and honourable record of operating fairly and properly.

I shall now say a little about the public's attitude towards gambling in general. Hon. Members have already talked about the old days, and when I was a child, there was an illegal unlicensed bookmaker called Mr. Dunn at the corner of the square where I lived. He operated from a somewhat rundown caravan, from which he ostensibly sold things like a quarter of tea and a pound of sugar, but really he was taking bets.

Things moved on and betting became legal, but even then—*[Interruption.]* It did not become legal for Mr. Dunn. Even then, there was a slightly unsavoury aspect to betting. All of us—including you, Mr. Deputy Speaker—probably have betting shops in our constituencies, and the whole atmosphere of those shops is entirely different from what it was even five or 10 years ago. They are more open and cleaner, and a lot of information and technology is used. We also see more and more women comfortably using betting shops now, and I welcome that.

I suspect that the figures from the last month or so will bear out the fact that an increasing number of younger people are now betting on football results, always on fixed odds, in a more flexible way than the football pools used to allow for. Typically, they bet on who will score the

[Mr. George Howarth]

first goal, or what the score at half time or full time will be. Indeed, I had a few such bets on the World cup myself—but sadly, like many of my other betting experiences, they did not pay any dividends.

Having placed their bets in a betting shop in the morning or telephoned them through to one of the many telephone betting services, punters can now spend a pleasant Saturday afternoon sitting in front of the television. As the hon. Member for Caithness, Sutherland and Easter Ross said, betting is part of the leisure industry now, and leisure can just as well be taken at home as on somebody else's premises.

My right hon. Friend is therefore right to want to bring the legislation up to date, and to recognise not only the economic importance of the industry but the extent to which it is now an integral part of our leisure industry.

12.5 pm

Mr. Paul Goodman (Wycombe): I expect that you will be familiar, Mr. Deputy Speaker, with Sellar and Yeatman's "1066 and All That", in which they divide the participants in the English civil war into:

> "The Cavaliers (Wrong but Wromantic) and the Roundheads (Right but Repulsive)."

In writing in that way, the authors were not judging who was right and who was wrong in the English civil war—a subject that I shall not discuss now, because I would rightly be ruled out of order—but highlighting certain attitudes and temperaments.

So far as alcohol consumption, cigarette consumption, the legalisation of illegal drugs and gambling are concerned, people tend to divide pretty neatly into cavaliers and roundheads. The roundheads tend to argue that alcohol duties should be hiked, cigarette advertising banned completely, smoking banned in public, a war on drugs prosecuted vigorously, and all gambling curtailed. The cavaliers tend to argue that alcohol duties should be slashed, cigarette advertisement warnings removed altogether, all drugs legalised—whether hard or not—and a category A slot machine placed in every pub.

In the briefings for this debate, the roundheads tended to argue, as Gamblers Anonymous does, the severe view that gambling is a form of mental disorder, and that it is a particular danger to children—a point with which I have some sympathy. Naturally, the cavaliers tended to maintain that, in a free society, everyone should be free to do as they please, without excessive state interference. If I have to come down on a particular side on these matters, I would prefer to be "Wrong but Wromantic", rather than "Right but Repulsive". The conclusion that I draw from the Budd report and the Government's White Paper is that they, too, come down on that side.

The nonconformist culture out of which disapproval of gambling came—the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth) mentioned it in the context of his childhood experiences—has more than begun to die out, and we now have a different kind of culture. As my hon. Friend the Member for Ryedale (Mr. Greenway) said, the Government are broadly right to concentrate on loosening restrictions in premises that exist largely for the purposes of gambling, and to be wary of further liberalisation in premises that do not exist primarily for that purpose.

The presumption behind the Government's approach—it is one that the Opposition share—seems to be that the state should tolerate, and even encourage, gambling up to a certain point, perhaps because it can help to educate people about finding the right balance between risk and safety. Some risk is good—that is why Ministers and Opposition spokesmen and women often refer to risk takers in an approving way. If exercised moderately, gambling can help to educate people about risk. If I go to Newmarket, see that there is a horse in the 3.15 that happens to be called Duty Whip's Fancy, and discover that it has good form—

Mr. Caborn: Total waste of money.

Mr. Goodman: I may have to pass on the Minister's remark to his duty Whip, who is absent.

Mr. Stephen O'Brien (Eddisbury): Duty Whip's Fancy has to be a fine filly.

Mr. Goodman: I knew that I was taking a risk in lending the horse such an appellation. However, if, after finding that the horse is on good form and running on ground that suits it, I put a bet on it and win, I have learned something about the balance between risk and safety.

The hon. Member for Aberdeen, South (Miss Begg) is not in her place, but she spoke effectively about a scam, to use the word that my hon. Friend the Member for Ryedale rightly bestowed on it. If women get caught up in such schemes, the risk is clearly unacceptable. That is the reason for the number of powerful inhibitors in society against undue risk.

I shall risk one more general remark before making some specific points. Excessive gambling can undermine the work ethic and create a get rich quick mentality. If that mentality abounds, it can eventually undermine hard work, thrift, diligence, persistence, enterprise and everything that contributes to wealth creation.

I shall descend from the ballet of philosophical abstractions to specific points. Before a Labour Member rises to make the point, I appreciate that a Conservative Government introduced the national lottery. However, I am not a full-blooded enthusiast for three main reasons. First, without being a killjoy, I believe that in its early days the lottery contributed to encouraging a get rich quick mentality among some of those who indulged in it. As we all know, it is hard to get rich quick without inheriting money. That consequence of the lottery was not good.

Secondly, the lottery did much to nationalise large elements of charitable giving. My hon. Friend the Member for Ryedale made the point indirectly. It is worth taking note of the figures. The lottery accounts for 65 per cent. of all gambling; £7 billion was spent on gambling in the United Kingdom in 1998–99. Those are large sums. By changing the balance of charitable giving, the lottery has contributed to turning charities into lobbyists because they have to go to the Government and specific boards to ask for money. They shape their bids according to the prejudices and fancies of those who make the judgments. That is not a good effect, to put it mildly.

Thirdly, the lottery has contributed, albeit indirectly, towards damaging the relationship between the person who gives and the charity that receives the money. I am therefore rather sceptical about the national lottery.

I appreciate that the lottery is here to stay, but I echo my hon. Friend's point, and some of the contributions of Labour Members, that we should have a level playing field. He argued persuasively that the lottery should be included under one gambling board. I urge the Minister to consider carefully my hon. Friend's point about society lotteries and the effect that the national lottery has had on them.

A recommendation in the Budd report suggested that premises licensing should remain a local function, exercised solely by local authorities. The White Paper says:

> "The Government does, however, accept that it would not be appropriate to give local authorities unfettered discretion to determine whether or not a premises licence should be issued or on the conditions attached to licences, such as those relating to opening hours."

Mr. Greenway *indicated assent.*

Mr. Goodman: My hon. Friend nods, and, indeed, he backed up that point in his speech. I hope that I will not arouse his ire by saying that although I am sure that the Government are right to make that point, it has been a feature of British government over the past 30 years or so that the powers of local government have been reduced under successive Administrations. That happened under Conservative Governments in the 1980s and 1990s and is happening even more extensively now. I urge the Government to give local authorities as much leeway as they reasonably can. If local authorities are not considered fit to have some hand in licensing arrangements, it is hard to know what the Government would consider them fit for.

I want to refer again to the point raised by Labour Members and my hon. Friend about the dangers of illicit money getting into the gambling trade. One strong argument against the complete legalisation of all drugs is that, far from taking money out of the hands of the dealers, dealers would muscle in on legitimate business. Some historians argue that that happened after the end of prohibition in America. I am not arguing for prohibition but simply noting that point of view. I echo the comments of the hon. Member for Knowsley, North and Sefton, East that the Government should be properly wary of that happening, as I think they are.

In an article in *The Guardian*—I sleep with a copy of the paper under my pillow, naturally—Andrew Burnett, a leisure analyst at Merrill Lynch—

Mr. Stephen O'Brien: It saves reading it.

Mr. Goodman: I will not quarrel with my hon. Friend about that.

In this article, which I commend to the House, in the unlikely event that the editor of *The Guardian* reads *Hansard*, Andrew Burnett writes that although French industry revenue doubled within two years of liberalising measures there, more than 50 people have been murdered in the past three years in what he describes as a bitter gangland squabble that the Interior Ministry believes is linked to control of the nation's slot machines or—I am sorry for my pronunciation—"bandits manchots", as they are known. My hon. Friend nods again. Mr. Burnett writes that the violence that is centred around France's estimated 6,000 illegal machines has included bombings in Aix-en-Provence and shootings on the Champs-Elysées. I am sure that the Government are properly wary of what could happen if the worst fears of the hon. Member for Knowsley, North and Sefton, East were realised.

The British Horseracing Board has made a point to the Government about alcohol, casinos and betting in pubs and clubs. It asks why, if alcohol is to be allowed in casinos—we do not know what the Government will include in their Bill if legislation is forthcoming—betting is not permitted in pubs and clubs. There are obvious safety arguments against that, but I urge the Government to reconsider the matter.

We look forward to the proposals in the Queen's Speech in the autumn, and I wish the Minister luck in his discussions with the usual channels and in ensuring that there is a Bill in due course.

12.20 pm

Rosemary McKenna (Cumbernauld and Kilsyth): I support the comments made by my hon. Friend the Member for Aberdeen, South (Miss Begg) on pyramid gifting schemes; they are scams, as the hon. Member for Ryedale (Mr. Greenway) pointed out, and should be outlawed. I also ally myself with the comments of the hon. Member for Caithness, Sutherland and Easter Ross (John Thurso): we shall want to follow up the matter and as a fellow member of the Select Committee on Culture, Media and Sport I hope that we will receive a memorandum on it. We may not be able to include it in the current report, but we may be able to issue it as an addition.

I welcome the opportunity to participate in the debate and look forward to the proposed Bill, which I hope will be introduced soon.

We must realise that gambling is an industry and that the people employed in it play an important part in their local economy. Gambling is also a modern leisure pursuit. As our disposable income has increased, we have started to see gambling in a different light. Shopping is now a leisure pursuit, enjoyed by many, many people—it even forms part of the tourism industry; but just because some people, unfortunately, become shopaholics, we would not attempt to ban it—nor should we react to gambling in that way. However, there are serious concerns about addiction that we must take on board.

We need modern legislation to simplify the rules and regulations so that they can be easily understood. I was especially glad that my right hon. Friend the Minister for Sport said that modernisation would go hand in hand with protection. We cannot have one without the other and I strongly support calls for both.

My hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) talked about modern betting shops. That reminded me that when I was a small child my grandfather used to visit an illegal betting shop in the back close of a rundown building near our house. It was common knowledge that the police arrested only the young men—the bookies paid the fines—while the elderly gentlemen were ushered out and went off to a friendly local house for a cup of tea until the bookie could open up again a couple of hours later. What a huge change we have seen since then. It is great that people feel that they can take part in gambling and, as has been pointed out, women are also able to participate. I welcome those changes.

[Rosemary McKenna]

I want to speak first on the rôle of local authorities. I disagree with the hon. Member for Caithness, Sutherland and Easter Ross: local authorities have an extremely important role to play in local life, and I disagree with the claim that the Government have removed powers from local government. I was involved in local government throughout the entire former Conservative Administration and I could spend all day listing the powers that they removed from local government. I shall not bore the House by doing so, but remind hon. Members that the Government are beginning to change their attitude to local government. In certain parts of Scotland, they are considering giving local government powers of general competence—I should like to see that happening throughout the country.

It is absolutely crucial for local government—all local authorities—to bring its local knowledge to bear on local issues. I sat on a licensing board where we granted and removed liquor licences, and local knowledge was crucial. That board also gave members of the local community an opportunity to express their views. I have no qualms about saying that local councillors are crucial to such communication. Their role is absolutely right.

Sometimes the board was tempted by the people who applied for a licence. A local butcher came before us, saying that he thought it would be very appropriate to be able to buy a bottle of wine at his butcher's shop. He said, "Wouldn't it be nice if you were on your way home one evening and you thought, 'I will go into the butcher's and buy a really nice piece of fillet steak'"—Scottish fillet steak, of course—"and then I could offer you a piece of passion cake and a bottle of claret?" I do not know whether that was intended as a bribe to board members, but we reminded him that we thought that the right shop was called a supermarket. That undermined his argument about a one-stop butcher's shop.

Local democracy is crucial to the role of local government, which places a democratic overlay on the decision-making process. All aspects of gambling should be subject to local government control.

I am sure that we all share the concerns that have been expressed to me about the misery that gambling addiction can cause. Particular concerns have been raised about online gambling and the use of credit cards. I understand that it is very difficult to control such gambling, but we must try to find ways to help those who get into trouble. However, the industry must contribute more towards offering help and counselling to those who get into difficulties.

Children must be protected, and I look forward to reading what the Bill says about that, but I have no doubt that responsible parents always ensure that any gambling is done responsibly. We all gambled at the seaside—it was part of our holiday—but I accept that we need clear rules and clear statements about which machines children may use. As a former teacher, I know that children gamble on everything, from a game of marbles to football. It is harmless fun to them and they do not know that they are gambling. How that impacts on their home and whether it leads to addiction is absolutely unknown; no research is available. Some well-founded research would be very welcome to help inform any future debate on that issue. It would gain the industry a great deal of credit if it were willing to support some independent well-founded research on the issue.

On gaming machines, like every other Member of the House, I was inundated with letters from various clubs. My constituency has several social clubs and a couple of miners' welfare clubs, which do tremendous work in the local community in support of local charities. The local communities would be completely undermined if those clubs could not have gaming machines on their premises. Therefore I was delighted when the Minister said that he would respond positively to their representations and that the Government would continue to allow them to have gaming machines. We would all welcome that.

I welcome the Government's response to the review. Like other hon. Members, I do not consider myself a gambler, but I do buy lottery tickets, and like every other Member of Parliament I cannot possibly refuse to buy raffle tickets at all the local events to which we are invited. However, I was once forced to take part in a very important piece of gambling that was not seen as gambling, when I had to cut cards with the leader of the opposition in a hung council to see who would be the provost—or in English terms, the mayor—of the town for four years. I drew the king of diamonds, at which point there was silence throughout the room, until the leader of the then opposition drew the eight of clubs. As a result of that act of gambling, I had to chair a hung council for four years.

Mr. Goodman: Could the hon. Lady tell us which were trumps?

Rosemary McKenna: Well, I think that I came up trumps.

Gambling can take many different forms and, very often, people do not realise that they are gambling, because in many circumstances it can be harmless fun. I look forward to the Bill.

12.30 pm

Mr. Boris Johnson (Henley): I apologise to the House for being slightly late this morning. I took a gamble on public transport that did not pay off.

I want to declare that although I have gambled many times, I have never won until recently, when, like the hon. Member for Cumbernauld and Kilsyth (Rosemary McKenna), I took part in a raffle. However, I discovered that one of the difficulties of being a Member of Parliament is that one is not allowed to win the raffle and that, if an MP wins the raffle, he or she has to give back the prize.

We have been presented with an interesting and very good set of proposals. I want to begin by quoting paragraph 7.1 of "A safe bet for success", which the Government have published. It states:

> "In the Government's view the law should no longer incorporate or reflect any assumption that gambling is an activity which is objectionable and which people should have no encouragement to pursue."

Well, there we are. That is a very handsome statement by the Government, who are about to ban tobacco advertising and have imposed all sorts of restrictions in a massive exercise on alcohol, travelling by motor car and all sorts of other pleasures, but no one could call this a nannying or puritan measure. In the words of the casino industry, that statement could have been written by the casino industry, or so we are told.

We have the prospect of a significant change to our landscape and culture. As I look ahead and as I read the report and the Government's response, I seem to see neon strips flashing away, cocktail dresses and all manner of things like that. You and I will be able to walk in off the street into one of these new casinos, Mr. Deputy Speaker, without membership—we will not have to be members for 24 hours before we slap down our credit cards on the bar and get lots of chips. Alcohol will be provided, and there will be live entertainment of all kinds.

It is possible to imagine that, in the near future, some of our duller seaside towns will answer to the description of fleshpots. Frankly, I welcome that. If that is the intention, it is perhaps not wholly uncivilised. I think it unlikely, however, that all these new casinos will be cultivated places, full of black-tied croupiers and James Bond-style girls, draping themselves over people's shoulders as they go into the final rubber with Le Chiffre, playing vingt et un. They will not all be high-class establishments.

It is more likely that there will be a great profusion of establishments with wall-to-wall, winking one-eyed—*[Interruption]*—one-armed bandits. *[Interruption.]* Possibly one-eyed, too, and people will robotically feed coins into the slots in a state of narcosis, as that is the prevailing experience of places with such liberalisation, such as Las Vegas, which I have not visited, or Surfers Paradise in Australia.

That is why I very much agree with my hon. Friends the Members for Ryedale (Mr. Greenway) and for Wycombe (Mr. Goodman) and several other hon. Members about the necessity to have a strong regulatory framework, and why the policing of this proliferation of new establishments must be very careful. I very much agree with the hon. Member for Caithness, Sutherland and Easter Ross (John Thurso), who reminded us of how gambling went wrong in the 1960s. If we are to see an expansion, it is important that we should control it and be very careful. Let us be in no doubt that there will be a great increase in gambling. The Government will raise much more revenue from gambling, but there is also a risk that more low-life types will be associated with it, and that there will be more money laundering as well as all the other criminal problems that have been mentioned.

I stress that I do not disapprove of gambling. I welcome the Government's cavalier, romantic approach to the subject. I echo the point of my hon. Friend the Member for Wycombe about education in risk. Gambling is a valuable utensil of public education. That point could also have been adduced in the earlier statement, which you did not hear, Mr. Deputy Speaker, on the MMR debate. The public have been stampeded away from using the MMR vaccine by a false appreciation of the public risks involved—that may be a heterodox view from the Conservative Benches. Consequently, we run the risk of a measles outbreak.

Understanding risk is important not just for public health policy but for capitalism. It is integral to capitalism. How did the late Jimmy Goldsmith make his first fortune? He bunked off school one afternoon and went to Windsor races. It is important that people understand, contrary to the title of the Government's response, that there is no such thing as a safe bet, as those who follow the stock markets and who are worried about their pensions will appreciate. On the other hand, nothing ventured, nothing gained.

It would be a great shame if the proposed measures did anything to damage the viability of bingo parlours. I recently played bingo for many hours in south London, wholly unsuccessfully. It struck me as a game not just of chance but of considerable skill. It was played in an atmosphere of great charm and conviviality, and it would be a shame if, through any of the proposed measures, hard gambling were introduced into those very nice parlours. I hope that that will not be the case. I am reassured by some of the remarks that I have heard from bingo associations that they think that will not be the case. I notice, however, that the Government's intention is to liberalise bingo parlours.

I am baffled by the proposal to reduce not just the stakes but the prizes available to those of us who enjoy playing the crane machines in seaside arcades. If, Mr. Deputy Speaker, you had spent a considerable amount of time trying to win a prize on one of those very difficult machines by grabbing a watch or a fluffy toy, you should be entitled, at the end of all of that, to a seriously up-market fluffy toy worth up to £8, or to a watch that will last for more than a year. I see no reason why the Government are cutting the maximum value of those prizes to £5—it is pointless nannying. I hope that the Minister will tell us why they are doing that, and why they intend not to do it after all.

With that serious criticism, I generally welcome the provisions outlined in the Government's response. I prefer to take a punt on it.

12.39 pm

Mr. Gordon Marsden (Blackpool, South): It is a great pleasure to follow the hon. Member for Henley (Mr. Johnson). His speech was an extraordinary cornucopia of subjects. I share his views about grab machines. I used to play them with great fondness as a child in Blackpool. His vision included references to James Bond and cocktail dresses. I think that he meant cocktail lounges, but perhaps it was a Freudian slip.

As the Member of Parliament for Blackpool, South, I have followed all aspects and all stages of the review with great interest. It has obvious implications for Blackpool, and several hon. Members have already mentioned them. It is right to make the point that many of the broader entertainment and leisure implications of the liberalisation proposals and the Government's response, which I welcome, could affect seaside and coastal towns more generally. I have been made well aware of that point in my position as president of the British Resorts Association and as chair of a Labour Back-Bench group of seaside and coastal Members of Parliament. Members of all parties representing seaside and coastal towns and local authorities in such towns have mounted a vigorous and rightly penetrating analysis of the issues involved and the Government's response.

Like other Members, I shall refer to amusement machines and gaming. The hon. Member for Henley entertained us with a vision of one-eyed bandits but, like the hon. Member for Lichfield (Michael Fabricant) did in the Select Committee, I remember them as one-armed bandits. We are probably all from the same generation.

[Mr. Gordon Marsden]

The serious point is that such machines and grab or crane machines have been an integral part of the fabric of a seaside holiday for a long time. Therefore, the Government's acknowledgement of that in their response to Budd has been extremely welcome.

The Government have struck the right balance and noted the distinction that my hon. Friend the Member for Cumbernauld and Kilsyth (Rosemary McKenna) also drew about the important role played by social and working men's clubs in charitable activities generally. Like other hon. Members, I have received representations on that point and I shall refer to one made by the Blackpool No. 1 working men's club and institute in Bloomfield road in my constituency. It said:

> "Members club subsidise social activities, sport, music and entertainment. They raise money for charity. They serve their members and the interests of ordinary citizens."

That is absolutely correct, so I pay tribute to the Government for their response and to my right hon. Friend the Minister for his robust and sensible approach to the issue.

Perhaps we view everything through rose-tinted spectacles, but I have a final point about crane machines. It seems to be more difficult to capture the fluffy toy or the watch than it did when I was a child. However, when I was a child and went to Blackpool, the objects may have been rather smaller and easier to grab. In fact, several small toys and novelties adorn the Marsden Christmas tree each year.

Dr. Pugh: Although we on are the issue of fluffy toys—a significant one for seaside resorts—does the hon. Gentleman accept that it is not in any way related to problems of gambling addiction as dealt with in the Budd report? People are not addicted to fluffy toys. If they are, it is not a problem with which we should unduly concern ourselves.

Mr. Marsden: I thank the hon. Gentleman for that point, but he has not had the opportunity to examine the insides of my cupboards and closets. Therefore, he cannot be sure that he is correct about fluffy toys. However, I accept that he has made a legitimate point.

Several hon. Members, including the hon. Member for Ryedale (Mr. Greenway), have referred to non-monetary prize amusement machines and expressed concerns about the proposal to reduce the maximum price of play and to reduce the maximum value of the prize. I shall quote a letter that I have received from Blackpool pleasure beach, which many people will have visited and will know is part of the history of popular culture and entertainment in Blackpool. Blackpool Pleasure Beach Ltd. makes the point that, if the proposed reduction were introduced,

> "These machines would simply not be viable from either customers or operators perspective"

over a long period. It continues:

> "These machines are hugely popular with families and could never be seen as a gambling product."

The letter goes on to make the interesting suggestion:

> "The answer is to have within the amusement machine Category D band a subcategory of machines that pay out only prizes and not cash. This subcategory should be allowed to maintain price of play and prizes at current levels".

That is a sensible and thoughtful suggestion which the Government might consider.

The point is also made:

> "The establishment by the Government of an amusement machine (Category D) is a major step forward."

All those who have seen the Government's response would agree. However, Blackpool Pleasure Beach also says that it is not reasonable indefinitely to freeze the stake and prize levels for those machines. Some review mechanism for that process is suggested, and I would agree with that.

I turn to the main thrust, certainly as far as a town such as Blackpool is concerned, of the Budd report and the Government's response: the implications for resort casinos of the major deregulation and liberalisation of casinos. I suspect—I pay tribute to the publicity activities of Leisure Parcs Ltd. and the Blackpool challenge partnership in this respect—that there is hardly anyone in the land who does not know that Blackpool has been posted as the new Las Vegas. However, as at least one hon. Member has rightly said today, if we are to cross to the United States, there are other and perhaps better analogies to take into account. I shall mention two: Atlantic City and Biloxi, both of which, curiously, are the subject of films. Perhaps we can take heart from that for Blackpool.

The important point about Atlantic City and Biloxi is that they have achieved a degree of regeneration, having been significant resort centres that had lost a lot of their traditional market. Regardless of whether the entertainment that resort casinos might produce in Blackpool or elsewhere will be literally of Las Vegas stature in due course, the crucial question for us to examine is how we regenerate seaside towns such as Blackpool through that process. That is why we need to put four square the possible benefits of deregulation for local communities.

I sent a memorandum of evidence to the excellent Select Committee inquiry, which is still going on. Obviously, my hon. Friend the Member for Blackpool, North and Fleetwood (Mrs. Humble) and I have talked to and heard the views of a vast array of people in and around the town since the proposals were first mooted. I said in the memorandum that one finds a small, quite vociferous lobby of people who are significantly opposed, mainly on principle, to the expansion and introduction of resort casinos. I accept, particularly as far as the Methodist Church and others are concerned, the principal basis of that objection and the concerns that flow from it, although I do not necessarily agree with it.

Another group of people have assumed, perhaps almost in a Pavlovian way, that resort casinos would be the answer to all our prayers and that the sooner that we get them the better. However, the vast majority of people, groups and associations in Blackpool—significantly including the vast majority of hoteliers, guest house owners, and so on—take the view that there could be great benefit from resort casinos but that we need to see the detail of proposals. That raises the problem of how the local community can benefit directly via a levy or hypothecation.

There has been much loose talk about emulating what Atlantic City has done, but it is not possible for us to do the same thing. The structures are entirely different. New Jersey and Atlantic City have a federal structure. We do not have a method by which we can use hypothecation in the same way or enjoy the control of funding that individual states can exercise. It might be that on the back of regional development, with possible elected assemblies in the north-west and elsewhere, there will be more scope for such a levy in five to 10 years time. However, we must consider what we can do now.

A local authority and the people making the proposals could reach a voluntary, though legally enforceable, agreement to the same effect. By earmarking a percentage of turnover, profit or a mixture based on a bottom line account, an annual payment could be made for community use from the income generated by such activities. That is a possibility, but the proposals in the Government's draft local government Bill for business improvement districts might provide a mechanism for a more structured approach. That view was shared by the leader of Blackpool council, Councillor Roy Fisher, who is also the chair of Blackpool challenge partnership. In written evidence to the Select Committee he said:

> "We believe that some form of the legislation already going through the parliamentary process for business improvement districts would provide this without the need for hypothecation or a levy within the gaming legislation."

That is crucial for the people of Blackpool. All the surveys by the local newspaper and others have shown that the ability to produce a direct tangible benefit from resort casinos for local community projects is crucial to securing the support not just of the section of the town involved in tourism, but across the whole community, including the many people who do not have a direct interest in, or daily contact with, tourism.

The Bishop of Blackburn took the same view both in evidence to the Select Committee and in statements elsewhere. He is broadly in favour of the proposals for resort casinos and rightly draws our attention to the social concerns, but he also makes the point that we need a direct regenerative mechanism, as well as the other indirect benefits that might result from that.

We need something that will benefit local communities, but resort casinos also have to be seen in the context of developing a much bigger leisure package and providing greater opportunities for people who visit seaside towns such as Blackpool. That is the basis on which they will be welcome. As other hon. Members said, they will not be welcome if there is the same "pile-'em-high" collection of machines in gaming sheds, which is what has happened in Australia.

Professor Peter Collins, director of the centre for the study of gambling and commercial gaming at the university of Salford, also gave evidence to the Select Committee. He recently produced a report on the issue and said:

> "In respect of choosing between 'many-small' and 'few-big' with respect to new casinos the arguments from minimising negative social impacts all tell in favour of 'few-big' . . . Gambling tax policy can provide both some general benefits and some benefits targeted at the needy and least advantaged. The Lottery Good Causes Fund seeks to do this. However, in relation to casinos the judgement which government makes on this issue will be crucial because the few-big scenario permits, and the many-small scenario does not, the siting and structure of casino projects so that they do most for those communities where need is greatest."

That argument is supported by the Blackpool challenge partnership and in the evidence to the Select Committee which cited the example of Australia, where the total liberalisation of the gaming laws led to the proliferation of high pay-out casino slot machines, which in turn made a significant contribution to increasing gambling addiction and social deprivation. The Government need to take that point on board when considering the detail of this matter.

Hon. Members have spoken of the importance of having a planning process that is flexible; for example, through the section 106 system, community benefits could arise from the development of resort casinos. If the process is not flexible, it will not be possible for local authorities, which make difficult decisions about planning applications, easily to ask for some of the benefits, such as education or health facilities, which may be constructed as part of a planning agreement for a resort casino.

There are weaknesses in the present planning process which need to be addressed. Again I draw on the evidence given to the Select Committee by the Blackpool challenge partnership. It said:

> "Because of its history Blackpool already has more than 30 buildings that would not require planning permission to become casinos. The only control we could exercise over these buildings would be the granting of a licence . . .
>
> In order to take advantage of development opportunities . . . we propose that in conjunction with a review of the legislation a new planning use class order is established for casinos."

The partnership continued:

> "Planning powers would also give the opportunity to provide a clear definition for a resort casino that is tied to anywhere having the ability to host large numbers of gaming machines. This provision would then in turn be tied to a requirement for leisure, hotel and conference use that would then go a little further than simply the size of the gaming floor."

I believe that a figure of 5,000 machines is suggested. That needs to be considered in any legislation that is introduced.

There has been much talk in Blackpool about the town having pilot status in any resort casino process. The subject has been brought up with the Select Committee and the Minister. If that were possible, it would, in many ways, be desirable. It is all very well leaving these matters to the market, and it may well be that the market would eventually sift out those operations that did not conform to the broad model of the all-singing, all-dancing, family oriented casino which I and many others would consider the focus of resort regeneration. However, we do not need years of upheaval and eyesores while it does so. That point needs to be taken on board, whether there is a formal pilot status or whether we increase the ability of local authorities to take a holistic approach to planning, or preferably both.

Hon. Members may not be aware that it was intended that Blackpool tower would be one of a number of towers to be built all round Britain in the 1880s and 1890s. There was a sort of franchise system, and Blackpool took up the idea and ran with it. It may give us an idea of what we could do if we did not have a formal pilot scheme. Blackpool could, by default, be that pilot.

There is, however, an urgent need for Government action and for legislation. I am pleased about what has already been done by order, and I welcome the Department's commitment to the fight for a slot in the Queen's Speech. If planning authorities and bidders want to move ahead, it is important that we have early legislation.

As always, there must be safeguards. The £3 million for the Gambling Trust, as mentioned in the Budd report, and the initiatives that have been proposed by the British

[Mr. Marsden]

Casino Trust and BACTA are important. We must protect vulnerable young people, but it is important to remember what we are aiming for: a resort where perhaps only 10 or 15 per cent. of the floor space would be for gaming. It is a leisure experience, not primarily a gaming experience, that those of us in resort towns such as Blackpool seeking regeneration are looking for. The gaming sheds that we have seen in Australia would not provide that.

I want to make it clear that Blackpool is not putting all its eggs in the resort casinos basket. That has been made clear by the challenge partnership, the local council and a number of business leaders. There is an enormous amount of regeneration going on in the town and the challenge partnership is looking at a number of schemes. There are ideas for a "snow dome" and for "storm city". It is important to recognise that Blackpool, like other seaside towns, is already doing things to regenerate itself.

We have had major new art installations on the promenade and we had a modern statue called "Desire", which was supposed to embody the sexual frisson of a weekend in Blackpool—*[Laughter]*—and which came under the beady eye of the right hon. Member for Maidstone and The Weald (Miss Widdecombe) during the general election campaign. We also have the world's largest glitterball, and a sea organ that will play various tunes in accompaniment with the tides and which is to be installed in the autumn. Future generations need not fear for lack of inspiration for new versions of "Albert and the Lion".

The winter gardens have had a major overhaul. The tower room and the ballroom, where generations of dancing couples glided elegantly, have been revamped. We have the Grand theatre, and major and elegant sea defences with ocean liner railings. We have a plan for an environmental centre and a solarium. There are major upgrades of the light rail system, based on the trams, and there is some diversification.

I could go on; no doubt Blackpool council's tourism department would like me to do so, but you, Mr. Deputy Speaker, would call me to order—quite rightly. In giving that list, I wanted to focus on why resort casinos are potentially beneficial. In Blackpool, we need a big bang. We need a big initiative that will carry through all the other things that I have mentioned.

Like so many seaside towns, behind the facade of the wonderful experiences that people have on holiday, at party conferences and the like, Blackpool has problems. There is a decline in visitor numbers; we are the 32nd most deprived area of the UK; we have all the difficulties associated with seasonal employment, traditionally low pay and low employment; we have all the demands of demography, in terms of having a larger than average number of younger people and a larger than average number of older people, which puts enormous pressure on services in the town. We have all those things and we need to find a regenerative mechanism.

Of all the proposals on the table, the regenerative mechanism via resort casinos appears to me and to many others to be the best bet. The devil is in the detail and we need to get the details right. That I why I have dwelt at some length on the needs in terms of planning and a proper regulatory framework. This is not an impossible dream, although there are those who have been sceptical about talk of Pharaoh's Palace and various other possibilities for Blackpool on the back of resort casinos. It is worth remembering that we had the same sort of doomsayers at the turn of the last century when Alderman Bickerstaffe bought up the tower company's shares for Blackpool council.

If we are to have resort casinos in Blackpool, we want to ensure that it maintains the affection in which it is held and its almost mythic status in popular culture. I believe that we can do that. We can have a new golden mile and a new town of adventure, and there will still be all the excitements and the £1 for the first person to spot the tower from the train. However, that must be built on solid business, solid regulation, solid benefits for residents and tourists alike, and a recognition of the need for any liberalisation and deregulation of gaming to include concern for the most vulnerable.

1.5 pm

Dr. Stephen Ladyman (South Thanet): I very much enjoyed the speech by my hon. Friend the Member for Blackpool, South (Mr. Marsden), and I agree with his comments about amusement machines. I shall return to that subject in a moment. The hon. Member for Henley (Mr. Johnson) also made an entertaining speech. I look forward to a racing page appearing in *The Spectator* at some point in the future.

Mr. Boris Johnson: There already is one.

Dr. Ladyman: Is there? That shows how often I read *The Spectator*. The only advice that I would give the hon. Gentleman is never to ask the hon. Member for Wycombe (Mr. Goodman) to write it, although I share his view that the names of horses are significant in terms of whether they win. My most recent experience in that regard took place during the run-up to the 2001 general election. As a lifelong Liverpool supporter and a Labour candidate, when I saw that a horse called Red Marauder was running in the grand national, I thought that that was clearly a sign from a benevolent God, did a considerable amount of business, and won a packet on it.

I was interested to hear about my hon. Friends' experiences of betting prior to the degree of liberalisation that we have today. My hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) talked about Mr. Dunn taking bets in his caravan. My own experience relates to my granddad, who in the late 1950s and early 1960s would take me for walks during which he would try to find a telephone. When he got through to whoever was on the other end, he would say, "Hello, this is Lucifer." I always thought that rather strange, because mum always called him Jack, but of course he was on the phone to his bookmaker. For a man with almost no hair, he spent a considerable amount of time at his barber's. It was only many years later that I realised that the barber collected his money for him. There is a moral to the story, which is that if people are not allowed to gamble legally, they will do it illegally. As far as I am aware, my granddad and his barber did nobody any harm by having their bets.

Growing up in Liverpool in a part of town that nowadays would be given a euphemism such as "facing serious challenges", I was aware of the dice games that were played on pavements outside pubs. Landlords could lose their licences if they allowed gambling in their pubs, so they invariably did not, and the men would take their dice games out on to the pavements. Even to my young eyes, the piles of money on those pavements were impressive. I suspect that many a family's housekeeping was lost in those dice games. My right hon. Friend the Minister proposes in his White Paper to make gambling debts legally enforceable and to repeal the Gaming Act 1845. Hiding behind that Act if one did not want to pay the gambling debts incurred in one of those dice games was probably not a wise step. If one did not pay those debts, one would be introduced to somebody with a name like Harry "Eat Your Giblets" Smith, who tended not to be an expert in Victorian jurisprudence. One would certainly not be allowed to argue that one's debt was not legally enforceable.

I tell those stories simply to reinforce the fact that we must have an environment in which gambling can take place in a proper and controlled way. That said, I find myself somewhat disoriented, because I seem to be more in favour of deregulating the sector than most other hon. Members—even the hon. Member for Henley. I never thought that I would find myself in that position.

We still have a tendency in this place to be patronising about gambling. We can make decisions about whether we gamble, but others might be led down the path of vice and error, so they need guidance and controls. I suspect that if we were to try telling our constituents that we know better than they about how they should spend their leisure money, we would probably get pretty short shrift from them. We must be careful before we advance such arguments.

The market is an important influence in deciding what works in a gambling sense. I entirely take the point about keeping crime out of the gambling sector. I am aware that the Gaming Acts, as the hon. Member for Caithness, Sutherland and Easter Ross (John Thurso) said, were designed to get the Krays out of the gambling industry. They have worked extremely well and we dare not make the error of allowing that sort of influence back into the system. However, we must be aware of what has happened in the past year or so in places such as Paris, where draconian measures have been taken to limit the availability of gaming machines.

In Paris, people now have to buy one-armed bandits from illegal suppliers. There was a report in a newspaper that I read towards the end of last year where a cafe owner made the mistake of buying his one-armed bandit from the wrong bunch of crooks. He was subsequently found dead. The pathologist was reported as saying that there were so many bullets in the cafe owner's body that he could not count them. We cannot allow that sort of system to recur.

I am delighted with the efforts that my right hon. Friend the Minister has made in pulling the White Paper together. The Budd report was a good start. I have been extremely critical of some parts of it and have described some of them as barmy, and I do not withdraw my comments one iota. However, my right hon. Friend has done a remarkable job of sorting out the good parts of the report, of which there were many, from the barmy parts. There are still some things in the report that we need to be careful about and to which we should give more thought. That will inevitably happen as we start to produce the legislation that will come forth soon.

My right hon. Friend says that he is hoping to get the legislation into the 2003–04 Session. I am rather disappointed with that. I would like to see it come forward more quickly. However, if it is to be 2003–04, that at least gives us the opportunity, if I may hint this, of some pre-legislative scrutiny during the next Session. That would help us all to try to iron out any more wrinkles that there might be. The Bill might then have a quick passage through the House late next Session, if parliamentary time were to open up. I suggest to my right hon. Friend that we might seek ways of speeding up the process.

As for the casino sector, I am entirely in favour of the liberalisations that have been set out in the White Paper. There are daft notions of 24-hour rules and not allowing casinos to advertise. It is certainly time that we dealt with these. There is a casino in my constituency. It is an important part of the offering that we make to tourists who come to my constituency. However, we cannot tell any of them about it. Unless they come for longer than 24 hours, they cannot use it. If someone comes to Ramsgate for a long weekend and they do not realise that there is a casino there until Saturday, and they then put in their request to use the casino, they will not be allowed to use it until 24 hours have passed, by which time they are usually on their way home after their weekend. That is nonsense, and it is clearly right to deal with that situation.

One of the arguments that has struck me, not only in today's debate but more generally, is the suggestion that we should change planning law and make a new class order for casinos. My hon. Friend the Member for Blackpool, South mentioned that, and I think that it is the right idea. It would deal with many of the worries about casinos flourishing all over the country in all sorts of unsuitable places, because the local planning committee would have a say. I would find that process far more convincing than the 2,000 sq ft rule.

I can imagine perfectly reasonable opportunities to set up casinos that take up less than 2,000 sq ft; let me give my right hon. Friend some examples. If someone who owns a country house hotel wants to operate a small casino there, and the local authority thinks it a good idea, which would make the business more viable and encourage more people to come to the hotel, what could possibly be wrong with that? Why should we say that people cannot do that unless they provide 2,000 sq ft of gaming space?

Perhaps it would not be economic to run a small casino in that environment, because of the number of employees needed, and all the safeguards that we are insisting that people build in to casinos—but if some entrepreneur thinks that it would be worth his while to set one up, and the local authority thinks it appropriate, why should we put some daft figure down on a piece of paper and say, "I'm sorry, but you haven't got 2,000 sq ft of gaming space, so we can't let you do it"?

I fully appreciate that the new gaming commission will need the resources to monitor all the facilities, and will not want lots of small casinos springing up before it has the resources and can inspect the premises. However, there are practical measures to deal with that problem, such as giving the gaming commission the power to alter the square footage rule as it acquires more resources. Alternatively, the rule could say that the development had to have a beneficial effect on the local economy, and that if the gaming commission thought that that criterion was met, it could give a licence for a casino.

[Dr. Ladyman]

There are practical ways of dealing with all those problems, and I do not think that we should try to interfere in the market as the White Paper suggests and say, "We know best. Casinos should all be the size that we say." One idea is that casinos should all occupy more than 10,000 sq ft. I can understand why someone who believed that the availability of gambling would inevitably lead to people with gambling problems might make such a suggestion. However, as I have already said, I think that that is patronising.

There are better ways of organising things, one of which is giving local authorities a clear planning power to limit where casinos are sited in their areas. In my seaside constituency, I would want my local authority to encourage the development of more casinos in the tourist areas of our towns, rather than in the high streets. We have a casino on the seafront in Ramsgate, and in the neighbouring constituency of North Thanet there is one in Margate. I certainly would not want to see lots of small casinos flourishing in my local high street—but I trust my local planning committee to make such decisions sensibly if we give it the appropriate powers.

I am afraid that I disagree with my hon. Friend the Member for Blackpool, South about resort casinos. I do not see how we can argue that Blackpool should be given a competitive advantage over everywhere else that might want a resort casino. I can understand why Blackpool is asking for that. If it is going to invest a lot of money, of course it will take every possible step to get a head start on the competition. I also see why we might not want there to be more than one resort casino in each region—but a resort casino in Margate would have no impact on the viability of one in Blackpool or Brighton, because they would be operating in different markets.

I do not know whether a resort casino will prove viable. In this country, a different financial model backs casinos from that in the United States. In America, casinos work on very high volumes and low margins, but in this country they tend to work on much lower volumes and higher margins. The high-density gambling of American resort casinos can be achieved only if we adopt their model. Perhaps some people think that they can make that model work in this country, and if they do, good luck to them. If they want to invest their money and have a try, there is no reason for me to stand in their way, but such entrepreneurs should be entitled to look around the country to find the best opportunities—regardless of whether they are in Blackpool or in my patch. There is no merit in the idea that we should restrict a trial to Blackpool.

In gambling debates such as this, my first love is the campaign to protect the seaside arcade industry, and I am grateful to the hon. Member for Ryedale (Mr. Greenway) for acknowledging my role in that campaign. Indeed, most of the barmy arguments in the Budd report related to that industry. My one criticism of the White Paper is that it seems to repeat the Budd report's obsession with the idea that, because machine gambling is repetitive, it is more likely to cause problem gambling and compulsive behaviour than any other form of gambling. Although there is a lot of speculation to that effect, I have seen no objective evidence. According to Gamcare's own figures, it received just 375 genuine calls relating to the playing of pub machines, even though there are some 6.9 million people who play such machines. I am not suggesting that people do not occasionally develop gambling problems as a result of playing such machines, but there is no evidence that they are more likely to lead to problems than any other form of gambling. The notion that machines are somehow more dangerous than other forms of gambling perfuses the Government's response to the Budd report, but I do not buy it.

Nevertheless, congratulations are due to my right hon. Friend the Minister, who has sifted out the bulk of the barmy bits in the Budd report relating to the seaside industry. The industry breathed a huge sigh of relief when the White Paper was published, because it could see a future for itself once again. Its only remaining concerns—they may seem minor in the scheme of things, but it considers them immensely important—have already been touched on. According to the White Paper, category D machines are to be kept indefinitely at the 10p stake, £5 prize limit. Although my right hon. Friend has not said that he wants such machines to become uneconomic, wither away and die, that is what those involved in the Budd report have said in the press. Indeed, that was their intention in suggesting that the stake be frozen.

I do not accept that proposal in any way, and nor does the industry: it is not a valid objective. I do not want to be too harsh, but I find it slightly dishonest that that was not spelled out in the report. If the withering away of such machines is indeed the objective, the report should say as much. Those involved in the report should not present an idea, and explain the real motive behind it only afterwards in the press.

The machines are an important component of the seaside arcade. They are harmless fun, nothing more. We should allow the stake and prize—10p and £5—to be reviewed periodically. It may not have to be done that frequently. I should like it to be undertaken every three years, as currently happens. The gambling commission should do it when it reviews the other stakes. We should say explicitly that our motivation is not the disappearance of the machines, which are an important part of seaside businesses.

Let us consider cranes. A decent quality fluffy toy has to cost at least £5 or more. Simply getting a safety certificate for the toy costs money.

Mr. Gordon Marsden: I entirely agree with my hon. Friend. Does he agree that having a more expensive fluffy toy would be an incentive for people in the arcades to buy domestically manufactured items, which comply with British safety standards, not cheaper, imported toys that do not?

Dr. Ladyman: I agree. We must ensure that the prizes are of decent quality. Restricting the stake and the value of the prize means changing the machines so that people cannot win as often. That is the only way in which to make the machine pay. We would therefore be kidding our children; we would effectively be saying that we will pass a law that makes it more difficult for our kids to win a fluffy toy. That is not Labour policy, but the policy of other political parties. My right hon. Friend the Minister, who is loved by children everywhere for saving their seaside arcades, will be praised to the hilt if he ensures that such a law is not passed.

I represent a seaside constituency, and gambling is an important part of what we offer. Furthermore, the cranes in seaside arcades are made in my constituency, as are the pusher machines, in the tops of which people insert a coin so that a little paddle knocks some coins off the shelf. Excellent businesses in my constituency maintain and supply the machines. Apart from the casino and our seaside arcades, we have a range of betting shops and other gambling activities.

Gambling is an intrinsic part of the seaside offering to our visitors. Hundreds of my constituents rely on work associated with the machines for their livelihoods. We cannot simply tamper with them thoughtlessly. My right hon. Friend appreciates that, hence his dramatic changes to the Budd recommendations. If he takes note of my points about the prize machines and the proposed 10p stake, £5 prize category D machines, he will gain our thanks for taking that small extra step towards ensuring that the seaside in this country continues to be viable and a home for our children.

When I take my little girl, who is eight, on holiday, she loves running around seaside arcades with a handful of coins to play the pusher machines. I have said it before and I shall say it again: if she develops a gambling problem later in life, it will not be due to a couple of happy hours in Torquay or Ramsgate playing on the machines. Our legislation should reflect that reality.

1.29 pm

Mr. Eric Joyce (Falkirk, West): I endorse the comments of my hon. Friend the Member for Aberdeen, South (Miss Begg) on pyramid selling schemes. We all receive letters about that, and she has led a campaign on it for some time, with some success. She appeared on television this morning to speak about it, and I could not agree more with her.

From listening to the other speeches, I realise that I arrived here uneducated in some of life's realities. My father never called himself Lucifer, I have not done anything ropy with a fluffy toy since I was very small, and I had never been in a betting shop. Shortly before I was elected, however, I was invited into Ladbrokes; I discovered just how important these establishments are and had to reappraise my view of the industry.

The Budd report's recommendations made me seek to learn a great deal more about the industry. Like all right hon. and hon. Members, I received an enormous number of letters from clubs, not all co-ordinated in the first instance, particularly about gaming machines in clubs. That made me find out more about the industry in general, the Government's modernisation of it and the role of the members' clubs that play such a vital role in our communities.

A modern regulatory framework for the gambling industry is essential. As the Budd report and the Minister have both said, gambling law is severely outdated. It was formed in a different age and desperately needs modernising to take new social mores and economic realities into account. Gambling is no longer a marginal moral activity, and we have to allow the gambling industry to compete properly and fairly in the global market. That means being able to respond to new developments such as the internet, new technology and new economic assumptions such as competition from overseas lotteries. At the same time, gambling must be conducted fairly and remain free of criminal influence, which has itself influenced legislation in this area until now.

The broad shape of the Budd recommendations was about right, with managed relaxation of outmoded restrictions leading to extension of choice for adult gamblers but balanced by the need to protect children and vulnerable adults. Crucially, however, the Government did not accept the Budd recommendation that members' clubs should lose their entitlement to what have been described as category B gaming machines. The report effectively said that they should have only category C machines, which would provide the clubs with less revenue. That recognises that well-run clubs should be able to continue to benefit from the revenue streams that category B machines can offer in return for the appropriate siting of machines, protection of children from machines within the premises and openness to the same kind of regulation that other premises with similar machines have.

The Government's decision was very welcome and came after much anguish had been expressed by members' clubs across the country. It was finely attuned to the principles of the Budd review and to the vital role that members' clubs play in all our constituencies. There are many such clubs in my constituency. In addition to many sports, bowling and golf clubs in Falkirk, West—although there are no cricket clubs—we have two Polish clubs, and many of my constituents are members of the Royal British Legion. My constituency has the unique honour of having three senior football clubs, which have varying results, in addition to two junior football clubs, which rely heavily on their associated social clubs to keep them afloat.

These clubs offer much appreciated social services to their respective communities. I belong to the Camelon Labour club.

Mr. Caborn: A very fine club.

Mr. Joyce: Indeed, it is the finest Labour club in Falkirk and one of the best in Scotland, if not Britain.

The club has the benevolent effects of a well-run members' club, not only for its members but its community. The Camelon club serves as a fine example of the kind of institution that will benefit from the Government's decision on category B gaming machines. It was founded 40 years ago by a small group of far-sighted and community-spirited local people in an area where little social provision existed. Their achievement has endured to become one of the most valuable community-binding institutions in my constituency.

It is a matter of great pride to all members of the club that, because it is extremely well run and well patronised, it is able to contribute to many local charities and ventures that, in effect, define the community. The Camelon gala day is the village's largest community event every year; almost everybody attends it.

Recently, after a break-in at a local church, the club was able to help by providing alarms for all the churches and their community halls. Of course, it is sad that we have to put alarms in churches and halls, but they contain valuables and without the alarms the break-ins would have continued. The club's act was extremely helpful.

The club was able to use its operating surplus. I realise that not all members' clubs have a substantial surplus, but when they do I suspect that they often spend that money

[Mr. Joyce]

on good local charitable causes. It is especially gratifying to see benevolence with a community purpose in action in my constituency.

The Government's decision on category B gaming machines did not mean the difference between life and death for clubs which have a healthy surplus, such as the Camelon, although it helped the club to continue with its community work and charitable efforts. However, for some clubs, such as the two Polish clubs in my constituency, the machines provide crucial marginal revenue that keeps them afloat. Last year, the Ochiltree club had to close and had to cancel a Christmas lunch for pensioners. That was very sad, although another club took up the event, and the Ochiltree club will be greatly missed. As a result of the Government's decision, many such clubs will be able to remain open.

The debate is important because it flags up how we can modernise a major industry for the social and economic realities of the 21st century, while protecting some of the best traditions of the 20th. Community-minded members' clubs represent one of those traditions, and I speak for the clubs in my constituency when I say that the Government's approach to modernising the gambling industry, especially their decision to keep category B machines in clubs, has helped to secure the future of many clubs for some years to come.

1.37 pm

Mr. Gareth Thomas (Harrow, West): Until recently, I always approached gambling from my position as a member of the Methodist Church with a healthy scepticism as to the merits of hard gambling in particular. That might make the hon. Member for Wycombe (Mr. Goodman) classify me as a roundhead, although I am sure that the whole House will agree that the description "repulsive" is entirely inappropriate.

The debate is topical. It takes place after the World cup, which was the biggest-ever betting event. Only yesterday, I was told that I could have turned about £10 into £330 if I had bet—with Ladbrokes—that Brazil would win the cup and that Ronaldo would be the top scorer. Patriotically, of course, I backed England and have learned my lesson. In future, I shall bet only on surefire certs, so I shall back Wales to win the Six Nations tournament.

About £200 million was spent on betting on the World cup, which shows how popular betting on football has become. It is a far cry from the 1960s when smoke-filled betting shops catered mainly for punters interested in horse racing. Nowadays, betting customers have much wider interests: from the performance of the Senegal football team to the traditional performance of Duty Whip's Fancy in the 3.30 at Doncaster. Internet and telephone betting probably accounted for about £100 million of the World cup betting.

We are witnessing a radical change in the way that customers gamble in our society, so it is right that the Government embark on modernising the gambling laws. That is right, too, because of the crucial importance of gambling to our economy: more than 125,000 jobs and more than £1 billion in taxation cannot be ignored.

As hon. Members have rightly highlighted, gambling is also a key contributor to community life. The 8,000-plus betting shops throughout the country help to generate the footfall to support other key shopping outlets in district centres. Fruit machines are crucial to the running and income of local clubs. The bingo club traditionally provided a source of entertainment, which my grandparents certainly continue to celebrate with enthusiasm. More recently, the queue in the local newsagent for the last-minute lottery ticket on Saturday night has become a regular feature of life.

I commend my hon. Friend the Member for Falkirk, West (Mr. Joyce) for his excellent judgment in making one of his first priorities after his election a visit to Ladbrokes. Ladbroke Racing Ltd. has its headquarters in my constituency and employs some 1,000 staff nationally. It sits in Rayners Lane, a key district centre that could not support the various other outlets there without it.

I had always made it a rule never to predict the outcome of elections. That was until the last general election, when Ladbrokes persuaded me and my Conservative opponent to engage in a charity bet. I am delighted that, thanks to the good judgment of my constituents, some £400 went to the excellent Headstone Manor football club. The unkind had suggested that my opponent actually got the better deal. He—one Daniel Finkelstein—now writes for *The Times*, commenting on the performance of the Prime Minister and the Leader of the Opposition at Question Time. I must get in touch with him, because I do not think that he does justice to the performance of the Prime Minister.

There have already been several sensible reforms of the management of the gambling industry. I think, for example, of the replacement of betting duty with the gross profits tax. That has facilitated the return to the United Kingdom of all the major gambling companies' offshore internet and telephone gambling businesses. In my constituency, that has meant that Ladbroke's has been able to create an extra 125 jobs, opening up, for example, a new telephone betting service.

I hope that I can encourage hon. Members to take advantage of that service. They might want to join me in backing the excellent Harrow Borough football club to win the Rymans premier league next season. They might want to join intelligent football fans across the United Kingdom and back Arsenal to do the double again, or perhaps if they were very shrewd they might want to join me in backing Kate to win "Big Brother" this time round.

In general I welcome the Government's response to the Budd report. I consider that, as hon. Members have said, the law has become badly out of date, but adults are entitled to much greater choice and we need to recognise that gambling is part and parcel of modern recreation and leisure. The proposals in "A safe bet for success" put in place additional safeguards against problem gambling and, crucially, to keep the industry crime-free.

I welcome the Government's proposals, which other hon. Members have mentioned, to draw a clear distinction between gambling and the use of amusement machines. I welcome their rejection of the proposal to remove from members' clubs the right to operate jackpot machines—a measure that, as was rightly said, would have threatened the income of many clubs that are at the heart of local community life. I think of clubs in my constituency such as the excellent United Services club in Pinner, which organises the only Remembrance day service in Pinner and a variety of other social events. It would have been very hard hit if the Government had not shown their good judgment once again by not accepting that proposal from the Budd report.

The gambling review and "A safe bet for success" highlighted several issues on which additional clarity in my right hon. Friend's reply would be useful. The Budd report underlined important gambling problems and the dangers of under-age gambling. It is worth restating that report's conclusion—this is perhaps not rocket science, but it is nevertheless important—that increasing the availability of gambling will lead to an increase in the prevalence of problem gambling. I hope that that conclusion will turn out to be wrong.

We certainly appear to be in the fortunate position that the number of problem gamblers in the United Kingdom is much lower than in other countries, but it is estimated that there are 275,000 to 370,000 in this country, so there are no grounds for complacency, not least because of the terrible impacts on individuals and their families that problem gambling brings. Unhappiness, depression, divorce and attempted suicide are all significantly greater for problem gamblers than for those in wider society.

Of course we need to recognise that problem gambling has an economic impact. Further research is necessary into the cost to our nation of problem gambling. The Budd report stated that, in the United Kingdom, it costs some £100 million according to the lowest estimate. In the worst-case scenario, the cost might be some £13 billion. Retrospective studies have shown that adults who are problem gamblers are significantly more likely to have started gambling in their childhood or adolescence and to have a parent who was a problem gambler.

Worryingly, too, the Budd review noted that the proportion of problem gamblers among adolescents in Britain could be as much as more than three times that of adults, but perhaps the most worrying submission that the Budd report chose to highlight was that from Gamblers Anonymous, which said in its evidence to the review that it had noticed a rise in the number of adolescents being brought along to its meetings by parents because they had a serious gambling problem.

The Budd report also makes it clear that, despite the excellent work of Gamcare and Gamblers Anonymous and the responsible attitude of the vast bulk of the gambling industry, much more needs to be done to tackle problem gambling. It highlights the fact that there is little research into the nature of problem gambling, that there are too few initiatives to treat and support problem gamblers, that little is known about the relative effectiveness of possible treatments and that little funding is in place to tackle it.

The Government and the industry were right to support the recommendation to establish a charitable trust to promote research into problem gambling. The industry deserves some praise for already delivering £800,000 in annual funding to the trust, but it is worth noting that the Budd review recommended a £3 million annual budget for the first three years. The Government should certainly retain a reserve power to secure the funding of that trust, and I welcome the acceptance of that recommendation.

The Government, the charitable trust and the wider industry need to tell us soon what progress they are making on problem gambling. It would be useful to know whether further cross-departmental work on problem gambling will take place between, for example, officials in the Department of Health and those in the Department for Culture, Media and Sport. We need to hear that new services to support problem gamblers will be developed. I hope that my right hon. Friend the Minister will give us some clues to how the Government will make progress on that issue.

A key role for the gambling commission will be to continue to promote the highest standards of social responsibility by the industry. I hope that the Government will consider requiring at least one board member of the gambling commission to have a particular responsibility for problem gambling, and that the commission might be required to publish annually what it is doing to address, and keep aware of, problem gambling. The hon. Member for Ryedale (Mr. Greenway) made the interesting suggestion of a shadow commission. I would support that being considered, and perhaps such a commission could examine early on the development of further work on problem gambling.

Were there any doubt about the need for social responsibility, not just from the majority of the industry but all of it, the BBC programme, "Kenyon Confronts", as I outlined in my intervention, offers confirmation of it. The programme focused on the establishment of betting exchanges, which, in effect, allow ordinary customers to act like bookmakers by taking bets on, for instance, horses, without a licence, from other ordinary customers. That is a recipe for all sorts of problems. For example, an innocent customer who uses the exchange does not even know whether they are betting with a race horse owner, who may already know that his horse cannot win a race or will have to be withdrawn. Every other form of organised gambling requires the bookmaker to be licensed, to prevent crime and corruption and to uphold the honesty and integrity of the British gambling industry. We need to consider urgently how we can close that loophole.

One of the other recommendations that concerns me is on the development of new casinos. In general, I support the deregulation of the law on casinos, the abolition of the 24-hour rule and the abolition of the ban on advertising, which, as my hon. Friend the Member for South Thanet (Dr. Ladyman) indicated, is entirely sensible. We must consider very carefully, however, the proposal to build casinos of just 2,000 sq ft. I am concerned that that could lead to a proliferation of casinos on the high street if the local licensing authorities were so minded. We need to bear it in mind that, under some of the new proposed powers, casinos will be able to offer customers considerably greater gambling services than they have done previously. Such an offering, were it available on the high street, would radically alter the fabric of the high street as we know it, and would not help to tackle problem gambling. A figure of 2,000 sq ft is too small, and should be increased significantly. The idea of my hon. Friends the Members for South Thanet and for Blackpool, South (Mr. Marsden) that there could be a particular designation in planning law for casinos may also help to tackle this problem. We need to recognise, however, that, in urban areas, 2,000 sq ft is far too small.

On balance, the Government's decision not to allow side-betting on the lottery was right. That needs to be kept under close review, however, as, in some countries that allow side-betting on their lotteries, it does not appear to have significantly affected lottery receipts. As my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) and the hon. Member for Ryedale flagged

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up, Camelot seems already to have moved down that route with its Hot Picks game. Interestingly, Camelot believes that such side-betting would not affect the lottery, but it has so far refused to publish its research.

The Government's acceptance of most of the recommendations in the Budd report is entirely sensible. My concern is about the detail of some of the recommendations, such as that for a limit of 2,000 sq ft, and I also have concerns about betting exchanges. I also hope that we shall hear more soon from the Government and the industry about how to deal with problem gambling.

I apologise to my right hon. Friend the Minister and to the House. Because of other commitments, I have to head back to my constituency, so I will not be able to hear all his remarks.

1.55 pm

Mr. Caborn: I thank everyone who has contributed to the debate. From my point of view and that of my officials, it has been extremely helpful. As I said earlier, we are in the process of consulting and the debate will help us to refine our proposals before we start to draft the legislation.

The Budd report and the Government's response to it have underlined the approach that will be taken, and we will consider the submissions to the consultation. In the 1960s, the industry was used by the criminal fraternity for all sorts of reasons, particularly the laundering of money. Restrictive legislation and heavy regulation were then imposed and out of that came a transparent industry that had a tremendous amount of credibility. We do not want to lose that credibility because, if we do, it will be a lose-lose situation. Given the modern setting of the 21st century and the public's perception of the changing culture of gambling, if we can legislate to maintain a transparent industry that has the integrity on which people can rely, we will have a win-win situation for the industry.

As I said, this is a big industry. More than 100,000 people are already employed in it, and it could be used to encourage tourism and to assist regeneration if we manage the changes effectively. Change has not taken place in that way in some countries. Australia deregulated and then found it very difficult to reimpose controls. Therefore, we are taking a cautious approach to managing the modernisation of the industry.

Some themes were common to many of the contributions to the debate. My officials will study *Hansard* and, if I miss any points, I hope that they will respond. We are more than willing to try to give answers.

Several hon. Members raised the idea of a shadow commission. The Gaming Board has put several suggestions to us about how we can create some form of shadow commission. I support the idea, because uncertainty in industry can be very costly. Commerce and finance may not invest in an industry until there is some certainty. If people believe that they are dealing with a shadow commission that will make decisions in the future, they are more likely to move the agenda on investment forward. The basic principle is that uncertainty is normally very costly so, if we can remove it, we should do so. The concept of a shadow commission is therefore right. However, we shall have to wait a little before we decide exactly how we will move forward. None the less, I certainly do not dismiss the idea. If anything, I support it.

The role of local authorities in regenerating communities and developing their economies has been mentioned. We believe that making licensing the responsibility of local authorities and thereby linking it to land use, transport planning and regeneration is right. Given that local authorities are not subject to the departmentalisation of 10, 15 or 20 years ago, I think that that move is absolutely correct. It has the bonus, too, of bringing licensing under some democratic control. It is important when making any change to take communities with us. If we do not do so, there might be a backlash and unfortunate things could happen. We therefore decided to link gambling licensing with land-use planning, which is already under local authority control, and liquor licensing, which is about to come under local authority control. We think that that is the way to move forward. To use the jargon, a little bit of joined-up government does no harm.

With regard to crane machines, the Government tried in their response to the Budd report to draw a clear distinction between amusement on one hand, and gambling and gaming on the other. We did so by setting the 10p and £5 levels under category D. Those maximums are not set in tablets of stone. We just wanted to reassure the House and all those who made representations that, should we want to change those levels, it must be done by decree of this House—not by a commission, a quango or anybody else.

The argument about licensed members' clubs and the £250 jackpot—Budd was concerned about this—was predicated on the fear of children playing the machines. If there is such a danger—I do not think that there is—we must ensure that steps are taken to distinguish between amusement and gaming and gambling.

We had to consider, bearing in mind crane machines, whether a 10p price and £5 or a fluffy toy as a prize should be considered gambling. Should that be in a separate category, as a number of hon. Members have argued? I have told the industry, in response to its representations on crane machines and the 30p and £8 limits, that we will reflect on the matter, but I want to make it clear to the House why we have come to our decision. We have taken on board what Budd said and borne in mind public concern about young children gaming. Amusement is one thing, gambling is another.

We rejected Budd's proposal on the amount of time after which the matter should be reviewed. The House will remember that the report suggested a review of the issue of slot machines, but that led to tremendous uncertainty in the industry. We have therefore given the reassurance that if the 10p and £5 limits change, it will be as a result only of a decision by this House, and it will be backed up by research.

A theme of many speeches has been whether we really know what effect such things have on children. The honest answer is no. We must therefore conduct research to find out exactly what effect, if any, gambling or playing the slots for £5 prizes might have on children. In summary, we want, first, to engender certainty; secondly, to reassure the public; and thirdly, to research cause and effect.

Mr. Boris Johnson: I am still not quite sure from the Minister's explanation whether he thinks that crane machines constitute amusement or gambling, and whether he believes that children will be lured into gambling more merely by the prospect of winning a fluffy dog worth £8 rather than £5. I still do not understand the logic behind the reduction.

Mr. Caborn: The hon. Gentleman misses the point. Our position on amusement is clear: it falls within the financial limit of 10p and £5. If we allow the 30p and £8 prize to be introduced, those who want the machines to be removed will argue that we have created two categories for amusement of 10p and £5 and 30p and £8. We have rejected the 30p and £8 prize. We need that proposal to be researched because people are concerned about children gambling. The hon. Gentleman might not accept that argument, but as a Minister I have to reflect on the 5,000 contributions to the Budd inquiry and the consultation. We do not dismiss those lightly. We have gone a long way to meet the industry's concerns, especially those voiced by the resorts, by rejecting the Budd report recommendation. However, we will manage change so that we reassure the general public and do not unduly alarm the industry.

Dr. Ladyman: I am grateful for the Minister's comments on crane machines. I would not have expected anything more at this stage. However, it would be easy to create a different category for them, because people play them to win a prize. As they do not win cash, a distinction can be drawn.

On the 10p and £5 category, I understand why the House needs to consider that, but will my right hon. Friend reflect on the possibility of instructing the new gambling commission to consider the level, say, every three years, and make a recommendation to Ministers so that the industry knows that it is under review?

Mr. Caborn: My hon. Friend misses the more important point. We want to know whether there is a cause and effect aspect to gambling, but we do not want to put the cart before the horse. I want to put in train research so that we can prove or disprove that. It is important to do that so that we reassure those members of the general public who are worried about the link between the machines and problem gambling. We want sound findings on that, which can be achieved only through sound research. We have distinguished between amusement and gambling: amusement is for children; gambling is for adults. It will be for the House to decide whether we move away from that principle.

My hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) and others were worried about protecting the lottery. We have taken the political decision to protect it and have given our reasons for that. I accept that if we protect the lottery, which is a monopoly, it has to take its responsibilities seriously. We have a choice: if we release the lottery on to the marketplace, do we let the marketplace participate in the lottery? Camelot wrote to us outlining the damage that that would do.

We want to be fair. If we protect the lottery, which some would call an institution, it must take its responsibilities seriously because it is in a privileged position. It is a monopoly within the sea of competition, and we need clear dividing lines. I heard what hon. Members said about the new product that it is bringing on to the marketplace and realise that they are concerned that that could overstep the mark. The advice that I have received is that that will not happen, but I take the general principle that the lottery must respect the fact that it is in a privileged position and not move into other areas.

I hope that the trust will carry out the necessary research. The industry knows what Budd said and the £3 million that we want to raise. The trust marks an important commitment by the industry to take its responsibilities seriously. If the money is not raised over a period of time, we have reserved powers to introduce legislation to ensure that it is. We will work out a formula to determine how that can be fairly raised across the industry.

We are in contact with the Department of Health regarding the development and composition of the trust. It must be independent, and we are striving to achieve that, and it must take account of the various constituencies that will be affected by gambling deregulation. We are giving that matter comprehensive consideration, and I hope that we will be able to make further announcements in the near future.

I take on board the remarks of my hon. Friend the Member for Aberdeen, South (Miss Begg) about the need for legislation. The present consultation process does not debar consideration of the type of product to which she referred, and I shall closely examine any submissions made on the subject. There is a general feeling in the House that such schemes are neither investment nor gambling; they are a complete rip-off and a sham, and therefore unacceptable. My hon. Friend graphically described the way in which the matter has been knocking about between two Departments, and that is also unacceptable. I assure her that we will consider the issue very carefully.

During the break from the debate between 11 and 11.45 am, when a statement was made to the House, I asked my officials to give me a definition of "gambling". They said that they are still trying to arrive at a definition. If my hon. Friend's question is to be answered and if we are to legislate effectively, we need clear definitions of the terms involved, so I assure her that we will consider the matter. I hope that she will respond to the consultation document.

Miss Begg: I am very pleased with what the Minister has said, particularly his assurance that one Department will take responsibility for the issue that I raised. I hope that we will be able to come up with a definition, although it will be difficult, so that we can legislate not only on schemes such as Women Empowering Women but on the whole range of such scams, which are outrageous and must be outlawed. I thank my right hon. Friend very much for his response.

Mr. Caborn: I thank my hon. Friend for those remarks.

We believe that we have conceded every point, including the one about doubling the roll-over, made by society lotteries in their submission to the Select Committee. We believe that our actions will not damage the national lottery. If lotteries are to serve their useful purpose for good causes, we must strike a balance. There is no doubt that society lotteries do an tremendous amount of good, and that is why we regulated to allow them to move in the direction that they wanted.

I turn now to the development of resort casinos and to whether there needs to be apportionment in that process. My Department has received, and continues to receive,

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many representations about the matter. Local authorities now have many planning powers, and the gambling commission will also have such powers, so it will be possible to make sure that such development takes place.

The problem is that we are not beginning with a clean sheet. There are already 120 casinos operating in this country, so it will be extremely difficult to apportion development opportunities. The Department has received several representations on the subject, and I am prepared to revisit it. However, we will take a lot of convincing to move away from the position set out in the White Paper and the consultation document. We have gone a long way towards assisting development, which is very important to Blackpool and other areas, and we are introducing other measures, such as hypothecation in the business improvement tax, which is the responsibility of the Office of the Deputy Prime Minister.

There is also the question of land use planning. If we bring all the factors together, we can involve the private sector and, at the end of the day, there will be a judgment as to whether the private sector wants to get involved. Putting in pilot schemes and giving special favours to certain areas is a dangerous course to follow. We have not closed the door on that issue and we are prepared to listen, but we would want some persuading before we moved away from the position in the White Paper.

Mr. Gordon Marsden: I well understand the concerns that my right hon. Friend the Minister expressed on pilots, but will he reflect on the fact that an advantage of the pilot is not necessarily that it confers a commercial advantage on one particular resort casino, but that it enables various issues and concerns to be trialled and met before the scheme is rolled out generally?

Mr. Caborn: I understand that argument, but there is also the question of special pleading. One must be careful in achieving a balance and in making changes in legislation. There is special pleading from the casinos and from others who want to protect their current position. If we look at previous legislation, we find that it was restrictive and gave some people comfortable and privileged positions for a good number of years. People tend to defend privileged positions very strongly and there are vested interests to take into account.

It would be difficult to justify pilot schemes, even by the criteria that my hon. Friend has put forward eloquently. I am bound to say that, to some extent, that falls into the category of special pleading. Nevertheless, we will revisit this matter and we are open to discussion. However, we would want some convincing before moving from the position as set out in the White Paper.

My officials will look at *Hansard* and if there are points that I have not dealt with, I will come back to them. If we have not done so in the next two or three weeks, hon. Members should contact my Department for full answers to their questions.

Mr. Jim Murphy (Eastwood): I beg to ask leave to withdraw the motion.

Motion, by leave, withdrawn.

Nursing Training

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jim Murphy.]*

2.17 pm

Vera Baird (Redcar): At the last election, we pledged that 20,000 nurses would be recruited to the national health service by 2004. The biggest constraint, we said, facing the NHS was no longer financial resources but human resources. Consequently, the Government have since deployed a highly successful recruitment campaign to get new nurses into the NHS.

At Redcar and Cleveland college in my constituency, there is an access to nursing course. It is an intensive course, and takes a year. Successful students receive a level 3 qualification, enabling them to seek university experience. Redcar and Cleveland is a highly successful college, and led by its respected principal, Mr. Old, it has concentrated efforts on widening access to further and higher eduction.

The Redcar constituency is in Teesside and suffered for generations from post-industrial decay, inner-urban poverty and social deprivation. It has the well recognised health inequalities that go with that total picture. Unemployment is 7.6 per cent., or more than twice the national average. Clearly, Mr. Old and the college's efforts, and those of his staff in widening access, are particularly appropriate.

Last year many people who enrolled in the access to nursing course were women over 21, and many were single parents. They were benefiting from the new deal for single parents, which was aimed at getting exactly this target group into work. Their tuition fees are paid, as are their fares. They get some extra benefit and a book allowance.

In addition, such students make the most enormous personal effort. Many of them have been out of education for a decade. Many did not do particularly well or make much effort when they were at school. They will not have seen themselves as studious, nor even, in Redcar, as people who would ever have a job, let alone a profession. Many will have started the course with real excitement but with real doubt as to whether they could make it. If they had children, they had to juggle the role of parents with entry into the unfamiliar and daunting world of study.

The college is good at student support, and 36 students passed. Historically, 80 per cent. of the successful students on Redcar and Cleveland's nursing course have gone on to complete their nursing training, principally on the nursing courses at Teesside university. This year, only five of the 36 got a university place to carry on their training to become nurses. There are universities further afield, but there are at least 50 miles to travel in each direction, and the Redcar and Cleveland college intake mainly comprises people who need to study locally because of family commitments. As part of the "making a difference" programme, the courses at Teesside university were designed to be exceptionally family friendly. Its nursing diploma and degree courses are very good and highly sought after; they are graded "excellent in quality" by the Department of Health.

The university allocates places by setting selection interview criteria and offering a place to each person who passes—it does not cherry-pick the stars. I am assured by the university that the reason for Redcar and Cleveland college's low admission rate was not the quality of this year's applicants—the problem is that there are not nearly enough places, because it is massively oversubscribed. This year, there are 401 places for which there were 1,740 applications.

Oddly, in the context of the continuing campaign for nursing recruitment, the university was given no extra funding this year to increase its number of places. There are 401 places on the nursing training course this year, just as there were last year. Both the director and the deputy director of the school of health and social care tell me that although they have to be innovative with clinical placements, they could never take all the applicants—but they could increase their places by another 50 a year. It is startling that funding for expansion of this high-quality course, in an area of highly successful recruitment of a target group into training, in a place of high unemployment with a shortage of nurses, has just stopped.

Health care assistants are an excellent source of recruitment to nursing. As trust employees, they already have a good insight into the role of the nurse, so wastage is very low. Often, the employee does the practical part of their training with the home trust, so the local rewards are reaped early in the training process and the benefit is likely to be permanent. Tracey Christon is a health care assistant. She is a 28-year-old Redcar resident, a single parent with one little girl. She has worked at East Cleveland community hospital for 10 years. She is very good, and almost as soon as she went there her ward manager told her that she would make a good nurse. Tracey felt too young at 18 to be sure what she wanted to do, but by three years ago she had decided. She studied for national vocational qualifications and quickly got to level 3. She was rightly encouraged, in all good faith, by her ward manager and by Lanbaurgh primary care trust, her employer. She was told that if she got a place at university, she could be seconded on her salary to train, then come back to work as a nurse.

This year, Tracey got a place at Teesside university on the nursing diploma course. But four health care assistants applied for secondment from Lanbaurgh PCT, and only two secondments were available. Tracey was not offered a secondment. Neither was another applicant, not a constituent of mine, but no doubt just as distressed, feeling just as rejected and feeling, too, that the whole nursing recruitment campaign had misled them. The chief executive of the Lanbaurgh PCT tells me that if he could have four secondments, he would definitely want them. He clearly has faith that all four of his employees should be advancing their careers exactly as they wish.

In Middlesbrough and Eston PCT, the other PCT in my constituency, there is an urgent need for practice nurses for GP practices. There are eight secondments for those in Tees this year. The area has at least three PCTs. The chief executive of the Middlesbrough trust tells me that he would like to have all eight for his own trust, so critical is the need for practice nursing training.

Teesside has a shortage of nurses. It is an acute problem because, as I have said, in common with other socially deprived areas, it has considerable health inequalities. As at 30 March, the South Tees trust had whole-time equivalent vacancies of 50.6 nurses. Tees and North Yorkshire, which has been succeeded, save for the mental health functions of the two local PCTs that I have mentioned, has 27.2 whole-time vacancies. North Tees and Hartlepool and its PCT have 54.9 in total. That excludes all the nursing care in nursing homes and the whole of the independent sector.

Further—I think that this is commonplace—in particular in district and community care nursing, nurses are ageing. There is an estimate from the Royal College of Nursing that nationally a quarter of these nurses are due to retire in the next five years. I do not have any local figures for that.

South Tees has recently carried out a successful recruitment drive and brought 12 Spanish nurses over to work. Hartlepool has recruited some nurses from the Philippines. I appreciate the difference between recruiting qualified nurses for remedial work and recruiting for training. The university deputy director of the health and social care school tells me that it will continue to fail to meet local targets for training and recruitment if it does not recruit overseas.

I have no criticism of overseas nurses. If I have the good fortune to come across any of the new Spanish people who have moved into Redcar, I shall no doubt drive them out with my appalling south American Spanish. I shall try to persuade them to offer me paella. They will add real interest to the Teesside culture. However, we have high local unemployment. The context of a group of local people who are desperate to become nurses, of many nursing places that we are desperate to have filled, of insufficient funding for university places and insufficient secondments for health care assistance, suggests that some cogs are coming loose or even falling off the wheel of the machine in my area.

The County Durham and Tees Valley workforce development confederation plans the work force needs and supplies and commissions the education and training for all the health trusts in its area. I have spoken to two people from the confederation. They tell me that the transition from the old trusts to the new may have meant that historical data on demand for secondments have been mismatched. They say that the confederation has been a victim of its own success in recruiting among health care assistants. They say that all the health care assistant secondments in the confederation's area have already been taken up. They say that they will respond by looking elsewhere in the budget to see whether they can help Ms Christon.

The two representatives say that the confederation needs to become more sophisticated in meeting the demand. They say also that overall the confederation is meeting its targets, but they appreciate that there are areas in which that is not happening quickly enough. They make it plain that they too are working within a budget and have limited room for manoeuvre.

I am grateful to have received briefings after obtaining this debate from the RCN and from Unison, the health care assistants union, and also for the information that I have quoted which was given me by all the health care stakeholders to which I have referred.

I am not in a position to define whether the problem, and it is a local one, is one of too few resources or of inaccurate targeting. I do not know whether it is both or neither. However, I ask the Minister to give attention to this issue. There are a number of people in my constituency who have been thwarted in their ambition to serve the community in which they live as qualified nurses. They have been led to believe by our recruitment

[Vera Baird]

campaign that they are needed. My research has made it clear to me that these people are needed to maintain the high quality of health care on Teesside.

2.28 pm

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I congratulate my hon. and learned Friend the Member for Redcar (Vera Baird) on raising an extremely important issue, not only in her area but for all communities that are trying to ensure that the extra resources for the national health service are spent wisely and well in recruiting the extra staff that we need to deliver services to those whom we represent.

As my hon. and learned Friend said, funding for the NHS is improving at a remarkable rate. The problem facing us is not money to deliver improved services, but the capacity of the work force. That is not only nurses but doctors, therapists, physiotherapists and occupational therapists—the entire range of professions that work in the NHS. All of them are under tremendous pressure, mainly as a result of the cuts in training places that have taken place over the past 10 years and longer. We are now trying to catch up as rapidly as we can, by expanding the number of available training places.

It is clear that to deliver the services that patients and the public rightly demand, we must be focused about where we spend the extra money—

It being half-past Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jim Murphy.]*

Ms Blears: We have to be sure that the extra resources available for the NHS are spent in a way that delivers real tangible improvements on the ground. I entirely acknowledge that one of the key challenges that we face is the shortage of staff. If we do not have enough staff we cannot provide the services that we want, and we shall not meet our targets.

The NHS plan has set some pretty demanding targets for increasing the number of professionals working in the service. I am pleased to say that the nursing target has been met ahead of schedule, and the numbers of doctors and therapists are increasing. There are over 30,000 more nurses working in the NHS today than there were in 1997. But we know that that is not nearly enough. Our latest projection is that there will be at least 35,000 more nurses in 2008 than there are today. We set targets in the NHS plan, but we have already met those and we are now pushing on with further increases.

It is therefore crucial that we also set targets for increasing the number of training places for students. Meeting those targets is the key to delivering the longer-term sustained growth that the system really needs.

There is more to this than just increasing the number of training places. We are also investing in "return to practice" initiatives, and trying to make the NHS a better employer. Every member of staff in the NHS is entitled to work for an organisation that is genuinely committed to flexible working conditions. We have already invested in child care provision to enable parents of younger children to remain in work or return to practice, and between February 1999 and March this year more than 11,200 nurses returned to practice, in addition to the new recruits that my hon. and learned Friend has mentioned.

It is worth comparing the position with that in 1997, when the number of training places for nurses had been cut, and there were fewer than 15,000 left. The shortage of nurses on the wards in many parts of the community today is in no small part the result of the short-sighted policies pursued in the early 1990s. There were too few places, and not enough people wanted to go into nursing, either. There was a real recruitment problem.

The NHS plan target is that by 2004, 5,500 more nurses and midwives will enter training each year than did so in 1999. Achieving that target will mean that over 9,000—61 per cent.—more students will start training as nurses and midwives in 2004 than did in 1997. We have already increased numbers by more than 3,000, and we are on course to achieve the plan target.

However, that is only the first step. We now have a commitment that by 2008, there will be 8,000 more students per year leaving training than there were last year. We are setting the service really challenging targets, and trying to ensure that we can recruit students right across the range of professions. That means that we need to be a bit more creative in our thinking about the skills and aptitudes that people need to train as nurses. In the past we have been a little too restrictive about the qualities that nurses need, and we need to try to encourage people who may not even have thought of going into the profession to do so. My hon. and learned Friend rightly talked about people in her constituency who may not have been in work at all, let alone considered themselves natural entrants to a profession such as nursing.

We are trying to provide more flexible pathways into both nursing and midwifery education, and acknowledge that mature people have requirements different from those traditionally associated with school leavers. Access courses provide an alternative to the traditional requirement for GCSEs, and offer a second chance to people who did not achieve good results in school. Some of the new pathways are targeted at future careers in nursing, through access courses, but others are more general and allow entry to a range of higher education courses. I recently went to look at one of the courses in the sixth form college in my constituency, and there were many young people there thinking about careers as varied as social work and radiography, as well as nursing. That whole range of professions is important to us.

My hon. and learned Friend mentioned health care support workers, who can be seconded on to nurse training courses. In such a situation, students receive the same amount of money to train as nurses as they received to work as support workers. That has proved a popular route to training. More than 6,000 people have begun training in this way since 1998, and some 2,500 new secondees are being supported each year. Alternatively, health care support workers with appropriate vocational qualifications can fast-track nurse training by missing part of the normal three-year programme, and their existing skills and competences are explicitly recognised. Such initiatives are another example of creative thinking.

Several new schemes are being developed, including cadet schemes, which try to widen access to professional training. Cadet schemes target groups within the community that historically may have been excluded from a career in the NHS, and provide a first step on the ladder. Cadets are given the opportunity to gain work experience, and to gain the qualifications needed to enter the entire range of health professions. Cadet schemes have been extremely useful in promoting social inclusion, and in developing a work force that reflects the diversity of the local community by drawing on people who, traditionally, have not been involved in the NHS.

There are more part-time and flexible courses, and universities are providing evening and weekend courses to cater for students with family commitments. We are developing stepping-on and stepping-off points for nurse education programmes, so that people can study at a time that suits them, and which fits in with their caring responsibilities, for example. A wide range of alternatives are now on offer, because of the desperate need to recruit to fill nursing shortages. All of those initiatives are producing very good results, and recruitment is beginning to increase dramatically. Indeed, according to my hon. and learned Friend, the university to which she referred is the victim of its own success. It is true that many more people now see a future in nursing and in the health service generally, and the challenge is to keep up with their desire to enter the service.

However, we must recognise that, even allowing for the massive expansion in the NHS, we do not have a blank cheque. Sponsoring health care assistants is a fairly expensive way of training new nurses, costing almost twice as much as traditional recruitment routes. NHS trusts pay 20 per cent. of the cost, and the remainder is met from centrally held education and training funds. As with the rest of the NHS, hard choices sometimes have to be made about what can and cannot be funded, and about the rate at which such places can be funded. Another sponsored place for a health care assistant could mean one less place for, say, a radiographer; indeed, there is a huge shortage of qualified radiographers. Such choices always have to be made. Sponsoring health care assistants is an expensive route, but it does attract those who perhaps would not have been drawn in before.

My hon. and learned Friend mentioned a constituent of hers who works at Langbaurgh primary care trust, and who successfully completed an access course at Redcar college. She was one of four applicants for two sponsored places at her trust, but she was unsuccessful on that occasion. I do hope that she will not be put off from pursuing her career of choice, and that she will be successful next time around. The NHS needs dedicated staff, whether they are working as health care assistants, therapists, scientists or nurses. I should point out that, although only two places were available at that PCT, just a single place was available last year. Wherever we can, we want to encourage those who have completed access courses and shown genuine good will and personal commitment. There is a career for them in the national health service, and we want them to secure their places through the system.

My hon. and learned Friend also pointed out that the workforce development confederation commissioned only eight training places for practice nurses, and that Teesside and Middlesbrough primary care trust could have used all eight places. In fact, eight practice nurses were commissioned for Teesside and eight for Durham. The 16 places form part of 88 places that the WDC has created through its community pathways scheme. Chief executives of the trust were involved in the commissioning plans. Although I accept that my hon. and learned Friend's PCT could use many more people, there is a genuine attempt to involve the PCTs in drawing up work force plans so that they can help to shape the decisions. They have a financial stake because they have to pay the 20 per cent. secondment costs. The trusts are therefore key partners in trying to ensure that that happens.

My hon. and learned Friend mentioned vacancy rates. In her area, they are lower than the national average and to some extent, they reflect increasing recruitment throughout the NHS. More nurses are working on the wards and vacancy rates are falling.

There is anxiety in some areas about the ageing work force, especially health visitors, district nurses and school nurses. That is important, and the workforce development confederation needs to take account of the demographic and age distribution of the work force to try to ensure that people come through when they are needed.

The health care assistant to which my hon. and learned Friend referred was one of 35 people who completed the access course at Redcar college and hoped to go on to take a nursing degree at Teesside university. Four people were given places, but the others were unsuccessful this time. That was due to the popularity of the course at Teesside; there are more applicants than places. The workforce development confederation is continuing its discussions with the university to ascertain whether it is possible to increase the places.

However, we are not simply considering getting students on the courses. There are knock-on effects, including the number of lecturers, places and practical placements that the university can provide. High quality placements in the field constitute a key element of the course. They are not easy to organise and they should be viewed as part of the full picture. Increasing training capacity takes time. It is not simply a question of providing more funding, but establishing all the other elements to which I referred.

The picture of nurse training is generally healthy, although I accept that my hon. and learned Friend has difficulties locally. The non-medical element of this year's training budget is £1.3 billion; the budget for nurse training is £850 million. It has increased by more than 75 per cent. since 1997. The County Durham and Tees Valley workforce development confederation funded 15 per cent. more nursing places this year than last year. There are 20 per cent. more sponsored places, although they are more expensive. The university offered and filled 169 places for courses starting in September and 188 for courses starting in January.

We are now training more nurses nationally than we have done for a generation. There are more qualified nurses than ever on our wards and nurse vacancies are down. We have turned the corner, and the NHS is beginning to experience the benefit of our increased

[Ms Blears]

investment. However, I am the first to agree with my hon. and learned Friend that, although we have made progress, much remains to do, and we must not squander the energy, enthusiasm and the determination of people in local communities who are considering a long-term career in nursing. We must do everything in our power to ensure that the places, encouragement and financial and practical support exist, and that those people become part of the NHS work force, which will provide world-class services to people in our local communities.

Question put and agreed to.

Adjourned accordingly at seventeen minutes to Three o'clock.

House of Commons

Monday 8 July 2002

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Prison Estate

1. **Mr. Andrew Turner** (Isle of Wight): What is the *(a)* design capacity of the prison estate and *(b)* number of prisoners therein. [64745]

The Parliamentary Under-Secretary of State for the Home Department (Hilary Benn): On 5 July 2002, the in-use certified normal accommodation of the prison estate was 64,232, and the usable operation capacity was 71,653. As of this morning, the total prison population was 71,360.

Mr. Turner: I thank the Minister for that reply. Is he aware that my constituents will find it much easier to support his proposal for a fourth prison on the Isle of Wight if he can promise to recruit staff and to source supplies locally, to bring the street lights and sewers on the prison estate up to adoptable standard, and—most importantly—to guarantee that released prisoners will not jump local people in the housing queue, but will be re-housed where they committed their offences?

Hilary Benn: As the hon. Gentleman will be aware, the current planning application follows on from existing planning permission for a 416-place prison on the site. I understand that, next week, he will meet Home Office officials to talk about the matters that he has raised today. I am very happy to give him the assurance that, as ever, the Prison Service does all that it can to ensure that local materials are used and local sourcing is undertaken when new prison places are provided. I am aware of the particular issues relating to lighting, highways and so on that he raises. Officials are looking at them, and it certainly is our intention that prisoners will be returned to their home area when they complete their sentence.

Mr. Hilton Dawson (Lancaster and Wyre): Although this Government have many excellent policies, is not the worst that which locks up increasing numbers of children and young people in prison? Should we not abandon that policy and ensure that the very small number of young people from whom society needs to be protected are maintained in secure accommodation under the auspices of the Children Act 1989?

Hilary Benn: As my hon. Friend will be well aware, the Government have made a particular priority of their youth justice reforms—both to speed up the time between the committing of an offence and sentencing, and to develop effective alternatives to custody for those for whom such alternatives can prove successful. I hope that he accepts that the most effective thing that we can do is to ensure that we bring effort, resources and reform to bear on reducing the chances of young people reoffending. If that proves successful, it will not be necessary for such young people to remain in custody, and they can go on to lead what we hope will be useful lives.

Dr. Vincent Cable (Twickenham): How far does the prison estate's design capacity take into account the need to avoid harm and self-harm among prisoners? In particular, when does the Minister propose to respond to the urgent request that I made three weeks' ago for him to look at conditions in Wandsworth jail? One of my constituents recently fell from, or was thrown from, the top storey of the building to the floor beneath, leading to critical injuries because of the lack of safety facilities.

Hilary Benn: I am aware of the specific case that the hon. Gentleman raises. It is being looked into, and I shall respond as quickly as I can. However, he raises an even more important and fundamental point—the work that the Prison Service is doing to reduce the incidence of self-harm under the safer custody initiative. At Winchester prison last week, I chaired a meeting of the round table group that is considering self-harm and suicides in prison. There has undoubtedly been a real change in the approach of prison staff, particularly in the six prisons in which the new safer custody initiative is being piloted. However, both sides of the House will share the genuine regret that, so far this year, the number of suicides in prisons has been higher than for the same period last year.

Kevin Brennan (Cardiff, West): Does my hon. Friend agree that we should send people to prison as punishment, not for punishment, and that, having punished them by taking away their liberty, we should concentrate on policies that will ensure their rehabilitation in the community? In keeping with the point that was made earlier about housing, is not the rehabilitation of prisoners, rather than simply punishing them, key to ensuring that we keep prison populations down?

Hilary Benn: I agree. The deprivation of liberty is clearly part of society's way of saying to offenders that they must be held to account for what they have done. However, my hon. Friend is absolutely right to say that the best long-term public protection measure is to reduce the chances of such people reoffending. That is precisely why we have undertaken work in prisons to increase drug treatment and testing. Ten years ago, there was almost no such provision in prisons. It was prison officers and staff in the pioneer prisons who, by looking at the offenders before them, recognised that that was what was needed if we were to have any hope of reducing reoffending in the way that my hon. Friend has described. We are investing to make that happen, but we need to do more because, in the end, that is the best way to protect the public.

Sir Sydney Chapman (Chipping Barnet): While I do not disagree with what the hon. Member for Cardiff, West (Kevin Brennan) said, is it not the case that 1 million crimes a year are committed by prisoners who have been released early? Perhaps they do not spend enough time in prison. Surely that point must be considered when assessing the broad canvas of prison sentencing policy.

Hilary Benn: As the hon. Gentleman will be aware, under the home detention curfew scheme the average period of early release is six weeks, and the scheme has a more than 90 per cent. success rate. He is right in one respect: prison is the place where we need to put dangerous, violent or persistent offenders who do not respond to the rehabilitation work that we are trying to develop. The great majority of prisoners will come back into the community and that is why it makes sense to invest in effective rehabilitation as the best way to protect the public.

Simon Hughes (Southwark, North and Bermondsey): Can I assume that the Minister regards the record number of prisoners in England and Wales—which has been announced in the same week as I understand we will see a further increase in crime figures—as a sign of failure, not success? If that is the case, in addition to reducing the number of young people in prison, do the Government put a high priority on taking many mentally ill prisoners out of prison and putting them into secure health service accommodation? Are the Government willing to endorse the view of the Lord Chief Justice and Mrs. Cherie Blair that courts should not send non-violent women offenders to prison at the present rate of near record numbers—to great harm to them and to society at large?

Hilary Benn: First, we will have to wait for the crime figures to be published this week. Secondly, I endorse the statement made by the Lord Chief Justice and by my right hon. Friend the Home Secretary and the Lord Chancellor, who—while they recognise that decisions about sentences are properly matters for the courts—have made it clear to sentencers that they should look carefully at the choice of custody for those offenders for whom prison may not be the most effective form of sentence. The hon. Gentleman's point about women and other prisoners reinforces the argument about the need for effective rehabilitation, having regard to family ties and job prospects on leaving prison. Compared to the population as a whole, prisoners are more likely to have low skills, little previous employment and a record of exclusion from school. That legacy of social exclusion does not excuse their crime, but it makes a powerful case for trying to address those causes of crime to try to reduce the chances of reoffending.

Illegal Immigration

2. **Mr. Hugo Swire** (East Devon): What steps he is taking to deal with clandestine immigration. [64746]

The Minister for Citizenship and Immigration (Beverley Hughes): We are working closely with the French Government to deal with the problem of illegal immigration from France, and the trafficking networks which bring so many of these illegal immigrants across Europe. We are making efficient use of intelligence to target resources against organised immigration crimes, and we are investing in new technologies to detect and deter those attempting to enter the United Kingdom clandestinely in road freight vehicles.

Mr. Swire: Does the Minister accept that the measures now proposed, which have still yet to be implemented, are too little, too late? Will she acknowledge the unacceptable strain that that inactivity has placed on the rail freight operators and the hauliers? Is this not just another example of a failure of Government policy?

Beverley Hughes: That is a bit rich coming from a member of the Conservative party, which does not seem to want us to co-operate with France or other EU countries on those measures. I do not accept for a moment that it is too little, too late. We are working co-operatively with the French in a staged and programmed way to implement increased security at Frethun and to introduce a range of measures, including improved security and identification of illegal immigrants, a joint reporting system and shared intelligence. Some of the measures that the French have worked with us to institute, including juxtaposed controls, demonstrate their commitment to work with us to tackle a joint and shared problem.

Mr. Martin Salter (Reading, West): Does the Minister recognise that many of her hon. Friends are fully aware that one of the major pull factors that makes this country—and especially the south of England—a target for illegal immigration is the lack of an effective ID card system? That is something about which the Conservatives appear to be ambivalent. I contend that many of my hon. Friends would welcome a compulsory system and cannot wait to see it implemented.

Beverley Hughes: The Labour Government have agreed that we need to address all the pull factors. An entitlement card, if the public wish to go down that route, could play an important role in tackling the potential for illegal working. However, my hon. Friend is right about the ambivalence of Opposition parties towards such measures. We are trying to make illegal working more difficult under measures in the Nationality, Immigration and Asylum Bill, which the Conservative party opposed. Through the institution of non-suspensive appeals for clearly unfounded cases, we are making it possible to remove people very quickly—again, the Opposition parties opposite will not support us.

Mr. Speaker: The hon. Lady should not worry about the parties opposite.

Mr. Nick Hawkins (Surrey Heath): It appears that the Minister has a very short memory. Until 1997, thanks to the negotiations of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), there was a very effective system for returning illegal immigrants to France. The present Government changed the system, and it has taken the election of a right-of-centre Government in France to make any progress.

Does the Minister accept that what concerns the man in the street is not only that the problems have got worse since 1997 but that the arrangements that the Government are making will introduce new procedures on French soil, paid for by the British taxpayer? As my hon. Friend the Member for East Devon (Mr. Swire) said in the original question, is it not clear that what the Government have done is too little, too late, and that we do not even know whether it will work?

Beverley Hughes: At the very least, if the hon. Gentleman is going to ask a question, he should get his facts straight. The 1995 agreement—the content of which was determined by the previous Conservative Government—gave precedence to the Dublin convention in relation to asylum cases. In fact, the 1995 agreement in relation to non-asylum cases is still operational and under it we are removing more than 7,000 people a year to France. That compares with a few hundred who were removed from 1995 to 1997. This Government are bringing in effective measures to remove people, unlike the previous Tory Government, who were totally ineffective.

Rape

3. **Mr. Michael Clapham** (Barnsley, West and Penistone): What plans he has to propose reforms to the law on rape; and if he will make a statement. [64747]

The Secretary of State for the Home Department (Mr. David Blunkett): We all accept that rape is a particularly heinous crime. The legislative framework must enable us to take firm action wherever and whenever we can. We intend to publish our proposals for strengthening legislation on sex offences and sex offenders in the autumn, and to legislate as soon after that as parliamentary time allows.

A working group has been formed with representatives from the police, the Crown Prosecution Service and the court service, in response to the joint report published on 8 April on the investigation and prosecution of rape. We recognise that there is a great deal more to do and I am very pleased that the Attorney-General and the Solicitor-General are giving us their full support in dealing with the present very low prosecution and conviction rates.

Mr. Clapham: I thank my right hon. Friend for that answer and am pleased to hear that a working party has been set up. However, as he is aware, only between 2 and 5 per cent. of rape cases result in a conviction. Research shows that as many as 80 per cent. of people who suffer this crime do not report it to the police. That is not good enough. Just last week I spoke to staff at the Rape Crisis offices in Barnsley and in Yorkshire, and was told that three factors really worry them—cross-examination procedures; the use of past histories to denigrate the character of the victim and make it appear that she encouraged the rape; and the increase in the date rape drug. Will my right hon. Friend consider referring these matters to the Sentencing Advisory Panel with a view to making progress and ensuring protection for rape victims?

Mr. Blunkett: The figure for reported rapes resulting in conviction to which my hon. Friend referred is 7 per cent. The number of those taken to court is staggering: in 1977, 68 per cent. of defendants were found guilty; by 2000, the figure had dropped to 29 per cent. There are clearly serious issues: first, encouraging people to report; secondly, the way that they are handled; and, importantly, finding the right balance for both the male and female involved.

My hon. Friend's question was partly dealt with by the Sentencing Advisory Panel when, earlier this year, it came down firmly on avoiding differentials between one type of rape and another, and we accept the panel's judgment. The proposed sentencing guidelines council will assist us in taking a broader look at both crime and sentences so that, we hope, we can get things right.

Mr. Andrew MacKay (Bracknell): Does the Home Secretary accept that recent high profile cases have made it clear that both the alleged victim and the person accused should remain anonymous throughout a trial, otherwise there is dreadful adverse publicity for people who are often found innocent? That cannot be right.

Mr. Blunkett: It would be a great mistake if we made a judgment on the back of one case. In the case of Mr. Hann, we should be prepared to think a little during the summer and, when we make our proposals on the revision of sex offences, we should do so in the light of all the evidence. I do not think that there is disagreement about the fact that victims should remain anonymous; the real issue for all of us is whether, in the transparent society where the media expect us to be honest and open about what is taking place in relation to criminality, it would be acceptable for a particular type of perpetrator to remain anonymous when that was not the case for others. In the light of the campaign for a free society, I shall be interested to hear from Opposition spokesmen whether they feel that is the case.

Vera Baird (Redcar): The cross-departmental inquiry reporting on the thematic investigation into rape was announced in April and it was said that it would report at the end of June or the beginning of July. Can my right hon. Friend give any indication of when there will be a report as to how the three relevant departments intend to take forward the recommendations made by the inspectors? Can he tell us what input the Lord Chancellor's Department had in that cross-departmental inquiry, given that the report was highly critical of the judiciary, especially its excessive readiness to include previous sexual history?

Mr. Blunkett: My hon. and learned Friend is right: the report announcing the inquiry was published on 8 April. The action plan has been completed and we will shortly be able to publish it. I am convinced of the commitment of the Lord Chancellor and his Ministers to join the Attorney-General, the Solicitor-General and me in ensuring that we get this right. Given that the Lord

Chancellor, the Attorney-General and I are males, we should keep the lack of understanding of many men strongly in mind when addressing this critical issue.

Mr. Julian Brazier (Canterbury): Does the Home Secretary agree that the most tragic and awful rapes are those affecting children, and that we need to reconsider the operation of the court process, since it delivers an even lower conviction rate for those accused of those even more terrible offences? May I suggest to the right hon. Gentleman that there should be more training for judges and, in particular, that they should be discouraged from allowing defence barristers to bully and confuse already extremely frightened children and from using points of order to get the case deferred from day to day and hour to hour in order to break down a frightened and demoralised child?

Mr. Blunkett: The hon. Gentleman and I are in entire agreement: we should and will address the need to avoid the adversarial judicial system being applied to juveniles, and I look forward to all-party support.

Acceptable Behaviour Contracts

4. **Ms Ann Coffey** (Stockport): What assessment he has made of the effectiveness of acceptable behaviour contracts. [64748]

The Minister for Policing, Crime Reduction and Community Safety (Mr. John Denham): We believe that acceptable behaviour contracts have proved extremely useful in preventing or restraining antisocial behaviour before formal legal sanctions are taken. We have commissioned a survey of schemes in England and Wales, while conducting a thorough evaluation of the original scheme in Islington. We would certainly want to encourage the wider use of acceptable behaviour contracts.

Ms Coffey: I thank the Minister for that reply. The youth offending team in Stockport has been very active in drawing up such contracts, particularly with youth offenders whose criminal activities are accompanied by threats and intimidation. Thirty of those contracts have been signed already, and only five have been breached. I believe that they are very effective because, on one hand, the breaches have serious consequences and, on the other, a lot of positive help is given in dealing with underlying problems such as drug or alcohol abuse, or indeed school attendance problems. Will the Minister join me in congratulating those in the youth offending team in Stockport on the very good work that they are doing? Has he any plans to apply that approach to the probation service's work with adult offenders?

Mr. Denham: We are happy to congratulate those in the youth offending team in Stockport on their work. People tackling antisocial behaviour in many parts of the country are certainly using acceptable behaviour contracts in a way that makes it very clear what behaviour is required and what action—possibly eviction from a tenancy, or a formal antisocial behaviour order—will follow if the contracts are breached. They are very effective. Acceptable behaviour contracts can certainly be used with adults, and that is being pioneered in several parts of the country. In the right circumstances, they can be as effective with that group as they can be with young offenders.

Mr. Michael Fallon (Sevenoaks): Does not the welcome use of acceptable behaviour contracts simply underline the complete failure of the bureaucratic antisocial behaviour orders, which the Government also pioneered? When will the Government get a grip on the rising tide of petty vandalism and aggressive behaviour in our neighbourhoods and parishes and introduce more local solutions such as those contracts?

Mr. Denham: The hon. Gentleman is completely wrong. Antisocial behaviour orders have been used with great effectiveness. They are particularly effective where they are used alongside acceptable behaviour contracts. The Police Reform Bill, which is currently before the House—in fact, we shall discuss it on Report tomorrow—contains a series of measures to make antisocial behaviour orders more widely and flexibly available and to enable courts to introduce interim antisocial behaviour orders so that they can be used quickly. I certainly hope that Opposition Members will do nothing else tomorrow or in another place to delay those measures being placed on to the statute book as quickly as possible, but I fear that that is their intention.

Animal Experiments

5. **Mr. David Watts** (St. Helens, North): If he will introduce stronger controls on animal experiments. [64749]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Bob Ainsworth): Our existing controls, under the Animals (Scientific Procedures) Act 1986 and various regulations passed since then, are widely regarded as the most rigorous in the world, and we currently have no plans to change them.

Mr. Watts: The Minister will be aware that many people are opposed to any animal experiments, but the majority believe that they should be carried out provided that they are strictly controlled. Will he assure me that the introduction of genetically modified animal technology will not increase the number of experiments carried out?

Mr. Ainsworth: I cannot give my hon. Friend that assurance, but I am sure that he will be aware that there are various pressures on both sides of the equation. On one hand, the use of robotics in testing chemicals is removing the need for animal experimentation in many cases, but, on the other, he is absolutely right to suggest that the potential of some genetic procedures to develop cures for illnesses such as cystic fibrosis, cancer or Alzheimer's puts a great deal of pressure on the medical establishment. There may well be a growth in experimentation as a result of those opportunities, and I am sure that my hon. Friend and many other hon. Members would not want that development to be slowed down.

Tony Baldry (Banbury): Is it not also important to underline the fact that doctors and scientists do not carry out scientific procedures on animals gratuitously and for fun? They do so because it is for the benefit of both veterinary and medical science. Many years ago, my father was research secretary of the British Tuberculosis Association. A cure would not have been found for killers such as TB if researchers had not been able to carry out scientific procedures on animals.

Mr. Ainsworth: Every establishment, every procedure and every individual who is involved in animal experimentation must be licensed under our current procedures. I would hate to think that anyone was prepared to carry out unnecessary testing on animals. I am sure that that is not the case, but we need to be ever-vigilant. We need to make absolutely sure that the procedures that we have in place are rigorously enforced if we are to maintain the necessary confidence in such work. I am sure that the hon. Gentleman also understands that there are very strong feelings about that work.

Mr. Tam Dalyell (Linlithgow): Did Home Office Ministers welcome as enthusiastically as I did the implied statement by the Government when an award was given of a CBE to Dr. Brian Cass of Huntingdon Life Sciences, which renders such important service to medical advance in this country?

Mr. Ainsworth: Some of the procedures that are carried out at Huntingdon Life Sciences, at other companies and at our universities the length and breadth of the country are absolutely vital to the development of medicines that will ultimately be in the interests of humanity. We should never be slow in coming forward and saying so, and in recognising some of the truly magnificent work that is done in this area. I agree with my hon. Friend.

Norman Baker (Lewes): Does the Minister share my concern that the number of animal experiments in this country—to return to an earlier point—has remained virtually unchanged since the Government came to power five years ago? We have not even properly sorted out cosmetics testing yet. Is it not time that we tried to eliminate duplicated experiments, of which there are many; that we tried to promote alternatives such as computer modelling and cell culture; and that we eliminated those experiments that are unethical, such as those that are still being carried out to test tobacco smoke?

Mr. Ainsworth: The hon. Gentleman and I have many dealings together in the portfolios that we share on behalf of our two parties. If he has any evidence of unnecessary duplication of animal testing, he should bring it forward. It is no good making allegations in the House without bringing forward specifics. If he can do so, we should examine the matter and do what we can to eliminate it. We are doing our very best in the areas of publication and data sharing to make absolutely certain that unnecessary duplication does not take place. No evidence has been presented to me that suggests that it is taking place in the UK. If the hon. Gentleman has such evidence, he should bring it to my attention.

Police Service

6. **Mr. Iain Luke** (Dundee, East): What plans he has to reform working practices in the police service. [64751]

12. **Mr. Tony Colman** (Putney): What plans he has to reform working practices in the police service. [64757]

The Secretary of State for the Home Department (Mr. David Blunkett): Alongside the Police Reform Bill, we were successful in reaching an historic agreement in May with the Police Negotiating Board, which has resulted in substantial proposals for reforms. Those include: competency-related pay; a deal to reduce police overtime and to switch 15 per cent. over the next three years into front-line services; the scrapping of the old roster system; changes to overtime notice periods; the introduction of extra rewards for jobs at the sharp end; a £400 uplift per increment and a shorter promotion scale; more flexible arrangements to enable officers to work part-time; and new measures to improve the management of ill-health, among other things.

Mr. Luke: I thank my right hon. Friend for that answer. I am sure that he will agree that the introduction of special priority posts in the package of reforms to which the Police Negotiating Board agreed on 9 May will do much to help police forces up and down this country to focus more on front-line services, and to concentrate on issues and areas of significance, importance and concern to the communities and constituencies that they serve.

Mr. Blunkett: I agree: people want to see the police on the streets—they want that reassurance—but they also want police time to be targeted and the intelligence methodology to ensure that we can bear down heavily on what all of us accept is a major problem for modern society. Many of the issues that were targeted in the first five years of this Government have been successful, and we are now succeeding with street crime and robbery. We need to be equally successful in bearing down on violence. Targeting rewards and support for those at the sharp end is part of that process.

Mr. Colman: I congratulate my right hon. Friend on reaching an agreement with the Police Federation—a long awaited and long overdue agreement. Does he agree, however, that more action needs to be taken to reduce bureaucracy in police working practices, so as to get more officers out on to the streets of Putney where my constituents value them most—that is, at the sharp end?

Mr. Blunkett: Yes, I do. Sir David O'Dowd's interim report has given us a lead in enabling us to take immediate action, but much more still needs to be done. We have slimmed down the performance indicators; we have put out for consultation slimmed-down proposals for the police and criminal evidence codes; we are introducing new technology that will be a major boon for the police on the beat and in the community; and we have introduced the back-up support necessary for forensic science. All that will enable the police to do their job more effectively.

An extra 4,500 policemen and women have also been put in place over the past two years, and they will make, and are making, a difference in reducing crime.

Mr. George Osborne (Tatton): Will the Home Secretary explain the change to police working practices that finds police officers in south Yorkshire reporting to a junior Education Minister who represents a north London seat and police officers in Nottinghamshire reporting to a junior Treasury Minister who represents a seat in Bolton? I know that the Home Secretary is keen on empire building, but is that not a bit ambitious?

Mr. Blunkett: Yes—very amusing. My only advice—I need to take it myself when I read the Sunday newspapers—is not to believe a word one reads. The truth is that Ministers are not overseeing the policing of any area. They were asked if they would work with local partners—the Crown Prosecution Service, the court service, the police and those working in education and youth offending teams—to see whether we could remove any obstacles to those organisations working together. I challenge Conservative Members and any reporter who cares to do so to give me the name of anyone working at local level who has found the work of those Ministers anything but helpful.

Mr. James Paice (South-East Cambridgeshire): Does the Home Secretary agree that a fundamental feature of working practices is that they are based on the tripartite system of chief officers, the police authority and the Home Secretary working together? As we approach the Report stage of the Police Reform Bill, to which he and the Minister for Policing, Crime Reduction and Community Safety have referred, will the Home Secretary accept that there remains a fundamental belief that, especially under clause 5, he is seriously damaging the tripartite arrangement? Does he understand that, contrary to the comments that the Minister for Policing, Crime Reduction and Community Safety just made, we are not seeking confrontation. The crux of our concern is who runs the police service. Its independence is derived from the tripartite system. Even at this late stage, may I invite the Home Secretary to come to the House with amendments to clarify that he will not seek further powers to direct or overrule chief officers or police authorities as they carry out their duties?

Mr. Blunkett: I am very happy to come to the House with my right hon. Friend the Minister for Policing, Crime Reduction and Community Safety to ensure that we clarify exactly what is meant so that there is no mischievous misunderstanding. Let me get the position absolutely clear. Chief constables are operationally independent, and no one is challenging that. Police authorities have a role. I understand that Opposition Members wish to enhance that role, and I am happy to assist in that. As Home Secretary, I am responsible to the British people for the resources used and the statistics bandied about, and there have to be some levers to pull. That includes being able to ask for an action plan, to comment on an action plan and to expect the police authority to work with the chief constable on implementing an action plan. Anyone who challenges that simple and perfectly innocent approach is simply causing mischief rather than helping us to do the job.

Mr. Tony Banks (West Ham): May I remind my right hon. Friend that on Friday evening, Mr. Alan Musgrove, a constituent of mine, was gunned down on his doorstep in front of his family? It was the fourth such assassination in my part of east London, Forest Gate, but no one has been brought to justice for any of the incidents. The newspapers say that he was "shot by mistake", which gives rise to the question whether anyone can be correctly gunned down on their own doorstep.

May I inform my right hon. Friend that in certain parts of this country, including east London, guns have become almost a fashion accessory that people carry for fun? Is it not time that the Government considered the routine arming of all police officers throughout the country?

Mr. Blunkett: No, although I agree with the first part of my hon. Friend's question. As a result of the growth in gun crime, it is necessary in London and elsewhere to reinforce Operation Trident. We need to work with the communities that are most affected by gun crime and those most likely to be the perpetrators of gun crime. We must ensure that we clamp down on the ownership of guns, but arming all our police force would not help us in that endeavour in any way.

Mr. David Cameron (Witney): Further to the baffling reply that the Home Secretary gave to my hon. Friend the Member for Tatton (Mr. Osborne), if individual police forces are not reporting to individual Ministers, and if those Ministers do have a role in the street crime initiative, will he tell us, as someone who is keen on making announcements, when that was announced to the House, and how that novel form of accountability is meant to work?

Mr. Blunkett: Some people are more difficult to baffle than others. Ministers do not have to report to the House on a day-to-day basis to demonstrate how helpful they can be in ascertaining facts from a local level—after all, that is what we are here for. They receive messages on how to unlock blockages and ensure that mistakes are overcome rather than repeated. Ministers ensure that legislation comes before the House to make the police, the Crown Prosecution Service or the court service work better.

Prisoner Rehabilitation

7. **Mr. Tom Clarke** (Coatbridge and Chryston): If he will make a statement on his plans to ensure resettlement and rehabilitation opportunities for former prisoners. [64752]

The Parliamentary Under-Secretary of State for the Home Department (Hilary Benn): We are investing, on average, some £60 million a year in education and offending behaviour programmes in prisons. We are working closely with Jobcentre Plus on increasing the number of prisoners who find work or training on release. We are also piloting support for short-term prisoners and those who misuse drugs. Accredited programmes have been shown to reduce reoffending by between 5 and 15 per cent.

Mr. Clarke: Does my hon. Friend agree that as long ago as 1993 organisations such as the National Association for the Care and Resettlement of Offenders became increasingly concerned about the dramatic increase in the number of women sent to prison? Although we know that the Government cannot intervene in the sentencing of individuals, will the Department continue to have an input into sentencing policy? Given that a fairly large number of young children are put in care because their mothers are sent to prison, does he accept that the problem calls for the utmost sensitivity, not ideological backlashes?

Hilary Benn: I very much agree with my right hon. Friend's point. One of the saddest features of the female prison population is that 37 per cent. of sentenced women prisoners have attempted suicide. Women prisoners have access to the full range of programmes available in prison and we are looking for ways to make those more appropriate to their particular needs.

My right hon. Friend rightly referred to the particular burden of caring responsibilities faced by women prisoners, and ideas such as intermittent custody, which my right hon. Friend the Secretary of State talked about in his speech earlier this year, would be particularly appropriate for them given what we know about the importance, both for the prisoners and for their families, of maintaining family links wherever possible.

Alistair Burt (North-East Bedfordshire): Will the Minister do all that he can to recognise and support the work of Christian groups such as the Kainos community, which operate in prison with the support of prison authorities to ensure that the spirit and character of prisoners is not neglected in their preparation for successful release?

Hilary Benn: I very much agree with the hon. Gentleman's point. One really heartening development in the past few years has been in the links between the Prison Service and the voluntary sector, which works in many prisons providing a wide range of support. One of the pleasures that I had in this job recently was attending a conference organised by CLINKS at the Design Centre in Islington, where 500 people came together to talk about that work. They discussed how the Prison Service can learn from the contribution of the voluntary sector in maintaining precisely the qualities and sense of spirit that the hon. Gentleman talked about and also how the voluntary sector can learn from the Prison Service.

Glenda Jackson (Hampstead and Highgate): Are not existing rehabilitation programmes closed to many prisoners who are repeat offenders by virtue of the fact that they are usually in prison for a very short time? Another factor, particularly for women prisoners, is the fear that they may lose their home as well as their family. Does not the Home Office need to work closely with other Departments to ensure that such a situation does not arise?

Hilary Benn: My hon. Friend is entirely right. These are matters that the recent social exclusion unit report drew to our attention. We need to do more, particularly for prisoners serving short sentences. When I was at Winchester prison last week, I was very impressed by the team of three prison officers who are delivering the custody-to-work programme in that institution. They are enthusiastic and hard working, and they are making links with employers outside the prison because they recognise as much as anybody else does the importance for prisoners of finding employment opportunities once they leave their care.

Mr. Dominic Grieve (Beaconsfield): I am sure that the Minister will agree that no group requires resettlement and rehabilitation more than 18 to 20-year-olds, of whom some 72 per cent. commit further offences within two years of release. Does the Minister agree that structured programmes are needed and that they must be consistent? If early release is brought on by overcrowding rather than being planned and if we have "going straight" contracts that are not part of an integrated programme, we are going in the wrong direction because we are pushing young offenders back out into the community before they have been properly prepared for it.

I am happy to hear that the Minister likes Kainos. Why, then, are Kainos programmes being closed down?

Hilary Benn: I agree with the hon. Gentleman that if we do not have integrated programmes for young offenders, we will not make the progress that is required. That is precisely the point that was made in the social exclusion unit's report. That is why the community sentences developed by the national probation service can include intensive supervision, offending behaviour programmes, drug treatment and testing orders, work in the community and the use of tagging. The availability of those instruments enables us to construct a sentence in the community that is effective in working with young people.

We need to learn from the lessons of the youth justice programme, which in its first year, as hon. Members will be aware, has led to a reduction in reoffending of 14.6 per cent., whereas the target was for a 5 per cent. reduction over the first four years. All hon. Members will take pleasure in the fact that, on those initial indications, the approaches seem to be working, and we need to develop them elsewhere in the offending and prisoner population.

Refugee Resettlement

8. **Mr. Bill Rammell** (Harlow): If he will make a statement on his plans to develop a refugee resettlement programme with the UNHCR. [64753]

The Minister for Citizenship and Immigration (Beverley Hughes): In the Nationality, Immigration and Asylum Bill now going through Parliament there is a provision to introduce a resettlement programme that will enable those refugees whose life, liberty or security cannot be protected to be brought safely to the United Kingdom and provided with protection. That will provide a legal route for those seeking international protection and is further evidence of our practical support of the refugee convention.

Mr. Rammell: I thank the Minister for that response. Does she agree that that programme can be one of the ways by which we cut off the supply to unscrupulous human traffickers, opening up a legal migration route within the country of origin? Over the longer term, will that not reduce the number of unfounded asylum claims in this country, and does not the programme demonstrate the need for more effective international co-operation on these issues?

Beverley Hughes: Resettlement is a humanitarian measure to provide protection and a legal migration route, and it has been welcomed by hon. Members on both sides of the House and by refugee organisations. My hon. Friend is right that it will help to keep people out of the clutches of the organised criminal gangs who are fuelling almost all the illegal immigration across the EU. In the longer term, and in the context of international co-operation and common systems, it could have a beneficial impact on levels of illegal immigration and unfounded claims. We need to keep up the pressure to bear down on illegal immigration and people trafficking, and that, too, requires international co-operation, including co-operation with source and transit countries.

Miss Anne McIntosh (Vale of York): Will the hon. Lady tell the House how she intends to respond to the high commissioner's offer to visit Sangatte to see which refugees should come to this country? Against the background of £5 million being made available to improve the security fence at Frethun, what guarantee have the Government been given that Sangatte camp will close?

Beverley Hughes: We welcome the offer of assistance from the UNHCR and the fact that it sees a potential role for itself in such situations. Decisions about the way forward will of course be taken by the UK and French Governments together.

The financial contributions to accelerate the provisions at Frethun and in northern France represent a good investment, because they will enable British business to get its freight through much faster.

On the closure of Sangatte, both Governments have said that they foresee that that will be necessary as part of the package of measures that we are working towards.

Ann Clwyd (Cynon Valley): May I say how pleased I am that the Government are taking seriously the offer made by Ruud Lubbers, the United Nations High Commissioner for Refugees, when he was here last week? He came to the House to talk to us about refugees, and offered to break the deadlock between Britain and France on that issue.

I was in Sangatte—not in the camp, but the village—just a few weeks ago. I walked around and talked to little groups of people, mostly men, on the beach and in the streets. They were mainly from Afghanistan and Iraq. When I asked why they had left, some of them said in the little English that they spoke that Saddam was a bad man; one man held two fingers to his head. Does my hon. Friend agree that it is important that we sort out who is and who is not a refugee as quickly as possible?

Beverley Hughes: If there was a deadlock, it was broken a few weeks ago when my right hon. Friend met his French counterpart and introduced the first package of measures. Those discussions have been continuing at official level and will be resumed on Friday this week at a meeting between my right hon. Friend and French Ministers.

As I said, I welcome UNHCR's seeing a potential role for itself. I have to say to my hon. Friend that that must include help with some of the most difficult aspects of the situation, especially in relation to returning people and to the growing problem of children and young people arriving unaccompanied in the area. That is a very difficult issue. If UNHCR is willing to help us with those two matters, we will be glad to receive that help.

Drug Awareness

9. **John Robertson** (Glasgow, Anniesland): What initiatives he is taking to promote drug awareness. [64754]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Bob Ainsworth): Raising awareness of the dangers of drugs is a main focus of the national drug strategy. Educating young people and protecting them from the risks and harm of drug misuse is a high priority. Most schools now provide substance misuse education and parents are given information about where to get help. In December, I launched the first in a series of drug awareness campaigns promoting the national drugs helpline. The campaign resulted in substantial increases in numbers of young people contacting the helpline for advice and assistance.

John Robertson: I thank my hon. Friend for his answer. He will be aware that 50 per cent. of 16 to 24-year-olds have at some stage indulged in illegal drugs. As he said, one aim of the national drugs strategy is to reduce drug taking among that age group. Does he agree that former addicts are sometimes the best people to explain—rather than preach about—the pitfalls of taking drugs? Will he ensure that that will become an undertaking of this Government, and that such people will be allowed to go into schools to explain the problems?

Mr. Ainsworth: My hon. Friend hits on a very important area. I do not believe that preaching to young people works or has the desired effect. I know from personal experience, having listened to a former addict explain some of the difficulties that they had experienced and managed to overcome, that such intervention is one of the most powerful weapons. I am sure that people with such communication skills would be happy to help where we could use them appropriately. They could have a great effect on the young people to whom they manage to talk.

Mr. Oliver Letwin (West Dorset): Is the Minister aware that he and the Home Secretary have indeed taken a huge initiative to promote drug awareness? Has not his Brixton experiment promoted awareness among young people that the Government want to send mixed messages on the persistent use of cannabis, and promoted awareness among drug dealers that Brixton is the place to be? How will either of those forms of awareness contribute to reducing drug dependency in this country?

Mr. Ainsworth: We have had quite a debate on drugs over the past year since my right hon. Friend the Home Secretary appeared before the Home Affairs Committee and asked for an adult debate on the issue. In some ways, we have managed to increase awareness of the effect of different substances and the harm that they cause. By misrepresenting the situation in Lambeth, the right hon. Gentleman is not helping the debate at all.

The overwhelming consensus is that both the police and the residents of Lambeth face most difficulty with the class A drug market. We need to take effective measures against that, and we are doing precisely that. There is no mixed message. The message is this: all drugs are harmful but class A drugs are particularly dangerous—and that is where our main attention should be aimed. The right hon. Gentleman knows that and ought to behave responsibly during the debate.

Mr. Letwin: Is there not one other form of drug awareness that the Minister would accept that he and the Home Secretary have failed to promote: the awareness of the public about the true nature of what they are proposing? The Home Secretary has leaked that he will double sentences for cannabis dealers. At present, cannabis is a class B drug, and the maximum sentence is 14 years. If, as leaked, he universalises the Brixton experiment by moving cannabis to class C, the maximum sentence for dealing in it would naturally be reduced to five years. If the Minister multiplies that by two, the maximum sentence will, I gather from mathematicians, be 10 years. Will he explain to those of us who are not mathematically inclined how a move from a 14-year maximum sentence to a 10-year maximum sentence constitutes doubling sentences for cannabis dealers?

Mr. Ainsworth: The right hon. Gentleman ought to try to concentrate on the issues of substance instead of playing games with figures. The position is clear and has been for a long time. There has been an extensive debate in the Home Affairs Committee, in which members of the right hon. Gentleman's own party participated, where evidence was taken from everybody. Advice has also been given by the Standing Medical Advisory Committee, and we shall discuss with the police and announce to Parliament in the near future our exact proposals on reclassification and all its ramifications. I look forward to the right hon. Gentleman making a constructive response to that.

Points of Order

3.30 pm

Ann Clwyd (Cynon Valley): On a point of order, Mr. Speaker. I am sorry not to have given advance notice, but have you received any information on whether the Government intend to make a statement on progress on the Palestine-Israel peace process? Are we to get an opportunity to question the Foreign Secretary on the continuing export of arms to Israel via the United States or any other country? Those matters are important and the House will want some discussion of them before the recess.

Mr. Speaker: I have not had any approach from any Minister.

Mr. Tony McWalter (Hemel Hempstead): On a point of order, Mr. Speaker. I have given prior notice of my point of order, albeit late—I was still hoping to hear from the Member involved. You will be aware, Mr. Speaker, that there is a meeting in Room 8 at 6 pm, organised by someone styling himself as the parliamentary spokesperson for Hemel Hempstead. The invitation, bearing the portcullis of the House of Commons, has gone out to every new elector in my constituency from a Member representing another constituency. I should be grateful, Mr. Speaker, if you would inform me that such a prima facie breach of privilege should at least result in my being invited to that meeting so that I can meet my own constituents.

Mr. Speaker: The hon. Gentleman has sent me a letter, which my secretary received while I was dealing with questions. I promise to look into the terms of his letter with urgency.

Mr. Malcolm Savidge (Aberdeen, North): Further to the point of order of my hon. Friend the Member for Cynon Valley (Ann Clwyd), Mr. Speaker. Given the importance of the issue which, I believe, has been dealt with in a written answer by the Foreign Secretary, is it still in order to seek to ask a private notice question on the issue tomorrow?

Mr. Speaker: Any hon. Member is entitled to submit a private notice question before 12 o'clock, but it is at my discretion whether I grant that.

BILL PRESENTED

HEALTH (AIR TRAVELLERS) (No. 2)

Mrs. Cheryl Gillan, supported by Mr. Charles Hendry, Mr. David Wilshire, Dr. Julian Lewis, Mr. Julian Brazier, Mr. Stephen O'Brien, Mr. Peter Luff, Mr. John Randall and Miss Anne McIntosh, presented a Bill to make provision for research and development, and dissemination of information and advice, relating to flight-related deep vein thrombosis and other medical conditions affecting air travellers; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 19 July, and to be printed [Bill 165].

EMPLOYMENT BILL[LORDS](PROGRAMME)

Ordered,

That the following provisions shall apply to the Employment Bill for the purpose of supplementing the Order of 27th November:

Consideration of Lords Amendments

1 Proceedings on Consideration of Lords Amendments to the Bill shall (so far as not previously concluded) be brought to a conclusion at Seven o'clock on the day on which those proceedings are commenced.

Subsequent stages

2 The proceedings on any further Message from the Lords on the Bill shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Mr. Heppell.]*

Orders of the Day

Employment Bill

Lords amendments considered.

Mr. Speaker: I must draw the attention of the House to the fact that privilege is involved in Lords amendments Nos. 1, 2, 4, 7, 9 to 15, 17, 21 to 24, 76, 77 and 79, which are to be considered today. If the House agrees to these Lords amendments, I shall ensure that the appropriate entry is made in the Journal.

Clause 2

STATUTORY PATERNITY PAY

Lords amendment: No. 1.

3.34 pm

The Minister for Employment Relations, Industry and the Regions (Alan Johnson): I beg to move, That this House agrees with the Lords in the said amendment.

In Committee, the hon. Member for Runnymede and Weybridge (Mr. Hammond) voiced concern that the Bill as drafted may not clearly give effect to our policy intention on an employer's liability to pay paternity pay to an employee in certain circumstances. Such circumstances were those in which an employee leaves his employer's employment at some point before the child is born, or placed in the case of adoption.

I undertook at the time to examine clause 2 closely to ascertain whether any amendments were needed to give effect to our policy intention in that regard. I do not think that there was or is any disagreement about the fundamental policy intention—that is, that it would not be right for an employer to be liable for payment of paternity pay to an ex-employee who had left his or her employment some time ago. However, the hon. Member for Runnymede and Weybridge made a valid point, and we agree that the Bill as drafted did not set out the policy unambiguously.

The hon. Gentleman will have noted that our package of amendments subsumes some of those that he suggested in Committee, but that, to give full effect and ensure consistency throughout the Bill, they are somewhat more comprehensive. We tabled this group of amendments in the other place, and I can assure the hon. Gentleman that they make it crystal clear in the Bill that an employee will be entitled to statutory paternity pay from an employer only if he or she is working for that employer up to the date of birth or placement of the child, and not if he or she has left that employer's employment at some point beforehand.

Amendment No. 22 stands slightly apart and simply tidies up part of new section 171ZE to ensure greater consistency with statutory maternity pay and statutory adoption pay.

Mr. Philip Hammond (Runnymede and Weybridge): I am grateful to the Minister for his remarks so far. He is right that this set of amendments clarifies beyond doubt the aim of the Bill. The concerns expressed in Committee arose because the language used in drafting the Bill had been picked up from other legislation dealing with statutory maternity pay.

Statutory maternity pay covers a considerably longer period than that proposed for statutory paternity pay, and some of the expressions used in the original drafting language implying that a person who went on statutory leave had ceased their employment might be appropriate phraseology where the person will be away from the workplace for a period of months, but members on both sides of the Committee, including the Minister, felt that the wording was not appropriate if the person is to be absent from the workplace for a maximum of two weeks. The Minister said at the time that he would study the wording carefully and ensure that what was written into the Bill did indeed give effect to the policy intention, about which there was never any doubt in anybody's mind.

That is a good example of the way in which consideration in Committee often throws up valuable insights into drafting. The draftsman clearly understood what he was being asked to do, and for understandable reasons modelled the wording on that for the statutory maternity pay regime, but it was evident to those of us who were not involved in the drafting process and who were reading the Bill as laymen that there was the possibility of misinterpretation of the language used in the clause. I am pleased to say that the amendments tabled by the Government in the other place, which went rather farther than the amendments proposed by the Opposition in Committee, clarify eligibility in relation to former employment and leave anyone who reads the Bill in no doubt about the intention.

Graciously acknowledging the validity of the points that we had raised, the Minister said in Committee that, having considered the matter,

> "we will either table the hon. Gentleman's amendment"—

that is, my amendment—

> "giving him the credit and royalties that he deserves, or a similar amendment that will clarify what we are saying."—[*Official Report, Standing Committee F,* 10 January 2002; c. 328.]

The Minister is generous in the extreme, but I have to tell him that no brown envelope has yet come winging its way to me with any royalties.

Alan Johnson: Blame the post.

Mr. Hammond: The Minister anticipates the remark that I was about to make. He is, of course, an expert on these matters, and with or without credit and royalties, I am delighted that we have resolved the issue.

However, a second substantive point arises from this group of amendments. I will call it the motive test. One of the amendments deletes subsection (2)(c) of new section 171ZA to the Social Security Contributions and Benefits Act 1992, which stated:

> "that he has ceased to work for the employer, and done so for the purpose of caring for the child or supporting the mother".

The same provision is deleted in relation to birth and adoption entitlements. Clearly, the primary reason for such deletion is that the reference to ceasing to work for the employer is no longer relevant as a result of the substantive amendments in the group, to which the Minister referred. On the face of it, however, that leaves us without a motive test. It was always intended that paternity pay would be payable only where the purpose of taking the leave was caring for the child or supporting the mother in the case of birth, and caring for the child or supporting the adopter in the case of adoption.

[Mr. Hammond]

The amendments provide an alternative method of introducing a motive test, but they include it in a different provision: new section 171ZE to the Social Security Contributions and Benefits Act 1992, which deals with rate and period of pay. It seems that we are being asked to delete the concept of a motive from the definition of entitlement and to put the motive test back into the new section that deals with the rate and period of pay. As I understand it, the effect is that under new section 171ZA—and, indeed, under new section 171ZB in relation to adoption—somebody could be entitled to maternity pay, but might not receive it because section 171ZE reintroduces the concept of a motive test at the point at which payment is dealt with.

Has the Minister thought through the question whether there are any implications of moving the motive test from the sections dealing with entitlement and including it instead in new section 171ZE? The provision could have been left where it was; there is no reason at all why the motive test could not have remained in new sections 171ZA and 171ZB. Presumably, somebody has taken a conscious decision to reinsert it in a different place, and before we decide how to proceed, I would like to be sure that that has no significance.

While we are dealing with these amendments, perhaps we could again touch on the issue of policing and enforcement, about which we had a little discussion in Committee. Clearly, new section 171ZE includes a motive test that will apply before payment is to be made. I am concerned to ensure that employers are not required to police the test and make what could be very difficult subjective judgments about whether the employee intends to care for the child, mother or adopter in taking statutory leave and receiving statutory pay.

In particular, will the Minister explain how he intends to ensure compliance with that motive test? For example, will a self-certification requirement be included in regulation, so that an employee who announces his intention to take statutory paternity leave and asks his employer to pay statutory paternity pay will make some form of simple declaration to the employer to the effect that he intends during the course of that leave to care for the child, mother or adopter? In those circumstances, I would imagine that the employer would be exonerated if it turned out that the employee had gone on a fortnight's holiday to Las Vegas during the period of statutory paternity leave. Any redress against the individual would be a matter between the Inland Revenue as the reimbursing authority and the person taking the statutory leave and receiving the statutory pay.

3.45 pm

I hope that it is clear that the Government are not seeking to place employers in the invidious position of having to delve into the personal living and family support arrangements of their employees. There must be some arrangement whereby the employer can be clear as to the course of action that he has to follow, without any risk of redress, or of finding that the Inland Revenue has refused to reimburse an amount that he has paid in good faith following an employee taking statutory paternity leave, on the ground that the employee did not satisfy the motive test now being removed from the new section.

I would be grateful if the Minister could deal with those questions. Then we can see how to proceed.

Alan Johnson: Apart from the royalties question, I did give due credit to the hon. Member for Runnymede and Weybridge. It was an exemplary Committee in the way in which various items were raised. It was scrutiny at its best—*[Interruption.]* "Hear, hear" say members of that Committee.

The hon. Gentleman raised the point about the motive test. As he mentioned, amendment No. 21 seeks to ensure that pay, like leave, should be available only where the employee has taken time off work for the purpose of supporting the mother or caring for the child, which would otherwise have been lost from the drafting. That provision is reinstated in the new section relating to the rate and period of pay. It would be unusual for someone to seek to take two weeks off work and not seek to be paid for those two weeks. We have looked at this very carefully and we are confident that the change does not lose the important point that we were trying to preserve: there has to be a genuine motive for taking the leave.

On the issue of self-certification, we do not believe that this is different from any other form of leave. Employers should not be asked to delve into the private concerns of their employees; it was an important principle that we established. Would someone claim for two weeks paternity leave and take that two weeks in Las Vegas? That it is unlikely. Even when we have finished applying the biggest increase in maternity leave, which is mirrored in paternity leave and maternity pay, since 1948, paternity leave will still be up to the grand total of £100 a week.

It is unlikely that someone would seek to use paternity leave to holiday in Nevada. Nevertheless, if they do try to do that, it will be a matter for the employer to deal with in the normal way—as a disciplinary matter. People who seek to take other forms of leave when they are misleading the employer are in the same position.

Mr. Hammond: The Minister says that it would be a matter for the employer to deal with as a disciplinary issue, but to the extent that the employer is being reimbursed by the Inland Revenue, it strikes me that it is more a question of fraud against the Revenue than a matter of direct economic concern to the employer. Is the Minister saying that it will be left entirely to the employer to police the provision and to take any necessary action?

Alan Johnson: No, I am not. I am saying that, in terms of the checks that are carried out, if an employer obtains evidence of an employee taking leave in a way that is not covered by the Bill, it would be a disciplinary matter for the employer to deal with. The Inland Revenue, on the other hand, would use the cruel and unusual punishments that are open to it to pursue an individual along those lines. I am not saying what the hon. Gentleman suggested at all.

Mr. Mark Prisk (Hertford and Stortford): There will clearly be a transfer of money in terms of payments. Has the Minister made a regulatory impact assessment of the administrative costs to businesses—particularly small businesses—of the changes?

Alan Johnson: The hon. Gentleman returns to a theme that we know well from Committee. I remind him that the response from small businesses was overwhelmingly positive in respect of adoption leave, to which the provisions also apply, because an adoptive parent can take two weeks paternity leave. In fact, their biggest single comment was that this should have happened a long time ago. On paternity leave, there was complete acceptance that it was right that fathers should have time to spend with their new-born babies. The basic point that businesses made was that they should not be expected to pay paternity leave. They also made the point that the Government should expand the number of small businesses that would be able to claim back 105 per cent. of maternity and paternity pay—the two rules are mirrored. We have taken into account the views of small businesses in all those respects.

Mr. Prisk: My question was on administrative costs, not on the pay itself. I understand what the Minister has said on that point, and I share those motivations, but I am seeking an answer on the costs and administrative burdens now being put before the House that have come from the other place.

Alan Johnson: On the amendments carried in the Lords, we are doing precisely what the hon. Member for Runnymede and Weybridge asked us to do, which is to make it absolutely clear that when individuals take such leave, the only responsibility that the employer will have will be for existing employees. There was some ambiguity in the previous wording, but small businesses will welcome the changes.

Mr. Hammond: The Minister has just referred to employers being able to recover 105 per cent. of the amounts paid to employees. For the avoidance of any ambiguity, will he confirm for the record that that is 105 per cent. of the amount paid, to include the employer's national insurance contribution, so that it will, in fact, be less than 100 per cent. of the cost to the employer that is being recovered?

Alan Johnson: Yes, I confirm that. It will work out at about 104 per cent. when the complex statistics are taken into account.

I thank the hon. Member for Runnymede and Weybridge for recognising that we have sought carefully to take his views into account and incorporate them into the amendments. He should be reassured by the fact that our moving the provision on motivation from amendment No. 21 to another part of the Bill still secures the basis of that motivation.

Mr. Hammond: As the Minister is obviously about to finish, may I ask him specifically to give an assurance that an employer acting in good faith making a payment of statutory paternity pay will not find himself unable to get reimbursement because the Revenue has determined that the employee does not satisfy the motive test now being inserted into new section 171ZE?

Alan Johnson: If the hon. Gentleman will forgive me, I will not give him an answer now; I will look into the matter to make sure that that is the case, and I will write to him.

Lords amendment agreed to. [Special Entry.]

Lords amendments Nos. 2 to 24 agreed to. [Some with Special Entry.]

CLAUSE 16

Interpretation

Lords amendment: No. 25.

Alan Johnson: I beg to move that this House agrees with the Lords in the said amendment.

Mr. Speaker: With this we may take Lords amendments Nos. 38 to 45, 61, 76, 77, 79 and 81 to 87.

Alan Johnson: The amendments, although not related, are all technical, which is why they have been grouped together.

Lords amendment No. 25 corrects an oversight on our part by including the equivalent of the Department of Trade and Industry in Northern Ireland, the Department for Employment and Learning, in the data-sharing provisions. The Department for Employment and Learning, like the DTI, may need access to high-level statistical information to assess how the schemes are working. The term [illegible] Department" is defined in clause 16; our amendment simply includes the Department for Employment and Learning, [illegible] well as the Department for Social Development, in the data-sharing provisions.

Although many of the Bill's provisions do not extend to Northern Ireland, we expect that Northern Ireland will make its own provisions for paternity and adoption leave and pay. We also expect that the Inland Revenue will be responsible for the operation of those schemes, as it will be in Great Britain. Because the Inland Revenue's responsibilities are UK-wide, however, we have to legislate in a Westminster Bill to enable it to take on these responsibilities. Clause 16 is one of the provisions that must therefore extend to Northern Ireland.

The Department for Social Development in Northern Ireland has responsibilities equivalent to those of the Department for Work and Pensions in Great Britain, and the Department for Employment and Learning in Northern Ireland is the equivalent of the DTI in Great Britain. The same good reasons why the Inland Revenue and Departments in Great Britain may well need to exchange information on statutory paternity and adoption pay apply equally to the Inland Revenue and Departments in Northern Ireland. The amendment ensures that Departments in Northern Ireland will be able to take a joined-up approach to statutory paternity and adoption pay, in the same way as Departments in Great Britain.

Lords amendment No. 38 is a technical amendment that reverses the order of clauses 32 and 33. Clause 33 deals with the presentation of complaints to tribunals. It makes sense for it to precede clause 32, which is about consequential changes to time limits for making complaints to tribunals. Clause 32 also refers consequentially to schedule 4, but it is clause 33 that introduces that schedule.

Lords amendments Nos. 39 to 45 are minor technical amendments to clause 37, which allows employers to use a letter of engagement or a contract of employment to satisfy the requirement to provide employees with a written statement of employment particulars. As a written

[Alan Johnson]

statement must give a date by reference to which it operates, an alternative document intended to fulfil the same function must also give such a date. However, the original text of clause 37 refers only to

"the date of the document".

That might have led to uncertainty, as the date of any particular contract of employment may not always be clear.

Lords amendments Nos. 39 to 44, taken together, clarify the position. They provide that when an alternative document is intended to fulfil the written statement requirements, the date by reference to which it operates for that purpose is the date on which it is given to the employee. New section 7B(2) of the Employment Rights Act 1996 serves no useful purpose once the date of the alternative document has been clarified by Lords amendments Nos. 39 to 44, and it is therefore removed by Lords amendment No. 45.

Lords amendment No. 61 provides that clauses 45 and 46, relating to fixed-term work, will come into force as soon as the Bill receives Royal Assent, thus allowing the fixed-term regulations to be laid immediately. That will give employers and employees more time to prepare for their coming into force, which should ensure compliance with the regulations. Lords amendments Nos. 76 and 81 to 84 are technical amendments to schedule 7. They simply ensure that the appropriate minor and consequential amendments concerning statutory paternity and adoption pay are made to the Social Security Administration Act 1992 and the Employment Rights Act 1996.

4 pm

On Report in the other place, Lord Sainsbury of Turville introduced five amendments—Nos. 77, 79 and 85 to 87—relating to clause 47, which deals with flexible working. They concern an exemption for the armed forces, and the provision by the Advisory, Conciliation and Arbitration Service of binding arbitration in cases where employer and employee cannot agree.

Lords amendments Nos. 85 to 87 relate to the proposed exemption of the armed forces from the flexible working provisions. As was explained in the Lords, the Bill as previously drafted applied those provisions to the armed forces, but because all members of the armed forces are—uniquely—liable to operational deployment at little or no notice if national interests so require, it was impractical to apply long-term flexible working arrangements, as envisaged in the new right to request. Accordingly, we concluded that the new provisions should not apply to them.

It is worth noting that the armed forces will continue to seek to comply with the spirit of the legislation, subject always to overriding operational requirements. They fully recognise the benefits of flexible working to individuals and their organisations.

Mr. George Osborne (Tatton): I understand that the armed forces have overriding operational requirements, but does the Minister accept that many private businesses also have such requirements, and that they cannot simply give time off to employees who want to take a holiday at a given moment?

Alan Johnson: The work and parents taskforce—which consisted of representatives not only of business, but of small businesses in particular—recommended that the right to request be extended as widely as possible. I accept that there are difficulties for businesses, but we and the taskforce successfully overcame them all in formulating these proposals. In the jargon of the day, the taskforce thought small first, and the legislation includes provisions that are aimed at helping small businesses in particular. However, we and the taskforce felt that allowing flexible working for parents of children up to the age of six was beneficial to businesses. In many cases, skills were lost from the workplace because women, in particular, could not combine the pressures of their domestic lives with their professional responsibilities.

Mr. Hammond: We have rehearsed this argument many times, but I still cannot understand how it benefits a firm that already operates good practice to impose such practice on its competitors. Surely we should encourage a climate in which good practice generates competitive advantage, thereby creating a virtuous spiral of employers competing with each other in offering such practice.

Alan Johnson: As the hon. Gentleman says, we have rehearsed this argument many times, and I agree with him completely in terms of work-life balance and people's ability to care for elderly parents, or to pursue hobbies. We are dealing with those issues through measures such as the work-life balance challenge fund. Employers For Work-life Balance—an organisation that was set up three years ago, and which is completely independent of Government—is also playing an important role. However, we decided that, for parents of small children, it would take a generation for best practice to work in the way that the hon. Gentleman suggests.

We decided that everyone has a stake in bringing children up properly and that wider social issues are involved. The introduction of a measure that is not a right to work flexibly, but a right to request to work flexibly—and that puts a duty on employers to consider such requests seriously—is a balanced approach. It will give thousands of parents the opportunity that they have not had before—or perhaps in some companies, such as those to which the hon. Gentleman referred, the courage and the confidence—to suggest to their employers that if they started work at 9.15 am rather than 9 am, they could drop their kids off at school, which would make their working lives much easier. We have a difference of view in relation to working parents, but the proposals were widely supported in two years of exhaustive consultation.

Mr. George Osborne: Surely the armed forces wish to be family-friendly employers. Since an employer may turn down a request for flexible working, why should not the armed forces face the same burden that the Government will put on private business?

Alan Johnson: As I said, the armed forces intend to comply with the spirit of the legislation. They raised some practical concerns in relation not to their civilian staff, who will be governed by the measures, but to their military staff. Even in a case in which a member of staff has put forward a perfectly reasonable request, the armed forces may not have the luxury of granting it, because circumstances may mean that they cannot implement those arrangements. As hon. Members will know from discussions in Committee, we thought that we could apply the provisions to the armed forces, but in practice and after consultation with them it was felt that it would not be possible. That is why we have introduced the exemption.

Lords amendments Nos. 77 and 79 provide for ACAS conciliation and ACAS binding arbitration schemes for disputes concerning flexible working. The main priority of the flexible working provisions is to foster dialogue between parents and employers to find a flexible working pattern to suit them both. As part of that commitment, we always intended that there should be a binding arbitration scheme prepared by ACAS to deal with disputes regarding requests for flexible working that cannot be resolved in the workplace. The minor and technical amendments introduced in the Lords allow us to do this.

The provision for a scheme relating to flexible working also helps to ensure that as few cases as possible end up at employment tribunals. Because the arbitration is binding, those who opt to use the scheme also waive their right to have their case heard at a tribunal.

Mr. Hammond: Can the Minister confirm for the record—because the bigger picture is sometimes not visible when we consider Lords amendments—that we are talking about arbitration on whether the proper procedures have been followed, not on the substance of the request for flexible working or the employer's decision that he cannot accede to it?

Alan Johnson: We are talking about whether the request was given serious consideration. Arbitration may also address questions of fact. We are not asking a tribunal or ACAS to second-guess an employer's decision.

I believe that the flexible working provisions lend themselves very well to an ACAS scheme. Disputes arising under the provisions will be relatively straightforward, concerning whether procedures have been contravened or if a decision by an employer to reject an application has been made on the basis of incorrect facts. Those are essentially factual rather than legal issues.

Lords amendment No. 79 will have the additional effect of ensuring that conciliation is also an option in the resolution of any disputes arising out of the flexible working provisions. Again, that is entirely consistent with a key approach of this Bill: ensuring that alternative avenues of dispute resolution are available and contributing towards keeping employment tribunals to a minimum.

Mr. Hammond: As the Minister said, these are largely technical and drafting amendments. I shall return to flexible working arrangements in view of the Minister's comments and the intervention of my hon. Friend the Member for Tatton (Mr. Osborne), but first I should like to deal with two minor points that the Minister will no doubt be able to resolve very simply.

Lords amendment No. 61 would insert into clause 55 two additional clauses, 45 and 46, to be excepted from the general rule that the provisions will come into force on such day as the Secretary of State appoints by order. When will they come into force? Will it be immediately after Royal Assent?

Secondly, a substantial number of changes to schedule 8 are contained in Lords amendments Nos. 88 to 95. They would remove pieces of legislation that were originally listed as repeals and revocations in schedule 8. Have those changes been made necessary as a result of amendments to the Bill during its passage in the other place, or are they errors that are being corrected? It would be useful to know.

On flexible working arrangements, and the changes being made under the slightly misleading heading of "minor, technical and drafting" amendments to exempt the armed forces from the provisions, I do not have the reports of the Committee's proceedings with me, but it would not surprise me if, in Committee, Opposition Members had asked the Minister about arrangements for the armed forces. On the face of it, I agree with the Minister. I understand that in employment law, the armed forces are often a special case that must be dealt with differently. However, as my hon. Friend the Member for Tatton pointed out, the right that is being granted is a right only to request flexible working and to have one's request seriously considered. The employer, whether it is the Army, the Air Force, the Navy or, indeed, Smith and Jones auto repairs down the road, can properly consider the employee's request and reject it on the ground that it cannot reasonably be accommodated within the working arrangements of the business. In many cases, the armed forces might legitimately turn down a request for flexible working arrangements, certainly for front-line staff. It is not quite so obvious that a member of the armed forces who is assigned to London-based office duties or cooks the meals in Admiralty House would be subject to the same considerations.

My hon. Friend made a good point: it is not obvious, on the face of it, why the armed forces must be treated differently. Throughout the consideration of these relatively new provisions, Conservative Members have been concerned that this is the thin end of the wedge. The right to have a request for flexible working considered could become—as a result of negotiations between the Government and trade unions, for example—something more, such as a prima facie right to flexible working unless the employer demonstrated why he could not deliver it. In other words, the burden of proof would shift to the employer.

4.15 pm

If one adopts the conspiracy theorist approach—that the Government may have in mind moving the horizon, or removing the boundaries, in their forthcoming review of employment legislation—one can readily see why, at this stage, they might want to exclude the armed forces. There might not be a significant burden on the armed forces in considering a request from a person currently serving with the Royal Marines in Afghanistan and denying the request on the ground that it is not compatible with the working arrangements of that service man or woman. However, unless the armed forces were exempted, they could obviously be in some difficulty if the Government have it

[Mr. Hammond]

in mind to extend the provisions further. Will the Minister consider that point? Can he reassure me and my hon. Friend?

Mr. George Osborne: I thank my hon. Friend for giving way just before he concludes his remarks. May I put a point to the Minister, who has, as my hon. Friend said, exhibited some muddled thinking? The Minister tells us that the armed forces are special and that there are operational considerations. We all understand that, but surely those reasons would be taken into account in the provisions, which—as we understand the Minister's comments—will also apply to businesses. They, too, will be able to claim that there are special circumstances and that they cannot give an employee time off.

Mr. Hammond: My hon. Friend made his point succinctly. I am only sorry to disappoint him by telling him that I was not about to conclude my remarks.

It is easy for the Government always to decide that all these good ideas will not—apparently—impose serious burdens on private businesses or employers and are even good for them in some cases if they only were smart enough to realise it. Yet sectors under the Government's control, mysteriously, need to be exempted. We can see that from history: when sex discrimination legislation, for example, was introduced, the Government said, "Oh, but it can't apply to public services such as the police and the armed forces".

We are talking about a service for which the Government have direct responsibility. The senior commanders are, in effect, employers, and have privileged access to the Government and the ability to put their point across. Lo and behold, after arguing in Committee that there was no need to exempt the armed forces, the Minister has seen the light and decided that there is a need for such exemption. If Ministers were as close to, and received such direct communication from, the many hundreds of thousands of businesses that fear that they may be adversely affected by the measures, they might realise that there are equally pressing needs—not reasons of national security, but certainly reasons of business survival—that other employers would pray in aid.

Mr. Prisk: My hon. Friend mentioned the Minister's rather late-in-the-day approach. Is my hon. Friend also concerned about the extraordinary costs? As he will recall, in Committee, it was slipped out that the net extra cost would be £173 million? Does he agree that those costs should have been made explicit from the beginning?

Mr. Hammond: My hon. Friend is right: that is another £173 million on the additional burden of billions of pounds that the Government have imposed on business. It is a small sum compared with the total burden, but a significant one for individual businesses.

Rob Marris (Wolverhampton, South-West): Will the hon. Gentleman give way?

Mr. Hammond: I am happy to do so. I wondered how long it would be before we provoked an intervention from the Labour Benches.

Rob Marris: Perhaps the hon. Gentleman can explain something, because there seems to be a contradiction in what he says. When he intervened on the Minister, he said that the proposal represents best practice and that it will give business a competitive advantage, but he now seems to suggest that it represents a burden on business. I think that it is a good thing for business and that it should be made statutory. Can he make up his mind and tell the House which way he is going on this issue?

Mr. Hammond: The Minister's case is that this is a good thing for business and that the Government will therefore statutorily impose it on business.

Rob Marris *rose—*

Mr. Hammond: Let me finish. The Minister's case seems wholly illogical. It is logical to say that this is a good thing for workers and therefore that we will statutorily impose it on business. In relation to another matter, it might be a good argument to say that it is a good thing for business and we will therefore statutorily impose it on workers. However, it cannot be logical and sensible to impose by statute something that is a good thing for the person who will be subject to it. What has happened to the concept of encouraging best practice to generate competitive advantage?

In Committee, we spoke at length about Investors in People. The Minister would readily acknowledge that employers who adopt best practice and achieve Investors in People awards gain a competitive advantage in the recruitment and retention of employees. That is a very important competitive aspect of business these days.

Rob Marris: Of course the Minister can reply for himself, but I do not remember his specifying that the proposal was a good thing for business; he referred to the work-life balance.

Given what the hon. Gentleman has just said, would he take the same line with health and safety at work? It is a good thing for employers that their workers do not get killed at work, but he seems to be saying, "We'll just leave that to best practice." I do not want to put words into his mouth—he will tell the House what he thinks—but there seems to be a clear analogy with health and safety.

Mr. Hammond *indicated dissent.*

Rob Marris: The hon. Gentleman shakes his head, indicating that he broadly supports health and safety legislation. I am pleased to see that, as I am sure the House is, but there seems to be an analogy between the two issues. Which way is he going on this issue?

Mr. Hammond: The hon. Gentleman's analogy stretches the point. Legislation for health and safety in the workplace is primarily intended to protect employees, and it is obviously right that it should be imposed by statute. All I suggest to the Minister is that he should not seek to shelter behind the somewhat spurious argument that these measures are being imposed on business because they are good for business. The same argument was adduced in relation to union learning representatives.

It is suggested that business should not be worried because the proposal is good for business and therefore that those in business should be delighted that the

Government are imposing it on them. Business will consider those issues. There is a very competitive marketplace for skilled labour and all sorts of labour that is in short supply.

Rob Marris: Because of a Labour Government.

Mr. Hammond: No, because of the legacy left to the Government by my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke).

A primary issue on the agenda of any business, certainly in large parts of the country where the supply of labour, good quality employees—

Mr. Speaker: Order. These are minor amendments, and the hon. Gentleman is straying into making a more general point. The best course of action would be to get back to the minor amendments and move on.

Mr. Hammond: I am grateful to you, Mr. Speaker. I could not resist being provoked by the Minister's remarks into widening the debate, but the points that needed to be made have been made. I shall be interested to hear whether the Minister can answer the specific questions that I have asked.

Alan Johnson: I hope to deal with all the specific questions. First, on Lords amendment No. 61, clauses 45 and 46 will, indeed, come into force as soon as the Bill receives Royal Assent, which may happen as early as tonight. We could then table the regulations, which would allow us to give businesses plenty of time to deal with fixed-term regulations.

The hon. Member for Runnymede and Weybridge (Mr. Hammond) asked a rather mischievous question about whether some of the other Lords Amendments were intended to deal with errors.

Mr. Hammond: Can the Minister tell the House whether there is any particular reason why clauses 45 and 46 will now come into effect on Royal Assent, rather than on a date to be specified by the Secretary of State? Is there a European Union deadline to comply with, or something of that nature?

Alan Johnson: There is, but we are going beyond that anyway, as we have announced that, instead of introducing these measures on 10 July, we will introduce them on 1 October to give businesses more time. The Commission understands that a proper period to consider the matter will ensure better compliance.

On the technical amendments, all that I can tell the hon. Member for Runnymede and Weybridge is that they put right inaccuracies that have crept into a few of the paragraphs that amend the Employment Rights Act 1996. For "inaccuracies", one should read "errors", but the Lords stage was the opportunity to tidy them up. We believe that the Lords were absolutely right in agreeing to those amendments.

The hon. Member for Hertford and Stortford (Mr. Prisk) raised in an intervention the issue of the cost assessment being sneaked in in Committee. I want to make it clear that the work and parents part of the Bill—the flexible working part—was subject to the taskforce report. That report came out after the Bill was published, so it was not part of the original Bill. The cost assessment therefore came later. We published it as soon as we published the amendment, and, when we dealt with it in Committee, it was four or five days after the taskforce report had been published—

Mr. Prisk: Two days.

Alan Johnson: The hon. Gentleman says two days. I am sure that that is right.

The hon. Member for Tatton (Mr. Osborne) raised some issues about the Ministry of Defence, and made the point that it and the armed forces are no different to other parts of business. They are different. Their circumstances are very different, as they are constantly on call. If other parts of business have the same problems, the Bill allows them the opportunity and the flexibility to quote those as reasons why they cannot accept the proposals.

Mr. George Osborne *rose—*

Alan Johnson: I ask the hon. Member for Tatton to bide his time for a moment. The hon. Member for Runnymede and Weybridge suggested that the provision was related to the review of the Employment Relations Act 1999. As it is not part of the Employment Relations Act, it will not figure in the review of the operation of that Act. The hon. Member for Tatton will have an opportunity to argue that the provision has been such a roaring success that it ought to apply to the armed forces, however, when we review these measures in 2006, which was what the taskforce asked us to do, we will consider again whether to extend the provision, as I am sure that, in the meantime, it will have been a success.

Mr. George Osborne: The Minister says now that the armed forces are a completely different kettle of fish when it comes to this legislation. That is not what he said in Committee. Unlike my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond), I have found the *Hansard* report of that Committee. The Minister was asked by my hon. Friend the Member for Boston and Skegness (Mr. Simmonds)—who, sadly, is not present to hear how perceptive his question was—whether the armed forces were different, and he replied that they were not. To paraphrase the Minister, he continued to say that they include many personnel who do not work on the front line, and that regulations will deal specifically with the problem of front-line troops, who would probably not have a request granted to them. Why has the Minister changed his mind so completely? Who has got at him?

Alan Johnson: The hon. Member for Tatton must have been dozing off. When he reads the *Hansard* report of this debate, he will read that, when I replied on this point about 10 minutes ago, I stated that I said in Committee that I initially thought that the armed forces could be included. Indeed, I well remember the hon. Member for Boston and Skegness (Mr. Simmonds) raising the issue as we belted through a series of amendments at 100 mph, and I remember saying precisely that. What I am saying again is what I said 10 minutes ago: our initial view was that the provision could be extended to the armed forces. Following consultation and discussion with colleagues in the MOD, we have decided that the exemption is right, but we will, of course, review that in 2006.

4.30 pm

Mr. Hammond: I have just been rifling through the provisions to see whether there are any other exemptions in the Bill. The Minister will correct me if I am wrong, but I do not think that there are. Will he explain to the House why the position of service men is different, for example, from that of merchant seamen? It might seem obvious that merchant seamen should also be exempted from the flexible working provision. However, before we discussed this amendment, I would have expected him to have said that merchant seamen would not be exempt because their employers would rightly be able to deny a request for flexible working because of the nature of the work. Why is that argument used in the case of merchant seamen but not in the case of Royal Navy personnel?

Alan Johnson: The hon. Gentleman gave the answer himself. The armed forces are exempt because of their unique working conditions. Personnel are liable to be deployed operationally right across the world at little or no notice if the national interest requires that. They may also be required to be available at any time.

The position of the Merchant Navy and the fishing fleet is precisely as the hon. Gentleman suggested. Employees in those sectors can make claims for flexible working, but the employer can, if he believes that he cannot meet the terms, reject the request by referring to a number of reasons that are set out in the legislation. The armed forces are different. I genuinely believe that they are unique. As I said earlier, civilian members of the Army will be governed by the provisions, but the armed forces are in a particularly unique position—if one can have a particularly unique position.

The hon. Gentleman asked whether the provisions would be good for business. We think that they will be good for business. In a world of work that has changed almost unbelievably over the past 30 years, never mind the past 50, many businesses are dealing with other issues and do not necessarily focus their attention on how they are better able to improve staff morale and reduce absenteeism. That point was certainly made to the work and parents taskforce. The provisions will be good for business.

However, there is a point about individuals and we touched on it in Committee. Plenty of people in a time of low unemployment and a tight labour market—the so-called "war for talent"—have the skills and qualifications that allow them virtually to dictate their own terms and conditions. That point was made time and again in our consultation with companies. However, another group of people are not in that happy situation. We are trying to take people who are not particularly well qualified off benefit and into work, but such people might be feel less empowered to go to their employer to make suggestions. For example, we must legislate for parents with small children, because they often have a greater need for flexibility and for a job that will enable them to tackle social and financial exclusion. That group is important, too.

It is not a question of competitive advantage. We are seeking to bridge the productivity gap between this country and our main competitors, so the issue is the United Kingdom, rather than individual companies, having a better competitive advantage. For all those reasons, I hope that the House will agree to the Lords amendment.

Lords amendment agreed to.

Clause 22

EMPLOYMENT TRIBUNALS

Lords amendment: No. 26.

Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 27 to 30.

Alan Johnson: The amendments concern the ability to pay employment tribunal and employment appeal tribunal cost orders and preparation time payments. The other place discussed a recent Court of Appeal case, Kovacs *v.* Queen Mary and Westfield college and the Royal Hospitals NHS trust, which ruled that a tribunal cannot take into account a party's ability to pay when making an award of costs.

It has long been a feature of the employment tribunal system that ability to pay can be a consideration in deciding whether to make a costs award or in setting the level of an award. The Court of Appeal decision effectively removed the tribunal's discretion in that respect, but we believe that it should be able to take ability to pay into account if it considers that appropriate.

Throughout our deliberations, we heard that tribunal rules and procedures differ from those of other courts because their nature is different and distinct. A large number of applicants may be in a vulnerable position because they have lost their jobs or are pursuing redundancy or wages complaints. We must be careful to ensure that the costs regime takes proper account of that.

Amendment No. 26 provides that tribunal regulations may include provision authorising a tribunal to take ability to pay into account when making a costs award. Amendments Nos. 28 and 30 do the same for preparation time awards and the employment appeal tribunal respectively. A tribunal will have the option of making a full award of costs, no award or a reduced award as it sees fit.

We have provided for a discretion, not a requirement. Making it a requirement that the tribunal must take into account a party's ability to pay when making a costs award would mean that a party of very limited means could bring or conduct a tribunal case wholly unreasonably with absolute impunity. That cannot be right. There would be no deterrent to unreasonable behaviour, we would weaken the tribunal's powers to control such behaviour and there would be no means of compensating a party who suffers as a result.

There may be circumstances, albeit rare and extreme, in which a party of limited means has behaved in such an unreasonable or vexatious way that a costs award may still be justified. I mentioned in an earlier debate that a tribunal concluded that a woman had brought a costs case against her husband purely as an extension of their matrimonial dispute. Such cases are of course rare, but they happen occasionally and tribunals must be able to deal with them.

Amendment No. 27 is a technical amendment to the new provision for preparation time awards. It replaces

"the time spent by that other party in preparing his case to"

with

"time spent in preparing that other party's case".

It has always been our intention that awards of preparation time that are made to respondents who employ staff should be able to take account of time spent by those staff who work on the case. Although the original wording of the clause would have allowed for that in the case of a corporate respondent because it can only act through its employees, the position of a sole trader who employs staff was less clear because it might imply that the provision for preparation time would apply only to time spent by him or her personally. The wording has therefore been amended to read "that other party's case" rather than "his".

The new wording also refers to "time spent" rather than "the time spent". That is a minor change. It reflects the fact that although parties will have to show that they have spent time on a case in order to be eligible for an award, they will not be required to produce detailed evidence of the actual time spent on it.

Amendment No. 29 is a substantial amendment. It provides that if regulations are made on costs and preparation time, they must include a provision that the tribunal may not award both costs and preparation time to the same person in the same proceedings. Throughout the Bill's proceedings, we heard from a number of highly respected organisations who work with applicants, such as the National Association of Citizens Advice Bureaux, the Law Society and the Trades Union Congress, that the threat of costs is increasingly being used to intimidate applicants into withdrawing their complaints regardless of whether the case is without merit or whether the applicant's behaviour has been unreasonable. They are concerned that awards could be higher as a result of the new provision for preparation time and that representatives would use that to intimidate applicants genuinely seeking redress for an infringement of their employment rights.

Mr. George Osborne: Although these individual points may be good ones, the Minister seems to be straying from the original point of the Bill, which is to deter people from bringing various cases to an employment tribunal. Indeed, the Government originally had the idea of charging people to bring a case which they dropped before the Bill was even introduced. Is the Minister aware that he is in danger of watering down the proposals so much that they will not have any effect on the number of cases brought to a tribunal?

Alan Johnson: I hope that when the hon. Gentleman has heard the case he will feel differently. As he said, these are laudable amendments. It was never our intention to deter people who have a grievance or a claim against their employer from going to a tribunal, nor was it the intention of anybody in the Standing Committee to frighten people so that they would not pursue their case. The whole ethos behind the Bill stems from the fact that many disputes that go to employment tribunals could be sorted out in the workplace. That was the main thrust of our argument. We felt that between 30,000 and 40,000 cases could be solved in the workplace.

On this clause, we argued that in a system designed to discourage legal representation—the whole basis of the system is its informality—it would be ridiculous to award costs only to people who were legally represented, so that people whose time had been equally wasted but who represented themselves would receive no compensation. That is the basis of the amendment.

Judy Mallaber (Amber Valley): Will my hon. Friend confirm that, in Committee, those of us who were concerned about preparation costs were seeking to protect not those trying to make a vexatious claim but the most vulnerable people? They would easily be intimidated by somebody with a phalanx of people working for him whose time could be costed, and they would therefore be vulnerable to the argument that they could be landed with a bill for, say, £10,000 in costs.

Alan Johnson: My hon. Friend is absolutely right. She, along with other colleagues, raised those concerns in our debates. The amendment deals with them by providing that when the regulations on costs and preparation time are drawn up, they must include provision that a tribunal cannot award compensation for both costs and preparation time. We will consider many of the other points made about the limit on costs, particularly by my hon. Friend the Member for Wolverhampton, South-West (Rob Marris), which will be dealt with in the regulations.

The amendment has been welcomed by the Law Society as being fairer than the existing provisions. It has also acknowledged that

"given the nature of employment tribunals it may be legitimate to allow tribunals to include awards for non-legal costs".

We will consider how best to set that out in the regulations, and we will of course consult on those.

Mr. Hammond: As the Minister said, the amendments do two things. They introduce changes that empower tribunals to take account of a person's financial circumstances in setting awards of costs or of compensation for preparation time and, separately, they introduce a prohibition on awards being made for both costs and preparation time.

On the latter point, I understand the concerns, expressed by the hon. Member for Amber Valley (Judy Mallaber) in Committee and again today, that people should not be denied access to a tribunal by the threat of exceptionally high costs being sought against them. The Government have gone about it in the wrong way, and in a moment I shall suggest to the Minister another way in which it could have been done.

4.45 pm

First, I want to deal with the taking into account of a person's financial circumstances. On the face of it, the Minister's case for the amendment sounds reasonable—that in making an award of costs, the financial circumstances of the person against whom the costs are awarded should be taken into account. However, he did not underline the fact that costs are not routinely awarded in employment tribunal cases. We are talking only about cases where the applicant or defendant has acted frivolously or vexatiously: the ordinary applicant with a perfectly reasonable case who happens to lose it will not be clobbered for an enormous amount of costs. The

[Mr. Hammond]

Minister gave us the figures in Committee. In the most recent year for which figures were available, awards of costs were made in about 400 or 500 of the many tens of thousands of tribunal cases. In the vast majority of cases, the issue of costs will not arise, because it arises only where the applicant, defendant or respondent is judged to have behaved frivolously or vexatiously. It is not clear to me that in those circumstances the pecuniousness or otherwise of the applicant should be a principal consideration.

Another issue is involved. The ability to recover an award of costs is a protection for the innocent victim of such vexatious or frivolous behaviour. That could be an employer who is faced with a claim that is scandalously improper—I think that scandalous is one of the terms used, as well as vexatious and frivolous—but he still has to defend it. It could be an applicant with a rock-solid, cast-iron, open-and-shut case who is forced to argue their way through a completely implausible and vexatious defence mounted by the respondent. The ability to recover costs is an important protection for people who are involuntarily caught up in these matters as a result of having been on one end or the other of such behaviour. Employers in particular are forced to defend actions brought against them in the employment tribunal. In Committee, I quoted comments made to me by the chairman of a relatively large publicly quoted company, who would not want to be named for obvious reasons. He said that his company invariably settles any employment tribunal claim brought against it if it can settle it for less than £2,000. The company does that not on the merits of the case brought, but simply on a cold, hard analysis of the fact that it will cost it at least £2,000 to investigate the facts and to allow the employee time to prepare a case and mount a defence.

It is a pretty serious indictment of the employment tribunal system that for some people, at least, it is essentially a free ticket to small claims, because employers feel that they have to settle them. The Minister seems implicitly to have recognised that problem, in that the Bill tightens up on access to the tribunal and ensures that cases that are brought are proper cases. I suggest to him that this provision does not move in that direction by trying to discourage vexatious and frivolous cases.

Judy Mallaber: Will the hon. Gentleman give way?

Rob Marris: Will the hon. Gentleman give way?

Mr. Hammond: I first give way to the hon. Member for Amber Valley.

Judy Mallaber: Does the hon. Gentleman accept that the amendment would only authorise an employment tribunal to have regard to a person's ability to pay, rather than requiring them to take account of it, so cases such as those that he described would be taken account of by the tribunal in making its award of costs? There is an aspect of costs that is broader than simply what happens in the tribunal itself. It is involved in cases where someone in the workplace is intimidated by the idea that when they reach an employment tribunal they could be landed with a very high bill, regardless of whether that would be so. Such a person may not have access to advice telling them that they would not in fact be landed with such costs.

Mr. Hammond: The hon. Lady is right in that the amendment proposes that the rules should authorise tribunals to take into account the circumstances of the person against whom the award is made.

In the letter sent to my noble Friend Baroness Miller when the amendment was before the other place, Lord Sainsbury seemed to imply that there was no cause for concern because in the really bad cases the tribunal would still be able to award costs against someone without regard to their financial circumstances. The point that I was trying to make is that the question of an award of costs arises only in the really bad cases—only if the case is vexatious, frivolous or scandalous. In the vast majority of cases, win or lose, the issue of costs will not arise.

Rob Marris: My recollection of the debate in Committee is similar to the hon. Gentleman's, but I seem to remember the Minister citing figures suggesting that, in about one third of cases where costs were awarded, they were awarded against the respondent employer. That employer might be a badly advised small business, or there could have been a personality clash in a small company. Is the champion of small business now saying that we should not have regard for such businesses' ability to pay, and that those businesses might be put out of operation as a result?

Mr. Hammond: Although I am happy to be referred to on the record by the hon. Gentleman as the champion of small business, I also like to be thought of as the champion of fairness. We must think very carefully about the person who did not ask to become involved in a process but who must incur costs—either in time or in external costs—in responding. I am grateful to the hon. Gentleman for his intervention because I hope that it will be clear to those listening that I am not making a partisan point. This is not a point made exclusively on behalf of employers.

I can perfectly easily envisage an employer deciding to fight tooth and nail an application which he knows in his heart—and which it is perfectly apparent to everybody else—cannot be defended. It is wholly reasonable that the person making such an application should have the opportunity to recover the costs that they have properly incurred as a result of being put to all the trouble by the vexatious actions of the other party—be it the employer or the employee. In equity, the pecuniousness or otherwise of that other party is not the principal issue.

I am certainly not a blind champion of anybody. I recognise, and have recognised, that there are rotten apples in every barrel, and I would never pretend otherwise.

Mr. Tony Lloyd (Manchester, Central): I completely fail to understand the hon. Gentleman's logic. Had costs been a permanent deterrent and had the possibility of incurring them been known from the beginning, or had costs been a routine way of recovering expenditure by the state and others, it might have been argued that the provision should apply equally to everybody. However, the hon. Gentleman is suggesting rather arbitrarily that those who are super rich—either respondents of claimants—should be able to go to a tribunal knowing full well that they can absorb easily any costs incurred, but that those who are much less well off, because they come from a small firm or they are acting individually, should be penalised disproportionately. I do not see the sense of justice in that. Is not the balance about right?

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman's intervention is rather long.

Mr. Hammond: The hon. Gentleman's old Labour credentials often come through impeccably. Such payments are a fact of life in our society—unless he advocates making every penalty and award proportionate to the income of the person forced to pay it. The hon. Gentleman nods in agreement, but we are straying from the amendment, which would not have any impact on the problem that he raised. He is right: with or without the amendment, a rich employer, determined to go head to head with an applicant with an unanswerable case, would be able to do so with impunity, knowing that he could absorb the award of costs. The point made by the hon. Gentleman is therefore not particularly relevant to our discussion of the amendment.

Earlier in our debate, an important general point was made about the inexorable rise in tribunal applications. The Government's underlying intention in introducing the legislation was not to deter people with well-founded claims from making them, but to ensure, first, that claims that do not need to go to a tribunal to be settled, do not do so, and secondly, that the tribunal does not become the subject of a growing number of vexatious and frivolous claims brought by people who believe that they can test the water. Who knows, perhaps they are in the fortunate position of working for someone like the anonymous employer whom I cited earlier, who will settle anyway to avoid hassle and expense. There is no doubt that a bit of that has been going on.

The Minister has accepted the underlying purpose of clause 22 is not to sweep claims under the carpet so that people do not have access to a settlement, but to achieve settlement in the workplace wherever possible. In our early consideration of the Bill, the Minister talked about reducing the number of tribunal applications, but in more recent exchanges, he has talked about arresting the rise in the number of tribunal applications. That is an important distinction—the Government's original, laudable objective in the provision has been abandoned before the Bill has even completed its parliamentary passage. I should be grateful if the Minister could give the House up-to-date figures on employment tribunal applications, together with the Government's revised target.

Are the Government expecting a reduction in the number of employment tribunal applications as a result of the passage of the Bill, or are they, as I believe is the case, projecting a rise in the number of employment tribunal applications? If so, how many applications are involved? I fear that many of my hon. Friends and many people outside the House will regard that as an acknowledgement of failure of the Government's objectives. Can the Minister confirm that if the trend continues to rise inexorably, he will review the evidence, particularly in relation to vexations and frivolous claims, and reconsider the Government's position if it becomes apparent that such claims are not being adequately prevented by the amendment?

The second substantive point arising from this group of amendments is slightly different.

Mr. Lloyd: The hon. Gentleman touches on an important point concerning the philosophy of the tribunal. Does he believe that the rise in the number of people applying to tribunals is driven by either vexatious claimants or vexatious respondents? If that is the case, we would need to look into it. However, if the hon. Gentleman believes, as I do, that the rise in the number of tribunal cases may be arrested by more satisfactory procedures, which my hon. Friend the Minister has tried to introduce into the law, and reflects the nature of the modern world of employment, we are faced with a different situation. The hon. Gentleman is speaking about deterring legitimate claims from going to tribunals.

5 pm

Mr. Hammond: I very much hope that the hon. Gentleman is right and that the Bill achieves the original objective set out by the Government—to reduce the number of applications to tribunals by improving the procedures for dealing in the workplace with what might otherwise become employment tribunal applications.

I believe I am right in saying that the Minister has already acknowledged—he will clarify this when he speaks again—that we will not see a reduction, and that the best we can hope for is a diminution in the rate of growth. I do not have the figures. *[Interruption.]* The Minister is chuckling on the Bench; perhaps he has them now. I am not suggesting to the hon. Member for Manchester, Central (Mr. Lloyd) that the increase that we have witnessed is driven entirely by vexatious or frivolous claims, in the technical sense in which the employment legislation defines those. However, I do think, and I am not afraid to say this, that there has been an element of gold digging.

There is a perception in some quarters that some employers will buckle in the face of modest claims, because of the expense and disruption of defending themselves against claims. As I understand it, the Government recognise that phenomenon and, while wishing to protect the right of the genuinely aggrieved party to have access to the tribunal, do not wish to encourage frivolous or trivial use of the tribunal in the hope of making a quick buck. I should not have thought that the hon. Member for Manchester, Central wanted to encourage that either.

The second substantive point to which the present group of amendments gives rise relates to the ability to recover legal costs and own-preparation time. The Government are right in the original drafting of the Bill to remove any discrimination against parties who prepare and mount their own case, rather than using expensive external legal resources. That will benefit parties on both sides of the industrial equation, and we welcome it.

However, the Government in their wisdom have now decided that people can be awarded costs in respect of only one or the other form of expense—external third-party costs, typically of engaging a lawyer, or the person or firm's own costs in mounting a defence internally. Almost invariably, there will be both forms of cost. Even if an employer faced with a claim immediately engages a law firm to act for him, as many do, he will find that the law firm is unable to act without a great

[Mr. Hammond]

deal of information being collated internally in the firm, a considerable amount of time and energy being spent to produce basic information, and probably somebody from the firm attending the tribunal.

The proposal in the Government amendment is particularly disadvantageous to smaller businesses. In practice, a large firm will be used to receiving and dealing with employment tribunal applications, not because it is a bad firm or because it has particularly litigious employees, but by its nature as a large firm. It will have a procedure in place, and will probably have in-house lawyers who can deal with the matter. If not, it will have a retained external law firm to which it will immediately pass the matter. In either case, the large majority of its costs will fall under one of two headings—own costs or third-party legal costs—and it will therefore be able to cover them under the amendment.

Let us consider a typical small business such as a sole trader. On receiving an application from an employee in respect of an employment tribunal, the employer in such a business will probably seek first to deal with the issue himself. Small businesses are usually reluctant to incur external costs and especially to hire lawyers, because they know that lawyers typically do not come cheap. The employer will probably struggle with the case for some time on his own, but if it becomes apparent that it will be tested in a tribunal, he may well feel that he does not have the presentational and adversarial skills and so on that he requires to appear there in person as the principal representative for the respondent. When it becomes apparent that the matter is serious and will go to a tribunal, he will therefore be likely to engage a lawyer.

I suggest to the Minister that many smaller firms will find that they have costs under both the headings to which I referred, as they will have started by trying to deal with the matter themselves and to keep their legal costs down by doing as much of the work as they can, but will still have had to engage expensive legal support in the latter stages, bearing in mind that nobody knows in preparing a response to a tribunal application whether they will be awarded costs. The statistical evidence suggests that it is more than likely that they will not.

Mr. Kevan Jones (North Durham): Surely, if the employer thinks that the claim is frivolous and vexatious, the law allows them to ask for a pre-hearing assessment before the chairman of the tribunal. The chairman can determine that the claim is frivolous and vexatious, and direct that, if the case is taken forward, the other party will have to cover the costs if they lose.

Mr. Hammond: The hon. Gentleman is right; I think that the law currently allows a deposit to be requested at the pre-hearing. I think that the deposit is typically £150, although perhaps I am wrong, in which case the Minister will correct me.

Such remedies may be available, but I am seeking to make a more general point. As I said, I am not indifferent to the point made by the hon. Member for Amber Valley. I have firmly lodged in my mind the example cited in the Standing Committee involving a lawyer sending out a threatening letter suggesting that costs could be as high as £50,000, in an attempt to scare an applicant off. Such behaviour is clearly unacceptable.

If the Minister recognises that there is a problem, he must address the issue of the maximum quantum of costs that can be incurred in mounting a response to an application. It seems perverse and illogical to suggest that it is okay to incur £10,000 of legal costs by going to an expensive legal firm for advice or £10,000 of own costs by using one's internal resources, such as an in-house lawyer, but that an employer who spends £4,000 internally and another £4,000 by taking the case in its latter stages to an external lawyer will be eligible only for reimbursement of a maximum of £4,000. If the Minister wants to address the concerns of the hon. Member for Amber Valley, he would best do so by introducing some means of capping the total cost and not by imposing a grossly unfair and discriminatory prohibition on firms or applicants who incur costs under both headings and may therefore suffer by comparison with someone who has incurred all their costs under one head.

I urge the Minister to think very carefully about his logic for introducing such provision, as it does not seem fair, equitable or appropriate.

Ms Joan Walley (Stoke-on-Trent, North): I do not wish to detain the House long on this issue. I am relieved that there is an amendment from the other place that will require or at least give discretion to an employment tribunal to have regard to ability to pay. I welcome my hon. Friend the Minister's acceptance of the amendment. These issues are at the core of the way in which we are taking forward employment tribunal procedures, and relate as much to regulations that were introduced some 12 months or so ago that changed the way in which costs were introduced so that any case that was unreasonable, as opposed to vexatious or frivolous, could incur costs. How can we say that something is reasonable or otherwise without the benefit of hindsight? How else can case law be established?

At the heart of this debate are the changes that were introduced a year ago, which increased the upper limit in respect of costs. I do not think that we would be having this precise debate now, with the statements that the shadow Minister has just made to the House, if we had not had those changes.

The changes in the regulations still give me some concern as to whether the Government's proposals will deal with people being deterred from taking cases to employment tribunals, or ensure that more is dealt with within the work force itself. Of course, we want particular concerns to be dealt with in the workplace. We do not want them to have a go to a tribunal, but there is still some failure to tie up the implications of those changes.

Comments have been made about how many cases are going to tribunals. How is the Minister monitoring the cases that are going to tribunals? Have we seen a change in the number of cases going forward since those regulations were introduced last July?

I am relieved that we have this amendment from the Lords. I wrote to the Minister on 26 June 2001 pointing out that there was still no requirement on tribunals to have regard to the ability to pay and drawing attention to the Kovacs case. In his response in a letter dated 16 July, the Minister said that that was correct

"but case law has established that in making a costs order it will usually be desirable to look into the means of the party concerned, and of course tribunal chairmen are well aware of this."

As the Minister has pointed out, we now have the decision of the employment appeals tribunal, which sets out that there is no way in which a chairman of an employment tribunal could have any discretion as to whether costs should or should not be awarded—there is no way in which that could take place. Therefore, I am relieved that, finally, after 12 months of correspondence—and having raised the matter on Second Reading—we have an acknowledgement in the other place that that has to be taken into account.

The Minister said that chairmen of employment tribunals and indeed employment tribunals themselves should take into account ability to pay where it is appropriate to do so. Given that we do not have a requirement—we have only a discretion—I still have some concerns. I wonder whether the Minister could spell out in a little more detail for the record exactly which circumstances he is thinking of in which the chairman could have regard to ability to pay. That is a critical point.

The changes brought in 12 months ago could do far more to deter people from taking claims to employment tribunals because they were afraid. I am not thinking about the businesses, the employers; I am thinking about those who have valid cases, but who may be deterred from taking their cases to tribunals simply because they fear substantial costs may be awarded against them. I should be grateful if the Minister would give further attention to that when he replies.

5.15 pm

Mr. Lloyd: May I say to my hon. Friend the Minister that I welcome the amendments and the fact that the Government want to see them incorporated into the Bill? I think that it was the hon. Member for Tatton (Mr. Osborne) who talked about deterrence. Let us make it clear that, while most of us would accept the legitimacy of deterrence to prevent frivolous, vexatious or, indeed, scandalous claims—although these are sometimes quite subjective concepts—there is always a concern that deterrence will be applied to legitimate claimants. Not only might such claimants be deterred when they find themselves saddled with costs but they might not even dare to exercise their right of access to the tribunal. While we want to deter those who abuse the system, we certainly do not want to deter those who should have proper recourse to the tribunal. I hope that my hon. Friend the Minister will make it quite clear that that is the Government's approach, and that we are not here to deter legitimate claimants.

Mr. George Osborne: The Minister said in Committee that it was his objective to reduce by 30,000 or 40,000 the number of cases coming before employment tribunals. Does the hon. Gentleman share that objective? It is not entirely clear from what he is saying that he does.

Mr. Lloyd: Let me make it quite clear. If no one ever exercised their right of access to a tribunal because the internal mechanisms worked well, we would all be delighted. Conservative Members should not work themselves into a frenzy saying that the existence of the tribunals is, of itself, a bad thing, or that the use of an existing tribunal is a bad thing. Sometimes a society such as ours needs such provisions—I do not want to use the term "case law", because it would almost give tribunals too much of a legalistic nature, which we want to avoid. We need the tribunals to examine where the balance lies in industrial relations in our society; they perform an important role above and beyond the simple resolution of individual cases. We do not want the idea to go out from the Chamber tonight, or from anywhere else, that we regret either the existence or the operation of the tribunals. They are a necessary part of a modern, efficient society.

We are talking about how we should fine-tune the tribunals' function, and make them work better. In that context, the Minister has genuinely made progress. The opportunity for the tribunals to reflect on the ability of an individual to pay—whether it be the claimant or the respondent—is an important one, and the Minister is right to put it into the Bill and into regulations. It is also right that we should cap the number of avenues under which costs of different kinds can be given, because the whole idea of the granting of costs should not involve fines or penalties. The provisions may be there to deter the vexatious, but they are not there to say, "This person got it right, and the other one, who got it wrong, is therefore subject to this fine."

It is important that the ability to pay—even for the vexatious—is taken into account. We all have constituents who are, quite frankly, obsessive. Of course it is right and proper that we should deter them, and my hon. Friend the Member for North Durham (Mr. Jones) correctly pointed out that the pre-hearing scrutiny normally provides the most efficient way of taking out those cases. However, we do not want to end up with a fundamentally ridiculous situation in which even an obsessive is so burdened by debt that they cannot pay, which would make a mockery of the system.

Judy Mallaber *rose—*

Mr. Hammond *rose—*

Mr. Lloyd: If the hon. Gentleman will forgive me, I shall give way to my hon. Friend first.

Judy Mallaber: Does my hon. Friend recall the cases that were brought before us in Committee, which showed that this is not just a question of cases being vexatious and frivolous? We were told about a number of cases that it would have been perfectly reasonable for the applicant to think were well founded, but that were found to be vexatious or frivolous. Those applicants would not necessarily have thought that that would be the outcome when they entered the tribunal. We were told of several cases that illustrated that point.

Mr. Lloyd: That is an important point. We are not trying to saddle people with debts; that is certainly not what the tribunal process is intended to be about.

Mr. Hammond: I think that the hon. Gentleman just described the award of costs as a fine. Is that how he sees such awards throughout our tribunal and legal systems? I see them simply as compensation paid to injured parties for costs they have incurred.

Mr. Lloyd: If the hon. Gentleman had been listening, he would have heard me say that awards should not come to be seen as fines. Of course they can constitute recompense to injured parties.

[Mr. Lloyd]

Let us consider the origin of the tribunal. It was about low-cost justice; it was not about encouraging highly paid lawyers to represent one side or the other. The aim was to retain common sense and a sense of proportion, and I think the Minister has tried to strike that right and proper balance.

I hope, though, that the Minister will reflect on concerns that have been expressed throughout about the deterrent effects. It is in everyone's interests for fewer cases to go to tribunals, but only if that is because disputes are resolved at an earlier stage or, even better, because an industrial relations climate develops in which problems do not arise in the first place. What we do not want is a fall in the number of tribunal cases that merely masks injustice and unfairness. That is why I want the Minister to monitor the situation. We need to be sure that people who really need access to tribunals, in order to resolve genuine problems in the workplace, are not deterred.

Mr. Hammond: The hon. Gentleman has succinctly identified what needs to be done, but I can think of no method of distinguishing between the two possible causes of a fall in the number of applications to tribunals. Has the hon. Gentleman any ideas for how the Minister might undertake the monitoring that he has suggested?

Mr. Lloyd: There are many ways of doing it. Opposition Members will disagree profoundly with this, but I believe that a growth in trade unionism would provide a much better way of determining whether workers are being treated properly. If the number of applications falls, it will of course be possible to note the number of successful claims and the number of unsuccessful claims. A massive rise in the number of unsuccessful claims, or a proportionate rise against the background of an overall reduction, would tend to suggest that something was going wrong—that people with real claims were not going to tribunals.

Mr. Kevan Jones: Might not one way of reducing the number of applications be to educate small business and other employers to use proper procedures?

Mr. Lloyd: Absolutely. We can argue later about whether the code mentioned elsewhere in the Bill will prove effective, but, as my hon. Friend says, it may be possible to resolve many problems long before even mentioning tribunals if employers and, indeed, employees work within the context of properly structured grievance and disciplinary procedures.

The Government have made progress. They have taken an important step, but we need to make it clear that we do not intend to deter legitimate claimants, and we need to monitor the situation to ensure that the spirit of what the Minister wants to achieve is translated into practice throughout the country.

Rob Marris: I begin by declaring that, among my registered interests, I am a non-practising solicitor. I want to ask the Minister about two disjunctions. First, under amendment No. 29, an award could be made either for legal costs or for preparation time in respect of employment tribunals. Can he assure me that that provision will also apply to employment appeal tribunals? Secondly, clause 23 states:

> "For section 34 of the Employment Tribunals Act 1996 (costs and expenses) there is substituted"

a new clause 34, subsection (1) of which states:

> "Appeal Tribunal procedure rules may include provision for the award of costs or expenses."

Will the Minister clarify that wording, which suggests that such a tribunal could award either costs or expenses?

Alan Johnson: The hon. Member for Runnymede and Weybridge (Mr. Hammond) said that, in principle, the Opposition accept the thrust of the Government's efforts in respect of preparation costs, but he suggested that there is another approach. The basis of the Bill as debated in Committee was that some money could come from preparation costs, and some from actual legal representation. Various arguments have been advanced time and again. The point made by my hon. Friends—that in addition to having costs awarded against them, people could also have to bear the huge expense associated with a company's putting time and effort into defending a case—was raised by the Law Society and the National Association of Citizens Advice Bureaux.

Mr. Hammond: Yes, but the Minister has not dealt with it. Under the amendment, a company could still rely entirely on its own resources, and its internal costs could still be the subject of an award.

Alan Johnson: Yes, but the fear that considerable costs would be imposed on top of legal charges was a separate issue. The central argument is that, in a system that tries to discourage legal representation, it is ludicrous that those who sit at their kitchen table night after night, prepare their own case, represent themselves and win should get no recompense. On that central point, people said to me, "Why don't you introduce one thing or the other?" If the issue is ensuring that those who do not use legal representation are no worse off—we must remember that, in terms of wasted costs, we are talking about 4 per cent. of cases—surely the award should be made in respect of either preparation costs or legal costs.

The hon. Member for Runnymede and Weybridge mentioned frivolous cases, but I should rebuke him mildly. In fact, because those who chair employment tribunals thought that the word "frivolous" was entirely inappropriate to the legal profession, it was removed. It was replaced by the word "misconceived", and in respect of wasted costs, reference is now made to misconceived, vexatious and unreasonable claims.

My hon. Friend the Member for Wolverhampton, South-West (Rob Marris) is absolutely right: last year, a third of recipients were respondents, not applicants; in fact, the year before that the ratio was 50:50. Some 50 per cent. of such costs were awarded to businesses—probably small businesses—which, if they represented themselves, could not claim back the costs incurred.

It is important to get the matter into perspective. We have not sought to widen the basis of costs awards, and nor should we. The existing definition—which refers to misconceived, vexatious and unreasonable claims, and to abusive behaviour during a tribunal—presents no problem and relates to only 4 per cent. of cases.

5.30 pm

Mr. Hammond: The Minister has addressed his remarks to the own costs element. He painted a picture of the fear of the own costs that a vast firm might incur internally as a deterrent to the applicant. In the next breath, he talked of an own costs applicant slaving away at his kitchen table night after night. I thought that the Minister's objective was to encourage people not to be legally represented at tribunals. Would not the simple and logical approach have been to limit the award of costs to own costs, not legal costs?

Alan Johnson: No, I think that we have got the balance right. We will consult on the regulations and take into account the points that were made about putting a cap on costs, although that will be less necessary if the House accepts the amendments. If the central argument is that those people who are not legally represented cannot claim wasted costs, we shall give them the choice between own costs and legal costs. That has met the requirements of the Law Society and the National Association of Citizens Advice Bureaux. We all duck and dive with our arguments, but I mentioned small businesses because—as my hon. Friend the Member for Wolverhampton, South-West pointed out—they made up a third of the parties that were awarded costs last year, and 50 per cent. the year before.

The hon. Member for Runnymede and Weybridge also asked for some indication of the number of cases. In 2001–02, there were between 115,000 and 120,000 applications. In the year before, there were 130,000. However, I would counsel hon. Members against drawing any conclusions from those figures, because in the year before last many one-off cases were brought, including EU cases in which a whole group was settled at a time. Those included some famous cases that my hon. Friend the Member for Wolverhampton, South-West will remember. It is those special circumstances that have led to that reduction, not my year as the Minister responsible for employment relations.

We believe that the Bill will mean that some 30,000 to 40,000 cases will be settled outside employment tribunals which would have otherwise gone before them. Part of that reduction will be those disputes settled in the workplace, and part will be those settled during the fixed period of conciliation. Part will also be accounted for by those cases that were struck out at the pre-hearing stage, as my hon. Friend the Member for North Durham (Mr. Jones) mentioned. At the moment, vexatious, misconceived or unreasonable cases cannot be struck out at the pre-hearing stage and the tribunal can only require a deposit of £500—an increase from £100. A later amendment will allow cases to be struck out at that stage.

Hon. Members have asked how we may further reduce the number of cases, and we have introduced the ACAS arbitration scheme, which was agreed by both sides of the House. It has not been totally successful so far, with only 14 cases using the scheme, but we can do much more work to advertise its availability.

Mr. George Osborne: The Minister was careful in the way he put his estimate. He said that he hoped to reduce by some 30,000 to 40,000 the number of cases that would otherwise have gone to an employment tribunal, but he did not say that he hoped for an absolute reduction in the number of cases going to employment tribunals. Given that other provisions in the Bill, such as flexible working rights, may lead to an increase in cases going to employment tribunals, can he clarify whether he hopes to see an absolute reduction in the number of cases going to employment tribunals, and by how much?

Alan Johnson: As I said on Report, people are more aware of their rights now, which is healthy. They have more rights to be aware of.

Mr. Prisk: Absolutely.

Alan Johnson: Indeed, but it is not absolute. Given that we are committed to tackling discrimination on the grounds of age, disability, religion and sexual orientation, it would be crazy for me to predict an absolute fall in employment tribunal cases. I picked my words very carefully. Of the disputes that might go to employment tribunals, about 30,000 to 40,000 can be settled outside, and I think that that is a worthy ambition.

My hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) expressed her concerns eloquently. I recognise that she has long been concerned about the £10,000 costs award. Of course, awards could go as high as £10,000 before, but it needed a separate court order and could not be done at the employment tribunal.

My hon. Friend asked how we will gauge or monitor the situation in relation to the introduction of the £10,000 award last July. That was last July—a year ago today—so we have 12 months' worth of information. We are expecting to begin a study of the employment tribunal cost regime in the next year, and we will look very closely at the result. Some evidence has already emerged at the employment tribunal system taskforce, but we will certainly look at it again.

My hon. Friend also spoke about ability to pay, which is the other important issue in this group of amendments. We made it a discretion rather than a requirement in order to restore the status quo. It was always a discretion, not a requirement, until the time of the Court of Appeal case. We did not make it a requirement because, as I said earlier, there could be circumstances in which someone of limited means knew that they had absolute indemnity to raise these cases. We believe that the discretion should be placed with the tribunal. The hon. Member for Runnymede and Weybridge asked whether that should be a principal consideration. We are not saying that, but the employment tribunal should have the ability—the discretion—to make a full award, no award or a reduced award. We are simply returning to the previous situation.

Ms Walley: In view of what my hon. Friend has just said, does he anticipate issuing guidance to employment tribunal chairmen on how the discretion is to be applied, following the decision of the Court of Appeal?

Alan Johnson: We will certainly issue guidance and it will be part of the regulations. However, the judiciary and the employment tribunal chairs will be very familiar with the regime, as it existed until just a few months ago, following the Court of Appeal decision. I do not think that there will be any problems there.

Mr. Hammond: I sense that the Minister is coming towards the end of his remarks. Have the Government any

[Mr. Hammond]

evidence to suggest that the total sum of costs is higher in cases where both internal and external resources have been brought to bear, compared with those where the matter has been dealt with entirely by an external law firm or in-house? If not, I do not believe that he has made the case for refusing to recognise a mixed base of costs.

Alan Johnson: No, I do not have that evidence, but we know that the average award over the past year has been £300. There is a big gap between £300 and £10,000. That suggests three things: there are not many of these cases; tribunals take into account ability to pay; and the fact that the award is only £300 but could go as high as £10,000 is part of the fear factor about which we hear time and again from people who deal with these cases day in, day out. The hon. Gentleman made a valid point and his argument is logical. We considered the establishment of a mixed system but were persuaded to move away from it—hence the amendment.

My hon. Friend the Member for Manchester, Central (Mr. Lloyd) pointed out that we were not dissuading people from going to employment tribunals. I said that earlier—as I have on other occasions—and I am happy to repeat it: we are not about denying people justice. To be fair to the Opposition—certainly those Members who sat on the Committee—I do not think that was their objective either.

My hon. Friend the Member for Wolverhampton, South-West asked, first, whether the provision would apply to the employment appeal tribunal. There is no provision for preparation time in the tribunal, although there is provision for litigants in person, so we need to apply the provision either for preparation or legal costs.

My hon. Friend's second point—

Rob Marris *rose—*

Alan Johnson: If my hon. Friend wants to intervene, perhaps he could remind me of his second question.

Rob Marris: My point referred to page 33 of the Bill and the revised section 34 of the Employment Tribunals Act 1996, which states:

> "Appeal Tribunal procedure rules may include provision for the award of costs or expenses."

Expenses are different from preparation time—they relate to the cost of a witness attending a tribunal hearing or, in this case, an appeal tribunal. Given that on page 32 there is a reference to costs and expenses, I wanted to ensure that no problem would arise. It might help those in the judicial system who have to interpret the measure if the Minister could give some clarification.

Mr. Hammond: I may be mistaken but my recollection of our discussions in Committee is that the word "expenses" relates to Scotland. Is that correct? The hon. Gentleman is a lawyer, so he may be able to assist us.

Rob Marris: A Scottish lawyer.

Alan Johnson: The hon. Member for Runnymede and Weybridge helps me enormously. As I said, there is no preparation time in the EAT and the Scottish term for costs is indeed expenses.

On that note, I hope that the House will support the motion.

Lords amendment agreed to.

Lords amendments Nos. 27 to 30 agreed to.

Clause 24

CONCILIATION

Lords amendment: No. 31.

Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 32, 33, 78, 80 and 91.

Alan Johnson: Amendment No. 31 deletes subsection (3)(a). It is a minor amendment that relates to the processing of tribunal claims between the Employment Tribunals Service and ACAS. Our intention was to provide through regulation a circumstance where uncontested applications would not be passed to ACAS, so that its resources could be better focused on applications where both parties acknowledged the dispute.

As a result of debates in the other place, however, it became clear that valuable conciliation time could be lost if, rather than sending an application to ACAS immediately, we waited to find out whether the respondent would contest it. The consequence would be a delay before ACAS could begin work and thus a delay to the processing of claims, which is not in the best interests of tribunal users. We believe that the overall user interest should take priority over a small saving of ACAS's time and that, on balance, subsection (3)(a) is undesirable. Accordingly, we drafted amendment No. 31 to delete it.

The amendment will have the effect that an originating application to an employment tribunal that falls within the duty of ACAS to conciliate will continue to be sent to ACAS immediately. The same applies to notices of appearance.

Lords amendments Nos. 32 and 33 are technical and consequential on Lords amendment No. 31. Lords amendments Nos. 79, 80 and 91 are also technical and consequential on the removal of section 19(c) of the Employment Tribunals Act 1996, which is affected by clause 24(3)(b). I commend these amendments to the House.

5.45 pm

Mr. Hammond: The essential point is that Lords amendment No. 31 will remove the discretion to create exceptions by regulation. As the Minister will know, we are always delighted when the scope for discretion by regulation is reduced—something for which we always argue in Committee. It is interesting that the Government appear to have been more readily persuaded of the merits of removing such discretion in the other place. I wonder whether that has something do to with the simple arithmetic that prevails there.

I am pleased to say that we are delighted with the Lords amendment, which will improve the Bill. I wish that the Minister were able to tell us that many similar amendments would remove such discretion in regulations, but sadly this is the only such change.

Lords amendment agreed to.

Lords amendments Nos. 32 and 33 agreed to.

Clause 28

PRE-HEARING REVIEWS

Lords amendment: No. 34.

Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 35 and 36.

Alan Johnson: These amendments were made in response to the concern that the power to strike out at a pre-hearing review should be included in the primary legislation, rather than in employment tribunal procedure regulations. In particular, the concern was that striking out at the pre-hearing review stage might be permissible in circumstances that go beyond those in which striking out is possible at other stages in the proceedings.

We had always intended that strike-out at the pre-hearing review would be possible on very limited grounds, not going beyond those permitted elsewhere in the tribunal rules. Those grounds are failure to comply with an order or direction imposed by the tribunal, or when the originating application or notice of appearance or anything in it is scandalous, misconceived or vexatious. Hence we were content to spell that out in the Bill, which is what these amendments do, so I ask the House to support them.

Lords amendment No. 34 agreed to.

Lords amendments Nos. 35 and 36 agreed to.

Clause 31

NON-COMPLETION OF STATUTORY PROCEDURE: ADJUSTMENT OF AWARDS

Lords amendment: No. 37.

Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 46 to 55.

Alan Johnson: Amendments Nos. 46 to 55 simplify the compensation regime, as originally set out in clause 38, for failure to comply, in certain circumstances, with the requirement to provide employees with a written statement of employment particulars. They necessitate a consequential amendment to clause 31, which is why they are being discussed now.

Clause 38 provides that when an employee brings a successful claim to a tribunal under one of the jurisdictions set out in schedule 5 and the tribunal finds that his employer failed to comply with the written statement requirements, the employer will be liable to a financial penalty for that failure. That policy is unchanged. As the clause was originally drafted, however, the penalty would normally take the form of a 5 to 25 per cent. uplift to the employee's award. If compensation was not the remedy chosen by the tribunal, or was not available for a particular jurisdiction, the employee would instead receive one or two weeks' pay, depending on whether the statement was incomplete, inaccurate or had not been supplied at all.

One or two weeks' pay also served as the floor for any percentage uplift. That was never an easy system to explain, and it was criticised in another place for its complexity.We are confident that the underlying policy is right—the policy of encouraging employers to recognise the importance of the written statement in the employment relationship. Indeed, it was welcomed by the majority of respondents to consultation. On reflection, however, we agree that the penalty regime as originally drafted was needlessly complex.

Taken together, these amendments therefore replace the percentage uplift system with a simple fixed-rate penalty of two or four weeks' pay. As before, the penalty will be awarded if the written statement is incomplete, inaccurate or absent, or if notification of any change to the particulars had not been given. Whether two or four weeks' pay is awarded, however, will not be linked to the particular failure. Whether to award the higher or lower penalty will be at the tribunal's discretion. If the tribunal thought that it was right in particular circumstances, it could award a higher penalty for an inaccurate statement than for failure to issue one at all. We believe that tribunals will find the fixed-rate penalty regime considerably easier to administer than the percentage system. Moreover, we believe that it will fulfil our policy aims just as effectively.

Mr. Hammond: As the Minister said, the substantive amendments are to clause 38. I recognise that the Government were criticised in the other place for the complexity of the penalty regime that would apply when an employer failed to deliver particulars of employment as required by the law. The original scheme involved a percentage uplift of the award that was made by the tribunal. The cost that the employer would suffer for the failure to deliver particulars would be determined by reference to the award that was made against him. That seems to have a lot of attraction to it. I accept that it is a little more complex but, as I understand it, the intention is not to fine the employer for having failed to deliver particulars of employment. Were that the purpose, the sensible way to proceed would be to introduce a mechanism into the relevant primary legislation to impose a fine on an employer for failure to deliver particulars—that fine would go to the court and not to the employee in question.

The purpose, however, is to ensure that when an employee has a legitimate grievance, and that grievance is recognised by the tribunal in making an award, the aggravation of that grievance by the failure to deliver a proper statement of particulars is recognised in a percentage uplift in the award. The degree to which the monetary sum by which the employer's failure to deliver the statement of particulars translates into an award to the employee would therefore be related to the severity of the underlying legitimate grievance, if the tribunal finds that there has been a legitimate grievance and it makes an award to recognise it. One would at least hope that the size of the award will reflect the seriousness of the grievance. Moving away from that arrangement, the Government are introducing a fixed penalty for failure to deliver a notice of particulars of employment in the proper form.

[Mr. Hammond]

I have no problem with the Minister's view that employers should deliver the proper particulars of employment. We discussed that in Committee, and the view across the Committee was that, if clearly set out statements of particulars are delivered, there is scope for avoiding significant numbers of disputes by making sure that everybody is very clear about the terms on which they are employed. I am not sure, however, that a fixed fine going into the pocket of the employee—let us say that the employee earns £200 a week, and the fixed penalty is therefore £200 or £400—is particularly appropriate if the substantive grievance is deemed to be worth only £100. It would seem odd if the employee were awarded £100 in respect of the substantive grievance, but had that uplifted by perhaps £200—a week's pay—because the employer has not delivered the statement. Has the Minister thought through how that will work, and the different relationship between the basic award and the amount of uplift that the amendment introduces?

Another point needs to be made. Under the Bill that was originally passed by the House, the appropriate amount was one or two weeks' pay. The Minister, in his remarks a few moments ago, glibly doubled that to two or four weeks' pay. That is a substantial movement of the goalposts. What has caused the Minister to decide that two or four weeks' pay is appropriate now, given that when the Bill left the House on Third Reading some four or five months ago, one or two weeks' pay was the appropriate amount?

Will the Minister also comment further on the abandonment of the concept—which was clearly enshrined in the Bill and considered in great detail in Committee—of two levels of wrongdoing associated with particulars of employment? As he said earlier, the first level is a gross failure to deliver a statement of particulars, and the second, lesser mischief, is delivery of a statement that is inaccurate or that fails to comply with the requirements of the legislation. Suddenly, that is to be swept away, and the two levels—the higher levels of two or four weeks' pay—are to be awarded entirely at the discretion of the tribunal.

A significant change of position seems to have taken place: two or four weeks' pay is now the penalty, instead of one or two weeks' pay, and the two-tier approach has been removed in favour of a single-tier approach, with the tribunal having discretion beyond that. It would be helpful if the Minister could explain further the thinking behind those two changes.

Alan Johnson: I shall try to do so. The important point to remember is that, as the hon. Gentleman said, concerns have been expressed about complexity. He referred to the original proposal for a penalty of one or two weeks' pay. First, that served as the floor for any percentage uplift—it was the minimum. Secondly, as I said in my opening comments, if compensation was not the remedy chosen by the tribunal, or was not available for a particular jurisdiction, the employee would instead receive one or two weeks' pay, depending on whether the statement was incomplete, inaccurate or had not been supplied at all. On top of that, there was a percentage uplift of between 5 and 25 per cent.

The hon. Gentleman suggests that we are punishing employers too much by turning to a simple compensation formula of two or four weeks' pay rather than the old formula, which had a fixed element and a percentage award on top. I do not think that we are doing that. Let us not forget that the maximum payment is £250 a week and is based on the statutory payments written into the redundancy and other legislation. A tribunal will have the discretion to decide to go to the top or bottom end of the range of compensation, and the maximum compensation will be £1,000. Last year, the average award for unfair dismissal was £2,700.

6 pm

Mr. Hammond: The Minister says that the average compensation for unfair dismissal was £2,700, but he suggested earlier that the average award at a tribunal was somewhat lower than that. We therefore need to consider the uplift in the context of the average award made at tribunals and not just for one particular class of action.

Alan Johnson: The average cost award was £300, but I am now referring to the average compensation for unfair dismissal. That is not the same. I am referring not to vexatious or even frivolous litigation, but to a clear-cut case found against an employer in which it was discovered that no written statement of particulars was issued. In that context, the average award of £2,700 for unfair dismissal is perhaps more relevant than the average cost award of £300.

Mr. Hammond: The Minister is missing my point, but I may be missing something too. Let my try to clarify my question. Claims other than those for unfair dismissal go to tribunals and I was hoping that the Minister would give the House the average award—not the costs and not just the average award made at cases of unfair dismissal—that tribunals made in the last year for which figures are available.

Alan Johnson: That is a fair point. I do not have the figures for average awards across the board. However, I know that the majority of cases—about 51 per cent.—are for unfair dismissal. In a sense, however, this issue is irrelevant to the argument.

The argument is whether the system was needlessly complex when it left the House. We were convinced by the debates in the House of Lords that it was and that we could simplify the system. We do not believe that we have taken away a tribunal's discretion to decide, and the provision is not linked as closely as it was to failings in the statement of employment terms and conditions. We have given more discretion to the employment tribunals but in a different way, with the matter being based on between two and four weeks' pay. I urge the House to agree to this sensible amendment.

Lords amendment agreed to.

Lords amendments Nos. 38 to 55 agreed to.

Clause 39

COMPROMISE AGREEMENTS

Lords amendment: No. 56.

Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 88 to 90 and 92 to 95.

Alan Johnson: The lead amendment will delete clause 39, which is on the expansion of the scope of compromise agreements. Grouped with it are a number of consequential amendments that undo various repeals and revocations that we would have had to make through schedule 8 had the clause remained in the Bill.

Clause 39 was debated in great detail in Committee in the other place in March, and some serious concerns were raised about potentially damaging effects. The Government promised to consider those arguments, which we duly did. On 30 April, in answer to a question from Lord McCarthy, my noble Friend Lord Sainsbury announced that the Government had decided to delete the clause. That was done on Report in the House of Lords. We explained in that debate that we did not necessarily agree with all the legal arguments advanced by Lord Wedderburn about the meaning of the case law, and especially with his interpretation of the recent BCCI *v.* Ali case in regard to the scope of compromise agreements.

In a sense, it is a question of risk assessment. In our view, Lord Wedderburn rather overstated the risk that widening the compromise agreements might enable employers to draw up general waivers preventing their employees from ever enforcing their employment rights. We continue to think that that would have been invalid and illegal even if clause 39 had remained. However, we acknowledge the risk, and any risk of such an undesirable outcome is unacceptable. It is undeniable that recent case law has created uncertainty.

Even more important, we recognise the risk that, even though such an agreement would in our view be invalid, a small minority of employers might none the less attempt to persuade their employees to sign one. If that happened, the fact that its legal validity was highly questionable would not alter the fact that, having signed the agreement, an employee would be most unlikely ever to go to a tribunal because he would believe that he no longer had the right to do so.

As we have now made clear on several occasions, the Government are adamant that no employee should be deterred in that way. That was not what clause 39 was about. Its aim was simply to address the concerns of a number of employment lawyers that the scope of compromise agreements was unnecessarily restrictive and that it should be widened to match the scope of settlements conciliated at ACAS. That is a reasonable enough aim, and one with which we agree—but not at the risk of jeopardising employees' rights.

We considered amending the clause in a way that addressed all the concerns while retaining the original policy objective. In our judgment, there was no legally watertight way of doing that without also having to tinker with the scope of ACAS-conciliated settlements—the so-called COT 3 agreements. COT 3s have worked very well for several years and we had no wish to change their legal scope. We therefore concluded that we should delete the clause completely.

I hope that the House will agree to Lords amendment No. 56 and to the others grouped with it.

Mr. Hammond: I have no quarrel with the substance of what is being done, but it is worth the House taking a moment to consider how near we came to what might have been a legislative disaster. Clause 39 was not debated in Standing Committee in the Commons, because of the operation of a timetable. That meant that the Bill went to the Lords without the clause having been discussed in the minute detail that it was in the other place. By the Minister's own admission, Government legislation went through the House of Commons essentially on the nod. Fortunately, the intervention of Lord Wedderburn in the other place drew to the Government's attention what the Minister acknowledges are possible dangers with the clause.

I have nothing to say about the substance of the issue. I am prepared to defer to Lord Wedderburn's analysis and to assume that the Government, having had the problem drawn to their attention, have considered the matter carefully and decided, on the balance of potential harm, that it is better to delete the clause. However, I ask the House to consider what would have happened had the regime of rigorous timetabling that now dominates and controls all proceedings in this place already been extended to the other place. The House of Lords frequently annoys the Government's business managers by voting when they would like it not to vote and, occasionally, by winning Divisions that they did not sanction it to win. Sadly, except on Fridays, this place seldom does that.

I hope that, in announcing the Government's decision to remove clause 39, the Minister acknowledges the vital role that the other place often, sadly, has to perform on its own because we do not have the opportunity to do our job properly under the timetabling regime. Having recognised that vital role, I hope that the Minister will at least place on the record his determination never to support any attempt to curtail debate in the other place.

Mr. Lloyd: I understand the hon. Gentleman's point, but he might want to reflect on a couple of things, one of which is the role of Opposition and Labour Back Benchers in ensuring that time allocated in a timetable motion is used to concentrate on the most important aspects of a Bill. If there is a failure, it is a collective one for which the Opposition themselves have to take some responsibility. One way to avoid the problem is to consider seriously pre-scrutiny of legislation. I know that discussion of that would take us wide of the amendments and I do not want to detain the House on such matters, but the hon. Gentlemen should consider whether pre-scrutiny would have helped the House enormously on clause 39.

Mr. Hammond: I do not accept the premise of the hon. Gentleman's first point. By and large, the Committee managed its time well. Very few clauses were not discussed as a result of the guillotine. The fault and responsibility must lie with those who needlessly impose a guillotine on a Bill's consideration in Committee.

I am interested in the hon. Gentleman's comments on pre-legislative scrutiny. I intend to watch with great interest the Government's response to the communications Bill, which is undergoing pre-legislative scrutiny. Their response to the previous Bill that went through pre-legislative scrutiny was not to change it, notwithstanding the Committee's hard work. I hope that the Government will respond constructively to the recommendations this time. However, I am surprised that I have managed to say so much on that subject, Mr. Deputy Speaker, and I shall not try your patience further.

I look forward to what the Minister has to say about what was a narrow escape. I hope that he will give credit where it is due to our noble Friends collectively—Lord

[Mr. Hammond]

Wedderburn of course sits on the Labour Benches—for rescuing the Government from what could have been a serious embarrassment.

Mr. Prisk: I share my hon. Friend's surprise at the pattern of events. In all the consultation and during the Bill's proceedings in this House, clause 39 did not divide opinion, although unfortunately we did not have much time to discuss it. Its sudden last-minute removal suggests either a fundamental flaw that was overlooked or that some undue pressure, to which I hope the Minister did not succumb, was brought to bear.

I have a couple of points to raise. The Government's original case for clause 39 was that it would create consistency with ACAS's conciliation process. Indeed, the Government's explanatory note states:

> "The Government's objective in making this change is to ensure that compromise agreements are as effective and as wide in extent as ACAS conciliated settlements."

There was a clear intent to bring the two together. The clause's deletion suggests that one part of the Bill is going in a different direction from the rest of it. I hope that the Minister will clarify that.

My second point relates to the benefit that many business representatives thought would arise. The clause provided closure because it meant that there would be a complete settlement. For example, had a severance package been settled for a redundancy, the clause would have allowed it to hold and it could not have been challenged subsequently. It appears that, out of the blue, unexpected case law has railroaded the clause to one side. Why has the Minister decided not to amend the clause? Is it because it is unamendable, or at least unamendable in the time remaining? Do the Government intend to reintroduce the substance of the clause at a later stage? It would help us all to hear answers to those questions.

6.15 pm

Mr. Lloyd: I congratulate the Government on listening to our noble Friend Lord Wedderburn. Clearly there was sufficient uncertainty, as hon. Members on both sides of the House accept, and it would have been imprudent to proceed with the clause. My hon. Friend was right to remove it. Sometimes it is better to be kind to a Minister, and we should recognise that he reached the right conclusion as a result of intense debate in the House of Lords. We will improve the Bill by accepting the amendment, and he deserves credit for his approach.

Alan Johnson: The hon. Member for Runnymede and Weybridge (Mr. Hammond) has had a bee in his bonnet about the timetable from day one. The timetable is not a matter for me, but if we had had all the time that he wanted—we did manage to fit in a few extra Committee sittings—I doubt whether hon. Members would have focused on clause 39 to the extent that he suggests.

Mr. Hammond: As the Minister mentions the extra sittings, the House should know that the Government introduced a major new clause. Two eminently well qualified and experienced employment lawyers—one Liberal Member and one Labour Member—served on the Committee. I do not share the Minister's doubts about whether one of them would have picked up the problem with clause 39.

Alan Johnson: I am trying hard to pay a compliment to the hon. Gentleman. All Committee members, including the hon. Member for North Norfolk (Norman Lamb), did their job properly. Scrutiny has been mentioned. I think that clause 39 was the only provision on which there was unanimous agreement in the consultation. We agreed that it was a small, sensible tidying-up measure. It allowed compromise agreements, which happen rarely and require the endorsement of, for example, a trade union official or solicitor, to bring a dispute to a conclusion. Such decisions would not go through conciliation, ACAS arbitration or an employment tribunal.

Lawyers explained that it was crazy that such decisions did not have the same scope as ACAS-conciliated settlements. It is a minor point. Opposition Members may not have debated that clause, but they would have read it. The hon. Member for North Norfolk and my hon. Friend the Member for Wolverhampton, South-West (Rob Marris) were keen on reading every esoteric part of every clause, for which I give them due credit, and I doubt whether they turned a hair when they read clause 39.

We should pay tribute to Lords Wedderburn and McCarthy. Hon. Members may remember that the matter was portrayed, not by them but by a journalist, as part of a covert agenda by the Government to get employees to sign away their right to go back to an employment tribunal in any future case. When the press reacts like that to a clause whose ramifications seem to us so minimal, we need to consider carefully whether to withdraw it on the basis that it is more trouble than it is worth or to amend it. It is not a central element of the Bill, and no party ever suggested that it was.

Norman Lamb (North Norfolk): I join the Minister in paying tribute to Lord Wedderburn for identifying the disaster that could have occurred if the provision had been accepted. Clearly, it could have led to many employees losing basic rights under pressure from their employers, so it is right that it has been deleted. However, the Minister was wrong to say that compromise agreements are rarely used. In fact, they are frequently used, and were being used every week in our office to conclude agreements. These days, they are a common way of settling a case.

As the Minister rightly said, the sensible purpose behind the clause was to bring compromise agreements into line with ACAS agreements. Does he intend to return to the issue to address the concerns that led to the clause being included in the first place, or will he simply leave the law as it stands?

Alan Johnson: The hon. Member for Hertford and Stortford (Mr. Prisk) asked whether we considered alternative amendments, and we did. It was too great a risk to leave the Bill as it was, and the amendments would have resulted in a cure that was worse than the disease. If we amended the Bill to deal with ACAS-conciliated settlements and left the so-called COT 3 agreements as they were, there would have been a feeling that the latter did not provide the same protection, so we would have had to amend them. Given that the provision is not central to the aims of hon. Members on either side of the House, we ask the House to support the amendment to delete clause 39 in its entirety.

We are consulting ACAS about what we can do to redress the situation. I accept what the hon. Member for North Norfolk said about compromise agreements being more frequent than I had thought, although that is not a big deal. They will remain as they are, and we will encourage their use. All that is missing is this minor but sensible tidying up to give them exactly the same status as ACAS-conciliated settlements.

We should not talk about close shaves but commend the Houses of Parliament for having done their job of scrutiny. The Law Lords have a particular locus in dealing with such issues, and the points made by Lords Wedderburn and McCarthy related to a recent case, BCCI *v.* Ali. We should not suggest that the fact that the clause passed through the Committee was in any way indicative of a lack of scrutiny in this House.

Mr. Hammond: The hon. Member for North Norfolk (Norman Lamb) asked the Minister whether the Government will return to compromise agreements. It became apparent, as the Minister acknowledged, that the Minister may have been misinformed about the extent to which they are used. It is slightly alarming that the Government are legislating without being aware of the basic facts. Can the hon. Gentleman's Department collect data about the number of compromise agreements being reached, because it is difficult to see how, without it, the Government can make an informed decision about what needs to be done?

Alan Johnson: Hon. Members should not take that error as any reflection on my Department; it was my error. I did not read my brief correctly and mixed up one aspect of employment law with another. I am sure that we do know the number of compromise agreements, and I shall write to the hon. Gentleman and let him know what it is.

Lords amendment agreed to.

New clause

POWER TO CONFER RIGHTS ON INDIVIDUALS: AMENDMENT

Lords amendment: No. 57.

Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

This is a technical amendment that does not in any way alter the scope of the power in section 23 of the Employment Relations Act 1999. The power enables the Secretary of State to confer employment rights on individuals who do not currently have them. The amendment's effect is that we would need to confer rights on individuals by an order that amended existing legislation and not by an order that just spelt out the rights to be extended. It would not alter the rights that we could confer, the individuals on whom we could confer them or the way in which any rights conferred would work in practice.

We listened to the opinions of the noble Lords in debating this issue. They argued strongly that the words "or otherwise" were not appropriate and gave the Secretary of State additional powers to extend rights other than by a statutory instrument. On balance, we considered that since the words "or otherwise" had been understood in that way, we should not retain the current wording simply on the basis that it gave us some flexibility. The advice of Lords Ackner and Brightman cannot lightly be set aside.

The amendment may not please the draftsman should we decide to use the power under section 23, but I hope that it will alleviate concerns raised in the other place that we were intending to circumvent Parliament by use of the words "or otherwise". Removing those words will not limit the scope for conferring statutory employment rights on individuals to whom the rights do not currently apply. As Members will be aware, a review of employment status in relation to statutory employment rights is under way, and we intend to publish a discussion document on employment status this month.

Mr. Hammond: The story behind the amendment is extraordinary. I take issue with the Minister when he says in one breath that this is a technical amendment and in the next that the opinions of Lords Ackner and Brightman cannot be lightly dismissed. Lord Ackner opened his speech on Third Reading in the other place by saying:

> "This is not a small and technical matter, as the Minister said".—[*Official Report, House of Lords*, 27 June 2002; Vol. 636, c. 1530.]

Ministers in the other place sought to present this as a technical matter, and the Minister has repeated that this afternoon, but that is not so.

The Minister, like his noble but sometimes discourteous Friend Lord Sainsbury, also managed to avoid giving any credit to my noble Friend Baroness Miller of Hendon, without whose unstinting determination this amendment would not have been brought to the attention of Lords Ackner and Brightman and, ultimately, accepted by the Government. Indeed, Baroness Miller had to table the amendment three times and put up with a good deal of rather ungentlemanly ridicule from the Government Dispatch Box before the wisdom of what she was advocating came to be recognised. She apologised on Third Reading when she introduced this amendment for the third time, explaining that she was

> "compelled to do so by the Government's obdurate refusal"—[*Official Report, House of Lords*, 27 June 2002; Vol. 636, c. 1528.]

to accept the deletion of the two offending words from the Employment Relations Act 1989.

When I read the Lords debate, I was disappointed and, frankly, surprised to note the patronising tone with which Ministers in that place, who seem to be far less courteous than their counterparts in this place, dealt with my noble Friend. Many of my hon. Friends will know Baroness Miller well, and would know better than to step in her way when she is determined to achieve something. Terriers with bones have nothing on my noble Friend.

6.30 pm

Apparently, Lord Sainsbury was not aware of my noble Friend's reputation and determination. The first time that she tabled the amendment, he sought to dismiss it by making repeated spurious references to someone called Doreen, then essentially telling her to go back to her kitchen sink and stop meddling in matters that did not concern her. The second time that she tabled it, the noble Baroness was told that the matter was trivial and technical, and that she had failed to understand it. It is

[Mr. Hammond]

remarkable that she was prepared to persist as she did, ultimately engaging the eminent and learned Lords Ackner and Brightman in considering the matter more carefully. In their speeches on Third Reading in the other place, they made it clear that the issue needed to be dealt with.

The original provision in section 23 of the Employment Relations Act 1999 says that the Secretary of State has the power to confer certain rights on individuals. Subsection (5) states:

> "An order under this section may make provision in such way as the Secretary of State thinks fit, whether by amending Acts or instruments or otherwise."

Several months ago, my noble Friend brought that section of the 1999 Act to the shadow Department of Trade and Industry meeting and asked all of us around the table if any of us had any idea what "or otherwise" meant. I have to confess that we were unable to help her. She went the Library and asked them to search for any elucidation as what the phrase "or otherwise" means, but they told her that they were unable to help. On 4 December, the Minister, Lord Sainsbury, told the noble Baroness that the purpose of the words "or otherwise" was:

> "'intended to ensure that an order under section 23 could also apply to rights to individuals by means of a free-standing provision rather than an amendment.'"

So my noble Friend, tenacious as ever, went back to the Library and asked them to look up a legislative device known as a free-standing instrument, but they could not find one, and we came to the conclusion that the law knows of no such instrument.

On Third Reading, my noble Friend tabled the amendment yet again, albeit to a different part of the Bill. Originally, with typical humility, she tabled it as a minor and consequential amendment, but having listened to Lords Ackner and Brightman she realised that it should not relate to the clause entitled "Minor and Consequential Amendments" because it was not a minor change, but a very significant one. She therefore moved the amendment to the appropriate part of the Bill. When the Minister responded to the debate, he appeared at first to be sticking to his guns. He said:

> "However, it is still my view that it does no such thing."

That is, that the provision did not have the implications that the noble Baroness was suggesting. But the Minister was visibly affected by the interventions of Lords Ackner and Brightman, and I understand that a scurry of paper support was forthcoming during the time when he was on his feet. Having spent nearly two columns of Lords *Hansard* explaining why my noble Friend was wrong, at the end he capitulated in one paragraph by saying:

> "In view of the very strong pleas by both noble and learned Lords"—

no reference to my noble Friend—

> "that they do not believe the Government's measure is appropriate, on balance we are prepared to accept the amendment."—[*Official Report, House of Lords*, 27 June 2002; Vol. 636, c. 1529–34.]

That was after taking up some 15 minutes of the House's time explaining why my noble Friend was still wrong.

Rob Marris: I am slightly confused, and perhaps the hon. Gentleman could elucidate something for me. He referred to a free-standing provision and said that when the noble Lady looked for it in the Library she found that there was no such instrument. Did the Law Lords suggest that a constitutional innovation had been made in the Bill, or did they say something else that persuaded the learned Lady and the hon. Gentleman that the provision needed to be changed?

Mr. Hammond: My noble Friend is not learned in the technical sense. It was Lord Sainsbury who said:

> "'The use of 'or otherwise' was intended to ensure that an order under section 23 could also apply to rights to individuals by means of a free-standing provision rather than by an amendment.'"—[*Official Report, House of Lords*, 27 June 2002; Vol. 636, c. 1529.]

The Minister himself introduced the concept of the free-standing provision, which, as it turned out, did not take the debate much further.

Mr. Prisk: Is my hon. Friend aware that in addition to the apparent confusion there seems to be a direct contradiction in what Lord Sainsbury said? In December he wrote to the noble Baroness saying that the words do not extend the powers of the Secretary of State, yet he told the Grand Committee on 22 April:

> "'The noble Baroness's amendment would simply take away the current flexibility for the Secretary of State to extend rights in a way that is best from a drafting point of view.'"—[*Official Report, House of Lords*, 18 June 2002; Vol. 636, c. 701.]

Does my hon. Friend share my concern that such contradictions undermine confidence in the way in which the Bill is being presented?

Mr. Hammond: I entirely agree with my hon. Friend. There were several contradictions in what the Minister in the other place said in the course of debates on the amendment. We may be talking about an unusual case in the other place and an unusual Standing Committee in this place, but in reading the debates I was struck by the fact that the courtesy that was extended by and to hon. Members on both sides during the Committee looks rather good in comparison to what went on in the Lords, where one typically expects to see higher standards of courtesy than those that we extend to each other in this place.

The substantive point that concerns me is that on three occasions the Minister sought to rubbish my noble Friend's amendment, both in terms of its substance and his argument against it and of the rather patronising and disparaging remarks that he made during his speeches. On three occasions he said that the amendment was misguided, unnecessary and did not do what the noble Baroness thought it did, yet at the end of the third such dismissal of her amendment, he capitulated, saying to the House:

> "In view of the very strong pleas by both noble and learned Lords . . . on balance we are prepared to accept the amendment."—[*Official Report, House of Lords*, 27 June 2002; Vol. 636, c. 1534.]

That is not the way to conduct legislation. Either the noble Lord believes that the amendment is unnecessary, argues his case and stands his ground, or he accepts, with some humility, that he was wrong on the two previous occasions, that he owes my noble Friend an apology, and that the Government were accepting the amendment on the basis of solid argument, not as an afterthought because it was nearly dinner time and they could not be bothered to argue the case any longer. The way in which the matter was conducted in the other place has not enhanced the reputation of Parliament and compares unfavourably with the way in which the consideration of the Bill—I do not say all Bills, but this Bill—has been conducted in this place.

Given that I am happy again to put on record that the Minister has been far more gracious than his noble Friend appears to have been to my noble Friend, I hope that he will place on record an acknowledgement that it was her hard work and persistence, in the face of repeated and sometimes rather unsavoury stonewalling by the Minister in the other place, that ensured that this important amendment has been made to the Bill.

Alan Johnson: The hon. Gentleman took about 12 minutes to make a meal of what happened in the Lords. He told a fascinating story of intrigue, conflict and passion which set the blood racing through my veins. I am very happy to pay tribute to Baroness Miller, whose role is clearly set out in my brief, although I did not mention her contribution in my speech.

Just as Baroness Miller personifies tenacity, my noble Friend Lord Sainsbury personifies courtesy and politeness. The picture of my noble Friend painted by the hon. Gentleman is unrecognisable. I would have thought that Baroness Miller would be the last person to suggest that my noble Friend was in any way discourteous or patronising. It is not in his blood to be that way. He would probably find it physically impossible to behave like that—unlike me; I am just a ruffian.

Mr. Hammond: Baroness Blatch was moved immediately the Minister sat down on Third Reading in the other place to say that, in not acknowledging the role of my noble Friends,

"the Minister has been extremely ungracious"—[*Official Report, House of Lords*, 27 June 2002; Vol. 636, c. 1534.]

This is not just my view; it was that of my noble Friend and, I suspect, other Members of the other place at the time.

Alan Johnson: It all sounds like a rowdy evening down at the Red Lion. The House of Lords doubtless gets into that state occasionally.

I will pay tribute to Baroness Miller for her contribution. I also pay tribute to my noble Friend Lord Sainsbury and his colleagues for doing an exceptional job on this Bill in the House of Lords for many weeks and even months. I am happy that on this issue we have reached a sensible conclusion, and I hope that the House accepts the Lords amendment.

Lords amendment agreed to.

Clause 43

UNION LEARNING REPRESENTATIVES

Lords amendment No. 58

Alan Johnson: I beg to move that this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 59 and 60.

Alan Johnson: Amendments Nos. 58 and 59 deal with the order-making power under subsection (6). They make that order-making power subject to the affirmative procedure. That should ensure adequate scrutiny.

Amendment No. 60 has a similar effect. It ensures that the issuing of a code of practice under the clause is always subject to affirmative procedure. We think that both Houses should have the opportunity to scrutinise and debate the codes. Amendment No. 60 therefore ensures that if ACAS produces one or both of the codes, their issuing would always be subject to the affirmative procedure.

These are largely technical amendments, and I commend them to the House.

Mr. Hammond: Once again, the Minister tells us that the amendments are largely technical, but if I understand it correctly—I stand to be corrected by the Minister—the effect of the principal amendment in the group is far from technical. It means that the procedure by which orders made by statutory instrument giving effect to the proposed rights for union learning representatives will be made under the affirmative rather than the negative procedure.

All Ministers and Under-Secretaries who have to deal with the Opposition's persistent attempts to amend legislation in Committee will know that one of the routine amendments tabled by Opposition Members is to invoke the affirmative procedure, in order to ensure that proper scrutiny of the measures introduced by statutory instrument is available to Members of both Houses of Parliament. We believe that that is extremely important. So, for the Minister simply to suggest that moving from the negative to the affirmative procedure is a technical matter is slightly disingenuous.

If the Minister had been able to concede a change from the negative to the affirmative procedure in other parts of the Bill, and indeed if Ministers in general had been able to do so for parts of other Bills, their opposite numbers on the Opposition Benches would have acknowledged that their concession was far from technical and in fact significant.

This is not an uncontentious area of policy. By means of statutory instrument, orders will be made to give effect to the proposed new rights for union learning representatives. I know that the House would not wish me to rehearse in their entirety the arguments in Committee about the wisdom or otherwise of imposing union learning representatives by statute. We acknowledge that in some workplaces they provide a constructive addition to the machinery of employee-management co-operation, and often play an important role in ensuring that skills and learning in the workplace are properly attended to. However, we and many outside organisations have expressed serious reservations about whether the same beneficial effects can be achieved when their role is imposed by statute as opposed to being negotiated between the parties in the workplace. So there is a great deal of attention focused on this clause.

6.45 pm

Mr. George Osborne: Does my hon. Friend remember from our Standing Committee debates that, according to the Government, the clause will lead to a massive expansion in the number of union learning representatives from just 3,000 now to 22,300 in eight years' time? [HON. MEMBERS: "Hear, hear."] The cheers from Labour

[Mr. George Osborne]

Members confirm that when their campaigns are funded by the trade unions, they pay back the favour when they are elected.

Mr. Hammond: My hon. Friend is right; the proposal represents a massive expansion of trade union power. No one would argue with the introduction of learning representatives by consensus, where they will be able to deliver genuine benefit to workers and employers alike, as they have in many workplaces. The Government tell us that such representatives have had a positive effect in workplaces—ergo, if they are imposed by statute in all workplaces where unions are recognised, they will have a positive effect. I must tell the Minister that that is a serious non sequitur. We have severe doubts about the overall impact that the legislation will have if learning representatives are imposed in workplaces where industrial relations are not mature enough for them to prosper and serve the intended purpose.

The Economic Secretary countered the argument by telling the Committee how good the imposition of learning representatives would be for businesses and how all sensible, forward-looking employers would welcome their imposition by statute. I should make it clear that it was not the Minister for Employment Relations, Industry and the Regions who dealt with this clause in Committee.

When the Economic Secretary was challenged to say how many union learning representatives there were in his Department, as an enlightened employer, the answer turned out to be zero. One is bound to ask why, if it is so self-evident that introducing union learning representatives into a workplace is of huge benefit to the employer, Government Departments have not done so and, it appears, will do so only when required by statute. Perhaps these representatives are of such huge benefit to the employer that my hon. Friend the Member for Gainsborough (Mr. Leigh), the Chairman of the Public Accounts Committee, should consider whether Departments are passing up an opportunity to make themselves more efficient and effective.

Mr. Prisk: The Minister said that the proposals have been warmly welcomed, yet we have learned of opposition on a number of occasions. For example, the Engineering Employers Federation said:

> "The statutory imposition of this privilege will not improve employer relations, productivity or the learning levels of employees".

Does my hon. Friend agree that the way forward, as the federation suggests, is to act co-operatively? Is it not time that the Minister was honest and admitted that there has been clear opposition from many employers' groups?

Mr. Hammond: My hon. Friend is right—there has been clear opposition from many employer groups, and it is pretty obvious that union learning reps can play a useful role in the workplace when they are introduced by consensus. They cannot deliver the same beneficial effect if they are imposed by statute. The Government's agenda in introducing statutory union learning reps is about repaying debts to their trade union paymasters. British business will pay the Labour party's election debts.

Rob Marris: Will the hon. Gentleman give way?

Mr. Hammond: No, because I think that the hon. Gentleman will want to catch your eye in a moment, Mr. Deputy Speaker—*[Interruption.]* He has indicated that he intends to do so, and I look forward to hearing what he has to say.

The issues to be dealt with by statutory instrument are significant for employers, so it is very important indeed to ensure that the Government are not pushed by trade union pressure beyond the point that they have agreed on. I therefore very much welcome the decision to make the measures subject to the affirmative procedure.

Rob Marris: All I wanted to ask the hon. Member for Runnymede and Weybridge (Mr. Hammond) was where does the Bill say that union learning reps are being imposed? It simply talks about time off for union learning reps—it does not talk about their imposition, which the hon. Gentleman fears may damage industrial relations. Surely, the provision is about time off, not the fact that they exist, which may be one reason why, in a country with independent trade unions, the Minister could not say how many union learning reps there are in his Department?

Alan Johnson: I am pleased that the hon. Member for Runnymede and Weybridge (Mr. Hammond) supports the amendment which, I am afraid, is definitely technical. I did not say that it was a small or insubstantial technical amendment; I merely said that it was technical.

This general issue has been debated many times, and the Economic Secretary to the Treasury did a tremendous job of dealing with it in Committee. I shall be as gentle as possible to the hon. Member for Runnymede and Weybridge, as my criticism is not about him personally but about his party. The Opposition will have returned from the planet Zog when they no longer describe a modest proposal such as this amendment as a massive extension of trade union power. They should go and lie in a dark room, take a couple of tablets, and take another look at our proposal.

Mr. Prisk: The Minister knows perfectly well, from Committee and Second Reading, that all the employers' organisations have said that this measure is of grave concern for large businesses and particularly for small ones. To sweep that concern aside, as the hon. Gentleman has tried to do, is not representative of his contribution to the Bill. It is a shame that he has adopted that attitude today.

Alan Johnson: Yes, I know of employers' concerns. However, I merely make the point that the proposal is not about a massive extension of trade union power.

Judy Mallaber: Does my hon. Friend agree that the amazing fuss about this in Committee seemed to demonstrate that the Opposition think that 20,000 trade union members are desperate to spend all their time organising all that learning? Of course, it is valuable to have union learning reps to assist and encourage trade unionists and workers in the workplace to take up learning opportunities, but it is often difficult to get people to take on that responsibility, even though they may wish to do so, because they can feel that they will be under even more pressure at work as they will not be given any assistance at all by their employers. In fact, if they knew—

Mr. Deputy Speaker: Order. The hon. Lady has been here long enough to know the difference between an intervention and a speech.

Alan Johnson: I agree with my hon. Friend, who made an eloquent point. This is a modest proposal, which seeks to build on something that we initiated in 1997, which has become extremely popular with employers. It adds a new dimension to opportunities for lifelong learning, which were a manifesto commitment. We have met many employers' concerns and we shall look back—even Opposition Members will—in five years' time and wonder what all the fuss was about. I hope that the House supports the amendment.

Lords amendment agreed to.

Lords amendments 59, 60 and 61 agreed to.

Schedule 2

STATUTORY DISPUTE RESOLUTION PROCEDURES

Lords amendment: No. 62.

Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to consider Lords amendments 63 to 74.

Alan Johnson: Schedule 2 contains the text of the statutory dispute resolution procedures, which are the cornerstone of part 3, and have naturally attracted much discussion both here and in another place.

During and after the Committee stage, I said that we were prepared to look further at two aspects of the statutory procedures in response to points made by hon. Members—whether the statutory procedures could refer in some way to the need to investigate complaints, and whether they could refer to the right to be accompanied. We have since considered those issues in detail, and the Government introduced amendments in the other place, which deal adequately with those concerns.

Valerie Davey (Bristol, West): In that further consideration, is the issue of bullying at work taken seriously by the Government?

Alan Johnson: I can assure my hon. Friend that it is. A private Member's Bill has been introduced on bullying, and we are pursuing the issue with the Health and Safety Executive, which is the right forum for tackling the problem.

We considered the issues in detail, and the Government introduced amendments in the other place which deal adequately with Members' concerns. In addition, their lordships raised new issues about the statutory procedures, to which we responded with amendments to the schedule. For example, they expressed concern that the procedures may inadvertently interfere with employees' rights to make protected disclosures about wrongdoing.

I shall describe in a little more detail the changes to be made by the amendments. First, Lords amendments Nos. 62, 63, 66, 67, 71 and 72 ensure that where the statutory procedures require the parties to write to each other, they can do so by sending either a copy or the original of the written communication. Previously, the schedule required them to send a copy on all occasions. That is a sensible change, which removes the possibility that parties may accidentally fail to follow the procedures. Lords amendment No. 68 is a technical amendment, which removes inconsistent wording from the standard grievance procedure. Where the statutory procedures require parties to meet, they refer to the holding of "a" or "the" meeting. However, the text of step 2 in the standard grievance procedure refers to the holding of "at least one" meeting. That was unintended, and the amendment ensures that meetings are described in a consistent fashion across the procedures.

Lords amendments Nos. 64, 65, 69 and 70 deal with investigations, and all arise from the many debates during the passage of this Bill about investigations. We have resisted the idea that the statutory procedures should refer to the investigatory process. The procedures are written as a series of concrete and verifiable actions. The investigatory process cannot be described in similar terms or in a way which would generally apply to many different cases and circumstances. None of the amendments therefore uses the word "investigations". Instead, we have approached the issue from a different angle. Our amendments refer to the outcome of the investigatory process—the information or evidence which it typically uncovers. Accordingly, the amendments place obligations on the parties to disclose the information on which they initiated their action against the other. The requirement to assemble and convey such information would in practice be a strong encouragement to the parties to ensure that an investigation occurs.

It being Seven o'clock, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put the Questions necessary to bring proceedings on the Lords Amendments to a conclusion.*

Lords amendments Nos. 62 to 95 agreed to [some with Special Entry].

Mr. Don Foster (Bath): On a point of order, Mr. Deputy Speaker. You may be aware that today the Government published their consultation paper entitled "Local Government Finance Formula Grant Distribution". There was coverage of that document in today's media, which is hardly surprising, as 40 copies of the document were sent last night to various local newspapers. However, no copies of the document were available to Members of Parliament this morning in the Vote Office, and only by lunchtime today were four copies of the document available in the Library.

Since the document is 194 pages long, it is clearly difficult for the 659 Members of Parliament to have photocopied versions of their own. The only way that I was able to obtain a copy was by sending a member of my staff to sit and camp at the doorstep of the Office of the Deputy Prime Minister. Can you advise me whether it is appropriate for such a document to be made available to the press, but not made available in sufficient quantity to Members of Parliament, who have a real interest in this vital subject?

Mr. Deputy Speaker (Sir Alan Haselhurst): The hon. Gentleman will understand that I have no immediate answer to that matter, beyond pointing out that it is a consultation document at this stage. I am sure that his point has been heard and that the matter will be remedied as soon as possible.

Opposition Day

[17TH ALLOTTED DAY]

Care Homes

Mr. Deputy Speaker (Sir Alan Haselhurst): We now come to the debate on the Opposition motion. Mr. Speaker has selected the amendment in the name of the Prime Minister.

7.2 pm

Mr. Simon Burns (West Chelmsford): I beg to move,

That this House condemns the Government's failure to address the crisis facing care homes for the elderly, which has resulted in the closure of a large number of care homes, with damaging consequences for the sector and for many other aspects of the work of the NHS; remains concerned that the combined impact of the levels of fees paid to care homes by local authorities and the National Minimum Standards will continue to have an adverse impact upon small to medium size care homes in particular, leading to further losses in capacity; regrets that the terms under which the Government introduced 'free nursing care' on 1st October 2001 differ very markedly from those laid out when the draft legislation was under consideration; deplores the increase in the number of elderly people receiving inappropriate care and the large number of hospital beds being blocked and operations being cancelled because of the loss of care home beds into which to discharge hospital patients once their treatment has been completed; and calls on the Government to recognise the damaging effects of this crisis in care on the most vulnerable members of society and swiftly and decisively to end the suffering, disruption and distress that is being caused to the elderly by the Government's policies.

Society, and each and every one of us, has a duty to ensure that the most vulnerable groups in our community are properly looked after and that they are entitled to a high quality of life, with dignity and proper care. One of the most vulnerable groups in our society are the elderly—many of them frail or infirm, often alone, sometimes confused and frequently worried about their ability to cope and look after themselves.

Society owes a debt of gratitude to the dedicated people who spend their time and energies looking after those highly vulnerable members of our community, and who devote their lives to enhancing the quality of life of the elderly, and ensuring that they receive the best quality care available and that their homes are indeed "home from home."

That is why it is so distressing that the Secretary of State for Health expressed the Government's contempt for care homes and the excellent care that they provide when he referred in the House on 26 March to the elderly being "banged up" in care homes. It is deeply offensive and callous for the Secretary of State to denigrate their work in such a demeaning way. Elsewhere, the Government frequently use the language of blame, accusing the elderly of being bed blockers. We in the Opposition are sick and tired of Ministers blaming everyone but themselves for the problems that they cause.

The Secretary of State and his Ministers may be in a perpetual state of denial, but the sad fact of life is that care of the elderly in this country is in crisis. As the Coalition for Care recently said:

> "Private home owners are on their knees and facing widespread bankruptcy."

The care home sector has lost more than 2,000 homes—nearly 15 per cent.—and more than 8 per cent. of its capacity since 1997, and there is no sign of care home closures abating. Meanwhile, despite Government promises to help the elderly to live independently, the number of people receiving care in their own homes has declined by 12 per cent. over the past five years.

The Minister of State, Department of Health, the hon. Member for Redditch (Jacqui Smith), seems to disagree. I remind her that the number of people receiving domiciliary care has declined, although the hours that they receive have increased. Ironically, as the supply of care is dramatically reduced, demand is set to increase radically. We are approaching the stage where families might even have two generations needing care. That reflects the fact that the number of elderly people in Britain is growing rapidly.

In particular, the number of very elderly—the over-85s, who require the most care—is rising the most rapidly. In 1952 there were 500,000 people over 85. This year there are 1.2 million, and in the next decade the number of over-85-year-olds will increase by a further 250,000.

One of the greatest threats to long-term care has been the dramatic closure of homes. Both residential and nursing homes have been hit heavily. Indeed, there were more than 2,000 fewer care homes in 2000 than in 1997, with areas such as the south-west and London and the south-east being particularly badly affected.

Mr. John Butterfill (Bournemouth, West): Is my hon. Friend aware that the Minister's own figures show that in Bournemouth alone, between 1997 and 2001—that is, last year—the number of care homes has gone down from 261 to 166? That is a 40 per cent. reduction in Bournemouth.

Mr. Burns: Sadly, my hon. Friend is right. His example typifies the problem, which I shall elaborate on shortly. That is happening all over the country, as a result of the closure of homes.

Small homes have been particularly badly hit and the effect of this trend has been greatly to reduce the choice of homes for elderly people, who as a result have to be moved further and further away from where their homes were, and where their families and their friends are. These closures have inevitably resulted in a radical and unprecedented decline in the supply of long-term care places. All over the country, homes are closing and are being lost.

Mr. Hilton Dawson (Lancaster and Wyre): Will the hon. Gentleman give way?

Mr. Burns: If the hon. Gentleman will allow me to make some progress, I shall give way in a moment.

To give the House some idea of the magnitude of the problem, in the Secretary of State's constituency, Darlington, over the past 18 months, 17 homes have closed, with 499 beds lost. In the region represented by both the Minister of State, Department of Health, the right hon. Member for Barrow and Furness (Mr. Hutton), and the Under-Secretary of State for Health, the hon. Member for Salford (Ms Blears), the number of beds fell by 18 per cent., with a loss of almost 5,400 beds over the past four years. In the region represented by the Minister of State, the hon. Member for Redditch, the number of beds fell by 10 per cent., with a loss of almost 2000 beds. In the region represented by the Under-Secretary of State for Health, the hon. Member for Tottenham (Mr. Lammy), the number of homes fell by 21 per cent., with a loss of 1,350 beds. Since 1998 in the constituency of my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady), 29 residential and care homes have closed, with a loss of 1,683 beds.

Mr. Dawson: The hon. Gentleman makes a strong case for the quality of care in the private sector. I agree with him, but there is also excellent public sector care. However, is he seriously suggesting that the only form of care that we should support for older people is residential care? Surely there is a duty on the part of people who work in residential care to work in clear partnerships with local authorities and health departments to produce new models of flexible care.

Mr. Burns: I am certainly not saying what the hon. Gentleman suggests. He can rest assured that I shall shortly deal with his county, Lancashire.

Sadly, the future looks bleak. A survey that I have carried out over the past two weeks suggests that there is no abatement in the pressures forcing homes to close. Cheltenham, which has already lost 700 beds, is facing a further six home closures. BUPA is carefully considering two of its homes; Devon is losing its last two nursing homes; and three homes are in the process of closing in Kirklees. Reading is facing the closure of a 48-bed home by its own local authority, and South Shropshire has 12 homes under threat of closure. To answer the hon. Member for Lancaster and Wyre (Mr. Dawson), Lancashire is considering closing all its 32 care homes. The hon. Member for Pendle (Mr. Prentice), whom I am glad to see in his place, said in this House on 26 February that there was

> "tremendous anxiety for the many elderly people in my constituency. They . . . are fearful about what is to happen."

He went on to say:

> "We read . . . of people's despair about the proposed closures, yet the area has a Labour MP, a Labour Government, a Labour district council and a Labour county council, so no one else's fingerprints are on it."—[*Official Report, Westminster Hall*, 26 February 2002; Vol. 380, c. 177WH.]

Sadly, the hon. Gentleman is correct: the closures indeed bear the fingerprints of this Labour Government. They are all over them, and like a rabbit blinded in the headlights of an oncoming car, this Government do nothing except bandy around disingenuous statistics.

If we are going to talk about statistics, the truth is that the overall number of beds lost in this country since 1997 is 46,700—a loss of more than 8 per cent. of capacity in only five years. Independent research commissioned by the Labour-dominated Select Committee on Health has confirmed those figures, which coincide with those produced by an equally independent source—Laing and Buisson.

Mr. Edward Garnier (Harborough): Does my hon. Friend also realise that the Labour Government's fingerprints are to be found in Conservative Market Harborough? Lenthall House, a Leicestershire county council home, is threatened with closure as a direct result of this Government's policy of introducing what they

[Mr. Edward Garnier]

ludicrously call "best practice". Several people will be thrown out of the home during the next few months if the policy is allowed to stick.

Mr. Burns: My hon. and learned Friend describes a problem that is sadly all too well known throughout this country, as more and more homes are being closed and beds lost because of the actions of this Government.

Mrs. Joan Humble (Blackpool, North and Fleetwood) *rose—*

Mr. Burns: I will just make the point about the figures, and then I will move on to the hon. Lady.

Some of those beds have been lost in the independent sector, and the figure also includes 26,000 lost in the public sector: 13,500 from local authorities and 12,500 from long-stay NHS provision.

Mrs. Humble: I thank the hon. Gentleman for giving way. I remind him that he supported the implementation of the National Health Service and Community Care Act 1990 under the previous Conservative Government, who said that too many people were in residential care and would be better supported in their own homes. Is he now saying that they got it wrong?

Mr. Burns: No, I am not. What I am saying is that this Government are hitting those people with a double whammy: they are closing the homes, the beds are being lost and the amount of domiciliary care provided has declined by 12 per cent. The hon. Ladies on the Labour Back Benches nod their heads in chorus, but they do not listen. The number of people getting domiciliary care has fallen since 1997. The number of hours that they are receiving has risen, but the total number of people who are getting the care has been cut.

To return to the figures, the Government keep claiming that the overall number of beds lost is 19,000, but in the true spin mode to which we are all accustomed, they seek to massage bad news and have used a different and highly disingenuous basis for calculating those figures. To try to massage that bad news, they have used a different period and a different basis for their calculations. Their figures are based solely on the independent care homes sector and exclude the beds lost from local authority and NHS provision. Remarkably, they totally exclude any figures for 2001. As if that were not enough, they use a late year base of November-December for their figures, rather than the year ending in March-April.

For the NHS, the closures are having serious consequences on delayed discharges from hospitals. The total number of delayed discharges is still above the 5,000 level, and a growing minority of delayed discharge patients are staying longer in hospital, with more than 36 per cent. staying for more than 28 days. The knock-on effect is that the number of cancelled operations is rising, as it has done each year since this Government came to power. More worryingly, the rate for readmission within 28 days of discharge is rising and is especially high for over-75s. It is also worrying that a number of trust chief executives are again beginning to see rising pressures in terms of delayed discharge. They are all fearful that further anticipated home closures will significantly and adversely affect their ability to reduce the numbers in the next 18 months.

Mr. Ronnie Campbell (Blyth Valley): Will the hon. Gentleman give way?

Mr. Burns: No.

Another reason for the problems facing care homes is fee levels. The Joseph Rowntree Foundation highlighted the fact that the average cost per week for nursing care of older people in a home is £459, and that the cost for residential care is £353. Those costs are about £75 to £85 higher than the average fees paid by local authorities. In addition, there is the looming problem of the estimated £300 million increase in national insurance contributions from next April, which will be a crippling blow to the sector.

Mr. Campbell: The hon. Gentleman has been speaking for a very long time, but if I were a Conservative supporter, I would still be wondering which way to vote; I would want to know what he was going to do about the problem.

Mr. Burns: The hon. Gentleman must think the House is stupid if he expects us to believe that he is still thinking about how to vote. We all know that, like every other clone in the Labour party, he will be voting with the party tonight, in defiance of what is going on in this country.

Ironically, it is estimated that local authorities are paying fees to place residents in their own homes that are up to 40 per cent. higher than they pay in the independent sector. That is unfair, it is a short-term catastrophe and it is one of the major contributing factors to the closure of care homes, and especially the small and medium-sized ones.

Mr. Dawson: Will the hon. Gentleman give way?

Mr. Burns: No.

A significant number of self-funding residents are now in effect subsidising local authority-placed residents. The Government's introduction of free nursing care is doing very little to help to reduce the problems that were identified before that happened.

Mr. Tom Harris (Glasgow, Cathcart): Will the hon. Gentleman give way?

Mr. Burns: No; I need to make progress.

Another major factor in home closure has been the mass of regulations imposed on care homes and the unsatisfactory manner in which they are being implemented, despite the promise of a carrot rather than stick approach. The Prime Minister seems rather confused about the implementation of the new care standards. My hon. Friends will remember that, last Wednesday in Prime Minister's questions, he told my right hon. Friend the Leader of the Opposition that the care standards regulations

"do not come into effect until 2007."—[*Official Report*, 3 July 2002; Vol. 388, c. 221.]

He was quite dogmatic about that—and he is equally wrong. Let me explain to the House what his Government are doing.

There are 38 minimum standards covering seven topics and comprising 246 individual rules. Two provisions will operate from 2004 and four provisions will operate from 2007, but what the Prime Minister does not seem to understand is that 240 provisions operated from 1 April 2002. The Prime Minister's ignorance typifies how out of touch his Government are on this sensitive subject.

Of course, everyone supports the principle of raising standards and the quality of care but it must be done in a sympathetic, sensible and sensitive way.

Mrs. Angela Browning (Tiverton and Honiton): I am glad that my hon. Friend has raised the answer that the Prime Minister gave last week. The figures that my hon. Friend has just given us were confirmed to me this morning by the House of Commons Library. Given all the regulations that they have had to implement from 1 April this year, with the more expensive ones to come, and the fact that housing and the property market are at a high, is it not the case that many owners are selling up in order to get out and to realise their capital before there is even more of the same to come?

Mr. Burns: Sadly, my hon. Friend is absolutely right. One of the major problems facing the care homes sector is what is going on as a result of the Government's policies and their lack of preparedness to take action to rectify the problem.

Several hon. Members *rose—*

Mr. Burns: No, I will not give way. I am going to make progress.

Some of the requirements in respect of room sizes and other structural changes are unnecessarily over-prescriptive and ludicrous. [HON. MEMBERS: "Name them."] If hon. Members listen, I will. For example, one large care home provider with more than 200 homes told me that the standards require doors in the homes to be a minimum of 80 cm wide, but the doors in the homes happen to be 78 cm wide and it will cost £2.5 million to meet the required standards.

A care home owner in East Sussex who has been running her home for 18 years told me:

"The inspector said the rooms were the wrong size and the social needs of the residents were not being met because not every resident was taken out every day."

Ironically, many of the residents chose their own rooms as they were happy with their size and

"preferred a smaller and more cosy room to a large vacuous one."

[Interruption.] Labour Members laugh, but that is what the residents of care homes want. All Labour Members can do is laugh at their wishes.

The owner was left in tears by the inspectors. She said that she was left feeling

"undermined, undervalued and demoralised by them".

Her home now has to close because she cannot afford to meet the minimum room size standards. She told the inspectors that the next time they visited she would be working in Tesco's.

A home owner in North Tyneside told me that his family had run their home for 31 years and had been highly regarded for providing high-quality care. Now they are having to close, with the loss of 21 beds, because they cannot run the home on the occupancy levels that the new standards will mean.

A home in Kent for elderly people with learning disabilities, which has 32 beds, will be closing in August because of the upgrading requirements in the care standards regulations. One resident has been there for 35 years. The uncertainty and confusion of residents at having to leave their home is causing shock and deep distress. The manager has said that 95 per cent. of those residents have no family, relatives or friends, and regard the staff as their family. Their lives and security will be destroyed.

Mr. Stephen McCabe (Birmingham, Hall Green): Will the hon. Gentleman give way?

Mr. Burns: No, I will not.

Another home owner, in Somerset, said of the Government's over-regulation:

"It's not about care anymore—it's about bureaucracy. They don't care! It broke my heart to close my home and move my residents out."

Why did she have to move them out? Because she was required to install a lift to accommodate five people, even though she only had a seven-bed home. She lamented to me:

"One elderly lady phones me all the time saying how unhappy she is and misses the home. She tells me 'this isn't my home.'"

That quote sums up the deeply distressing impact the Government's policy is having on so many elderly vulnerable people.

Even the constituency of the Minister of State, the hon. Member for Redditch, is affected. She may be familiar with the Stonebridge nursing home, with 41 beds. The Minister nods; she is clearly familiar with it. I wonder how good her memory is.

The Minister of State, Department of Health (Jacqui Smith): The home has applied for planning permission.

Mr. Burns: The Minister is very good at memorising things, so I hope that she remembers what I am about to tell her.

When the owner, Mrs. Jean Jones, went to see her then Labour prospective parliamentary candidate, Jacqui Smith, in 1997, she was assured—and I quote from what Jacqui Smith said at the time—

"Under a Labour Government, bureaucracy would decrease".

Mrs. Jones notes with some dismay that since 1997 the opposite has happened. The home even had to employ an extra member of staff to deal with questionnaires and forms from the National Care Standards Commission and the inspectors. As the Minister said, the home has applied for planning permission. Of course it has—to comply with the care standards and to make the necessary changes. It will cost the owner £350,000 to do so.

The distress and the disruption to vulnerable people's lives caused by the impact of these regulations is totally unacceptable and in many cases totally unnecessary. There is no point in Ministers chanting the mantra that

[Mr. Burns]

the inspection teams have been instructed to work in a sympathetic and sensitive way, because in the real world—not in the ivory tower of the Department of Health—that is not happening. Too many elderly, frail and confused residents are seeing their homes and security destroyed in an act of bureaucratic vandalism. No one would disagree with the need to raise standards where that is necessary or to enhance the quality of life of residents, but Ministers cannot and must not hide behind that to allow elderly people's lives to be ruined and destroyed in the name of heavy-handed bureaucracy.

Quality care is not provided by enforcing arbitrary bureaucracy. Quality care is not provided by officious inspections. Quality care is not provided by pretending that there is not a crisis. There is a crisis in care—a crisis for the elderly, a crisis for the defenceless, a crisis for the frail and a crisis for the vulnerable. They deserve better, but the Government are failing them. It is time for the Government to listen, to take note and to act now.

7.28 pm

The Minister of State, Department of Health (Jacqui Smith): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

'welcomes the Government's strategy for modernising social care services through unprecedented real terms increases in resources; condemns the Opposition for opposing this investment; welcomes the improved joint working between the NHS, social services, and the independent care sectors which has seen a reduction in levels of delayed discharges of over 1,000 since September 2001; recognises Government action to provide real choice for older people in long term care and to place a greater emphasis on users and patients in the design and delivery of services; notes the confusion, inconsistency and lack of independence in previous registration and inspection regimes and welcomes the Government's national framework for standards and quality; further notes that the extra funding is enabling local councils to increase fees paid to care homes and that providers are continuing to open new homes; and recognises that the number of people receiving intensive home care support is increasing, enabling more people to live independently at home for longer.'.

Improving services for older people is one of the Government's highest priorities. For that reason, I welcome this debate, which provides an opportunity to discuss how we deliver the right type of care and support for older people at the right time and in the right setting, whether that setting be a care home, sheltered accommodation or assisted living within a person's own home. Ensuring choice and good quality care for vulnerable people is about more than care homes.

I also welcome today's debate as I can share with the hon. Member for West Chelmsford (Mr. Burns) my respect and praise for those who work in all our care settings for the contribution that they make to vulnerable people. I will focus on care homes, not least to counter some of the disinformation and scaremongering that have characterised the hon. Gentleman's contribution. The old and vulnerable people who depend on our care system deserve more than that.

Mr. Michael Jack (Fylde): I am grateful to the Minister for giving way at this early stage. During this debate, she will have heard interventions from the hon. Members for Blackpool, North and Fleetwood (Mrs. Humble) and for Lancaster and Wyre (Mr. Dawson), and she will be aware of the concern that the hon. Members for Preston (Mr. Hendrick) and for Pendle (Mr. Prentice) and I have about Lancashire county council's proposals to close 35 of its 43 care homes. The Minister said that she would keep in close touch with the county council and monitor that situation. Will she now tell us precisely what she has done, and what comfort she can bring to the elderly people of Lancashire with regard to the actions of this Labour-controlled council?

Jacqui Smith: The right hon. Gentleman is right—my hon. Friends have taken a close interest in care homes in Lancashire. I have, as I said I would, asked the social services inspectorate to keep a close eye on the matter, and the inspectorate has worked with the local authority to secure a better relationship between the independent care sector and the local authority than there had previously been, as was rightly argued for by my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson).

Some people will continue to need and choose residential and nursing care. We need to continue to build a system that translates the needs and choices of older people into the commissioning of a suitable range of both residential and other options for long-term care. This approach puts older people and their choices at the centre of planning. Unfortunately, our long-term care has not always been planned in that way.

Mrs. Jackie Lawrence (Preseli Pembrokeshire): May I draw to my hon. Friend's attention a survey that Age Concern Cymru has just given to me, which illustrates that 40 per cent. of people in residential care suffer from clinical depression? Will she bear in mind, when she talks about choices, what people really want is to be supported in their homes?

Jacqui Smith: My hon. Friend makes an important point about the choice and the independence that we need to provide for older people, and I shall explore that subject later.

As I was saying, we have not, unfortunately, always planned our long-term care by putting older people's needs at the centre. There was a huge expansion in the number of care homes throughout the 1980s, when uncapped budgets from the then Department of Health and Social Security were available for publicly funded people entering residential care. Entry to a care home was not based on need or user choice, but was too often driven by the interests of providers and, more significantly, by Government dogma. Profits were high but the standard of care was too often too low. Indeed, it has already been pointed out that it was the Conservatives—then in power—who, having created this unplanned and uncontrolled growth, sought severely to limit it. As I recall, the National Health Service and Community Care Act 1990 was introduced as much to stem this flow of money as it was to improve the lot of those using public services.

Mr. Hugo Swire (East Devon): If it is true, as the Minister says, that there was an explosion in the number of homes in the 1980s—and, therefore, an explosion in the amount of money following those homes—will she take the time to tell that to her colleague the Under-Secretary, the hon. Member for Tottenham

(Mr. Lammy), who made his first ministerial visit to the west country the other day? When he was confronted with the problems of Devon care homes closing, he replied that that was due to 18 years of chronic underfunding.

Jacqui Smith: My point—and that of my hon. Friend the Under-Secretary—is that decisions were made on the basis of funding streams; they were not made on the basis of investment in assessment and real care for older people, which is what this Government have done.

Fuelled by huge expansion in the 1980s, the care home market peaked in 1996, when there were too many beds to be sustainable in the long term. Indeed, a recent report by the Joseph Rowntree Foundation, written by Mr. William Laing of the independent care consultants Laing and Buisson, states that

"a decline in care home capacity was to be expected—and, indeed, broadly welcomed."

Gregory Barker (Bexhill and Battle): Does the Minister therefore welcome the closure of seven care homes in my constituency in the last 12 months, and the concomitant 13 per cent. bed blocking in the East Sussex NHS Hospital trust, which has resulted in 131 beds being blocked because places cannot be found in the community?

Jacqui Smith: I was quoting the Joseph Rowntree Foundation, rather than myself. I was, however, going to go on to say that I recognise the concerns that come with managing this change in the care home market. As hon. Members have heard me say on numerous occasions, there has been a small loss of care home beds since 1997—*[Interruption.]* Some Conservative Members continue—because they lack the sophistication of the hon. Member for West Chelmsford—to chant about 50,000 care beds being lost.

Mr. Patrick McLoughlin (West Derbyshire) *rose*—

Jacqui Smith: I will give way in a moment.

Although 50,000 beds were deregistered, more than 31,000 beds entered the care home market during the same period, making a loss of just 19,000. That is just 4 per cent. of the stock, which means that there is roughly the same number of care homes today as there was in 1997.

Mr. McLoughlin: If the Minister regards the loss of some 50,000 beds as "small", will she tell us what she regards as large?

Jacqui Smith: If the hon. Gentleman had been a little less excited about jumping up, he would have heard me say that there had not been a loss of 50,000 care beds, but a net loss of 19,000. I also said that I was concerned about that. These are the facts—not according to the Department of Health, but according to Laing and Buisson, which Conservative Members are so keen on quoting.

Conservative Members have proved to me today how difficult it is to get the message over to the Opposition. I have outlined these figures to the hon. Member for West Chelmsford across the Dispatch Box on numerous occasions, and I went through them with him step by step at the Select Committee on Health. Either Conservative Members are very slow learners, or they have decided not to let the facts get in the way of a political campaign, which is a pretty cheap way of treating the older and vulnerable people who need us to have an informed debate and put forward practical suggestions for improvement.

Mrs. Browning: Does the Minister accept that in rural areas such as my constituency in Devon, geographical spread and availability are important to choice? In many of my larger villages, there is only one residential home. If that home closes, the people in that local community will have to live much further away from their friends and relatives. We are going to end up with Trust House Forte-style care homes with colour co-ordinated bedrooms in urban areas—*[Interruption.]* It is happening now, and people in rural areas have no choice but to be divorced from their local communities.

Jacqui Smith: I understand the hon. Lady's concerns about care homes in rural areas. As I was about to say, we need to ensure that the fees paid to them reflect their operating costs. I shall come to fees in a moment; I am looking forward to doing so.

Kali Mountford (Colne Valley): On the point made by Conservative Members about delayed discharge, is it not time that we looked at new ways of dealing with that issue? The Moorlands Grange home in Netherton, which my hon. Friend the Minister visited recently, is now an assessment centre. People stay there for a limited period, often a period of their own choosing, while they decide for themselves whether they want to go into a care home or return home with some support. Would that not be a better way of dealing with this problem?

Jacqui Smith: My hon. Friend is right, and I enjoyed my visit to her constituency. That kind of practical suggestion and positive forward thinking will get us so much further than a slanging match about statistics. Of course, any closures that result in people having to move are worrying for those people and their families. I understand that at first hand, not least as a result of a campaign that I ran, before being elected to Parliament in 1997, to prevent the Conservative-controlled Worcestershire county council from closing a home in my constituency. We won that battle, and I was delighted to open the upgraded home just a few weeks ago.

If we are to maintain the necessary care home capacity and provide new services, of course we will need investment. Fees must reflect the costs of residential and nursing care and the improvements that we want.

Mr. McCabe: Issues other than fees may arise in relation to the introduction of new standards in various parts of the country. Tonight's tragedy, however, is that given the tone set by the uninterrupted rant from the hon. Member for West Chelmsford (Mr. Burns), the House has lost any opportunity to recognise the existence of geographical differences—differences relating to fees, but also to how zealously standards are interpreted. There is room for debate about such matters, but that earlier rant has obscured it.

Jacqui Smith: My hon. Friend is right. I was about to deal with the subject of fees.

Mr. Butterfill: Will the Minister give way?

Jacqui Smith: No.

[Jacqui Smith]

This is tricky territory for Conservative Members. The fees paid by local authorities depend on how much they receive. The amount has risen by more than 3 per cent. a year in real terms since 1997; it rose by only 0.1 per cent. a year under the Conservatives. Moreover, we recognised the concerns of local government last year—

Mr. Butterfill: Will the Minister give way?

Jacqui Smith: No. I have already been far more generous than the hon. Member for West Chelmsford, and I want to make some progress.

As I was saying, we recognised the concerns of local government last year. Over that year and this, we have provided £300 million to help stabilise the care market and cut the number of delayed discharges. I have been asked where the money went. More than 50 per cent. of what councils received was spent on care homes. It is because of those additional funds that local councils have been implementing fee increases. According to independent care consultants, the vast majority of councils recently agreed to fee increases in excess of 3 per cent., and some have agreed to much bigger increases. A third of them have increased fees by more than 10 per cent.

Mr. Michael Jabez Foster (Hastings and Rye): The hon. Member for Bexhill and Battle (Gregory Barker) spoke of problems in East Sussex. My hon. Friend may be interested to learn that while her generosity and that of her colleagues was welcomed by those in East Sussex who received an extra £1.2 million, the Tory county council cut its social services budget by £4 million, thus taking more out than the Government put in.

Jacqui Smith: My hon. Friend has ably illustrated the Conservatives' attitude to investment. I spoke of difficult territory; even more difficult for them to accept is the fact that we are committing resources in the long term. I said that funds for social services were rising by 3 per cent. over inflation each year. As the Chancellor announced in the Budget, from next April we will double that, delivering an average real-terms increase of 6 per cent. a year from 2003–4 to 2005–6. That is very good news for those who need the support of care services—and, as reaction to the Budget has shown, there is overwhelming public support for the extra investment. It is a pity that the Conservatives do not feel the same; it is a pity that they voted against that investment on 1 May. I hope that those who call for higher fees for care homes tonight will also tell us which way they voted on the provision of the necessary funds.

Mr. Simon Thomas (Ceredigion): I have considerable sympathy with the Minister's argument, and I support the Government's aim of improving care home standards. Let me point out, however, that in forthcoming years not private homes but local authority homes will find it most difficult to meet those standards because, for reasons that the Minister has given, they have suffered from underinvestment for many years.

Will the Minister say something about the Welsh Assembly's call for the Government to make personal care freely available in Wales?

Jacqui Smith: I shall deal with the issue of care standards later but, as the hon. Gentleman says, investment is important.

I think that we have made our position clear. We think it important to ensure that there is free nursing care, but also to provide new services by means of the extra investment we are making. Decisions being made in Wales are of course a matter for Wales, and I know the hon. Gentleman takes a close interest in them.

Money is important, but so is better commissioning of care for older people. The ad hoc and distorted relationships of the past are being replaced by partnership at local level between health organisations, social services organisations and the independent and voluntary sector. We have established a new, more positive partnership between the statutory and the independent social, health care and housing sectors at national level. That is being built on locally as authorities implement our agreement, published as "Building Capacity and Partnership in Care".

We need a whole systems approach. The care home sector does not exist in isolation from the overall health and care economy and the reforms that are happening elsewhere. Councils, care home providers and others need to get round the table, listen to what older people say they want in the future and work together to commission and provide it.

Once again, we are focusing on the issue of standards for care homes. Standards in that sector are not new. The system of standards introduced by the present Government replaced a system under which care homes were regulated by about 250 local authorities and health authorities, each applying its own standards. The old regulatory system had been criticised for many years for lacking independence, consistency and coherence. Many people, not least members of care home provider organisations, have been calling for national standards for some time. We responded to those calls: we outlined our proposals in the White Paper "Modernising Social Services", we consulted widely and we debated the proposals at length in Parliament. The Conservative party supported them.

I have spoken to care home owners who are worried about meeting some of the standards. We have already acted on that and will continue to listen. The more challenging environmental standards will not be implemented until 2007 and providers will be given realistic timetables to meet them.

Mr. David Borrow (South Ribble): I am sure that my hon. Friend heard the hon. Member for West Chelmsford (Mr. Burns) criticise the care standards that have been introduced. The hon. Gentleman did not, however, list the standards that he would not implement were he in a position to do so. Has my hon. Friend managed to secure such a list from him, and has she been able to assess the effect on care for the elderly if those standards were not implemented?

Jacqui Smith: My hon. Friend makes an important point, to which I shall return shortly.

In January I issued instructions to the National Care Standards Commission to ensure that inspectors consider whether care homes could fulfil the needs of service users without making environmental changes—for instance, to room sizes, lifts, baths and shared rooms—to meet the standards. I made it clear that failure to meet them should be used as a reason to deregister a home only when services posed a danger to vulnerable people. We believe that people's safety and well-being is paramount and the new standards will help to ensure that poor quality care is a thing of the past.

It is true that only one of the seven categories of standard is environmental. I have mentioned our common-sense approach, but I make no apology for the expectation that those who care for our most vulnerable people should have some training; that those going into homes should have information about terms and conditions and a plan of care; that they should be given regular nutritious meals; and that medicine should be controlled and supervised. If Conservative Members cannot support those standards, I hope that they will explain why to the families of vulnerable people in their constituencies.

Brian Cotter (Weston-super-Mare): May I make a constructive point? It is being said in my area that inspection is being rigorously enforced in some parts of the country, but not in others. Will the Minister pay serious attention to that? It seems that in some regions standards to which the Minister committed herself are being implemented sensibly, while in others, such as mine, they are being implemented too zealously.

Jacqui Smith: The hon. Gentleman makes a sensible point. Of course, we need to continue to work with the National Care Standards Commission to ensure consistency in the way in which inspectors operate.

The emphasis in the standards will be on ensuring people's safety. Of course, there is a balance to be struck. Our aim is to set standards at a level that will improve the quality of life for people whose home is a care home. We will continue to watch developments carefully and—as we have done to date—we will not hesitate to act if we become convinced that the balance is wrong.

Mr. Swire: Will the Minister give way?

Jacqui Smith: No, it is time for me to make some progress.

Long-term care is not just about care homes; increasingly, older people want to be able to choose to stay at home. We are giving them that independence through the development of alternatives such as extra care housing and the provision of more intensive home care packages to keep people in their own homes for longer. Since 1998, the number of intensive home care packages—people supported in their homes, in many cases instead of through residential care—has increased by nearly 16,000. Intermediate care services are making a difference to the independence of, and choices available to, older people. "Hospital at home" teams can give antibiotics to older people with chest infections in their own homes, rather than their having to be admitted to hospital. The other day, I met a lady who thought that she would have to go into a home following a hip replacement, but instead she was receiving intensive rehabilitation in an intermediate care centre that was developed within a care home. She was already making plans to go back to her flat. The plans for intermediate care that are spelt out in the NHS plan are becoming a reality for thousands of people.

New services and investment are achieving results. The issue of delayed discharges was raised, and I am pleased to announce that significant progress has been made in respect of the serious problems that the Tory Government left us. The rate of delayed discharges for patients aged over 75 stood at 13 per cent. in March 1997. In other words, nearly 7,000 older people were stuck in hospital when they should have been discharged. By March 2002, that figure had fallen to 9.4 per cent.—nearly 2,300 fewer. With investment and reform, we are ensuring that more vulnerable people get the right care in the right place, and at the right time.

This evening, we have been treated to the latest incarnation of compassionate conservatism. That is quite a transformation for the hon. Member for West Chelmsford, given his record in government. However, he has also allowed us to see what compassionate conservatism really means. It can be summed up in three easy sentences: "We're sorry that there are social problems and challenges for our public services. We're really sorry that we were responsible for causing them. Sorry, but we're not going to do anything to put them right."

What the people who depend on our care services really need is not Conservative crocodile tears, but a Labour Government who are providing more investment, higher standards, more services, more choice, more independence and more hope for the most vulnerable people in our society. I commend the amendment to the House.

7.53 pm

Mr. Paul Burstow (Sutton and Cheam): I want to begin by referring to some of the evidence—perhaps the Minister did not wish to hear it this evening—on the crisis in the care system. The reality is that the problems from which care homes, home care and the care system in general are suffering have been well documented not just by political parties in this House but by organisations such as Help the Aged. In particular, I want to mention some of the evidence that has been drawn to the Minister's attention time and again by the fair rate for care campaign. There is overwhelming evidence that the care system—not just the care home sector but the home care sector—is reaching a critical point. Indeed, as the Minister herself pointed out, since the care home market peaked in 1996, the number of care home beds has declined. The Prime Minister said during last week's Question Time that we have lost 19,000 beds, but I suspect that, on the evidence from Laing and Buisson, the figure is higher. I shall not get into the semantics of whose figures are most accurate.

The fact is that registrations have plummeted and deregistrations have rocketed in the past five years, which is why we have a serious problem with capacity across the sector. Having listened to today's exchanges across the Dispatch Box and the Minister's response to the Conservative Opposition motion, my feeling is that this remains an issue on which the Government are being remarkably complacent. It is almost as if the Government want a loss of capacity in the care home sector. Ministers cannot be unaware of the concerns that give rise to this debate. Through numerous Adjournment debates in the past two years, Members on both sides of the House have sought to bring to the Government's attention their concerns about the loss of capacity, the closure of care homes and the knock-on effect on the wider local health and social care economy.

[Mr. Paul Burstow]

The Minister let the cat out of the bag when she spoke in an Adjournment debate last week. She said that various parts of the country

> "experienced a significant, but unplanned and unmanaged, expansion in the independent care home sector as a result of the use of an uncapped Department of Social Security budget throughout the 1980s."—[*Official Report*, 4 July 2002; Vol. 388, c. 508.]

Indeed, she has restated the point today. That expansion was certainly unplanned and unmanaged, but could not those terms be applied to what is happening now? To a considerable degree, the loss of capacity in the care home sector was completely unforeseen by the Department of Health.

Mr. Dawson: Has the hon. Gentleman seen a recent report by the King's Fund, entitled "Partnerships under pressure", which acknowledges that partnerships are developing the whole systems approaches that the Conservatives failed to recognise at all? Crucial ways of working together to integrate health and social care are beginning to be developed. Is that not the way forward for this sector?

Mr. Burstow: I agree that whole systems are undoubtedly the way forward, and I welcome the work being done to that end by the Local Government Association and the NHS Confederation. However, I regret the fact that the hon. Gentleman's Front-Bench colleagues appear to be pursuing individual quick-fix gimmicks such as the introduction of fines for local authorities that fail to facilitate early discharge from hospital. Such a provision misses the point entirely, and simply treats the symptoms rather than the underlying causes.

Mr. Butterfill: Does the hon. Gentleman realise that, in Royal Bournemouth hospital, for example, at any given time, an entire ward—some 30 or 40 beds—is blocked by this problem? Although we are anxious to have home care as well, that cannot be achieved because this Government have cut the social services budget in Bournemouth—a budget that was designed for this purpose—by £3 million every year since coming to power in 1997. How are we expected to stop bed blocking in the light of such cuts?

Mr. Burstow: The Local Government Association has made a detailed analysis of the implications of the settlement announced in the Budget, about which we will probably get more details in the forthcoming comprehensive spending review. The 6 per cent. real-terms growth—we will have to wait and see how much of that will be passed on to council tax payers, rather than being picked up directly through the Exchequer—will not lead to anything like the improvements that Ministers claim. The reality is that the Government have considerably underestimated the cost of providing care, and I shall discuss in due course the Joseph Rowntree Foundation's report on that subject.

The hon. Gentleman is right: the shortage in social services resources is passed on to the care home sector and to other care providers. Indeed, that is an important reason for the loss of capacity across several different care sector providers. That unsustainable squeeze in fees over at least the last seven years—it predates this Government—has been a serious cause of the reduction in capacity.

The Minister was right to identify the introduction of the NHS community care legislation in the early 1990s as one of the triggers for the downward pressure by local authorities. The Conservative Government recognised that they had set in train a runaway budget funded through the Department of Social Security—as it then was—and they wanted someone to cap it. Central Government do not like to take responsibility for capping expenditure, so they turned to local authorities to do the dirty work for them. Over the past seven to 10 years, local authorities have been effective at their job, and that is why we see the current problems in the care home sector and well beyond.

Mr. Nigel Waterson (Eastbourne): Does the hon. Gentleman accept that Liberal Democrat-run East Sussex was, year after year, bottom of the national league tables for how much it paid the private sector, while it squandered millions of pounds on paying hundreds of pounds more a week for beds in its own homes?

Mr. Burstow: I hope that, on this occasion, the hon. Gentleman will stay to make his own speech, which he did not when he made that point in an intervention on my speech in January, when we initiated the debate. The answer is the same as it was to the remarks of the hon. Member for Bournemouth, West (Mr. Butterfill). Social services were underfunded by the Conservative Government for far too many years. It is hardly surprising that the hon. Member for Eastbourne (Mr. Waterson) can make that point. The reality is that since the Conservatives returned to power in East Sussex, matters have not significantly improved.

In January, I published evidence of the squeeze in fees. In the charitable care home sector, charities are having to make payments to top up local authority fees to provide decent care. That costs the charitable sector £185 million a year to provide decent pay and conditions for staff and decent quality care for care home residents. A recent letter from a charitable care home provider goes to the heart of the problem and states:

> "The demand for nursing and residential care remains high—we don't have any vacancies in our London homes but at a rate of as low as £247 a week we cannot afford to continue. A week's stay in a Travel Lodge in London without any meals or service from staff will cost you in excess of £400, what does this say about how the Government value the care of older people in our society?"

That letter was sent to the Minister in May and is further evidence that the sector is underfunded and undervalued. We are trying to get care for the elderly on the cheap.

Standards are an important part of the equation and the Liberal Democrats were committed to improving them during the passage of the care standards legislation. Indeed, some research into the quality of life in residential and nursing homes gives serious cause for concern. A report last year by the *British Medical Journal* found that in a six-hour daytime period, in several care homes in both the public and private sectors, residents spent half their time asleep, socially withdrawn or not actively engaged. Only 50 minutes were spent talking or communicating, and fewer than 12 minutes were spent in everyday constructive activities. We must all be concerned that that is the quality of life that far too many suffer in care homes.

Last month, Rowntree published a report by the leading market analyst, William Laing, which found a £1 billion black hole in the funding of the care home sector.

The Minister of State, Department of Health, the hon. Member for Redditch (Jacqui Smith), prayed that report in aid but did not say whether she supported the central thrust of its argument that the sector is under-resourced. Perhaps the Under-Secretary of State for Health, the hon. Member for Tottenham (Mr. Lammy), can say whether the Government will seriously consider the model for costing care in care homes set out in the report, discuss it with the Local Government Association and representatives of the care home sector and start applying it. In that way, we might bridge the gap between what the sector says and what the Government say is needed to fund the sector properly.

Laing and Buisson also produced a local report for Birmingham city council, and I am sure that the Minister will be aware of it. In May, Councillor Susanna McCorry, the Birmingham cabinet member for social services and health, wrote to the Minister saying:

> "63 care homes have closed in Birmingham and many more face an uncertain future in the current climate. The City Council does not have the funds to be able to support the sector to the degree that it requires in order to bring about stability. There is a potential crisis looming for Birmingham unless there is some immediate financial support forthcoming from the Government. In doing so, I firmly believe that this will boost the confidence of the sector and the City Council to work together to achieve the longer term goals that we have set ourselves."

That was in May.

Just last week, I received an e-mail from the Birmingham care consortium that said that more than half the care homes in the city have now declined the contract from the city council. As a consequence, many homes will turn away local authority-funded placements, exacerbating the problems of bed blocking in the city. That is one consequence of the underfunding of the system.

Low pay and morale and poor staff retention are also serious problems. Many people get better paid stacking shelves in Tesco or working in a local IKEA. Providing care is a demanding and stressful job and we are rightly talking about requiring that more staff are trained, with 50 per cent. trained to national vocational qualification level 2 by 2005. But what happens when better trained staff work in a low-paid environment? They take their skills elsewhere, to the NHS or another public sector employer. There is no money in the system to recognise that level of training in the care home sector. What do the Government propose to do about that?

The standards have been the final straw for many care home owners. That is not because they are wrong in principle, or indeed in many aspects of their practice—although my hon. Friend the Member for Weston-super-Mare (Brian Cotter) was right when he asked the Minister about the lack of consistency in the interpretation of standards by inspectors across the country. It would be a serious weakness in the system if we had national arrangements for regulating and inspecting care, only to find that individual inspectors still had far too much latitude in interpreting them on the ground.

The Minister talked about the softly, softly approach that the Government announced at the beginning of the year to try to reassure the care home sector. The later implementation of many of the physical standards is certainly welcome, but removing the need to change room sizes until 2007 does not address the problem that care home owners face when they see their bank managers to secure the loan to pay for the changes. It does not alter the fact that care home owners are asking for loans to remodel their homes to reduce the number of beds and therefore to receive less income. Bank managers will laugh in their faces and certainly will not provide the resources to facilitate the changes.

Mr. Dawson *rose—*

Mr. Burstow: I have already taken one intervention from the hon. Gentleman, so I hope that he will forgive me if I do not take another.

Another problem that is causing great anxiety is the massive backlog at the Criminal Records Bureau. Any new member of staff at a care home has to be checked before they can start working. We have been told that that requirement has been put back to 1 August, but what will happen on 2 August to the care home manager or owner who has not been able to have the checks done? Will they go to prison? Will they have to close the home because they do not have the staff to keep it running? What will happen to the people in the home if it has to be shut down temporarily? How will that difficulty be overcome? Many care home owners want to know the answers and would welcome some detail from the Minister tonight.

When I surveyed care homes earlier this year, it is no wonder that I found that seven out of 10 were considering refusing to take on local authority-funded placements and more than half had seriously considered closing their doors and going out of business in the past year. As the cabinet member from Birmingham told the Minister, confidence in the sector has collapsed. It is not only the poor quality homes that are closing but the homes that have invested in making changes to improve the quality of their facilities. They now have to pay more in interest charges to repay their debts and are struggling the most.

The crisis is widening and deepening because of the crisis that is also developing in the home care sector where there are similar financial and staffing strains. Over the past few years, there has been a significant change in who receives home care. To manage their limited resources, social services departments have tightened their eligibility criteria year after year so that they exclude all but the most frail and desperately dependent people from staying in their homes.

The Minister regularly trots out the fact that there are now more high dependency packages, but glosses over the fact that in the past five years, care packages have ceased for 109,900 people or they no longer receive care at home. That is a 22 per cent. reduction. What has happened to those people? Have they miraculously become independent? Do they miraculously no longer need any services? Or is it simply that their local authority has defined them out of eligibility for care? That is what the Government really mean by choice; it is no choice for people who do not quite qualify because their social services department cannot quite afford to provide them with the care that they need.

What has struck me most in all the debates on this issue is that Ministers largely ignored the problem until it started to hit the national health service. When the statistics on delayed hospital discharge began to rise, Ministers became concerned and wanted to do something about it. The announcement last autumn about extra cash

[Mr. Burstow]

was not really to deal with stabilising the sector but to do withtackling the Government's concern about the headline delayed discharge figure. It is nothing to do with choice—it is all about Government targets. The Government are concerned only about what they are directly responsible for and quite happy to leave social services to clear up the mess in relation to things that are not their responsibility.

Delayed discharges are just a symptom—the result of the pressure on the care system as a whole. The Minister says that we need a whole system approach, but it is not happening.

In the past two years, we have seen an 18 per cent. rise in emergency readmissions. People are being discharged prematurely because care home packages are no longer available for them. They turn up in accident and emergency departments, needing more care and support.

The Government have failed to take a whole system approach, and the Wanless report, which was published on the day of the Budget, said as much. I hope that in his reply, the Under-Secretary will say that funding is at the root of the problem. Higher standards are not cost free. We were kidded when the regulatory impact assessment to the Care Standards Bill implied that everything could be done on a cost-neutral basis. It was nonsense then, and it is demonstrable nonsense now.

Mr. Andrew Turner (Isle of Wight): Would it surprise the hon. Gentleman to know that the Minister of State admitted last week—only after a question that I tabled in March this year—that the regulatory impact assessment, which she signed off in December last year, was inaccurate in one very substantial measure?

Jacqui Smith: In the annexe.

Mr. Turner: That was part of the assessment, as far as I can tell. The estimated cost was given in the annexe as £52,000 per establishment, whereas in fact it was £52,000 per room.

Mr. Burstow: The hon. Gentleman highlights one of the errors in the regulations relating to disabled people in care homes. The regulations to which I am referring concern care homes for the elderly. However, he is right, and the figures had to be withdrawn as a result of that error. They caused anxiety across the sector when they were published because they did not add up. They did not add up when the Care Standards Act 2000 was implemented and the regulatory impact assessment was published. The figures were partial and did not give a true picture of what would happen after the Bill was implemented.

We could continue to argue how much extra the social services sector does or does not need. The Government say that it is 6 per cent., while the SPAIN—social policy ageing information network—group and others argue for more.

The Government deserve credit for the Wanless report, which studied and analysed the case for extra investment in the health system. We supported the recommendations with our votes when the legislation went through. We believe that there needs to be a Wanless report for social care. Indeed, the Wanless report said time and again that there was a need for such an analysis, but it was not within its brief.

Mr. Dawson: Liberal Democrat Members believe that there needs to be such a Wanless report; Wanless himself says so in the report.

Mr. Burstow: I think that that was what I just said, and I am glad that the hon. Gentleman endorses it. I hope that, despite the fact that Ministers have so far rejected that request, they will consider it. What do they have to hide? Why would they be concerned about having a detailed independent assessment of what is needed to provide quality social care?

Dr. John Pugh (Southport): I am sure that my hon. Friend is aware that in 1999 the Government changed the assessment of elderly people in the population from total elderly population to elderly population living in private accommodation. That put undue pressure on authorities with high numbers of residential homes and will continue to do so. While standard spending assessments are under review by the Government, is there not a case for them to take that factor on board?

Mr. Burstow: My hon. Friend makes an important point. My hon. Friend the Member for Bath (Mr. Foster) raised a point of order earlier today in which he said that a consultation document was published today which deals with some of these issues. However, only four copies were lodged in the Library and there was a long queue at the photocopier so that Members could study it properly.

I hope that the Minister will tell us why the Government have set their face against having a detailed independent assessment of the true resource needs to provide social care at the level that we expect.

In the meantime, we believe that we need to strike a different balance in the resources going into the health system. Unless we inject additional resources into home care and care homes, difficulties with delayed discharges and emergency readmission will continue.

Mr. David Drew (Stroud): I do not disagree with the hon. Gentleman's emphasis on funding. However, there is also a systematic failure that I have not heard mentioned in the debate so far—the belief that the private sector alone can pick up the problems of the care sector. We need to look at other forms of organisation, principally mutual organisations, which are growing around the country. That must be emphasised as a solution at the centre of the situation rather than at the margins.

Mr. Burstow: I agree with the hon. Gentleman about considering how to develop new models for the provision of care, such as co-operative and mutual organisations. We want to explore this area, which is an interesting way to ensure that there is a wider choice in the future.

The Minister says that the seeds of today's crisis were planted with the unplanned, unmanaged expansion in the 1980s. However, Ministers today are presiding over yet another unplanned, unmanaged situation, this time a collapse. If they fail to address the concerns that have been brought to the House's attention tonight and in many previous Adjournment debates, they will, by their complacency and denial of the facts, show that they are more interested in facilitating the loss of capacity through stealth in this sector and much more concerned about the headline delayed discharge figures than they are about choice, care and the dignity of people in old age.

8.18 pm

Dr. Howard Stoate (Dartford): It gives me great pleasure to be called tonight, because I believe that I am the only Member of the House who carries on any medical practice. It always pleases me greatly to be able to enter into a debate about which I hope I know a certain amount.

How elderly people are looked after is of great importance to doctors. Many of my patients end up in the nursing or care home sector sooner or later, and it is important to me to know that they are being looked after properly. Right hon. and hon. Members may be pleased to know that a number of elderly residents who have moved off my list into care homes still write to me once a year to let me know how they are getting on. It has probably more to do with letting me know that no one has managed to kill them off yet than with any care that I gave them. They certainly seem to want to keep in touch with their former general practitioner, which is pleasing.

The majority of care homes give an excellent quality of service and live up to the expectations of many of their residents.

Nevertheless there are significant problems in the care home sector and we must not underestimate or belittle them. The trouble with tonight's debate is that although the hon. Member for West Chelmsford (Mr. Burns) was long on rhetoric and gave a passionate speech, to which I listened carefully, there was not a word about what his party would do in a similar situation. We heard only how terrible things were; there were lists of the numbers of places closing down and beds lost but not a word about what his party would do to address the situation, let alone to put it right.

On the other hand, the hon. Member for Sutton and Cheam (Mr. Burstow) gave a thoughtful and careful exposition of the problems. I have great sympathy with much of what he said; many of the problems that he raised were entirely correct. At least he had some sensible questions and suggestions as to how we might address them.

The debate is important and the subject is worthy of careful consideration; it should not be trivialised and turned into a party political rant. Sooner or later, many people in this place will probably need care of one sort or another in their old age. It is important to ensure that that care is of good quality.

We have heard that there was a massive expansion of care homes in the 1980s. Indeed there was. I was practising then and an amazing number of care homes opened up all over the place. To paraphrase the slogan from a well-known supermarket, "Pile 'em high, sell 'em cheap", those care homes, under the auspices of the previous Conservative Government, were packing them in and selling them cheap. Many of those homes were providing low quality care, in small and shared rooms, with low staff numbers, inadequate training and poor nutrition. The standards of care in some of those homes were horrifying. The bottom line was profit—massive profit for the owners, but not necessarily good care for the residents.

That situation was not universal; many homes did a good job even then. However, the Government are trying to ensure that minimum standards are available for all residents, so that they can expect a minimum level of care wherever they go. The only way to do that is to raise standards, but all that we heard from the hon. Member for West Chelmsford was that we must not introduce higher standards too quickly; we must rein them back and dilute them. We never heard which standards he wanted to dilute and rein back or which ones he did not want to introduce. Perhaps he wants to put partitions across rooms to make them smaller. Perhaps he wants to do away with lifts. Perhaps he wants to reduce the quality of food available to the residents. All that we heard from him was how terrible things were and how much bureaucracy there was; neither he nor his party made a suggestion as to how we could address the problem.

The vast majority of people who go into care homes do not actually choose to do so. Over the years, a large number of my patients have gone into care homes and I cannot remember one who said, "I am looking forward to going into a care home." The majority of them went into care because they or their families felt that there was no alternative. That is one of the problems that we have to face.

Many people would much rather have a different type of care. They would prefer to be looked after by their own family in their own home, close to their friends. It is a tribute to the Government that they are at least prepared to address that issue and to try to provide care packages for people in their own home.

As a GP, I think it is a tragedy when I occasionally have to send people to hospital, not because it is the right place for them but because it is the only place for them in the circumstances.

Richard Younger-Ross (Teignbridge): The hon. Gentleman refers to care in the home. The Griffiths report, suppressed initially by the Conservative Government, suggested that there should be more such care. Care in the home was introduced in the 1990s—the Conservatives eventually adopted the recommendation—but it is restricted by cash. Social services departments throughout the country would like to establish more care in the home but they cannot afford to do so. Does the hon. Gentleman think that the Government should give more money to enable that to happen?

Dr. Stoate: Yes. Of course more money should be going into the health service in general. Of course more money is needed for social services. That is why my hon. Friend the Minister of State, Department of Health told us that there would a real-terms cash increase of 6 per cent. next year and, hopefully, in subsequent years. Of course it is important that we put more money into the sector. Of course there must be more money for social services. Of course we need more money for hospitals. There is no question about that. We are suggesting more money, but we do not hear anything from the Conservatives about more money—and we hear very little from the Liberal Democrats, who are long on ideas but short on delivery. Of course more money is needed. Labour is finding more money, but it is important to spend it wisely and carefully.

In our society, people are living longer, and that is right. Thanks in small part to people like me, people are living longer than they used to. Medical care is improving,

[Dr. Stoate]

as it should be. Many people will have a long and—I hope—reasonably fruitful old age, but they will need increasing levels of care.

Mrs. Cheryl Gillan (Chesham and Amersham): The hon. Gentleman referred to the 6 per cent. increase promised by the Minister. Does he agree that the money will be swallowed up almost immediately. First, the increase in staff wages is approximately 3 per cent. Many local authorities have been offering care homes only half the inflation figure. Secondly, the regulations require more and more staff, reducing staff-patient ratios, so the money will be completely eaten up and there will be no improvement in care standards.

Dr. Stoate: The hon. Lady makes a fair point and I would be much more sympathetic if she were able to explain how her party could deliver more than 6 per cent. At least the Government are putting in 6 per cent., although I agree that it will probably not be enough and that we will need to put in even more. The Conservatives do not plan to put any money into the sector, so how will they achieve improved standards?

During the 1990s, the Conservative Government awarded the social services real-terms increases, year on year, of about 0.1 per cent. At least we have put in considerably more than that. I entirely agree with the hon. Lady that the increase will be swallowed up by increased staffing, higher care standards and improvements to the homes, but it is much more than we are being promised by the Opposition.

Kali Mountford: Does my hon. Friend agree that one way of making the best of the available money would be to pool resources between social services, the health service and other partners in local health trusts, as in the pilot schemes initiated by the Government? Is that not a better way forward? We are finding imaginative and innovative ways of spending money wisely on behalf of our constituents.

Dr. Stoate: My hon. Friend makes an extremely good point—as always. When I was a member of the Select Committee on Health, we examined the relationship between health and social services to try to break down what we described as the Berlin wall between social and health care. We considered how health and social services could pool budgets and work collaboratively in the community to deliver care packages. We made some sensible suggestions that the Government were pleased to address and to adopt. My hon. Friend is right: we need more of that collaborative working because that is one of the ways that we can deliver better packages of care in the community.

People are living longer and they will need longer periods of care. Local authority funds are stretched; their money will always be tight and we have to ensure that they can live within their budgets.

The costs of providing decent care will always be high, however. The main thrust of my argument is to explore what we can do to reduce dependency on the care home sector. As a GP, when someone goes into hospital, I do not think it is a success—to a large extent I consider that a failure. When I see an elderly person who is not coping in their own home, I do everything that I can to institute a care package in that person's home. If the nursing and social care facilities are available we can set up that package in the majority of cases. That work is unsung; it is not heroic or recognised. It is not even necessarily counted statistically. However, a vast amount of work is undertaken in people's homes—small amounts of nursing or social care, help from relatives and friends and so on—which can make a massive difference to people and can prevent them from having to go into a care home.

Mr. Burstow: Perhaps the hon. Gentleman could develop that point. Does he agree that we need to make progress on preventive strategies? One of the main problems is that the cuts that local authorities have made in those low-level home help services have devastated the moves towards preventive care. People have to do more for themselves and are putting themselves at risk of falls; a person has mucky nets and falls off a ladder trying to change them. Every year, the NHS spends £1.7 billion on hip fractures. Surely, we could recycle some of that money to provide low-level preventive measures.

Dr. Stoate: That is an excellent suggestion. The hon. Gentleman has made some sensible proposals during the debate. He is right. A person aged over-75 who suffers a hip fracture has only a 25 per cent. chance of regaining independent life. The majority of people of that age who go into hospital with a fractured hip will end up in institutional care, which is a great tragedy. With proper rehabilitation, intermediate care beds, step-down facilities and care packages in the home, many of them could be rehabilitated to their own homes, but often they are not.

Often, an elderly person may be coping nicely—although perhaps on the verge of early dementia—but if they are taken away from their home and put into hospital, they become institutionalised in almost no time at all. It is completely impossible for them to go back to their own home because they have lost the ability to cling on to their home circumstances and their little networks. When that goes, it is the end of their chance to be rehabilitated.

Mr. Drew: My hon. Friend is making a very carefully constructed speech, but no one has so far mentioned the other part of the tripod, which is, of course, housing itself. One of the major reasons why people return to hospital is not necessarily their mental condition, but the fact that they live in inadequate or inappropriate housing. The unsung heroes are often the home improvement agencies, which do very minor alterations, such as fitting handrails or handles on baths. That is where we need to invest. It is not rocket science and it does not involve huge sums, but steady investment in such work could make an enormous difference. Does my hon. Friend agree?

Dr. Stoate: I entirely agree with my hon. Friend. That is exactly the sort of thing that we need to do; it is cheap, easy and quick. It does not involve huge waiting lists or create huge problems. It can often be done in a matter of days or weeks, and it can make the difference. As I have said, when vulnerable people lose contact with their surroundings, many of them can never live independently again.

Mrs. Browning: As the hon. Gentleman is collecting good ideas, I hope that he thinks that it would be a good idea to return to a policy that was in place across the country when the Conservatives were in office: instead of delivering a month's block of frozen food to elderly people in their homes, more hot, cooked meals should be delivered daily. I have just had the experience of having no alternative but to place an elderly relative in a residential home simply because she could no longer cope with cooking a meal at home on her own. That is exactly the sort of thing that the hon. Gentleman is talking about in referring to the small things that make all the difference between life being sustainable independently and having to go into residential care.

Dr. Stoate: I thank the hon. Lady for that very thoughtful contribution. I have a great deal of sympathy with what she says. I entirely agree that even a short daily visit from the meals-on-wheels service, providing a hot meal, can keep people more cheerful and gives them much more to look forward to each day than taking something out of the freezer and putting it into the microwave. Often the daily meal delivery is the only source of contact that an elderly person might get, tragic though that may sound. The daily visit from the meals-on-wheels service can make all the difference to the contact with the outside world.

A two-minute chat about something of interest can make the difference. Small, simple things such as that save money. Although it may seem as though money is saved by giving elderly people a month's frozen food, the overall cost can often be much greater if they have to go into a residential home instead of looking after themselves at home.

Mr. Swire: The hon. Gentleman is entirely right, but there is a further issue: diet and nutrition. There is evidence to show that a lot of the people who are delivered their meals in advance en bloc simply do not feed themselves regularly during the period that the food is intended to last them. Of course that has long-term effects and probably throws them back into the system.

Dr. Stoate: Again, the hon. Gentleman makes another useful point. What he suggests is sometimes the case, but one hopes that the food provided by social services is of nutritionally good quality. I am sure that most of it is, but the hon. Gentleman makes a fair point: it is important that elderly people get good nutrition because, again, that can make the difference. Some research that I have done certainly suggests that many people—in particular, vulnerable elderly people—suffer from a form of malnutrition. They may not be calorie poor, but they are often nutrient poor, which can make a big difference to their mental and physical functioning and their overall strength and well-being.

Yes, the hon. Gentleman makes a fair point, but we cannot honestly blame the frozen food because many of those meals are of nutritionally good quality, provided that people also supplement them with other food of their own. Nevertheless, that intervention is useful because what matters is looking after people in their own homes and getting people through the hospital sector as quickly as possible and back into their own homes. That is the right way forward.

In Dartford, Darent Valley hospital, which is brand new, has fewer beds than the hospitals that it replaces, so there is greater pressure on those beds. That hospital will flourish and provide a good service only if we can reduce bed occupancy lengths and have a faster throughput of patients. Often the problem, as many hon. Members will be aware from their own constituencies, is that too many of those beds are occupied by those whose discharge has been delayed. That effectively holds up the system, slows throughput, increases the mean length of occupancy and therefore causes problems in the acute and casualty end of the system. That is very difficult to manage.

In the modern hospital sector, it is very important that hospitals are used for acute stays, lasting as short a time as possible, and that patients are moved through and into the community as quickly as possible.

I am particularly pleased that my hon. Friend the Member for Gravesham (Mr. Pond), who was in the Chamber earlier, and I have been working on trying to get a step-down, intermediate facility in his constituency that will provide 100 beds for exactly that reason. People can be moved from the acute sector to the intermediate sector for rehabilitation and step-down care before being transferred to a residential home or, preferably, back to their own homes. We need to encourage that sort of initiative, and I am pleased that the Government are supporting that type of project. It is important that we do so because we can take the pressure off the acute sector and the care home sector.

Clearly, we have a problem. I am not trying to diminish the fact that we have to face up to the problem, but it is what we do about it that really matters. I can honestly say that I have heard nothing from Conservative Members about what they would do about it. They have not produced a single solution or said what they would do if they were in this situation. They can rant and rave; they can make a fuss about what we are doing, but none of them has yet produced a sensible proposition. Liberal Democrat Members seem to have a rather more thoughtful approach, and I have been pleased to hear much of what they have said. I hope that they will be able to catch your eye later, Mr. Deputy Speaker.

Mr. Dawson My hon. Friend is praising them too much.

Dr. Stoate: I do not like to butter them up too much. My hon. Friend is right; it has to stop somewhere, but let it be said that we are an inclusive party and, if any Liberal Democrat Member wants to cross the Floor of the House and join us in our endeavours, they will be made very welcome.

The important thing is that society has to face up to the fact that we have a problem. People are getting older. The cost of care is increasing. Thankfully, standards of care are also increasing, which we must surely all applaud. It must be right that those standards increase. It must also be right that the staff are paid and trained better and that the facilities in some of those homes are dramatically better than they were 20 years ago. That has to be the way forward.

Clearly, money must be found and we have to find a way for the system to provide that sort of care. Clearly, we have to balance permanent, long-term care in residential homes with care in the community. All those things must be taken into account. That is why I am so pleased about this debate, and I hope that we can throw around some of those ideas.

Richard Younger-Ross: We have heard a list of things to help reduce the need for people to go into care homes,

[Richard Younger-Ross]

but would there not be less pressure on those relatives and families who are trying to get a relative moved into a care home if there were more support for carers and a greater recognition of their role?

Dr. Stoate: That is an excellent point. We need to give carers more support. The figures that I have seen show that carers save the country many billions of pounds a year because of the care that they provide. Of course that must be recognised. Often carers have given up their own careers, sacrificed their own family life and made huge difficulties for themselves by being carers, but many of them are pleased to have done so.

I agree with the hon. Gentleman that it is important that we recognise the enormous contribution that carers make and that we support them as much as we can. We certainly need to give them all the help that we can. If we are to produce sensible solutions to the long-term care problem, all of us—carers, social services, the health service and the Government—have to work together, so I shall be pleased to hear what my hon. Friend the Minister has to say later in reply to some of my remarks.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Michael Lord): Order. Before I call the next hon. Member to speak, may I make a plea for shorter speeches? Many hon. Members are seeking to catch my eye this evening, and I am afraid that an awful lot of them will be disappointed if speeches continue to be so long.

8.37 pm

Mrs. Cheryl Gillan (Chesham and Amersham): It is a great pleasure to follow the hon. Member for Dartford (Dr. Stoate) this evening. He seemed to spend a lot of his speech telling us that the Opposition had no suggestions, but he seemed to spend the other half of his speech agreeing that we were making fair points in our interventions. He can't have his cake and eat it. He seemed to be short on suggestions, but he seemed to understand the problems that were articulated so well by my hon. Friend the Member for West Chelmsford (Mr. Burns) in opening this important debate.

Buckinghamshire is not the sort of place that one thinks of as being in great need. Mention of my constituency conjures up visions of leafy lanes and expensive housing: it is not the first place that springs to mind as having a problem. One would be completely wrong about that, however, since in common with the rest of the country at the moment, my constituency has an enormous problem with the sick and the elderly. Like other constituencies, Chesham and Amersham is suffering from a great crisis in the care homes sector.

In Buckinghamshire, there is an association called the Buckinghamshire Association of Care Homes—BACH. I do not know whether the Minister has come across it, but it has established itself as a very strong voice for the sector. I would like to put on record my gratitude to Peter Hall, Peter Beard, Georgina Rixon, Paul Fletcher, Graham Faulkner and particularly Councillor Hugh Carey, who have briefed me and my colleagues in Buckinghamshire and who accompanied us to see the Minister earlier this year about a large catalogue of problems. The Minister was courteous, but, sadly, powerless to stop the disaster that faces us all.

Over the past few years, there have been substantial changes in this sector: mounting labour costs, new standards and regulations, and a lack of confidence in the future viability of the care homes market. Most of those problems can be laid at the feet of Government. If I am generous with my interpretation, I would say that the Government have tried. In reality, however, they do not have the foresight, experience or expertise to realise the unintended consequences that their actions have caused.

The national minimum wage, the working time directive, increases in pay awards to NHS nurses and staff shortages—of nurses, care assistants and domestics—are all wreaking havoc. The other day, a constituent told me that the care home in which her husband now lives starts putting residents to bed at 3 pm, as there are often only two staff to put 16 people to bed. What a humiliating ordeal for people in their final years.

The new standards and regulations, as we have heard, have rolled over the care sector like a smothering blanket—new national minimum standards, codes of practice from the General Social Care Council and European legislation. Individually, they make great sense and afford protection, as many people have acknowledged. Put together over a short period, however, they have had a disastrous effect—forcing local authorities to withdraw from running residential care homes, and closing non-compliant homes that could not cope.

The Minister may be aware that the National Society for Epilepsy is based in my constituency. It has written to me, stating:

> "The new national care standards place considerable pressures on care homes to upgrade accommodation."

Indeed, the NSE has evaluated that it will cost some £15 million to put the establishment in my constituency into the condition now required by the Government. No one can argue with the aims of the new standards—they are highly commendable and have the best interests of clients at their heart. No money has been allocated, however, to enable care homes that are already under financial pressure to undertake the required improvements. As a result, care homes are closing because they do not have sufficient funds to enable them to meet the new standards. Other care homes are having to draw on reserves to enable them to undertake the work, but it is putting them under increasing financial pressure. As far as the National Society for Epilepsy is concerned, the £15 million that it must find will come out of money that could be spent on valuable research.

In addition, the care standards require higher levels of training for care staff. By 2005, 50 per cent. of all staff will be required to have achieved NVQ level 2 or above, or be working towards that qualification—all at a cost to the organisation. That is in addition to a raft of other mandatory training on moving and handling, fire, food and hygiene. Furthermore, all housing managers will in future have to have a registered manager's qualification or equivalent. The Minister must appreciate that the training will be very costly and time-consuming. Again, nobody can argue against the desirability of having those standards. The demands that are being put on the sector, however, are virtually unbearable.

The lack of confidence is only too apparent. Investors and corporates are increasingly viewing the care homes market as financially unstable and offering insufficient returns on capital invested. Many voluntary and charity operators are also adopting that view. There have been massive bed losses—whether the loss is 50,000 or a net loss of 19,000 is irrelevant. Not least because of this Government's drive to concrete over the south-east, existing home owners are finding that a higher value is placed on their land than on the business that they operate. Selling for housing development causes less sleepless nights and puts money in the bank. Private and voluntary operators run 85 per cent. of the care home market; if there is little incentive for them not to sell up and withdraw, what will happen?

What has been the effect on the care homes market? Over the past five years, local authority fees have fallen below open market fees. In Buckinghamshire, the usual fee is running at approximately £100 a week down. The budgetary and central Government restraints will not enable our local authorities to purchase bed spaces at levels necessary effectively to reduce delayed discharges in hospital services such as respite and intermediate care.

Many care homes survive because their private-paying clients subsidise the lower fees paid by the state-funded clients. However, voluntary sector and charity operators estimate that they subsidise local authority-funded clients in their homes by about £185 million, and that will prove to be a problem in itself. The Charity Commission has stated that charities such as the National Society for Epilepsy cannot use their funds to finance the care costs of local authority-funded placements.

For many years, the NSE, like many other care providers, has consistently subsidised the provision of care services, because there has been insufficient funding from Government and local authorities and thence to care homes. In the case of the NSE, that has meant subsidies of about £1 million per annum in recent years. The Charity Commission has made it clear that such subsidies constitute an illegal use of funds, and that means that charities cannot use charitable funds to subsidise what is a statutory responsibility of the funding authorities.

That has led the NSE to review its fee structure and, in turn, led to detailed assessments being made of all residents to ensure that individual fees realistically cover the level of care provided. The average increases are about 40 per cent, but I am sad to say that some are much higher. In some instances, 100 per cent. increases have had to be made. Throughout the year, the NSE has negotiated with local authorities across the country to introduce the new fees and it has largely been successful. It has skilled negotiators. However, the negotiations are still going on with some authorities that continue to claim that they are underfunded themselves.

In some instances, the fee increases are for residents who have been at the NSE for many years—some for several decades. Some authorities have threatened to move residents of long standing by saying that they are able to provide care more cheaply elsewhere. But are such decisions being made in the best interests of the clients, or are they being made purely on the ground of funding? I hope that the Minister will answer that question, because some funding authorities appear to be using clients as pawns.

According to the NSE, there is a lack of clarity between health and social services. Up to 70 per cent. of the subsidies made over recent years have been to cover the health needs of individual clients. Fees are currently paid by the local authority which, in turn, claims the health component from the NHS via the local primary care trust. However, there are no clear pathways as to how that funding can be acquired. It is evident from feedback from local authorities that there are inconsistencies in the response from the health authorities over what constitutes health care for individual clients. Clarification and clearer pathways are required.

I also wish to mention fairer charging, because my local authority has raised the issue with me. The Government have required that all local authorities review their charging policies to ensure that those people on basic levels of income support plus 25 per cent. are not charged for non-residential services after 1 October 2002. The Government intended that to be cost neutral, but that is patently not the case and no transitional funding is available to help local authorities.

Buckinghamshire county council has put in £1.2 million of local taxpayers' money into the base this year to offset the potential loss of income through implementing fairer charging and I have to tell the Minister that —may well not be enough. As a result, it is likely that some people will pay more than they currently do, and some will pay considerably more. Those on modest incomes will be hit the hardest. Carers may decide that enough is enough and ask social services departments to take over the responsibility for caring. What will happen then? That will add stress to the system, and high costs now may mean that many individuals will have insufficient provision for their old age.

My county council is in crisis. Its standard spending assessment for the past two years was the second lowest in the country. In 1999–2000 and 2000–01, it was the lowest. Even in the year before—1998–99—it was the second lowest. Two nursing homes closed last year in Buckinghamshire—another may close shortly—and we lost 58 places as a result. Laing and Buisson says that by 2010 there will be a 16.9 per cent. increase in the demand for residential nursing places which by 2021 will be 51.8 per cent.

Buckinghamshire has an average number of older people, but that is changing. There is some variation in demand in different parts of the county, but beds for the elderly mentally ill are in short supply across the area. Overall demand for care home places will increase significantly. In 2006, cumulative growth demand since 2001 will be 7.3 per cent., which compares with the estimated figure of 3.3 per cent. for the rest of the United Kingdom. The growth is projected to rise by nearly 20 per cent. by 2011. Despite that, we have the second lowest standard spending assessment allocation. The shortages of beds will be most critical in the Chiltern and Wycombe area.

I could go on about the difficulties in gaining access to beds, their costs, the increasing delays in hospital discharges and the choices of which my constituents are deprived, but it is only fair to let other hon. Members speak. My constituents want dignity for the elderly in our community. The pressures on the county council, the charities, the residential homes and the families in my constituency are almost unbearable. I ask the Minister to halt the crisis and stop it deepening. I ask him to provide practical solutions to the catalogue of problems.

I am a fair woman and will say that perhaps the Government's intentions have been good, but the consequences have been disastrous. Sadly, Ministers

[Mrs. Cheryl Gillan]

appear incapable of taking responsibility. I welcome the Under-Secretary of State, the hon. Member for Tottenham (Mr. Lammy), to the Front Bench for the first time tonight. I hope he will not add to the catalogue of shame created by his Government's policies on care homes and will rise above the policies that have been so damaging.

8.52 pm

Laura Moffatt (Crawley): Frankly, the speech by the hon. Member for West Chelmsford (Mr. Burns) was a disgrace. The debate is important and anyone with an interest in care of the elderly would not take his view. When I finished my training as a nurse, I chose care of the elderly as my specialism because it is the most challenging, difficult and fulfilling sector of nursing care. That is also true of ensuring the quality of life for older people in our community, but the Conservatives reduce that to a mere issue. The motion refers to fees and standards, but the hon. Gentleman's speech was only about standards.

Mr. Burns: It was not.

Laura Moffatt: The hon. Gentleman should look at *Hansard*. I take issue with him on another matter, too. When asked what he would cut from care standards, he said that that was not what he was saying, but he cannot quote such sources and expect people to think that he is arguing for something else. Care homes are important and we need to have a reasonable debate on them. The debate has improved no end since he spoke, and hon. Members need to consider the problem properly.

We are not daft: we know there are difficulties. We participate in and assist our communities by working with Age Concern and nursing homes. There is an increasing number of older people in our communities and we are trying to understand the problems that that creates. I welcome the fact that they have better health care and live longer and happier lives. If this debate had been entitled "The quality of life for older people," we might have heard a slightly better contribution from the hon. Gentleman.

Even if some members of our community are having difficulties, there is another way to approach this debate, which is to be reasonable and honest, as we were in Crawley. We got together everybody in the care sector and talked about how we could improve the quality of life for older people, no matter whether they are in residential care or being cared for in the community. We included GPs and nurses from the primary care trust, representatives from the acute trust, social services, the Alzheimer's Disease Society, ethnic minorities, Health Watchdog, Age Concern and Carers UK, the son of an elderly person in a nursing home, a private care home manager and, to advise on benefits issues, Crawley borough council. I am glad to say that the Minister of State, Department of Health, my hon. Friend the Member for Redditch (Jacqui Smith), also came to the conference.

Mrs. Gillan: What would the hon. Lady say to the Buckinghamshire Association of Care Homes, whose representatives came with me to see the Minister on 4 December to set out a catalogue of problems they are facing, since when not one thing has been done to alleviate any of those problems, which I have also set out today? My hon. Friend the Member for West Chelmsford (Mr. Burns) has expressed very well the depth of anger in this country. The hon. Lady should appreciate that all in the garden is not rosy and people are deeply angry about what is happening.

Laura Moffatt: I thank the hon. Lady for her intervention, I think. I hope that I was demonstrating that there is another way to achieve something better. I achieved something better through that conference, and I should like to explain how its achievements are taking pressure off our care homes. Among other things, the Government gave several million pounds to increase fees in West Sussex, which were a difficulty. We had been campaigning on that issue to ensure that the county council could pay adequately for people's care. There are ways to campaign, and it is not a solution for care home managers simply to say, "I want more money." We have to be a bit more active to achieve what we want in our communities.

Mrs. Browning: Like the hon. Lady, I have regular meetings in my constituency, and have done for the past 10 years, but I agree with my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) that the meetings held in recent years have signalled the crisis in care homes which we are now facing.

If I asked the Minister to come to such a conference in my constituency, would Devon county council receive sums like those given to the hon. Lady's area?

Laura Moffatt: It is for the hon. Lady to make her own representations to Ministers, and I hope that she is able to achieve something different in her community—a more co-operative way of working that I have found helpful. I do not say that it has produced everything that I wanted, but it has certainly ensured that we work together more closely and more effectively.

We looked at our priorities and at specific problems. Nobody is saying that there is no difficulty in the sector; that is precisely why we held the conference in Crawley. We were looking at solutions, not just shouting about the problems. Of course we had to listen to uncomfortable comments, and we talked about money.

Mr. Kevan Jones (North Durham): Does my hon. Friend agree that the root cause of the problem was the previous Conservative Government? I was a councillor 10 years ago, and I saw the effects of their policies on the care sector. They brought in differential charging, which allowed private sector care homes to charge higher fees than local authority homes, and that led to the boom of profiteering at the expense of elderly people and forced local councillors to close residential sectors. Would my hon. Friend like to comment on that?

Laura Moffatt: I thank my hon. Friend for making that point. Anyone who was a state registered nurse at the time could tell us that they were approached by several people saying, "I've got some money to put into this nursing home—would you be keen to head it up?" There would be no investigations into how committed they were—it was just about getting a figurehead so that money could be made. Of course that situation had to end—it was ludicrous and inhumane. So we moved on to think about solutions, and we came up with worthwhile proposals to help to reduce the pressure on the care home sector. The pressure is not caused solely by care standards—it comes from our relatives and friends who want to ensure that they are getting the best. Anyone would think that some strange organisation was attempting to put pressure on nursing homes. We want to ensure that our people have the very best in care.

One of the most important comments that the nurse from the acute sector made was that they have too many admissions from older people who have not had their medicines reviewed for a long time. They become unsteady on their feet and fall over, then—as my hon. Friend the Member for Dartford (Dr. Stoate) said—they become disoriented and find it difficult to go back to their homes. A lot of work is going on in Crawley to consider that issue with the PCT. The aim is to have a mobile team that goes around assessing older people in their own homes to ensure that they are on the right sort of medication. That is a practical approach to keeping people out of the care sector and reducing the pressure.

We know from our constituencies about the suffering that is caused by dementia problems. That cannot be cured just by saying, "Everybody must go into residential care." That is not the answer. Carers want to keep their friends and family at home so that they can care for them there. So we considered respite care—using the care home sector for shorter stays, so that the carer could have a holiday while their loved one was cared for by others for a while. Giving carers the proper rest that they need helps to ensure that people can be kept at home. It is important to provide extra care homes—fantastic facilities that give people a front door and allow them to receive the care that they need, such as having a hot meal during the day, being properly bathed and being cared for around the clock. We have one in Crawley and more are to be provided. Having a health partnership manager has proved to be enormously helpful in reducing the number of delayed discharges from care. The post is jointly funded by the trust and west Sussex social services.

All sorts of measures can be taken: improved joint working; increased capacity to deal with the increasing numbers of older people; more intermediate care; sustained funding increases that mean that is possible to predict increased finances, which we could never do in the past; improved discharge planning; and increased medical checks. There is plenty that we can do. Age Concern is setting up a new advice centre to help people to stay in their homes for as long as they possibly can.

I shall sit down now to allow other hon. Members to speak. I hope that the rest of the debate reflects our understanding that there is plenty that can be done and that solutions can be found; we do not have to return to trotting out the line that there is just not enough money in the care sector. If we are imaginative, we can do it, and I hope that other hon. Members are prepared to be so.

9.3 pm

Sir George Young (North-West Hampshire): The House was interested to hear the hon. Member for Crawley (Laura Moffatt) talk about the partnership approach that she helped to promote in her constituency. I am sure that the same is true in many other constituencies. However, I disagree with what she said about my hon. Friend the Member for West Chelmsford (Mr. Burns). He made a fine and impassioned speech, and I hope that it is placed in residents' lounges in care homes around the country.

One of the claims made by this Administration was that they would introduce joined-up government, but this area of policy is marked by serious discontinuity. We were told that the comprehensive spending review would introduce stable, generous and confident financial regimes for public sector services, but this area is riddled with one-off payments to meet continuing crises, with no sustainable solution in sight.

We have been told that the way forward is partnership, but the Government have proposed entitling one partner to fine the other, although not the other way round, and have passed a Bill enabling one partner, the NHS, to take over the other partner, social services, at the whim of the Secretary of State. We have seen substantial and welcome increases in the budget of one partner, the NHS, at the same time as we have seen unsustainable settlements for the other, social services departments.

The point where the two systems meet now has a name of its own: DTC—delayed transfer of care, which is an epitaph to policy failure. I want to speak from three perspectives—that of the NHS, social services and care home owners—and then outline a way forward.

First, on the NHS, cash for change has not solved the bed-blocking problem. I shall quote from the minutes of the North Hampshire Hospitals trust of 11 June:

> "There are now 60 Delayed Transfer of Care patients that are also causing pressure on staff. The number of long term delayed transfer of care patients was a cause for concern."

Those minutes concerned Basingstoke hospital, where bed blocking is still an issue. I asked the other major hospital that serves my area, which is run by the Winchester and Eastleigh Healthcare trust, about its experience. Its bed-blocking figures are down from last winter, but at the same level as a year ago, totalling 59. If one looks at the reasons why, one sees that the problem is not going away.

Last year, at the worst, there were 25 cases of bed blocking owing to lack of funding. That number has now gone down to one. However, there are now 17 bed blockers due to there being no vacancy in a nursing home, as against one a year ago. On top of those 18, there are three bed blockers because of no vacancies in residential homes. Thirteen are still looking for suitable placements and 12 self-funders either have no vacancies or are looking for suitable placements.

Cash for change will not solve that strategic problem of undercapacity. A series of one-off payments simply builds up problems for the future. In Southampton, for example, the top-ups that the city paid for discharges from acute beds in 2001–02 out of cash for change produced an ongoing financial commitment into 2002–03, which means that there are no top-ups in the current year. So one blockage—shortage of cash—has been partially and temporarily cleared, but the logjam has simply moved to the next bend in the river: shortage of beds.

That brings me to social services. Hampshire county council has a competent, caring department that is struggling to do its best with the resources available, but it is caught between the rock of the revenue support grant and the market realities of care home provision. I asked Hampshire county council how its expenditure on social services compared with its standard spending assessment.

[Sir George Young]

In 1988–89, it spent £1 million under its SSA. The next year, it spent £5.1 million over its SSA, and that has gone up ever since until this year, when the budget is £11 million over the SSA.

I know that SSAs are simply a means of distributing grant, but if a council overspends on social services, it must either underspend on education or put up the rates faster than the Government would like. If the Government were open about the matter, they would recognise that they are increasingly vulnerable to the accusation of the Joseph Rowntree Foundation and others that they have got that part of the settlement seriously wrong.

Of course we must develop intermediate care services in order to try to divert demand, and Hampshire county council is doing that. However, that is unlikely to be wholly effective, especially when one takes into account the most dependent and vulnerable older people who need nursing care. The demography time bomb is ticking away; the population of over-65s will increase by 3 per cent. by 2007, and the over-85s by 6 per cent. The demand for nursing home places continues to rise. Over the past three years, the number of publicly supported nursing placements has risen by 9 per cent.

While demand increases, supply is falling. All the underfunding has affected the market. Between April 2001 and March 2002, 252 residential beds and 103 nursing beds net were lost to closures. In the previous year, the numbers lost were 89 and 75 respectively, so the losses are accelerating. Specifically in relation to nursing homes, there has been a reduction of 400 beds over the past three years—about 10 per cent. of total capacity.

That leads me to my final ingredient: care home owners. They feel isolated and vulnerable. That wholly understandable emotion feeds through to their staff—who read the papers and listen to the radio—and of course to the residents and their relatives. There is now a crying need for stability and confidence, to which I shall return in a moment.

I received an e-mail on Saturday from my constituent Mr. Chalmers, who lives in Tadley. He said:

> "What is causing care homes for the elderly to keep closing at the rate they are at the moment? . . . My elderly aunt aged 95 is now being forced to look for another home (3 in 2 years) as they keep closing and being sold off."

Like other Members, during the election I visited most of the care homes in the constituency and, in preparation for this debate, I returned to one, a well-run, 21-bed home with an owner-manager. To get to the bottom of the figures, I asked her what the costs were. Allowing for no return on capital at all, and allowing the owner-manager £35,000 as salary, the weekly costs are £348 per resident—£273 is paid by Hampshire county council for the residents whom it sponsors, with self-funders paying £375. That is an indefensible cross-subsidy. I have no objection to residents on low incomes who are sponsored by social services being subsidised, but they should be subsidised explicitly from the public purse, not by their fellow residents and their families.

The basic wages in the home are £4.50 an hour, with more for qualified staff. The owner would like to pay more, but she cannot. It is difficult to retain staff, given the buoyant labour market in North-West Hampshire. The owner is grappling with extra costs, such as those incurred by complying with new regulations on radiator covers. There are 42 radiators in the home, and she has had quotes of up to £10,500 to cover them. I am sure she will do so, but in the meantime she has had to build a new cupboard and buy more ringbinders to store the growing amount of paper she has to keep—circulars, regulations, staff assessments, residents' assessments and so on. I am sure that other Members have found that some owners are beginning to resent the growing number of better-paid people who check, supervise and monitor them and tell them how to run their business.

Mr. Swire: Has the person in my right hon. Friend's constituency suffered from the same problem as a care home owner in Exmouth, who contacted me to say that he and his wife, who own the home, and their daughter, the matron, have had a letter from the National Care Standards Commission, inviting them to apply to the Criminal Records Bureau for enhanced clearance. They have been given until 1 August to comply, otherwise they will have to close down, but they have been unable to get through to the bureau.

Sir George Young: We must have sensitive and sympathetic application of the regulations if good people are to stay in the market. In Hampshire, there are homes that are having to remove en suite bathrooms to meet the space requirements, which cannot be right.

The argument that the crisis is less of a crisis because implementation of some regulations has been deferred sounds plausible, but is invalid if we want to achieve a confident care home market. For those who are not going to meet the standards for whatever reason, it simply postpones the day of reckoning and ultimate closure. Those who would like to stay want to know that staying in the market will be worth while and that fees will rise, as the hon. Member for Sutton and Cheam (Mr. Burstow) said.

Many owners need funding to invest, but the banks read the newspapers and are growing more cautious. An inadequate revenue flow will not permit home owners to borrow the necessary capital to fund changes. Earlier this year, at the behest of the Department, the personal social services research unit carried out research into the reasons for closures. It concluded that a number of factors were at work, but describe two as being "decisive" in the owners' decision to close—low prices and the belief that they would not increase sufficiently.

To sum up, there is a clear picture of continued increases in demand led by demography, coupled with a reduction in supply. Costs are rising and are likely to go on rising, driven by higher standards and better treatment of staff and residents. Insufficient funds, however, are being made available to meet market prices. The gap is far wider than the Government seem to recognise. The system survives by low returns on capital; indefensible cross-subsidy; underpaying of staff; moral pressure on families to top up funding; bed blocking; and delays in assessment.

Although the Government pay lip service to the need for a healthy and well-run care sector, they have not done enough to secure it. They should make crystal clear what they expect from the sector in the long term and clarify the role of residential and nursing home care in the overall scheme of community care. They should make it clear that they want good people to stay in the sector and that they want more good people to invest in it. They should work out the likely level of demand, and then, in discussion with local authorities and the industry, put a price on what that is going to cost. That should then be factored into the SSA so that the resources are made available. In the meantime, the Government should abandon their policy of taking social services departments into the NHS. They are not running the NHS efficiently, and I do not believe that they would do it any better if they took on extra responsibilities for community care.

It is legitimate to ask where the money should come from. I would shave it off some of the growth money aimed at the NHS. We simply cannot limp on as we are. That is not fair on owners, residents or staff, so I urge the Government to recognise the scale of the problem that confronts them and to come up with an effective response.

9.15 pm

Mr. Hilton Dawson (Lancaster and Wyre): It is a pleasure to take part in this important debate, not least because I do so under the eyes of 22,000 older constituents and a vigorously active mother, who will no doubt scrutinise every word that I say. I shall speak for only five minutes in order to allow others to get in, but it is a pleasure to take part in a debate which has featured some excellent contributions.

It is worth pointing out that the right hon. Member for North-West Hampshire (Sir George Young) was the first speaker from the Opposition Benches who, in stressing the important issues facing the private sector, started to move the debate along a little and to recognise that health and social care are a system and need to be a partnership, and that all elements of that partnership need to work together. That view has not come over from earlier Opposition speeches, which characterises the Opposition's approach to the matter. They emphasise one part of the system over the other parts and miss the essence of what the debate should be about.

There are huge issues to consider and desperately important issues to resolve. In difficult circumstances, the Government are taking on the matter properly and working along the right lines. We have the national service framework for older people, which emphasises person-centred care, choice and respect for individuals. I believe that residential care can be a positive choice. I take issue with my hon. Friend the Member for Dartford (Dr. Stoate) about that.

The Government have emphasised investment in major resources for health and social care, and high standards across the entire field of care—in people's own homes, in the community, and in residential care, nursing care and hospital. They have emphasised partnership across the various elements of the public sector—health, county and district councils, and the private and voluntary sectors. They have emphasised flexibility in meeting the needs of older people, irrespective of who provides the care.

There are a host of issues involved, but the urgent imperative is to build a partnership culture, moving way beyond the sort of systems that were in place under the previous Government, to develop a robust working relationship between the public, private and voluntary sectors, and above all to place older people, their relatives and carers at the heart of the system, at the forefront of concern and at the centre of the debate.

We have faced a terribly difficult situation in Lancashire over the past few months. Various speakers have referred to that already. It has been a traumatic experience for hundreds of older people in residential care and their families. I hope that we are coming through that now. The clear message that Lancashire county council must have got from listening to older people and from the work of inveterate campaigners, such as Bob and Ann Trafford of Poulton le Fylde in my constituency, is that the public sector services that the council provides are of very good quality and are highly valued by the people who use them.

I hope that the consultation to which Lancashire county council will respond on 25 July will seek to build on those resources, build on partnership, use those resources flexibly and create a continuum of care based in the communities that need them, for the older people who require them. I think that the Government have laid down a very good structure for the future of care, that they are clearly inspecting what is going on and keeping their ears to the ground and that they are concerned to ensure that partnerships grow and develop. The work of the King's Fund, which I mentioned earlier, emphasises that progress is being made.

We are talking about huge cultural change. We need to ensure that local authorities and health services show evidence of progress in terms of sustainable partnerships and improved services that impact on people's lives. I very much hope that my hon. Friend the Minister and her colleagues in the Department of Health will maintain very close scrutiny of what is going on in Lancashire. On the basis of primary care trust areas engaging properly with the private and voluntary sectors, district councils and older people as firm partners, we have the opportunity to develop services and move on, but we need to maintain tight scrutiny of what is going on and to ensure that the system works in future and that it does so very well.

9.21 pm

Mr. Nigel Waterson (Eastbourne): I am delighted to have the opportunity to take part in this important debate.

It is clear that we have twin national crises: the problem of care homes and the interlinked problem of bed blocking. We have heard about almost 50,000 beds being lost nationally, the problems of bed blocking throughout the country and the £1 billion black hole in funding identified by the Joseph Rowntree Foundation, but I should like briefly to consider the local scene in East Sussex and Eastbourne in particular.

Eastbourne has a high proportion of elderly residents, and we have the highest proportion of over-85s in the whole country. We have already been disadvantaged once by the standard spending assessment formula changes to which one hon. Member has referred. It is important to say, although it is almost a footnote in this debate, that care homes and nursing homes are a significant part of the local economy.

The problem has been growing for years and the number of homes closing has grown steadily. As I said earlier, we have been bottom of the league table in East Sussex for many years in terms of our payments to the private sector. At the same time, under the Liberal Democrats, millions of pounds were wasted year after year on the ruinous cost of keeping open homes run by the county council purely for reasons of political dogma.

[Mr. Nigel Waterson]

I have raised that matter over and over again in the House. I first did so in a 1996 debate to which my hon. Friend the Member for West Chelmsford (Mr. Burns) responded as Under-Secretary of State for Health. Most recently, I secured a debate in late 2000 in which I raised many of these issues.

We know that the homes have been hit by a triple whammy: the low rates paid by many councils; the funding of new regulations such as the minimum wage and the working time directive; and, of course, the requirements of the Care Standards Act 2000. The direct consequence has been the growth in bed blocking, or delayed discharges. The other day, I saw a press release from the Minister of State, Department of Health, the hon. Member for Redditch (Jacqui Smith), in which she trilled about how wonderful things were and about how many older people would be able to leave hospital on time. That was not the picture that I saw when I recently visited my local district general hospital. It is doing all the right things; it has opened a medical assessment unit, which is doing very well, and has just officially opened a surgery assessment unit. However, all those efforts to make best use of resources are being distorted by the number of bed blockers in the hospitals.

The very latest figures, which I received only today, show that across the East Sussex Hospitals NHS trust, there are currently no fewer than 131 bed blockers. That is an enormous number, especially in the light of the already stretched resources of the hospitals. In the winter of 1999–2000, there was virtually no bed blocking at all, so it is a relatively recent phenomenon, one entirely presided over by this Government and produced by their policies.

I acknowledge that there has been some extra Government funding but it has not produced the desired effect. I am pleased that, under the leadership of Councillor Keith Glazier and his team, there is now much closer working with social services and other relevant agencies but the problem still shows no sign of improving; it seems to be continually getting worse.

As I have touched on already, the problem we had over some eight years in East Sussex was the Liberal Democrat administration, which, as I have explained, squandered money on its own homes. One that has closed is Parker House in my constituency. Despite the dedication and care provided by the staff there, it was not meeting the old standards, let alone the new ones.

By the time the Liberal Democrats were thrown out of office about a year ago, some 800 people had been assessed as needing care who were not receiving it. God knows how many had not been assessed. Now that figure is less than 200, and it is expected to be zero by the end of this month. For the information of the hon. Member for Sutton and Cheam (Mr. Burstow), who spoke for the Liberal Democrats, the Conservative administration, despite a very tight budget, has increased its payments to the private sector by 8 per cent. above inflation in the current year.

These are not just dry statistics. I remember the case of the elderly lady who contacted me and whose husband was at home dying from cancer. She could get no help at all in looking after him and lifting him; she damaged her own back. I finally managed to get social services to take an interest. I received a very touching letter from the lady saying that she was grateful for all my help but by the time they had come to talk about a package or putting her husband in residential care, he had sadly passed away. One wonders how many such cases there are of which we are as yet unaware.

Only recently, we received the joint report on East Sussex from the Audit Commission and the social services inspectorate, which gave services zero stars. It included damning indictments of the previous Liberal Democrat administration—so damning in fact that a number of leading local politicians, myself included, have called for Councillors Tutt and Rogers to withdraw from public life as they were the ones who presided over that disaster. Typically, we have not received a word of apology or regret from either of those gentlemen. They have shown the same unwillingness to accept responsibility that they showed when they were running social services in East Sussex.

As I have said, it is a matter not just of statistics but of people's lives—cases such as the one to which I have referred and others that we may never hear of. Those are the real reasons why those councillors should go. If they had a shred of decency or responsibility, they would have left by now.

I am pleased to say that the new administration has put more than £4 million extra into the budget to support older people and to tackle hospital discharge, but the question that I still need the Minister to answer is how on earth the Government will tackle the fact that 131 people are still in hospitals in my area with no prospect of being discharged.

9.28 pm

Kali Mountford (Colne Valley): In the short time now allowed me, I would like to put the record straight. The hon. Member for West Chelmsford (Mr. Burns) told the House that three care homes were closing in Kirklees, which covers my constituency. The House should know what is happening in Kirklees. There are 14 residential homes and three of them are indeed due to be closed, but what is going to happen to them bears some examination.

One home is to be taken over by the Housing Corporation and will become 40 new flats for elderly people. It will include day services, a medical centre and all the ongoing help that those elderly people will need. The second will be turned into an intermediary care facility. Conservative Members have shown a great deal of interest in deferred discharge from hospital. People will be able to go into that centre to receive the assessment and help that they need after a period of ill health, an accident or a crisis in the home, and to move on to the sort of care that is most appropriate for them. So, to present this as a simple case of closure is inaccurate and wrong.

The House should also be aware of other facilities that are available in the area. I have already mentioned Moorlands Grange, which my hon. Friend the Minister has visited, and which represents the way forward for integrated care for elderly people. We need to examine what is taking place in Kirklees, where a whole system approach is being used. Moorlands Grange is a resource centre where people can have an assessment of their needs, then—properly supported—move out into the community and back into their own homes. We have heard much from Conservative Members today, but in my constituency 453 people received intensive care in their homes last year; this year, the figure will go up to 533, and we have set a challenging target of more than 850 people in two years' time. We are seeing a growth in supporting people in their homes, and that is the way forward. Let us use our homes for what they are best used for; let us keep people in their homes, where they are most safe and secure and feel most comfortable.

9.31 pm

Tim Loughton (East Worthing and Shoreham): I welcome the Under-Secretary of State for Health, the hon. Member for Tottenham (Mr. Lammy), to his debut at the Dispatch Box, which we eagerly await. I look forward to many other opportunities to debate with him in the future. I am only sorry that he is making his debut in a debate on a serious matter on which his Government have such a lousy record.

We have had a good debate, which was excellently and passionately opened by my hon. Friend the Member for West Chelmsford (Mr. Burns). In contrast, the response from Labour Members was the usual fake indignation, as if it were a bit of a cheek for hon. Members to raise this issue again tonight. I was particularly surprised by the comments of the hon. Member for Crawley (Laura Moffatt), who has expertise in this area. She knows how my own county of West Sussex has been coping exceedingly well in very difficult circumstances with one of the highest number of elderly people in the country, and how it received a two-star rating in the latest social services rating list.

I am afraid that we heard the usual complacency from the Minister, as well. She talked about scaremongering and said that, apparently, there were "too many" care home beds in 1996, and that we have had only a "small" number of bed losses since then. I would hate to see what she regards as a large number of bed losses. This is a serious problem. The ageing time bomb that we all face is perhaps one of the most significant problems affecting our constituencies today.

According to the Government Actuary, there were 7.8 million people over the age of 65 in 1996 and, by 2031, that figure will have risen by 60 per cent. The biggest rise will be among the over-85s, who receive no additional funding through the health authorities once they reach 75, but who incur many extra health costs. By 2007, for the first time ever, pensioners in this country will outnumber children under 16. A man aged over 65 has a 9 per cent. chance of requiring residential care for the rest of his life, or a 5 per cent. chance of requiring nursing care. For women, the figures are much higher: 13 per cent. and 37 per cent. respectively. That is why this is such a serious matter, and why we are quite deliberately raising it again in the House this evening.

By any measure, the population is ageing. However much we may do to enable older people to live active lives in their own homes, with the support of carers, relatives and social services, we shall still require a big increase in the amount of residential care and nursing care beds. In fact, the Office for National Statistics estimates that the number of places will have to expand by about 65 per cent. over the next 30 years just to keep up. That is a very different picture from that painted by the Minister, who still thinks that there are too many beds—especially, apparently, in Redditch.

It is absurd and bizarre that the trend in the provision of care home beds should be downward rather than rising to keep up with demand. We have heard the figures from Laing and Buisson: there were 575,000 care home beds five years ago; that figure is now down to 525,000, and 2,095 care homes out of 14,600 have closed across the country. We have heard stories, particularly from Ministers' own constituencies, of how beds are being lost week after week.

It is particularly absurd and disgraceful that the Government should be so dismissive about the problem and that Members should apparently resent our raising it here. There was the disgraceful contempt shown by the Secretary of State for Health back in March when, during Question Time, he described elderly people as being

"banged up in a care home".—[*Official Report*, 26 March 2002; Vol. 382, c. 691.]

Equally alarming has been the complacency of the Prime Minister who, only last week at his own Question Time, brushed aside the concerns of a number of Members by claiming extra money was going in, and that new regulations would not come into force until 2007, so it was all sorted—and in any case the loss-of-beds figure was only 19,000. As my hon. Friend the Member for West Chelmsford and others have demonstrated, that was absolute nonsense.

Of course, to the Prime Minister the cry of "Geriatric residential facility, geriatric residential facility, geriatric residential facility" may not sound quite as sexy, or be as good a soundbite, as "Hospitals, hospitals, hospitals"; but such facilities are no less important to the bigger picture of health care.

Where does the Prime Minister acquire figures allowing him to make his calculations? Laing and Buisson is the recognised leader in research on care homes and is retained by the Department of Health. The Joseph Rowntree Foundation report mentioned by the Minister, which was published only last month, repeated its figure of 50,000 lost beds in five years, and it reiterated that care homes for older people were underfunded by more than £1 billion a year—a fact that adds to the woes of social services departments throughout the country about which we know so much.

I believe, however, that the actual figure is worse. In my constituency, those running residential homes have decided that they simply cannot comply with the regulations and stay in business, and are therefore closing their homes. Alternatively, they are running down beds and not accepting new residents—but such homes are still counted as having full availability of beds until they have closed entirely, although those beds are not technically available. As was pointed out by my hon. Friend the Member for Eastbourne (Mr. Waterson), and also by my right hon. Friend the Member for North-West Hampshire (Sir George Young), all those numbers represent real lives. Of course being shunted around three homes in the space of two years will affect the health and well-being of elderly, vulnerable people.

However, the situation is much more complex and worrying than either the Prime Minister or the Minister is willing to admit, and it does not help to reduce it to a dishonest, political numbers game. The problem is caused by a combination of factors: additional and in some cases excessive regulation, a shortfall in funding through local authorities, declining margins making the whole business less attractive at a time of rising property prices—a decline caused by increased costs of regulation, increased staffing costs and staff shortages—and pressure on social services, along with shifting responsibilities.

[Tim Loughton]

Let us begin with the problem of regulation. The Care Standards Act 2000 started with good intentions, but has succeeded in driving some of the best homes out of business simply because they operate in older buildings that would prove prohibitively expensive to convert by 2007. That is certainly the case on much of the south coast. We heard about the rise in land values from my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan).

Larger room dimensions, single occupancy, en-suite facilities and the radiator covers mentioned by my right hon. Friend the Member for North-West Hampshire are desirable—but the time and attention given to residents by staff, the conditions available to them, the quality of their food and how well their medication is dealt with are what count.

Mr. Richard Bacon (South Norfolk): Does my hon. Friend agree with my constituent Mrs. Diana Self? Writing about her grandmother, she observed:

> "Elderly people don't care very much about ensuite bathrooms, single rooms or dimensions of lifts. They do care about friendly gentle care . . . and someone to hold their hand when they don't feel well. The outcome for her"—

the grandmother—

> "seems uncertain—the move may kill her".

Does my hon. Friend also agree that if the Minister's contention was correct, and if old people's choices were indeed at the centre of policy, there would be far fewer closures and far more people living happily in the same homes?

Tim Loughton: That is a good point. What makes the difference is whether people are in an all-round caring environment geared to provide a home life for elderly residents, or merely on a conveyor belt for those who are no longer able to look after themselves.

I received an e-mail from a nursing home owner in my constituency who has been running her business for 20 years. She says

> "Care is the most important ingredient of a Care Home . . . Larger rooms wider doors etc will not improve care."

How right she is. The problem is that the regulations are too inflexible. They do not differentiate between quality care homes and those that simply provide a service—homes that happen to have the right environmental specifications, but without the right care environment. To add insult to injury, Anne Parker, chairman of the National Care Standards Commission, warned owners who are unable to comply with the new standard to

> "start preparing an exit strategy."

Some solution! On the shortfall in funding, a nursing home owner in my constituency pointed out that the suggested amount for a nursing home bed is £460, yet our local West Sussex authority pays the not untypical rate of £375. As she says:

> "We cannot continue subsidising these people."

There are big differentials throughout the country. In Islington, for example, the Government's elderly residential standard spending assessment per resident is £917, yet in Kent it is £351. That leads to distortion in prices and to London boroughs placing their residents in care homes on the south coast, thereby pricing local people out of the market. Local people will be unable to live in care homes near their families and near where they were brought up, thereby adding to their vulnerability in old age.

Some 80 per cent. of care home costs are staff costs. The minimum wage alone added £90 million to those costs; according to Sir Jeremy Beecham, of the Local Government Association, national insurance increases added £300 million; and BUPA added £50 million. Of course, none of that money was refunded through additional spending on the national health service. That will have a big impact on the 5 per cent. margin on which many independent home owners operate, and on their viability.

Staff shortages and the consequent reliance on agencies is leading to great increases in the costs payable by such homes. For example, in the north of West Sussex, an unqualified 18-year-old can walk into a job at the Gatwick airport branch of Burger King and get paid £6 an hour. However, some care homes down the road can pay only £4.50 to £5. It is a no-brainer. An added problem is the bureaucracy associated with vetting by the Criminal Records Bureau. As a result, those who would work in care homes have to wait at least 13 weeks. In the meantime, they give up and go elsewhere.

It is little wonder that many people in the care home business are giving up the ghost, taking advantage of rising property prices and converting their care homes into luxury apartments or back into family homes. Pressure is being applied to social services departments that are already suffering through the accumulated shortfall of £1 billion. Eligibility criteria are being tightened in most social services departments throughout the country. Two thirds of local authorities predict that they will be unable to look after the same number of residents next year as this year. For many authorities, it has become more a question of shifting responsibility between local authority departments and the health services.

As the hon. Member for Lancaster and Wyre (Mr. Dawson) said, we certainly need greater working together, but the Government's only response is to fine local authorities that happen to have high bed-blocking figures. What impact does the hon. Gentlemen think that that has on working together in partnership? It is the good social services departments, many of which achieved a three-star rating, that have the greatest number of delayed discharges in their areas. That shows that the problem is not their fault, but one of the Government's own creation. The Government should solve it, but they are failing to do so.

This is a crucial and complex problem that demands much more serious attention from Ministers on all fronts, rather than the complacency and contempt that we have seen from the Prime Minister, the Secretary of State and the Minister. All hon. Members have an increasing number of elderly constituents, and however sophisticated we become at looking after people properly in their own homes, more care home beds will be needed over the next 30 years. A measure of how in touch we are with our constituents, and how effective we are on their behalf, is the concern that we show for our older citizens, translated into practical action to make their lives more comfortable and to allow them to live with dignity and choice.

For all the show of fake concern and indignation by Labour Members, we have heard nothing from them to give a crumb of comfort to any of our elderly constituents that this Government are doing anything to address the problem. Yet again, we see a Government in denial, who claim credit for every success, but who say, "Not me, guv" in respect of every problem. This is a growing problem that will not go away, and they could make a start in grasping the magnitude of it by backing our motion.

9.44 pm

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): I am grateful for the opportunity afforded to the House to debate this serious subject, but it is unfortunate that the hon. Member for West Chelmsford (Mr. Burns) chose to raise it in such an appalling manner. His tone was completely out of place and, frankly, he showed his disrespect for elderly people.

As my hon. Friend the Minister made clear in her opening remarks, the Government intend to create a system of care that offers choice to those who need it. Opposition Members seem incapable of grasping that point and we have seen tonight that they are preoccupied with scaremongering.

It is worth reminding ourselves how we got into this position. It is important to remember that we experienced a significant but unplanned and unmanaged expansion in the independent care home sector as a result of the use of an uncapped Department of Social Security budget throughout the 1980s. That led to the unnecessary and completely avoidable admission of many older people and others into institutional care. From what Opposition Members have said, it is clear that they believe that elderly people are always best placed in institutional care. They do not understand that there are many modes of care—

Mr. Burns: We do understand.

Mr. Lammy: Why then did no Opposition Member choose to mention care at home, and the role of nurses, sisters and others?

Mr. David Cameron (Witney) *rose*—

Tim Loughton *rose*—

Mr. Lammy: I shall give way to the hon. Member for Witney (Mr. Cameron).

Mr. Cameron: Does the Minister think that there are too many residential care homes or too few?

Mr. Lammy: The hon. Gentleman misses the point. *[Interruption.]* I intend to assist him with the answer in the course of the debate, if he will let me make some progress. *[Interruption.]*

Mr. Speaker: Order. May I call for some calmness on both sides of the House?

Mr. Lammy: There are many modes of care and ways of entering care for our elderly population, and that is the major thrust of the Government's policy. I agree that some people will of course always need residential care, and we need to ensure that they get it. However, the Opposition have been all too quick to scaremonger about the crisis in the home sector. Their approach is at best cynical and at worst schizophrenic. Much of what they talk about requires investment in the NHS and our social care system, but how did they vote on the Budget? They voted against that investment.

Mrs. Browning: On a point of order, Mr. Speaker.

Mr. Speaker: I have a feeling that it is not a point of order, but I had better hear the hon. Lady.

Mrs. Browning: Is it right for people with mental health problems to be abused in that way by a Minister from the Dispatch Box?

Mr. Speaker: The Minister is in order.

Mr. Lammy: Care homes have always closed. The Opposition choose to ignore the fact that new homes are opening and existing homes are expanding. Some 31,000 new beds have opened since 1997. That is a 4 per cent. drop, which roughly matches the figure in 1997.

The Conservatives' focus is in the wrong place. We need to move the debate on from the sterile argument about numbers to the challenge of delivering a full range of social care services to meet people's needs. There is undoubtedly a need for residential and nursing care, but it is one of many options.

We are supporting more people to live at home than in the past. For every 1,000 older people, 82 were supported to live at home in 1998–99 and by 2000–01 the figure had risen to 84. That includes people receiving support in the form of home care, community equipment, home adaptations and repairs. My hon. Friend the Member for Crawley (Laura Moffatt) talked about partnership and the ways in which care is provided in the home in her constituency. The number of contact hours has increased.

Mrs. Gillan: What would the Minister say to my constituents in National Society for Epilepsy homes who have lived in them for many years but may face relocation? Will he guarantee that no constituent of mine will be forced into relocation from NSE homes by the measures introduced by the Government?

Mr. Lammy: It is up to the local authority to talk to inspectors and others. I cannot guarantee what the Conservative local authority does in the hon. Lady's patch—that is not my job.

According to the independent care consultants, Laing and Buisson, there has been a drop of about 19,000 places since 1997, which is a far cry from the figure of 50,000 that some hon. Members were bandying about but which Front-Benchers have chosen to drop. *[Interruption.]* Oh, they have not dropped it. That is another example of

[Mr. Lammy]

schizophrenia. We have no policy from the hon. Member for West Chelmsford, who cannot decide what he has or has not said.

Mr. James Gray (North Wiltshire): Will the Minister give way?

Mr. Lammy: Time is pressing, and I should like to make some progress.

Mr. Gray *rose—*

Mr. Speaker: Order. The Minister is not going to give way.

Mr. Lammy: The hon. Member for West Chelmsford made an appalling attack on minimum standards for elderly people. It was quite unbelievable. What do Conservative Members have against minimum standards? They cannot be compassionate Conservatives without believing in some minimum care. It is a case of the emperor having new clothes but not bothering to check the quality.

Minimum standards are important. Conservative Members claim that the care home sector has been thrown into crisis by the introduction of the national care standards. That is an extraordinary suggestion. Do they oppose the introduction of training for staff in care homes? [HON. MEMBERS: "Yes."] Do they oppose medicine management for all and personally managed care plans? [HON. MEMBERS: "Yes."] Clearly they do. So if the answer is yes, they oppose—

Tim Loughton: Will the hon. Gentleman give way?

Mr. Lammy: The hon. Gentleman did not give way during his speech. I have given way twice and I should like to make some progress.

If the Conservatives' answer is yes, they oppose the introduction of standards to ensure that users, carers and relations can have confidence in the quality and safety of the care that older people receive. Before the Care Standards Act 2000, care homes were regulated by 150 authorities, often with different standards. In the absence of proper checks on individuals, there were many, many cases of the most appalling abuse. Members will be aware that the most appalling physical and sexual abuse was committed in some of our care homes during the 1980s and 1990s.

Standards will guarantee the best care for the elderly in our community.

Andrew Selous (South-West Bedfordshire): Will the Minister tell the House what is compassionate about a standard that causes a home to close when none of the residents needs the introduction of that particular standard? What is compassionate about that?

Mr. Lammy: Homes are not closing as a result of the standards—[HON. MEMBERS: "They are."] Hon. Members raised concerns about certain environmental standards and we have made it clear that those standards do not have to be imposed until 2007. We are open to looking closely at that matter.

Tonight, the Opposition have tried to delude us into thinking that they have suddenly become the party that cares about the vulnerable. That journey began when the Leader of the Opposition turned up in the inner city, in Hackney, to take his path of compassionate conservatism. After 18 years of Tory rule, no Labour Member will take lectures from the Opposition on that.

We remember the 2 million pensioners who were living in poverty on £68 a week when we came to power. We remember the VAT on pensioners' fuel—*[Interruption.]* We also remember—*[Interruption.]*

Mr. Speaker: Order. The House is far too noisy.

Mr. Lammy: We also remember the Opposition presiding over a growing gap between the poor and better-off pensioners between 1979 and 1997, when the incomes of the best-off fifth of pensioners rose by 80 per cent. while those of the worst-off fell by more than 30 per cent. We shall not accept lectures from Opposition Members about the elderly.

We are certainly not going to take lectures from the Opposition about investment when they voted against the investment that we intend to make. We are proud of our record in helping the elderly and the vulnerable. We are proud of our free eye tests for the over-60s, which the Tories had abolished. VAT on fuel has been cut, helping pensioners to heat their homes. We are proud of our free television licences and other things.

On the care sector, when the Government—

Mr. McLoughlin *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question.

The House divided: Ayes 184, Noes 320.

Division No. 297] **[10 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baldry, Tony
Barker, Gregory
Baron, John
Barrett, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brooke, Mrs Annette L
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clifton-Brown, Geoffrey

Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Donaldson, Jeffrey M
Dorrell, Rt Hon Stephen
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Hendry, Charles
Hermon, Lady
Hoban, Mark
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell–Grainger, Ian
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam
Prisk, Mark
Pugh, Dr John
Randall, John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas
(Macclesfield)
Yeo, Tim
Young, Rt Hon Sir George
Younger–Ross, Richard

Tellers for the Ayes:
Mr. Julian Brazier and
Mr. Desmond Swayne.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald
(Swansea E)
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Rt Hon Kevin
Battle, John
Beckett, Rt Hon Margaret
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas
(Newcastle E & Wallsend)
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hill, Keith
Hodge, Margaret
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Irranca–Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David

Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr Lewis
Moran, Margaret
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*

O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, Rt Hon Clare
Simon, Siôn
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*

Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan

Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Angela Smith and
Mr. Phil Woolas.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 312, Noes 185.

Division No. 298] **[10.13 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, Rt Hon Kevin
Battle, John
Beckett, Rt Hon Margaret
Begg, Miss Anne
Bell, Stuart
Benn, Hilary
Bennett, Andrew
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*

Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek

Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hill, Keith
Hodge, Margaret
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John

McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Milburn, Rt Hon Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr Lewis
Moran, Margaret
Morris, Rt Hon Estelle
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John
(Glasgow Anniesland)
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry

Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*

Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Angela Smith and
Mr. Phil Woolas.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baldry, Tony
Barker, Gregory
Baron, John
Barrett, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brooke, Mrs Annette L
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim

Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Djanogly, Jonathan
Donaldson, Jeffrey M
Dorrell, Rt Hon Stephen
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flight, Howard
Flook, Adrian
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Hendry, Charles
Hermon, Lady

Hoban, Mark
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam
Prisk, Mark
Pugh, Dr John
Randall, John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Desmond Swayne and
Mr. Julian Brazier.

Question accordingly agreed to.

MR. SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the Government's strategy for modernising social care services through unprecedented real terms increases in resources; condemns the Opposition for opposing this investment; welcomes the improved joint working between the NHS, social services, and the independent care sectors which has seen a reduction in levels of delayed discharges of over 1,000 since September 2001; recognises Government action to provide real choice for older people in long term care and to place a greater emphasis on users and patients in the design and delivery of services; notes the confusion, inconsistency and lack of independence in previous registration and inspection regimes and welcomes the Government's national framework for standards and quality; further notes that the extra funding is enabling local councils to increase fees paid to care homes and that providers are continuing to open new homes; and recognises that the number of people receiving intensive home care support is increasing, enabling more people to live independently at home for longer.

ROYAL ASSENT

Mr. Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Acts:

Appropriation Act 2002
National Insurance Contributions Act 2002
Industrial and Provident Societies Act 2002
Tax Credits Act 2002
Employment Act 2002

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

PREVENTION AND SUPPRESSION OF TERRORISM

That the draft Pathogens Access Appeal Commission (Procedure) Rules 2002, which were laid before this House on 12th June, be approved.—*[Mr. Kemp.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

SUPREME COURT OF ENGLAND AND WALES

That the draft Court of Appeal (Appeals from Pathogens Access Appeal Commission) Rules 2002, which were laid before this House on 12th June, be approved.—*[Mr. Kemp.]*

Question agreed to.

Ordered,

That the Motion in the name of Secretary Tessa Jowell relating to the revised Treasure Act 1996 Code of Practice shall be treated as if it related to an instrument subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation) in respect of which notice has been given that the instrument be approved.—*[Mr. Kemp.]*

PUBLIC TRUSTEE (LIABILITY AND FEES) BILL [*LORDS*]

Motion made,

That, during the proceedings on the Public Trustee (Liability and Fees) Bill *[Lords]*, the Standing Committee on the Bill shall have leave to sit twice on the first day on which it shall meet.—*[Mr. Kemp.]*

Hon. Members: Object.

ADMINISTRATION

Ordered,

That Dr. Nick Palmer be discharged from the Administration Committee and Julie Morgan be added to the Committee.—*[Mr. McWilliam, on behalf of the Committee of Selection.]*

Glenn Howard

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kemp.]*

10.26 pm

Tom Brake (Carshalton and Wallington): I welcome the opportunity for this debate, which is inspired by the very tragic and totally unnecessary death of Glenn Howard. I have been involved with his case for four years, and my sole purpose today is to call for a public inquiry into the circumstances of his death. As will become apparent, investigations to date, which have lasted for nearly four years, have proved unsatisfactory. Many questions have been left unanswered, leaving Mr. Howard's family to endure unnecessary suffering.

A public inquiry would achieve two valuable aims. First, it would allow Mr. Howard's family to ascertain exactly what happened and to piece together those last few important moments of his life, thereby ending their long-standing torment. Secondly, equally importantly, a public inquiry is required because of the wider issues raised by Mr. Howard's case. It is imperative that an evaluation of police procedures and protocols dealing with the treatment of vulnerable individuals such as those with mental illness takes place. In particular, police procedures dealing with the training of officers, restraint techniques that are employed and the treatment of vulnerable individuals while they are in police custody need to be reassessed. It is hoped that a public inquiry will lead to the proposal of positive solutions, affording increased public confidence in the police and the development of a system whereby tragedies such as that of Glenn Howard can be prevented.

Glenn Howard was a 47-year-old musician who had a long history of mental health problems. He enjoyed not only his music, but tending to his tropical fish, which he kept in a fish tank at his flat. He was described by those who knew him as a very likeable individual—possibly eccentric, but with no previous history of aggressive or violent behaviour. From time to time, Glenn Howard was detained in Sutton hospital under section 3 of the Mental Health Act 1983, which allows for mentally impaired individuals to be detained for short periods to alleviate or prevent the deterioration of their condition. In hospital he received the invaluable support and medication that was needed. While he was being detained at the hospital, it was not uncommon for him to abscond to return to his flat and feed his fish. After doing so, he would often return to the hospital of his own volition.

On 8 December 1997, Glenn Howard was detained at Sutton hospital for the 13th time. Two days later, on 10 December, hospital staff noticed that Glenn had absconded. A nurse contacted Sutton police station to report him missing and asked the police to return him to the hospital. Two officers, empowered under the Mental Health Act, responded to the call. They visited Sutton hospital, where it is claimed that nurses informed them that Glenn was not a violent individual, and that if they encountered any difficulties, hospital staff should be called to assist. At two minutes past eight that evening, the two officers attended Glenn Howard's home address. There they were let into the block of flats by a caretaker, where they met Glenn. Witnesses described him at the time as wholly co-operative with the officers. The officers then proceeded to leave the block of flats.

It is at that point that the story becomes unclear. The two officers claim that on leaving the premises, Mr. Howard tried to escape. It is claimed that a violent struggle took place. Nine other officers had been called to attend. During the struggle, Glenn Howard was restrained in a bear hug for up to four minutes, which had the effect of constricting his breathing. He was hit with a police baton and placed face on the floor, and his legs were crossed behind him. Officers then restrained him in handcuffs, first to his front and then behind his back.

At no time during the struggle were the officers who were called to assist informed of Glenn Howard's mental impairment. At some point officers noted that Glenn had vomited, but no action was taken in response. Instead, he was carried face down by five police officers and forcibly placed in the back of a police van.

Contrary to initial instructions, Mr. Howard was not returned to hospital. Instead, he was conveyed to Sutton police station. On arrival, Glenn's mouth was seen to be open and his head lolling backwards. He was rushed to the accident and emergency department of St. Helier hospital, where nurses attended to him. He was unconscious and hospital staff noted that he had turned blue and was not breathing. Attempts to resuscitate Mr. Howard were made. Sadly, all was futile; he never regained consciousness. His existence was reduced to a permanent vegetative state, and he was kept alive until 1 January 1999 only by the assistance of a ventilator. Later, doctors stated that Mr. Howard had not been breathing for up to 10 minutes before his arrival. His brain had been starved of oxygen for four minutes and it was said that the restraint techniques employed by the police were likely to have been a significant factor in his death.

The circumstances surrounding Mr. Howard's death posed several questions. Why were such restraint techniques employed? Why had the police not called for hospital assistance? Why were the other officers who were called to attend not informed of his condition? Why was Mr. Howard not taken straight to hospital? Perhaps the most important question is this: legal jurisprudence dictates that a mental patient detained in circumstances such as Glenn Howard's commit no criminal offence in absconding. Why was he then treated like an ordinary criminal rather than with the sensitivity that is and ought to be required when dealing with vulnerable individuals who are mentally unwell?

I find it astonishing that those questions have remained unanswered to date. The great difficulty experienced by Glenn Howard's family in acquiring elementary information about the circumstances of his death has made matters worse.

I am calling for a public inquiry because the inquest into his death revealed several outstanding issues. There is legitimate worry over the fact that the testimony supplied by officers contradicts vital evidence supplied by independent witnesses. One example is that police officers continue to deny being informed by hospital staff that Mr. Howard was not of a violent disposition, and that the hospital should be called to assist in the event of any difficulties. Officers have also failed to supply consistent and accurate details on the timing of events as they unfolded. I know that that is of great concern to Glenn Howard's family. The discrepancies are not acceptable and have resulted in unnecessary agony.

[Tom Brake]

In fact, such was the nature of the discrepancies that the jury at the coroner's inquest ignored the coroner's direction not to comment on the circumstances of Mr. Howard's death. Confined to a finding of accidental death, the jury unanimously commented that

> "excessive restraint followed by an immediate and subsequent neglect of medical care"

and attention was the cause of Glenn Howard's death.

In further recognition of the inadequate handling of the case, disciplinary proceedings behind closed doors commenced under the supervision of the Police Complaints Authority, which found that one officer had failed in his duty to monitor Mr. Howard.

My call for a public inquiry goes beyond seeking to account for those unanswered questions. An inquiry will inevitably go beyond the scope of Glenn Howard's death, as it is in the public interest to ensure that adequate training and techniques are employed by police officers when dealing with vulnerable individuals. For far too long, that has been a neglected area of public policy, which has led to the undermining of public confidence in the police and accounts for some of the 614 deaths of vulnerable individuals in police custody since 1990.

Never has there been more need to evaluate the protocols in place and their adequacy to deal with mental patients who abscond. I am supported in my cause by the organisation Rethink, formerly the National Schizophrenia Fellowship. The current review of mental health legislation allows an opportunity to adopt a fresh approach to vulnerable individuals. It is hoped that positive solutions can be found to increase police awareness and training for dealing with the mentally ill. Restraining techniques should be examined constructively and modified.

It is hoped that the scrutiny demanded of a public inquiry will lead to the creation or review of nationally agreed protocols backed by the Home Office, which would govern any interaction between the police and mentally ill patients. It is envisaged that nationally agreed protocols on dealing with people suffering from mental illness and other vulnerable individuals who abscond from hospital will require health and social care staff to take lead responsibility for the return of mental patients. Glenn Howard's death demonstrates that there are genuine concerns about the extent to which mental health services have become reliant on the police to implement mental health legislation.

New mental health legislation must ensure that, where possible, the mentally ill and vulnerable individuals are dealt with by people with specific expertise or, alternatively, family members. Police involvement and restraint techniques should be minimised. When police involvement cannot be avoided, measures must be in place to ensure that officers adhere to nationally agreed training standards when dealing with vulnerable individuals. Those standards should include regular refresher courses.

In the aftermath of Glenn Howard's tragic death, the Metropolitan police have implemented new procedures to deal with individuals with mental illness, which I welcome. Such measures, however, must be implemented nationally, not just within the Metropolitan police area. For Glenn Howard's family and other people affected by similar cases, a public inquiry can bring closure, identify failings and establish solutions.

It is worth contrasting Glenn Howard's case with that of another constituent who, after failings by the local authority and a local NHS trust, was placed, with no financial assistance, in a bed and breakfast. He left without anyone noticing and, tragically, was found dead from hypothermia on a local common. After a long battle, and with much sadness and regret, his family have been able to close that chapter in their lives because the local authority and the trust accepted that mistakes had been made, apologised in writing—admittedly, the apology was extracted after much delay—and agreed an action plan with the family of the deceased. They have been able to monitor the progress of the plan; they can see that lessons have been learned from that tragic event and that measures have been implemented greatly to reduce the risk of such a sad event reoccurring.

That has not happened in Glenn Howard's case. Glenn Howard must not be just another statistic—lessons must be learned from his untimely death and his family must have their confidence restored. I trust that in learning of the manner in which he was treated, the Minister will back my call for a public inquiry into his death.

10.39 pm

The Parliamentary Under-Secretary of State for the Home Department (Hilary Benn): I am grateful to the hon. Member for Carshalton and Wallington (Tom Brake) for raising this case in an Adjournment debate; for the manner in which he presented his concerns; and for his diligence on behalf of Glenn Howard's family, to whom I offer my sincere personal condolences on their great loss. Every death in police custody is a death too many and an individual tragedy. It is right that every possible step should be taken to ensure that people are properly cared for in police custody.

For the benefit of Members present in the Chamber, the hon. Member for Carshalton and Wallington set out the circumstances surrounding the tragic death of Glenn Howard. Following those events, the Metropolitan police referred the matter to the Police Complaints Authority for supervision of the investigation into Mr. Howard's death, and Detective Superintendent Curtis was appointed as the senior investigating officer. Following consultation between the coroner and the Police Complaints Authority, the file was passed to the Crown Prosecution Service for its consideration. The CPS decided that there should be no further action for criminal proceedings.

At the subsequent inquest, as the hon. Gentleman pointed out, the jury returned a verdict of accidental death. However, the inquest jury added that

> "Glenn Howard was subjected to excessive restraint followed by an immediate and subsequent neglect of medical care and attention which resulted in a brain injury, as a result of which he later died".

In line with its policy, the Crown Prosecution Service then reviewed the decision that it had taken previously, but remained of the view that none of the police officers should face criminal proceedings.

Following receipt of the investigation report, the Police Complaints Authority—which eventually expressed itself satisfied with the quality of the investigation—directed that four officers face disciplinary charges for neglect of duty in relation to their failure to provide the necessary care to Glenn Howard and, in the case of one officer, to monitor his condition and render care to him in the van on his way to the police station and the hospital. The PCA initially recommended to the Metropolitan police that one officer face a disciplinary charge of using excessive force. Owing to resistance from the Metropolitan police and advice from counsel, the Police Complaints Authority decided against such a charge.

However, at a disciplinary hearing held in April 2002, two parts of one charge were proved against one officer in that he failed to monitor Glenn Howard's condition after he became his responsibility, and failed to make any oral or visual inquiry of Glenn Howard's state of health. The officer was cautioned. All other charges were dismissed.

The Deputy Commissioner of the Metropolitan police, Ian Blair, wrote to Barry Howard, Glenn Howard's brother, on 10 May this year to acknowledge that the level of care that Mr. Howard received from an officer monitoring his condition was "found to be wanting." Mr. Blair also extended the sympathies and sincere regrets of the Metropolitan police to Mr. Howard's family.

I am aware that, as the hon. Member for Carshalton and Wallington mentioned, Barry Howard, Glenn's brother, has raised the issue of time discrepancies between the police officers' accounts and other police documentation, particularly the computer aided dispatch—CAD—command and control system. I am also aware that Barry Howard has asserted that his brother was the victim of an unprovoked attack by the police officers.

I understand that a meeting was held in May between Barry Howard and Ian Bynoe, of the Police Complaints Authority, supported by police officers from the Metropolitan police service's directorate of professional standards to explain how the timings were obtained. Barry Howard was informed that timings on the CAD message related to when information was entered on the system, not necessarily to when events happened. Although there were differences between the CAD and the police officers' accounts, no evidence was forthcoming to corroborate a suggestion that events were other than described by the officers.

It is also the case that neither the investigation nor the subsequent inquest proceedings produced any evidence which supports the assertion that Glenn Howard was the victim of an unprovoked assault by police officers.

I very much regret that the completion of the case has taken so long. As I am sure the hon. Gentleman is aware, a number of factors have contributed to the delay. They include the following: the retirement of the original investigating officer on ill health grounds, which meant that he had to be replaced; Glenn Howard's death more than a year after his arrest meant that the original investigation had to be supplemented by further investigation; an inquest had to be completed; following the inquest, the CPS rightly had to consider the file and the inquest evidence; following the CPS decision not to prosecute, the Metropolitan police had to consider whether disciplinary action was necessary; the Police Complaints Authority disagreed with the proposals of the Metropolitan police and had to direct disciplinary action, as I have described; and the Police Complaints Authority member who initially handled the case and made recommendations to the Metropolitan police left in March 2001, which meant that another member had to familiarise themselves with a lengthy and complex matter in order to take it forward. As I said, I regret that very much, but as a result it was not possible for the PCA to send its concluding letter to Barry Howard until the disciplinary hearing was completed in April.

I note that the hon. Gentleman called for a public inquiry into the death of Glenn Howard, but I have to say that, having regard to all the circumstances, I am not persuaded that that would take us any further forward, given the investigation conducted by the Metropolitan police under the supervision of the Police Complaints Authority, although I want to return to a related point in a moment. That is not to say, however, that there are no lessons to be learned from what happened to Glenn Howard; there are, and I now wish to turn to them.

The most important thing that I can tell the hon. Gentleman and Mr. Howard's family is that we are proposing to change procedures for handling and investigating complaints against the police by introducing the Police Reform Bill. The Bill will replace the Police Complaints Authority with a new body, the independent police complaints commission. Any death involving the police or other serious incidents of possible police misconduct will be referred to the IPCC for it to make a decision on how the case should be investigated. While the IPCC will use its judgment in making that decision, a case of this nature would almost certainly lead to an investigation undertaken by its staff, independently of the police.

Tom Brake: I thank the Minister for giving way. He may be about to deal with this point, but can he give any guarantees or outline as to how long such a process would take? One of the key concerns in this case is the duration of the investigation and the possibility that a body of evidence might have been lost in the four years or more since it began.

Hilary Benn: I entirely understand the hon. Gentleman's point about the time that has been taken, which is why I have expressed my regret.

In comparison with the current system for investigations under the Police Act 1996, the Police Reform Bill will ensure greater involvement of the complainant or next of kin in the investigation; greater openness in disclosing materials to the complainant or next of kin; more effective powers to direct that disciplinary charges be laid against police officers; the ability to attend the disciplinary hearing and, if the IPCC representative chooses, the option either to present the case against the officer himself or herself or instruct counsel to do so; and, in relation to IPCC investigations, greater independence of the person carrying out the investigation.

Better communication with the family will be achieved by placing a statutory duty on the IPCC and the police to keep the complainant informed throughout the investigation and also by allowing the investigation report to be disclosed to the complainant, subject to a sensitivity test. In this case, as the hon. Gentleman will be aware, and as the law currently stands, the disclosure of the report is entirely at the discretion of the Commissioner of Police of the Metropolis, but in view of the nature of the concerns that he expressed, I will convey them to the commissioner in drawing his attention to this debate.

[Hilary Benn]

While we await those new arrangements, other changes are also occurring. First, within the Metropolitan police, the internal investigations command now has responsibility for the investigation of deaths following contact with the police. The specialist investigations unit now has four teams on call 24 hours a day to respond to and investigate critical incidents. A detective chief inspector who acts as the senior investigating officer leads each team. All the senior investigating officers have attended a development course that includes training in family liaison, exhibit handling and other investigative and detective skills.

Secondly, as I think the hon. Gentleman acknowledged, last year, the Metropolitan police service launched two initiatives aimed at further reducing the number of deaths. It recruited a nursing manager and six nurses to work in the custody suite at Charing Cross police station to advise custody officers, as well as those undertaking risk assessments, of points that they should bear in mind in relation to detainees. It also produced a training video highlighting some of the medical emergencies that can arise in arrests, such as when prisoners swallow drugs or struggle when restrained.

Thirdly, police forces across the country are taking a wide range of actions to seek to reduce deaths in custody. Those include safer custody facilities, improved training, closed circuit television monitoring and an emphasis on better care, assessment and supervision of detainees.

Fourthly, because since April 1996 there has been a small number of deaths in police custody where restraint may have been a factor, there has been a continuing review of appropriate restraint techniques. Police officers are trained in a number of restraint methods but must use those only within the law: when they have a power to do so and when it is reasonable and necessary to do so. In addition to the skills training they receive, officers are taught about the relevant law and told that they may be called upon to justify their actions.

Finally, in relation to the last point that the hon. Gentleman raised, steps are being taken to seek to improve police practice in relation to mentally ill individuals. The Home Office, the Department of Health and the Association of Chief Police Officers are considering the development of national protocols covering the relationship between the police and health services in dealing with the mentally ill, a point that the hon. Gentleman rightly raised.

The current review of the Police and Criminal Evidence Act 1984 codes of practice is seeking to strengthen further the protection for mentally ill detainees, particularly in terms of assessing their vulnerability and fitness for interview. In addition, the review of the Mental Health Act which is under way recognises that police cells are not generally appropriate places for assessing whether a person needs medical treatment.

In conclusion—

Tom Brake: As the Minister is about to conclude, I ask a further couple of questions. First, he said that consideration is being given to the development of national protocols. I wonder whether he can give me any idea of the time scale over which that consideration is to take place. Secondly, I was not certain what the Minister said—is he going to ask the commissioner to make the report available to me?

Hilary Benn: On the second of those points, under the law as it currently stands, it is entirely at the discretion of the commissioner as to whether to make the report available, but I have undertaken to draw to the attention of the commissioner the points that the hon. Gentleman has understandably made in relation to this case.

Tom Brake: May I rephrase it then? Will the Minister be suggesting to the commissioner that it would be appropriate perhaps for him to release the report in this case?

Hilary Benn: In drawing the attention of the commissioner to this debate, I will convey to him the concerns that the hon. Gentleman has expressed. No doubt the commissioner will also notice, as I am sure he already has, the change in the law that we are in the process of making in the House to change completely the arrangements for the disclosure of information, so that the presumption will be that the information will be disclosed, subject to the sensitivity tests that have been drawn up and are contained in the Bill. I am sure that the commissioner will carefully consider all the points that have been made in the debate.

On the second point that the hon. Gentleman raises about the time scale for the development of national protocols, I cannot answer that question this evening but I undertake to write to him about that to give him further information.

I am very sorry about what happened to Glenn Howard, and I would be grateful if the hon. Gentleman extended my sympathies to the family as they try to come to terms with their terrible loss.

Question put and agreed to.

Adjourned accordingly at six minutes to Eleven o'clock.

House of Commons

Tuesday 9 July 2002

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Postal Services

1. **Mr. Alan Reid** (Argyll and Bute): What recent discussions she has had with Postcomm regarding deregulation of postal services in Scotland. [65298]

4. **Mr. Peter Duncan** (Galloway and Upper Nithsdale): If she will make a statement on the reform of postal services in Scotland. [65301]

The Parliamentary Under-Secretary of State, Scotland Office (Mrs. Anne McGuire): The Scotland Office has regular contact with Postcomm and other organisations involved in matters connected with the operation of postal services in Scotland. Regulation of postal services is a matter for Postcomm.

Mr. Reid: Quilters on the island of Islay found last month that their prices had been almost tripled by Parcelforce. Before that Parcelforce had an arrangement with the mail order company that the quilters deal with to the effect that Parcelforce delivered to any part of the country at a uniform rate. Parcelforce has withdrawn from that arrangement and is now charging almost double for deliveries to the highlands and islands compared with other parts of the country. Will the Minister step in now and stop that discrimination against the people of the highlands and islands by the Post Office and guarantee a universal service to all parts of the United Kingdom at a uniform price?

Mrs. McGuire: The hon. Gentleman is well aware that there is a uniform delivery service for letters throughout the whole United Kingdom, but I note from the nodding on his side of the House—and, using the eyes in the back of my head, the nodding behind me—that there is an issue and I will take it up with Postcomm at our meeting next week.

Mr. Duncan: The Minister should be aware that the former Under-Secretary in the Scotland Office, the right hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), confirmed to me on 7 December that reforms would not lead to any avoidable sub-post office closures. Will the hon. Lady confirm exactly what "avoidable" means? My constituent, Mrs. Cronie, who runs the sub-post office on the Isle of Whithorn, tells me that she has no idea

> "what to expect come 2003 when the pension book disappears".

Is that not avoidable? Does it not show that the current chaos is an entirely avoidable Government policy failure?

Mrs. McGuire: As I said last month in reply to another question from the hon. Gentleman, he should stop scaremongering about some of the things that are happening. He is well aware that the Government have supported the rural post office network and that Postcomm is working closely with the National Federation of Sub-Postmasters. If he wants to talk about the postal service in his area, perhaps he would like to use in his news release this week the information that the figure for first-class deliveries in Galloway and Upper Nithsdale is one of the highest recorded—94.9 per cent; and that second-class deliveries are 93.3 per cent. That is good news about the Post Office—perhaps he would like to start telling it.

Tony Worthington (Clydebank and Milngavie): The Minister will be aware that the finances of the Post Office are very, very serious indeed and that unless there are significant reforms to the urban post office network, we shall hear a great deal of protest. Great ideas were proposed in the report of the performance and innovation unit, but they are only coming out sluggishly: talking about pilots in Rutland does not convey the urgency of the need to change post offices. Will my hon. Friend assure me that all her energy will go into speeding up the rate of reform of urban post offices?

Mrs. McGuire: I thank my hon. Friend for that question. He is well aware that there are ongoing discussions about the urban network. He should not be so dismissive about the roll-out of the pilot schemes in Rutland and Leicestershire. The schemes have to be evaluated but, as I have already pointed out, I will meet Postcomm in the next week or so, and I shall certainly raise his concerns.

Mr. Brian H. Donohoe (Cunninghame, South): When my hon. Friend meets the regulator, will she have something to say about the number of closures that have already taken place in the postal service—one of which was in my constituency and has adversely affected mail deliveries in Ayrshire as a whole? Will she bring some common sense to the situation and tell the regulator that competition in the postal service is not welcome?

Mrs. McGuire: I hear what my hon. Friend says. No doubt he will give me exact details about his question after Question Time and I shall certainly take the matter up as part of my wider discussions with Postcomm in the next few days.

Mr. Michael Weir (Angus): In the Minister's original answer, she again referred to the universal service obligation. Will she explain how the Government intend to guarantee that obligation to rural and remote areas of Scotland, given that the Postcomm proposal will inevitably lead to the cherry-picking of profitable urban services?

Mrs. McGuire: Of course I can give the hon. Gentleman and the House reassurance about the way that the universal service obligation will be protected, because it is enshrined in primary legislation in the Postal Services Act 2000.

Future of Europe

2. **Rosemary McKenna** (Cumbernauld and Kilsyth): What steps she is taking to ensure that Scottish women's views are fully represented in the debate on the future of Europe. [65300]

5. **Mrs. Irene Adams** (Paisley, North): What steps she is taking to represent Scottish interests in connection with the Convention on the Future of Europe. [65302]

The Secretary of State for Scotland (Mrs. Helen Liddell): The Government wish to encourage a wide-ranging debate on the future of Europe in advance of the intergovernmental conference in 2004. I will continue to contribute to that debate, as I have been doing. My Department is working with the European Commission office in Scotland on planning a conference on women and the changing European Union. I will also shortly discuss the subject of women and the EU with editors of the women's media, together with my right hon. Friend the Minister for Europe.

Rosemary McKenna: I thank my right hon. Friend for that answer and I congratulate her on her efforts to involve all civic Scotland—and women, in particular—in the debate on the future of Europe. Does she agree that Scotland has much to gain from a more transparent and efficient Europe?

Mrs. Liddell: I fully agree with my hon. Friend. This is a key time for crafting the future of Europe for the next decade and beyond. Everyone's positive involvement is to be welcomed. I pay particular tribute to the role that my hon. Friend has played, not least because of her involvement in Europe before she came to this place.

My hon. Friend is right. Women need to become involved in the debate. Dare I say it, as the head of an all-female Department, the macho posturing that surrounds the debate on Europe often puts many women off.

Mrs. Adams: I congratulate my right hon. Friend on achieving an all-women Front Bench. In fact, I know that we will have made gains when people comment on all-men Front Benches.

Does my right hon. Friend agree that Scotland and the Scottish economy have much to gain from enlargement of the European Union? Does she further agree that an enlarged EU will deliver most for all the peoples of Europe when the future of Europe debate produces greater accountability in Brussels?

Mrs. Liddell: I thank my hon. Friend for her congratulations, although my hon. Friend the Member for Eastwood (Mr. Murphy) is looking a little shamefaced in his place as a Whip.

My hon. Friend the Member for Paisley, North (Mrs. Adams) makes an important point of great significance to Scottish business. EU enlargement will mean that the Union will go from 300 million to 500 million consumers. That will offer great opportunities, but present great challenges. I encourage everyone, particularly those in the small business community, to look to the opportunities that enlargement can bring and to prepare for it. The benefits will be great for businesses, but the challenges are significant.

Angus Robertson (Moray): On the future of Europe, is the Secretary of State aware of the apparent efforts by the Scottish Executive to seek more independent influence for Scotland, as reported in *The Scotsman* yesterday? Can she give the House details of how independent that representation will be, assuming that Scotland does not have the full status of a normal member state? Is she concerned that the report of the Scottish Executive's initiative was described as not even second-rate spin by the Minister for Europe in this morning's Westminster Hall debate?

Mrs. Liddell: The hon. Gentleman's questions are as predictable as the appearance of a streaker at Wimbledon, and they have exactly the same purpose.

The First Minister is very much involved in the debate on the future of Europe. Indeed, he is taking a leading role. However, he of all people knows that Scotland benefits much more from being part of the United Kingdom's representation in Europe. If the hon. Gentleman looked around, he would see that we are not just well represented by the Scottish Executive in Europe, but that a considerable number of the UK Ministers who represent us in Europe are Scottish.

Mrs. Jacqui Lait (Beckenham): Will the conference of women in Scotland report to her or to the First Minister?

Mrs. Liddell: It will report to the European Commission, which is the organiser.

Mrs. Lait: I assume that it is the conference that the Secretary of State announced on 9 May that she—and not the European Union—was organising. Was she involved in the discussions between Jack McConnell and the Foreign Secretary on Scotland's voice in Europe? Why was this women's forum set up if she was not involved in the issue? Was she cut out of the loop altogether? What does it say for the future of women politicians in Scotland if Scotland Office Ministers were not involved in the discussions? *[Interruption.]*

Mrs. Liddell: A killer question indeed.

The First Minister, myself and Foreign Secretary take part in the debate on the future of Europe, because we recognise that it is a serious debate. We are united, and that is the big difference between us and the Opposition, who seem unable to agree on anything to do with Europe—whether it involves women, men or whatever.

Mr. Michael Connarty (Falkirk, East): Unlike those on the Opposition Front Bench, my right hon. Friend obviously understands Scottish politics, so will she accept that, in the convention, the question of privileged access remains to be discussed between the Scottish Executive, their civil servants and the Commission? Will she assure us that she will do whatever she can to make sure that the partnership—on which our relations with Scotland and Europe is based—will be strengthened? Will she do everything in her power to ensure that no dissatisfaction is felt by Members of the Scottish Parliament about the relationship with Europe?

Mrs. Liddell: I contacted the Deputy First Minister, who is the Minister for Europe in the Scottish Executive, and asked whether he is confident that he and his officials are getting the exchange of information that they require to process policy on Europe. He tells me that he is, but I am anxious to ensure that the very sound and stable arrangements that we have made on the joint ministerial committee on Europe are enhanced. There is little doubt among politicians who have some say in the governance of Scotland that our involvement in the European Union is significant for Scotland's future prosperity.

Common Agricultural Policy

3. **Mr. Jonathan Djanogly** (Huntingdon): If she will make a statement on the impact on the Scottish economy of the common agricultural policy in the last 12 months. [65299]

The Secretary of State for Scotland (Mrs. Helen Liddell): Agricultural policy in Scotland is a devolved matter, which rests with the Scottish Executive. Farmers in Scotland receive about £450 million a year in direct subsidy payments from schemes based on the common agricultural policy.

Mr. Djanogly: It is hardly controversial to say that the common agricultural policy is failing the British people as a whole. It hinders job creation in rural communities and the development of rural society. It makes food more expensive and works against the interests of farmers and consumers. But when the Government went to Berlin they failed to deliver on CAP reform. Will the Secretary of State confirm that she will stand up for Scottish and British farmers rather than the CAP?

Mrs. Liddell: The hon. Gentleman has got a brass neck. Anyone who supported a Government who for 18 years ducked the issue of the common agricultural policy has a cheek lecturing this Government. We began the process of CAP policy reform with Agenda 2000, and we will continue it in submissions in response to statements from the Commission that we anticipate will be made tomorrow. The CAP needs to be reformed and the Government are determined to see that it is. It is important to recognise the quality of Scottish agriculture rather than the quantity issues that dominated the debate when the Conservatives were in power.

Mr. Ian Davidson (Glasgow, Pollok): Does the Secretary of State accept that the impact of the CAP on families in my constituency has been overwhelmingly negative because it has kept food prices at least £20 a week higher than they otherwise would have been? It has also been bad for farmers because it has created a generation of them who are welfare dependent.

Mrs. Liddell: Yes, I agree with my hon. Friend.

John Thurso (Caithness, Sutherland and Easter Ross): Is the Secretary of State aware of the deep disappointment felt by many Scottish farmers last year at the failure of the Department for Environment, Food and Rural Affairs to pursue agrimonetary compensation despite the repeated entreaties of the Scottish Executive rural affairs Minister? Will she ensure that in the negotiations likely to be consequent on Commissioner Fischler's interim report, the representations made by the Scottish Executive rural affairs Minister will not be treated in such a cavalier fashion?

Mrs. Liddell: It is as well that the hon. Gentleman is a Liberal Democrat Member because people in permanent opposition do not have to make choices. Agrimonetary compensation involves choices because it comes at a cost. The Government and the Scottish Executive go to great lengths to ensure that the voice of the rural affairs Minister is heard within our counsels. The hon. Gentleman should be proud of that because otherwise he is suggesting that his colleague, Mr. Ross Finnie, is not making his case effectively enough.

Mr. Greg Knight (East Yorkshire): We welcome the right hon. Lady's admission that the common agricultural policy needs to be reformed. Is she prepared to go further and agree with the Edinburgh *Evening News* that

> "The Common Agricultural Policy is a fraud that makes Enron look like peanuts"?

Although there is clearly a case for reform, is not it essential that if plans go ahead for a 5 per cent. or so cut in cereal prices, safeguards need to be in place to prevent honest vulnerable farmers in the United Kingdom, in particular in Scotland and the north of England, from going out of business? Will she suggest to the Prime Minister that, in the negotiations that lie ahead, instead of trying to court popularity on the world stage, he for once stands up for Britain, our rural way of life and the Scottish farmer?

Mrs. Liddell: The right hon. Gentleman is not being predictable today. He usually asks me about business regulation. I wonder whether Enron, Tyco and WorldCom have convinced him of the value of regulation.

The right hon. Gentleman has a cheek. My party argued for CAP reform for 18 years, but the Government he supported did nothing about it. This Government are committed to change that is in the interests of consumers as well as farmers.

Scottish Regiments

6. **Patrick Mercer** (Newark): What recent discussions she has had with the Secretary of State for Defence regarding the future of Scottish regiments. [65303]

The Parliamentary Under-Secretary of State, Scotland Office (Mrs. Anne McGuire): My right hon. Friend has regular discussions with the Secretary of State for Defence on a wide range of defence matters. The Scottish regiments have an important continuing role in the United Kingdom's defence plans.

Patrick Mercer: I find it hard to be reassured by the Minister. With a new chapter of the strategic defence review about to be announced, it is interesting to note that the worst-recruited regiment in the Royal Armoured

Corps is the Royal Scots Dragoon Guards. Britain's oldest regiment of infantry, the 1st Regiment of Foot, the Royal Scots, already has 100 Fijians serving in its ranks. The 42nd Regiment of Foot, the Black Watch, is constantly under threat—

Mr. Speaker: Order. The hon. Gentleman cannot go through all the Scottish regiments.

Mrs. McGuire: Speaking of having a cheek, the last regiment to lose its proud name was the Gordon Highlanders, and that was disbanded in 1994 under the previous Conservative Government.

I take this opportunity to pay special tribute to 45 Commando Royal Marines, based in Arbroath, who have just returned from Afghanistan. I assure the hon. Gentleman that when I was talking to Brigadier General Robert Gordon last week, he stated that the armed forces are putting all their resources into recruitment and that the figures are comfortable enough at the moment, given an economic situation in which people have other choices. *[Interruption.]* The hon. Gentleman can say that it is not true if he wants, but I assure him that the Scottish regiments are putting a great deal of energy and commitment into recruitment and retention of forces.

Mr. Eric Joyce (Falkirk, West): Does my hon. Friend agree that the most important thing for our armed forces, to which we give the greatest challenges in this uncertain world, is operational effectiveness? Does she agree that those who would split Scotland from the UK risk that effectiveness in the gravest of ways?

Mrs. McGuire: I certainly would not like to compete with my hon. Friend on issues of defence. He is correct, and the Scottish National party's catastrophic policies on the United Kingdom would not only mean a diminution in our defence capability but impact economically on tens of thousands of jobs across Scotland.

David Burnside (South Antrim): When the Minister is defending Scottish regiments in discussions with the Ministry of Defence—I shall not list all the Irish regiments, Mr. Speaker—will she try mention the end of the royal tournament, which was once a great platform for promoting the excellence of all three sections of our armed forces? Will she ask the MOD to stop penny-pinching and bring back the public sector money to promote the royal tournament at Olympia once again?

Mrs. McGuire: I listened to what the hon. Gentleman said about the royal tournament, but if he is at a loose end in August and early September, the tattoo in Edinburgh is a good substitute.

Pyramid Schemes

7. **Mr. John Lyons** (Strathkelvin and Bearsden): If she will take steps to stop *(a)* the women empowering women scheme and *(b)* other pyramid selling. [65304]

The Secretary of State for Scotland (Mrs. Helen Liddell): The women empowering women scheme, for those who do not know about it, is a cruel con, no better than a chain letter. As soon as the chain is broken, women lose money. The arithmetic of the scheme simply does not add up, and I congratulate my hon. Friend on his campaigning on the matter because publicity is the best way to protect women from the scheme. The Government are looking at other ways to protect those who get involved in this totally reprehensible means of pyramid selling.

Mr. Lyons: I thank my right hon. Friend for her response. Will she initiate immediate discussions with the Department of Trade and Industry on how best we can combat schemes such as women empowering women, or as she has properly called it, women conning women? These get-rich-quick schemes are driving people into the arms of loan sharks all over Scotland, and I congratulate the *Daily Record* on its stance on the issue. It is important that we make it very clear that loan sharks only bring fear, despair and intimidation into our communities.

Mrs. Liddell: I could not have put it better myself—my hon. Friend is absolutely right. To call such people loan sharks is to insult sharks. They are vermin who prey on the most vulnerable in our communities. The DTI is already looking into a review of the Consumer Credit Act 1974, and the Department for Culture, Media and Sport is examining women empowering women. It is a clever scheme: it is not technically pyramid selling because there is no product involved, but that does not mean that women do not lose substantial sums. Those who think it a laughing matter should come to some of Scotland's poorer communities and see what those people are doing.

ADVOCATE-GENERAL

The Advocate-General was asked—

Ministerial Visits

26. **Mr. Michael Moore** (Tweeddale, Ettrick and Lauderdale): What the purpose was of her recent official visit to Tweeddale, Ettrick and Lauderdale. [65323]

The Advocate-General for Scotland (Dr. Lynda Clark): The purpose of the visit was to demonstrate the UK Government's continuing interest and involvement in the borders area by meeting local people involved in important borders industries such as tourism and the vibrant cashmere industry. I also accepted an invitation to attend the end of year show at Heriot-Watt university's school of textile and design in Galashiels.

In my legal advisory role, I am responsible for advising on both devolved and reserved aspects of Scots law, and it is important that I have regard to the practical implications of the devolution settlement.

The visit also enabled me to visit Abbotsford house, the home of one of Scotland's best known lawyers, Sir Walter Scott. That beautiful house is of interest to many of the international lawyers I meet.

Mr. Moore: I commend the Advocate-General for visiting the borders. Her visit was well received, not least because of her support for the cashmere industry and her attendance at the Heriot-Watt fashion show. In the past three years, it has sometimes been hard to pin down the hon. and learned Lady on her roles and responsibilities. Does her visit mean that we have trouble in the courts in the borders, or may we now table questions to her on employment, tourism and the fashion industry?

The Advocate-General: I have no trouble pinning down my role. The hon. Gentleman might get a better idea of it if he read my article in *The Scots Law Times* a few weeks ago. I am pleased that he acknowledges the fact that I, as a member of the UK Government and a Scotland Office Minister, was interested enough to come to his constituency. I have every intention of returning there if I am invited again, and I hope that he will come with me next time.

Devolution

27. **Mr. Tom Harris** (Glasgow, Cathcart): How many devolution issues she has dealt with in the last month. [65324]

28. **Miss Anne McIntosh** (Vale of York): What devolution issues have been raised with her since 11 June under the Scotland Act 1998. [65325]

29. **John Robertson** (Glasgow, Anniesland): How many devolution issues she has been involved in, in the last month. [65326]

The Advocate-General for Scotland (Dr. Lynda Clark): In the past month, 23 devolution issue cases have been intimated to me. All but two concerned article 6 of the European convention on human rights, which protects the right to a fair trial. The remaining two cases concerned, respectively, the right to education and a question of European Community law.

Mr. Harris: Following the recent legal action by the Scottish Countryside Alliance to prevent the abolition of fox hunting in Scotland, does my hon. and learned Friend believe that it is an appropriate use of her time and of public money to defend in court legislation produced by the Scottish Parliament? Does she agree that the fox hunting lobby in Scotland is using the Scottish legal system to play politics?

The Advocate-General: The case to which my hon. Friend refers is an important one, but it is at first instance—before a single judge. I have told the House on several occasions that my policy is usually not to intervene except in the higher courts, especially the Privy Council, where significant issues of principle may be decided. I intervene in the UK interest after consultation with UK Departments to ensure that their interests are taken into account.

My hon. Friend makes an important point. Any citizen or pressure group can challenge actions in the courts; that is why we have a democracy and courts. However, that does not mean that I, as Advocate-General, have to deal with those challenges. There are other interested parties, such as those who passed the legislation.

Miss McIntosh: Will the Advocate-General explain how she and the Lord Advocate came to give conflicting advice in the recent human rights and hunting case? Do they ever have occasion to meet, so that they give harmonious advice in future?

The Advocate-General: Of course we meet and we sometimes discuss the legal issues involved. One reason why we have an Advocate-General as a separate Law Officer at UK level is so that he or she can consider interests that may not have been raised by other parties. As the Scottish Parliament is being challenged by the pressure group that was mentioned earlier over the introduction of unacceptable legislation, it is not inappropriate that an interested party—me—should raise in court the issue of whether the body representing the interests of the Scottish Parliament could be heard as a party. One of my roles is to make points that other parties have not considered to obtain clarification of the law.

John Robertson: If the Advocate-General intervened in all devolution cases, what would the costs be to the taxpayer? Does my hon. and learned Friend think that that would be a waste of public money?

The Advocate-General: It will not take hon. Members long to work out that 1,500 cases multiplied by lawyers' days in court is a great deal of public money. I agree that that is not a good use of public money, bearing in mind the fact that many of the cases are heard in the lower criminal courts where, even if I succeeded in resolving the issue successfully, there would be no likelihood of obtaining awards to cover expenses. There are therefore many circumstances in which I would not regard it as appropriate to intervene in the first instance, but as I have repeatedly said, I look at each individual case as it comes to me. I also look at cases as they proceed through the courts and up to the Privy Council, if that is where they go.

LORD CHANCELLOR'S DEPARTMENT

The Parliamentary Secretary was asked—

House of Lords Judicial Committee

37. **Mr. John Burnett** (Torridge and West Devon): What plans he has to propose reforms to the Judicial Committee of the House of Lords. [65334]

The Parliamentary Secretary, Lord Chancellor's Department (Ms Rosie Winterton): The Government have no plans to propose reforms to the Judicial Committee of the House of Lords.

Mr. Burnett: Many will be disappointed by the Minister's indifference. The Government should lead, not just react. The weight of case law and opinion in recent years has been to seek a total separation of the judiciary from the Executive and legislative authorities. I should like to draw the Minister's attention to the admirable speech made by Lord Bingham of Cornhill to the Constitution Unit on 1 May 2002, in which he said:

> "But if the House of Lords is to be reformed, and even if it is not, the opportunity should be taken to reflect in institutional terms what is undoubtedly true in functional terms, that the law lords are judges not legislators and do not belong in a House to whose business they can make no more than a slight contribution."

Does the Minister agree with the senior Law Lord?

Ms Winterton: Obviously, the Government listen carefully to the senior Law Lord, Lord Bingham, but I am sure that the hon. Gentleman is aware that the Law Lords hold a number of different views about the issue. That was certainly reflected in the evidence to the Wakeham commission which, as he will know, recommended the retention of the Law Lords in the House of Lords. The Government are not convinced that there is a case for changing those arrangements, but if the proposed Joint Committee on parliamentary reform makes such proposals, the Government will consider them.

Fiona Mactaggart (Slough): My hon. Friend has just answered my question, so perhaps I can refine it. She assured the House that the Government will consider any recommendation that the Joint Committee may make. With how much energy will they consider it? The history of reform of the House of Lords is scattered with examples of people saying that they will consider something, then doing nothing. Can we have an assurance that if the Joint Committee makes a strong recommendation, that will be considered seriously and action proposed?

Ms Winterton: I certainly would not like to predict future energy levels, but I reiterate that the Government are not convinced, in any sense of the word, that there is a sufficient case for change. I repeat that the Joint Committee can make proposals, which will certainly be considered.

Rural Justice

38. **Mr. Henry Bellingham** (North-West Norfolk): When he next expects to meet members of the lay magistracy to discuss the administration of justice in rural areas. [65335]

The Parliamentary Secretary, Lord Chancellor's Department (Yvette Cooper): Magistrates courts committees are expected to recognise the needs of rural users in the delivery of their services, as set out in the rural White Paper. Officials and I continue to have meetings with various representatives of the lay magistracy. Although there are no particular plans to discuss rural issues, I am, of course, happy to do so, should concerns be raised.

Mr. Bellingham: Is the Minister aware that Tony Martin is a constituent of mine? Is she also aware that the lay magistracy was obviously closely involved in the case during the early stages? Is she aware that one of the burglars who broke into Tony Martin's house is suing him for damages that he suffered as a result of his criminality, and that in spite of his law firm offering a contingency no win-no fee basis, he is getting legal aid to take the case to court? Should not the rules be changed so that a person cannot get legal aid when a solicitor works on a contingency no win-no fee basis?

Yvette Cooper: The rules on legal aid have been clearly established to ensure that they provide for those who do not have the means to take their cases through court. Those principles are important and we must respect them. It would not be right for Ministers to take decisions on individual cases of allocation of legal aid. It is right that we have proper criteria for such decisions to be made, and we should respect those.

David Taylor (North-West Leicestershire): As a member of the Magistrates Association and of the supplemental list of the Ashby-de-la-Zouch Bench in Leicestershire, I can tell the Minister that conversations with colleagues suggest a deep unease about the medium-term future of rural magistrates courts in the light of various pronouncements by the Lord Chancellor's Department and the Home Office. Can she give them some reassurance that the continuing loss of power and the pressure for more remote and large-scale centralised courthouses will be stopped in their tracks, and that there is indeed a future for the rural courthouse, which does not seem clear at present? Are my colleagues right to be pessimistic?

Yvette Cooper: It is important that decisions about courthouses and the provision of services at the local level be taken as far as possible at the local level, by the people who have the experience and the knowledge of local circumstances. That should continue. It is part of the current system that it is a matter for magistrates courts committees in the first instance to make decisions about court venues and where services should be provided. We need to retain such local decision making. It is also important that rural decisions are taken into account. We have reflected on the proposals in the rural White Paper and magistrates courts committees are expected to use the rural proofing check list set out by the Countryside Agency.

Mr. David Heath (Somerton and Frome): The Minister's support for the concept of local justice in rural areas is widely welcomed, but local courts are closing on an almost weekly and monthly basis, not least in my own town, Frome. There are proposals to close the court in Frome, which means that people will have to travel anything up to 30 or 35 miles to their nearest local court. The usual response from the Lord Chancellor's Department is that this is purely a matter for local magistrates courts committees, but I do not believe that every magistrates courts committee in the country is engaged in a conspiracy to close local rural courthouses. Will the Minister give new guidance to magistrates courts committees to make sure that we have local courthouses providing a service to local rural communities?

Yvette Cooper: Magistrates courts committees have been given clear guidance, particularly about the need to take account of the requirements of rural areas. It is the magistrates courts committees' responsibility to decide on the use of courthouses for magistrates services in their area. It is important that those decisions should be taken at the local level. We should consider what further partnership arrangements can be put in place to ensure better working between, for example, magistrates courts, the civil and family courts and the Crown court to promote access to justice in the local area.

For example, the proposals on the civil and family courts will involve the opening of 37 new venues in areas that do not currently have civil and family court services, such as Selby in North Yorkshire and the Isles of Scilly. That means an increase in access for people in those areas. We take that very seriously in the Department.

Mr. Simon Thomas (Ceredigion): The Parliamentary Secretary mentioned civil courts. Will she tell my constituents whether she would be prepared to travel 80 miles to discuss her civil court case?

Yvette Cooper: Obviously, I do not know the details of the case to which the hon. Gentleman refers. Certainly, the proposals that have been set out as part of the civil and family courts modernisation programme are intended to increase the number of local hearings that are taking place. It is important that we do that, but we must also recognise that the decisions that are taken must take into account a series of other issues, including, for example, the need to ensure the availability of appropriate facilities and access for disabled users. I am very happy to look into the individual case that he mentioned, but I think that the record of the Government's recent proposals shows that they have been about increasing access to civil and family hearings, rather than the reverse.

Mr. William Cash (Stone): Does the Minister accept that her trying to sound reasonable does not necessarily mean that she is being reasonable in putting across her arguments? Does she agree that there is increasing evidence that the 28,000 unpaid members of the lay magistracy, including many in rural areas, are in a deepening crisis and are getting angry? There is a vast number of unpaid fines and court closures and mergers are on the agenda, rather than the meting out of justice. As one resigning JP said yesterday in the press:

> "I am going because I am disillusioned with the system . . . I have been presiding over the collection of debts like a car park attendant."

With crime shooting up and criminals getting away scot free in magistrates courts, what does the Minister propose to do about that?

Yvette Cooper: I do not agree with the points that the hon. Gentleman makes. Lay magistrates play a vital role in the justice process in this country and are an extremely valued part of that process. There are indeed wide variations in issues such as fine enforcement that need to be addressed and we will shortly set out measures to take that further.

I warn the hon. Gentleman against trying to make party political points about issues such as court closures. In 1996, the last year of the previous Administration, 20 magistrates courts closed and many of them were situated in rural areas. Courts were closed in places such as Llangollen, Thirsk, Ingleton, Easingwold, Howden, Market Weighton and so on; we could go on. These are important issues that need to be decided locally, but I warn him against trying to make inappropriate party political points about the matter.

Information Technology

39. **Norman Lamb** (North Norfolk): If he will make a statement on the development of IT systems within his Department. [65336]

The Parliamentary Secretary, Lord Chancellor's Department (Yvette Cooper): Current IT systems in the courts are limited in scope and in their ability to communicate with other parts of the justice system. That is why the Department has started a major programme of IT modernisation, beginning with providing IT infrastructure and networks for court users and developing online services for the public and pilot programmes in new technology.

Norman Lamb: May I ask the Minister about the Libra project? Back in May, there were reports that the whole project was to be abandoned at a vast cost to the public purse. It was supposed to be a vital part of the Government's modernisation process for the courts. Will the Minister tell us what the current situation is with regard to the project and ensure that matters proceed quickly, as court staff are getting frustrated by the endless delays?

Yvette Cooper: The hon. Gentleman raises an important issue. There are two parts to the Libra project. The first part—providing the modern infrastructure and computer equipment for magistrates courts—is 75 per cent. complete and the remainder will be completed by early next year. The second phase is the new standard software application, which was not delivered by the supplier when planned. We are in negotiations with the Libra supplier, Fujitsu Services, to resolve the situation, and I will inform the House of the outcome of those negotiations as soon as they are complete. I take on board the point that has been raised.

Mr. Andrew Miller (Ellesmere Port and Neston): May I commend to the House last night's meeting of PITCOM, the Parliamentary Information Technology Committee, in which three senior police officers spoke to hon. Members about IT issues in the criminal justice system? It was a very worthwhile event. One comment made to me behind the scenes was about how much progress had been made in the criminal justice IT system. I congratulate the Department on that, but will my hon. Friend ensure that in all future procurement, work is done closely with the customers—the people who do the work at the sharp end—to ensure that procurement meets their needs?

Yvette Cooper: My hon. Friend is right that procurement needs to be undertaken in close co-operation with the customer. In the criminal justice system, that means not only the particular customer who will be using the system, but the other criminal justice agencies that they may need to communicate with. We have to ensure that systems are compatible and work well in communicating between the various agencies.

Knutsford Crown Court

40. **Mr. George Osborne** (Tatton): When he will announce his decision on the proposed closure of Knutsford crown court. [65338]

The Parliamentary Secretary, Lord Chancellor's Department (Yvette Cooper): As the hon. Gentleman is aware, the public consultation on the possible closure of the crown court at Knutsford ended on 31 May. The group manager responsible for the court is considering whether a formal case for closure should be presented to the Lord Chancellor. I understand that the group manager expects to complete his considerations over the summer.

Mr. Osborne: I thank the Minister for that answer. She will be aware of the enormous opposition to the closure from local people, local law professionals and local Members of Parliament of all parties. Through an Adjournment debate and a petition, I was making great progress with the Minister's predecessor, but then he was moved—or sacked, depending on how one interprets the newspaper reports of what happened to him—so I have to start all over again. Will she at least approach the matter with an open mind and consider the arguments, not just go along with the Department's initial proposals?

Yvette Cooper: I assure the hon. Gentleman that I will meet him and other hon. Members from the local area to hear their views. I have not yet received official advice or recommendations on the future of Knutsford crown court. I shall certainly meet the hon. Gentleman before the summer recess to discuss it.

PRIVY COUNCIL

The President of the Council was asked—

Reception Arrangements

49. **Mr. Ben Chapman** (Wirral, South): If he will make a statement on arrangements for receiving members of the public at the House. [65349]

The Parliamentary Secretary, Privy Council Office (Mr. Ben Bradshaw): Improvements to arrangements for receiving the public at Parliament have already been made, and more are planned. A feasibility study is shortly to make recommendations on a new visitor centre for the public.

Mr. Chapman: Does my hon. Friend agree although the prime determinant of the public's perception of our parliamentary democracy may be what we do in this Chamber and how we do it, arrangements for the reception of visitors are an important element? Does he accept that we have not done as well as we might have done in the past as regards queueing arrangements, line of route tours, refreshment facilities, and so on? Does he recognise that my constituents have a round trip of more than 400 miles to come here, so we need to get those arrangements spot-on?

Does my hon. Friend acknowledge that although the steps that have been taken so far are very welcome, as is the feasibility study that he mentioned, there is a lot more to be done? Will he assure me that those matters will be moved forward and kept constantly under review?

Mr. Bradshaw: Yes, I should like to offer my hon. Friend that assurance. Every hon. Member has had similar experiences with constituents who come to this building, which was not designed as a building for a modern, functioning Parliament. That affects not only us, but members of the public, who nowadays expect it to be accessible. Improvements have been made, including the new screens and new reception desk in Central Lobby, screens at St. Stephen's entrance—which should help with new guiding arrangements—and the new Jubilee café. From the point of view of visitors who have to wait outside in our monsoon summer weather, the feasibility study's recommendations on a visitor centre will make a great deal of difference.

Sir Patrick Cormack (South Staffordshire): Does the Minister agree that extra morning sittings will hardly make the place more accessible?

Mr. Bradshaw: Not necessarily, but if any suggestions regarding extra morning sittings were to be made, one of the matters that would have to be taken into account is the impact that they would have on the public accessibility of this place. However, other Parliaments sit in the morning and manage to be much more accessible than we are.

Modernisation

50. **Julie Morgan** (Cardiff, North): What plans he has to propose to the Select Committee on Modernisation of the House of Commons that there should be time limits on speeches in all debates in the House. [65350]

The Parliamentary Secretary, Privy Council Office (Mr. Ben Bradshaw): My right hon. Friend will make further suggestions to the Modernisation Committee on time limits for speeches. In his earlier memorandum, he suggested that there could be advantages if debates were shorter in length but greater in number. That would imply shorter speeches.

Julie Morgan: I thank my hon. Friend for that reply. Does he agree that 10 minutes is perfectly adequate for hon. Members to make all the points that they wish? A general 10-minute time limit would give more hon. Members the opportunity to take part and thus end the frustration of sitting in the Chamber for many hours without being able to contribute except through interventions. Will he look into that?

Mr. Bradshaw: Yes. That is an excellent point. You already have discretion, Mr. Speaker, under Standing Orders to set a time limit for speeches. As a radio journalist, I was taught that one should be able to make one's point in 40 seconds. I am not expecting hon. Members to be able to do that, but I hope that they can be much briefer.

Mr. Douglas Hogg (Sleaford and North Hykeham): Will the Minister consider introducing proposals to ensure a reduction in prolixity in questions and replies during Question Time and statements?

Mr. Bradshaw: The right hon. and learned Gentleman must forgive my ignorance. I assume that the question dealt with the length of questions and answers. If so, I agree with him. Questions and answers as well as speeches are invariably far too long.

Scrutiny

51. **Dr. Howard Stoate** (Dartford): What plans he has to present proposals to improve scrutiny of Government legislation. [65351]

52. **Kevin Brennan** (Cardiff, West): What plans he has to ensure that more Bills in the next session are subject to pre-legislative scrutiny. [65352]

The President of the Council and Leader of the House of Commons (Mr. Robin Cook): I set out my proposals for better scrutiny of legislation in my memorandum on modernisation, which is currently being studied in the Modernisation Committee. A key proposal is that, over a period of time, publication in draft should become the norm rather than the exception for Bills, thus enabling more to be the subject of pre-legislative scrutiny. It would be possible to arrange for longer and more thorough scrutiny of each Bill if the House agreed to carry over measures into subsequent Sessions.

Dr. Stoate: I found serving on the Pre-legislative Committee for the Food Standards Bill rewarding and that I was more in touch with the programme for the measure. The Committee was able to improve the Bill before the House considered it and we therefore debated better legislation. Will my right hon. Friend use his best efforts to ensure that as many hon. Members as possible can take part in pre-legislative scrutiny and thus secure the widest possible representation?

Mr. Cook: I agree with my hon. Friend that one of the advantages of pre-legislative scrutiny is that it ensures that several problems are snagged out before the Bill comes before the House and that the relevant Department has a fair and accurate idea of hon. Members' views.

Pre-legislative scrutiny is first a matter for the relevant Select Committee. It is a great advantage that hon. Members who are most expert on a topic examine the draft Bills. However, that requires the Select Committees to accept pre-legislative scrutiny as an obligation to which they should give priority. From time to time, we can consider other methods of pre-legislative scrutiny, for example, through a Joint Committee, which is currently considering the Office of Communications Bill.

Kevin Brennan: My hon. Friend the Member for Sheffield, Heeley (Ms Munn) and the hon. Member for North-West Norfolk (Mr. Bellingham) served on the Special Standing Committee that considered the Adoption and Children Bill. We all accepted that it was useful to be able to take evidence before considering a Bill. Does my right hon. Friend agree that that procedure should be applied to all major Bills? Does not it have the advantage over Select Committees of ensuring that the latter maintain their independence when considering departmental matters?

Mr. Cook: I am not sure that I accept that a tension or conflict exists between the two methods of proceeding. I do not understand why a Select Committee should not undertake pre-legislative scrutiny and, when appropriate, we should not provide for a Standing Committee to call evidence. I agree with my hon. Friend that a Special Standing Committee has advantages. I regret that we have been able use that method for only one Bill—the Adoption and Children Bill—in the Session. I should like more Standing Committees to have the freedom to call witnesses if they choose. The speed at which we are required to get Bills through the House to fit the current sessional straitjacket stands in the way of that. If Bills could be carried over from one Session to the next, we could have more Special Standing Committees.

Mr. A. J. Beith (Berwick-upon-Tweed): Does the right hon. Gentleman recognise that, even with pre- legislative scrutiny, many clauses and Government amendments pass into law without debate because they fall victim to programme motions or the House's failure to manage the business properly? Does he agree that a strong business committee with some independence of Government should be in a position to manage business and to ensure adequate time for proper discussion?

Mr. Cook: I fully accept that there should be adequate time both in Committee and on Report for hon. Members to focus on the main provisions of a Bill. That does not necessarily mean that we have to spend an equal amount of time on every clause, which is why it is helpful to have programme motions that ensure that there is a considered view on where the priority areas of debate within a Bill should be. As I have said, I would welcome a situation in which we could provide for more time for Bills to be considered, but to do that, I need a longer time perspective. That is where the carrying over of Bills could be not only of value to the business management of the House but of real benefit to Members carrying out their job of scrutiny.

Mr. Greg Knight (East Yorkshire): Will the right hon. Gentleman promise that, in any reforms to improve scrutiny, he will use the Oxford dictionary definition of the word—"a critical, close investigation"—and that he will not base any reform plans on what appears to drive most new Labour Members, namely a desire for short debate, shorter speeches, early nights, long weekends, deferred voting and a further curtailment of opposition rights?

Mr. Cook *rose—*

Mr. Knight: I have not finished. Is the right hon. Gentleman aware that when my party was in power, all the reforms that we implemented under the Jopling proposals were introduced by consent, following usual channels agreement between the Government and the official Opposition? Will he give the House an undertaking that he will do the same?

Mr. Cook: I seem to remember from my many years in opposition frequent occasions on which I turned up in the House to vote against guillotines on which there had been no consultation, and certainly no consensus between us and the Conservatives, who were then insisting on ramming through their legislation, including a number of Bills—such as the one that introduced the poll tax—which they lived to regret.

Through the Modernisation Committee, we are introducing a balanced package that will provide for improved scrutiny rights for the House, and will not just be about making life easier for Members of Parliament.

Indeed, the purpose of modernisation is not to make life easier, but to enable Members of Parliament to do their job more effectively. Personally, I think that that might well involve starting the day in Parliament at an earlier hour and making sure that we return to this place in September. I hope that I will get the right hon. Gentleman's support for that.

Ms Meg Munn (Sheffield, Heeley): Does my right hon. Friend agree that, in addition to taking evidence from experts in the pre-legislative scrutiny process, there is a lot to be said for taking evidence from practitioners who have experience of the issue being discussed, and who will ultimately be implementing the law? Does he agree that such consultation could result in our being less likely to make laws that are difficult to implement?

Mr. Cook: I totally agree with my hon. Friend. Proceeding by pre-legislative scrutiny, or by Special Standing Committee—or, indeed, both—gives those outside the House the opportunity to comment. It is important for us to remember that pre-legislative scrutiny is a matter not only for MPs but for the wider civic community and for all those involved in the topic under consideration. If we can ensure that that process works satisfactorily, we might have fewer errors on the statute book of the kind of which there were many during the 18 years of Conservative Government.

HOUSE OF COMMONS

The hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission was asked—

Air Travel

53. **Mr. Anthony Steen** (Totnes): If he will make a statement on arrangements made between the Transport Office and the House of Commons Commission in relation to the purchase price of airline tickets. [65353]

Mr. Archy Kirkwood (on behalf of the House of Commons Commission): The Travel Office is contractually obliged to offer its customers advice on best fare availability. To maximise value for money to the House, there is an agreement between the House and British Airways on special fares booked through the Travel Office for group travel on official business. Following the withdrawal of agency commissions by British Airways, however, a modest transaction charge has been levied on British Airways tickets purchased from the Travel Office to avoid subsidising private travel from public funds.

Mr. Steen: Is the House aware that, every time anybody buys such a ticket from the Travel Office, they pay a 5 per cent. surcharge? If a Member is travelling on official or parliamentary business, that 5 per cent. surcharge is paid for by the taxpayer. On purchases from any airline other than British Airways, the travel agent's commission is paid for out of the ticket price, but British Airways levies a surcharge.

Why should the taxpayer pay that surcharge because the House flies British Airways? I am a great supporter of British Airways, as we all are, but why should the taxpayer pay that extra 5 per cent? Does the hon. Gentleman agree that, until that surcharge is lifted, we should fly with any airline other than British Airways, because it is cheaper for the taxpayer?

Mr. Kirkwood: The Travel Office is there for the convenience of the House. It is there predominantly so that Members—including members of Select Committees—and Officers of the House can travel on official visits using public funds. Because of the way the Travel Office is financed, however, if the 5 per cent. transaction charge were not levied, the taxpayer would, in effect, be providing a subsidy to private users of the office. I would say to the hon. Member for Totnes (Mr. Steen), however, that these matters are always under consideration, and if other airlines can provide similar value for money and equal flexibility of service, any bid from such an airline could be considered in due course.

Retail Savings (Sandler Review)

3.30 pm

The Financial Secretary to the Treasury (Ruth Kelly): With permission, Mr. Speaker, I shall make a statement about the Sandler review, published this morning, and the Government's preliminary reactions to it.

Twelve months ago, the Government asked Ron Sandler to review the market for medium and long-term retail savings, and I am extremely grateful to him for his work in producing the report. The remit of the review was

> "to identify the competitive forces and incentives that drive the industries concerned, in particular in relation to their approaches to investment, and, where necessary, to suggest policy responses to ensure that consumers are well served. It will look at the applicability of the principles of investment proposed by the Myners review of Institutional Investment."

Ron Sandler's recommendations have the potential to bring benefits for consumers and the retail investment industry and to improve the workings of the market. They will mean more competition, greater efficiency and more productive investment. That builds on the agenda that we started in 1997, introducing individual savings accounts; charges, access, terms standards; and stakeholder pensions as simple, easy to understand savings vehicles. They also build on our agenda to improve effectiveness and competition in financial markets.

The review proposes a set of simple, safer investment products that it calls "stakeholder products". Those products would have a strict cap on charges, restrictions on investment profile and the ability to exit easily on reasonable terms. As regulation would be built into the products themselves, firms would be allowed to sell them through a streamlined system of sales regulation. That would make it profitable for providers and distributors to sell to a wider range of less-well-off people; it would encourage people to save.

The review shows how the sales process for investment products can be costly and time consuming, disenfranchising many on low and middle incomes from investment that would benefit them. Shifting the burden of regulation from the sales process to the products themselves for products aimed at the smaller investor would help to improve access to saving without sacrificing consumer protection.

For people with more sophisticated investments, more complicated products may of course still be appropriate. Those products would not replace, but complement, the existing market, and for many products, the current regulatory approach should remain.

Building on the review's suggestions, we shall be consulting consumer representatives, the industry and the Financial Services Authority on those stakeholder products and their design. We shall be working closely with the FSA, which will separately want to consult on the regime for their sale.

I should stress that seeing the value in simpler products with simpler sales regulation does not mean that we do not value financial advice. On the contrary—the review presents a challenge for the industry and others to think radically about how they provide advice. Advice is too often understood as an adjunct to a sale, not something valued in its own right. As a result, it is perceived as costly, time-consuming and inaccessible to those on low incomes, but it simply is not the case that only the wealthy need or would benefit from advice.

The review's proposals ought to make it possible for the industry to offer to the mass market good-quality, high-level advice that helps people to understand their financial needs and the products that can meet them as a complement to the sale of stakeholder products. I look forward to the industry's response.

Those on lower incomes also have a need for financial advice. Citizens advice bureaux and other money advice centres across the country offer good-quality, impartial advice to many people in financial difficulty. People have argued that their remit should cover financial advice more generally. I am pleased to say that the FSA has offered to fund research into extending the role that those organisations might be able to play. I welcome that, and look forward to seeing the results.

The review proposes reform to with-profits policies, and describes an "ideal model" of with-profits policy. It would still allow the smoothing features that so many investors have found valuable, but it would be transparent, allowing investors to understand and choose the policy that is best for their needs. It would also clearly separate out the policyholders' and shareholders' interests that are currently intertwined in the dominant 90/10 model.

The review does not propose that every aspect of the ideal model should be mandatory, except for a with-profits policy sold as part of the stakeholder suite of products, but it does suggest that much of the transparency of the ideal model could be brought to existing with-profits policies.

With-profits policies are a huge feature of the British savings landscape. Many people have valued, and will continue to value, the ability to smooth out investment returns, so change in this market cannot come over night, but with-profits policies do need to change. Indeed, the FSA and the industry have begun this process already in their recent work. The review has proposed a balanced approach that I believe represents an opportunity to move to a new, stable future for the with-profits market. The FSA will be consulting on the review's proposals on with-profits, which build on its earlier work, as part of its continuing consultations on with-profits.

The review strongly supports the FSA's proposals to reform the market for the distribution of investment products. It also has some specific recommendations about the way in which independent financial advisers should be remunerated.

It will be for the FSA to consider the review's recommendations as part of its own consultations on reforming the "polarisation" system, but they have the potential to bring big benefits of increased choice for the majority of consumers currently investing through the "tied" channels, which offer the products of only one provider.

The review proposes an increased and ring-fenced consumer education budget for the FSA and better co-ordination of the Government's work for financial education. The FSA has welcomed this suggestion, and will consult on whether to increase its consumer education budget. The Treasury meanwhile has already begun work to co-ordinate the Whitehall effort devoted to financial education.

[Ruth Kelly]

Clearly, many consumers find the retail savings market complex and hard to understand. One answer to that is to simplify the market, but the essential complement to simplification is to create better financial knowledge and awareness among consumers.

The review proposes a set of investment principles for providers of retail investment products, which builds on the approach taken in the Myners review. It proposes that disclosure should in most cases be voluntary. The Government agree that disclosure should help to produce a more transparent, better-informed and hence more competitive market. We will be taking that proposal forward in consultation with consumer representatives, the industry and the FSA.

Finally, the review contains a broad-ranging analysis of the impact of the taxation system on the savings industry, and urges that the system be as simple as possible. It makes a number of proposals on specific current tax rules, which include abolishing qualifying life policies and the 5 per cent. tax deferred withdrawal rule for life insurance policies; equalising treatment with respect to exemptions from VAT on fund management fees; simplifying the pensions tax regime; and considering changing the rules for individual pension accounts and others.

We shall consider the review's proposals on tax as part of the Budget process in the usual way. In so far as Ron Sandler's proposals relate to pension saving, they will also be taken forward in the context of the Government's proposals on pensions, which we will set out in the autumn. The Government believe that Ron Sandler has tackled long-standing concerns about with-profits policies, and has given the industry the opportunity to draw a line under the problems of the past and to build a new, stable future for with-profits.

We believe that Ron Sandler has produced proposals that have the potential to produce a simpler, more transparent and more competitive retail investment industry. His proposed stakeholder products will be easier for people to understand, and viable to sell to a wider range of less-well-off people. That can only help to meet our ambition to raise the level of long-term saving.

Mr. Michael Howard (Folkestone and Hythe): For the avoidance of doubt, I draw attention to my declaration in the Register of Members' Interests. I express my gratitude to the Financial Secretary for giving me advance sight of her statement.

I welcome the Financial Secretary to the Dispatch Box. It was very brave of her to volunteer to make the statement—if, indeed, she did volunteer. It was rather less brave of the Chancellor not to volunteer himself. After all, it was the Chancellor of the Exchequer who once made this issue his own. Was it not the Chancellor who promised in opposition in 1995 to find new ways of making saving more long term, to widen savings to more people and to link the need for savings for investment to the need for people to save for their retirement? Was it not the Chancellor who promised in government five years ago that the measures he was introducing would encourage more people to save? Was it not the Chancellor who twice set a performance objective to promote a fair and efficient tax and benefit system with incentives to save?

Why has the Chancellor not come to the Dispatch Box to explain his progress—or lack of it—in fulfilling those promises? Why is he not at the Dispatch Box to defend the stakeholder pensions that he pioneered, and to explain why they have reached just 100,000, which is all of 2 per cent. of the target market of 5 million people? Why is not the Chancellor at the Dispatch Box to defend his pensions tax, which yields £5 billion a year and costs pension funds a total of £100 billion—equivalent to £400 being taken in tax from every single contributing member of a pension scheme every single year? Was it not the Chancellor who advised the Prime Minister just three weeks ago to justify that tax on the basis that there had been a massive increase in the stock market over the last five years, a statement that was not true then and is not true now?

Is it not the case that five years into this Chancellor's stewardship of the economy, we have a crisis in pensions and a collapse in savings? Is it not the case that the savings ratio is predicted this year to reach an all-time low—

Dr. Nick Palmer (Broxtowe): On a point of order, Mr. Speaker.

Mr. Speaker: I take points of order after the statement.

Mr. Howard: Is it not the case that the savings gap for retirement has been put at at least £27 billion this year? Is this crisis in savings and pensions not a crisis over which this Chancellor has presided, a crisis that he has promoted, a crisis that he has, in large part, caused and a crisis that, it seems, he has now asked his Financial Secretary to explain? The Chancellor, in large measure, created this crisis, but he is not man enough to come to the Dispatch Box to apologise for it.

The criteria against which the Sandler proposals should be judged are whether they, unlike Government policies to date, will help to reinvigorate the savings and pensions markets and whether they put the consumer interest first. We welcome many of the proposals, including those that would increase the amount of consumer education, those that would increase the transparency of with-profits polices and those that would simplify the sales process. Simplicity and cheapness are, of course, desirable objectives. But have not we seen with stakeholder pensions that simplicity and cheapness do not always, by themselves, succeed?

How will the Financial Secretary ensure that, unlike stakeholder pensions, these measures will indeed cater for people on low or moderate incomes? How will she ensure that the limitation on returns will not adversely affect the provision of capital for the industry in this country, thus narrowing the range of choices available to consumers? How will she ensure that the call for tax simplification, which is welcome, is not used as a back door to increase taxes yet again? What effect does she think the new model for independent advice would have on the number of advisers? Is there not a danger that many of them will be encouraged to become multi-tied agents, with a loss to consumers of access to independent financial advice?

Is not the most fundamental question that the Financial Secretary needs to address the collapse in confidence in the ability of this Government to get anything right in this area? Was it not this Government who needlessly abolished PEPs and TESSAs? Is this not the Government who introduced pension credits, described by the right hon. Member for Birkenhead (Mr. Field) as creating a form of permanent serfdom and sending out to potential savers the message, "The more you save, the less you get"?

Is this not the Government who cook the books time after time? Only last week the Secretary of State for Work and Pensions was obliged to come to the House to apologise for the fact that the Government had overestimated by no less than £35 billion last year alone the amount being saved by the people of this country for pensions? Having acknowledged that error, instead of giving us the correct amount, the Government's response is to recalculate the figures on a different basis so that no direct comparisons can be made.

Today, the Financial Secretary has been like the man who follows the horses at the Lord Mayor's show. But she has not been following the horses; she has been following the Chancellor, who sits there brooding in silence, afraid to come to the Dispatch Box, content for her to face the music. Five years after his fine words on savings, the finger of blame would not point to savings providers or to pensions advisers, but fairly and squarely to the Chancellor himself.

Ruth Kelly: Let me begin by saying that the right hon. and learned Gentleman has vast experience in this House—much greater than mine. I am surprised to hear him make such petty and insubstantial points about what is a very serious report. On process, he knows better than most that it is the tradition among financial services Ministers to make statements about financial services. Indeed, I believe that he himself spoke to the House on such matters as a financial services Minister. I would have thought that he might welcome my coming to the House at the earliest opportunity to speak about these serious issues.

It was this Government who volunteered the statement; the right hon. and learned Gentleman did not ask for it. The truth is that he wants to concentrate on process because he has nothing to say about substance—at least, nothing that he wants people to know about. He does not want to mention his policies to privatise the basic state pension, to scrap the minimum income guarantee, or to abolish the pension credit. He certainly does not want to talk about his record in government: pensions mis-selling, the halving of the state earnings-related pension scheme, and increased pensioner poverty.

I shall deal with each of the points that the right hon. and learned Gentleman made. He referred, as is usual on these occasions, to the abolition of tax credits for pension funds. He knows that the abolition of such credits was part of wider corporation tax reforms, which injected an extra £3.5 billion into the system through cuts in corporation tax and removed a major distortion in the tax system, and which will provide a positive climate for long-term investment. He certainly does not propose to reinstate those tax credits; if he does, let him say so today.

The right hon. and learned Gentleman pointed to the fall in the savings ratio, but perhaps he should understand that gross household savings have remained robust over the past five years. Indeed, according to the Association of British Insurers—the figures were used by Ron Sandler in his report—in respect of total household spending on life and pension products, total long-term savings increased by 15 per cent. in real terms between 1997 and 2000, compared with the previous period, when his party was last in government. The problem is that, as the Sandler report correctly indicates, savings behaviour has increasingly become skewed towards higher-income households. Today's report is a serious attempt by Ron Sandler to identify the reasons why low and middle-income households have been disenfranchised from the savings process.

The right hon. and learned Gentleman made one or two serious points about the report, and I welcome his approval of some of the serious measures contained in it. He asked about the future of financial advice. The report provides an opportunity for the industry to think seriously and radically about how it can provide real financial advice that meets the needs of ordinary low and middle-income earners, and about how it can turn advice into a commodity that is valued and trusted by consumers. I welcome the fact that the FSA has offered to fund research into how that might be made possible.

The proposals that we set out in the report deal with the savings gap for tomorrow's pensioners, just as this Government are tackling pensioner poverty for today's pensioners. Is not the truth that the only alternative that the right hon. and learned Gentleman can offer is a record of failure in government and a set of extreme proposals in opposition?

Mr. John McFall (Dumbarton): I thank the Minister for her statement. Does she agree that this is a wake-up call for the industry in the light of past financial scandals? We need to restore people's faith in saving, so that they can close the £27 billion gap. Does she also agree that, if the recommendations are pursued constructively, we could open up a mass market in which ordinary people can buy simple, transparent and less sales-regulated products? At the moment, the lack of such products is hindering the development of that market.

Ruth Kelly: I thank my hon. Friend for his comments. As Ron Sandler correctly indicates, the advice process has increasingly disenfranchised low and middle-income consumers, because it is geared towards the regulatory structure and the tax treatment of individual pension and life insurance products, rather than the real pension needs of individuals. The report offers a major opportunity for the industry to fill that gap and I look forward to working with the Treasury Committee and others in the House who are interested in the serious proposals contained in the report, to see how we can take the agenda forward.

Dr. Vincent Cable (Twickenham): I welcome the thorough review, the statement and the practical proposals on low-income saving. Do the Government agree with the hard-hitting assessment that Sandler makes of the industry as opaque, uncompetitive, characterised by commission-driven selling, and—as the Consumers Association put it this morning—full of bad products and bad advice? How will the Government address the 20 per cent. savings gap? The industry cannot fill it; Sandler says that tax incentives should not be used; and the Government do not wish to use compulsion, so what options are available to fill the savings gap—and have the Government set the targets to do it?

I welcome the pilot studies for offering financial advice through the citizens advice bureaux, which is a very good initiative. However, do the Government not feel that that

[Dr. Vincent Cable]

is something that the industry should part-fund in order to restore confidence in financial advice? What we need now is the nationwide availability of pro bono—or very low cost—advice for the benefit particularly of low-income consumers.

What further action do the Government propose to take to restore consumer confidence by removing the toxic legacy of past mis-selling? Specifically, when will they announce the conclusions of the Penrose review of the Equitable Life affair? When will the Government make a statement on the new rules governing orphan assets, because many policyholders fear that their assets could be expropriated by shareholders under the current rules? We know that there will not be a full review of endowment policy mis-selling, but does the Financial Secretary intend to take the advice of the Consumers Association that there should at least be a naming and shaming of the companies in the industry that were primarily responsible?

Ruth Kelly: I thank the hon. Gentleman for his serious, considered and detailed response to the significant and interesting questions laid out in the report. Ron Sandler has set out a compelling vision for the future of the savings industry. I agree with the hon. Gentleman that we must take consumer needs seriously, and ensure that products are available that meet those needs and that consumers can buy those products without the morass of regulation and opacity that currently afflicts the market.

I welcome the hon. Gentleman's support for the pilot projects and the attempt to find a way for advice to get through to the mass market. We will work with the citizens advice bureaux, the FSA and others in the industry to ensure that in the future it serves the needs of individual consumers. On the issue of orphan assets, a new with-profits ideal model will form part of Ron Sandler's suite of new stakeholder products, which will be simple, transparent, easy to understand and will have appropriate incentives that separate investors from shareholders. I am sure that the hon. Gentleman will welcome those proposals.

We need to ensure that we make it easy, simple and efficient for people to buy good-quality, long-term financial products. The report is part of that picture. On Thursday, with your agreement, Mr. Speaker, my right hon. Friend the Secretary of State for Work and Pensions will make a statement on the Pickering report and the future of regulations on the pensions industry. In the autumn, we shall set out our proposals on how to take those matters forward. The Sandler report is a serious attempt to analyse the state of the long-term retail savings industry, and I am grateful to the hon. Gentleman for his serious and considered remarks.

Mr. George Mudie (Leeds, East): Does my hon. Friend agree that the public will be horrified by the approach of the shadow Chancellor to this important matter, when millions—*[Interruption.]* The right hon. and learned Member for Folkestone and Hythe laughs, but millions of people who face an uncertain and poorer future will be appalled by his petty political approach. The shadow Chancellor is a disgrace on this subject and people will take no comfort from that fact.

Will my hon. Friend the Financial Secretary have another look at financial advice? I notice that the report and my hon. Friend seem to back the polarisation proposals made by the FSA, but will those proposals really encourage the lower-paid to seek financial advice and to make investments? Will my hon. Friend consider the provision of free independent financial advice on the high street—perhaps by using the law centre model or as a financial arm of the CAB?

Ruth Kelly: I thank my hon. Friend for those proposals; it is indeed vital that we take the needs of consumers seriously. At present, the industry is skewed towards providing costly advice for a small minority of the market where the choice is between a highly regulated set of products with different tax treatments that are hard to compare; indeed, as Sandler points out, it is hard to compare their underlying investment performance—never mind anything else. The report sets out a vision in which there is a highly regulated simple set of products—the products, rather than the advice process, are regulated. However, we clearly need to complement that set of products with a mass-market advice regime tailored towards the needs of ordinary people who do not need to take advice about complex tax planning and tax treatment. We shall work with the CAB and the industry to find the best way of promoting a new market for financial advice.

Mr. Andrew Tyrie (Chichester): Mr. Sandler makes it clear that small savers are heavily disadvantaged by the cost of what the hon. Lady described a moment ago as the morass of regulation that has come with the introduction of the huge leviathan of the FSA. Within two years of the introduction of that system—billed by the Government as essential for the protection of small savers—an independent review concluded that we need to bypass the whole body of regulations that were created because they had become prohibitively costly. Is that not a massive and savage indictment of the whole structure of regulation that the Government introduced with the FSA?

Ruth Kelly: As I understand it, the hon. Gentleman was actually advising the right hon. and learned Member for Rushcliffe (Mr. Clarke) when he set up the conduct-of-business regime that surrounds these products. The problem is that the Conservative Government did not implement that regime; it took the Labour Government to set up the pensions mis-selling review, to make sure that £11.5 billion was refunded to consumers who had been sold products inappropriately. Of course, we must now examine alternative ways of providing access to that market, but we were not prepared to preside over the mis-selling of pensions to hundreds of thousands of consumers.

Kali Mountford (Colne Valley): Although clarity, transparency and simplicity may be welcome in the market, may I suggest to my hon. Friend that robust regulation is equally needed? If we expect hard-working constituents to invest in savings, should they not have surety that their money will not be mis-spent, misplaced or lost as a result of incompetence in the industry? Is it not the case that we need regulations and that they must be robust?

Ruth Kelly: My hon. Friend is absolutely right: safeguards need to be built into the system. Ron Sandler proposes to replace a very complex advice regime with a simpler suite of products in which the product, rather than the sales process, which effectively disenfranchised hundreds of thousands of people, is regulated. A strict cap on charges and an extremely low exit penalty for consumers who change their minds have been proposed, and consumers will have access to the financial services ombudsman and to the financial services compensation scheme if anything goes wrong. Safeguards are therefore built into the process. It is important to put the consumer first, and that is what Ron Sandler is doing in the report.

Mr. John Greenway (Ryedale): Is not the real conclusion of Sandler that regulation has failed massively? It is all very well to say that the sales process has rightly removed disreputable elements from the industry, but the fact is that the many millions of people who received advice from, for example, the industrial life offices now no longer receive advice because regulation has put all those offices out of business. The hon. Lady and the Sandler report have made the right analysis, but only time will tell whether they have reached the right conclusions about the solution. It is all right to say that we will now regulate by product, but she should think carefully so that the regime she puts in place ensures that people buy suitable products. Without suitability, we will have another mis-selling scandal in the years ahead.

Ruth Kelly: I am very pleased that the hon. Gentleman concentrated on the details of the report. I do not share his conclusions. Although I agree that simplification on the regulatory, tax and advice fronts is the answer to many of the issues, we must ensure that consumers are properly protected. I advise the hon. Gentleman to read the report, because Ron Sandler's proposals are designed to make sure that the suite of stakeholder products that he sets out are accompanied by a set of questions that are asked of individuals before they buy products. The questions distinctly point out any risk that may exist, and they will point someone away from a product if it is not suitable for that customer. I suggest that the hon. Gentleman reads the report.

Paul Flynn (Newport, West): Is not the truth that most with-profits policies are now with-losses policies? The public have been confused, bamboozled and cheated by so-called advisers whose main interest was earning fat commissions rather than selling good-value products. Is it not right that the orgy of deregulation in the 1980s led to the impoverishment of millions of people because of mis-sold personal pensions, endowments, general insurance and savings products? Should my hon. Friend not take comfort from the report's suggestion that the way out is to simplify policies on the lines of stakeholder pensions, which have the great virtue of having very low commissions while offering very good value for those who take them out? Is that not the way forward?

Ruth Kelly: I thank my hon. Friend for his comments, although some of them were perhaps geared towards the shadow Chancellor.

My hon. Friend makes a valuable point about commissions and the issue has been analysed in detail in the report. Ron Sandler accepts the principle and the need for genuinely independent financial advice to be available to consumers. He also accepts the research that suggests that commissions can skew the sales process and are perceived as doing so. He is determined to see a viable and truly independent future for financial advice.

Sir Teddy Taylor (Rochford and Southend, East): Will the Minister say whether the new type of with-profits schemes—as set out on page 27 of the report, which calls for a separate management company—will do away with the appalling situation in which countless millions are offered to pay for mis-selling, with the money coming out of the assets of innocent policyholders? Should not that problem be sorted out, and will the report do that through its recommendations on page 27?

Ruth Kelly: The hon. Gentleman makes an interesting point. When Ron Sandler looked at the issue, he proposed establishing an ideal with-profits fund that would separate shareholder and policy interests. It would have a separate smoothing account, which would not be intertwined with the operation of the rest of the account, that would fully separate charges from investment returns. The idea behind his proposals for stakeholder products is that they should be completely transparent, so that no inherited estates lack transparency and conceal charges. Ron Sandler makes an interesting contribution to the debate and I look forward to working with the FSA and the industry on the proposals.

Alan Howarth (Newport, East): Does my hon. Friend accept that it is entirely appropriate that she should be at the Dispatch Box and we welcome her to it?

Does my hon. Friend agree that the host of constructive suggestions in the Sandler report, which the Government did well to commission, are welcome given the need to do more to support young adults to save, faced as they are with the prospect of contributing to the costs of their further and higher education and their lifelong learning, and of buying a home, providing a pension and, eventually, providing for long-term care? Does she further accept that in seeking to provide more security for savers, it is important to make it clear that the principle of caveat emptor is not set aside, because no amount of transparency or simplification of regulation will abolish folly and greed?

Ruth Kelly: I completely agree that it is vital to protect consumer interests. As Ron Sandler usefully sets out, the problem with the current regime is that consumer interests are not properly protected and skew and distort the market for financial savings products. He proposes a new way forward that protects the consumer by regulating the product rather than the advice process. There are, of course, many safeguards built into the process, but it is right that the consumer interest is at the heart of the vision.

Mr. Michael Weir (Angus): I welcome some of the interesting suggestions in the report, but does the Minister agree that one of the problems is that some large financial institutions sell only their own products, to which they are tied? We have anecdotal evidence of people attending so-called financial reviews and being pushed an institution's products without the costs of changing policies and taking out new policies being clearly explained. Many such cases mark a return to the churning that was prevalent before the Financial Services Act 1986.

[Mr. Michael Weir]

The Minister talks about the transparency of the new products. Will financial institutions continue to be allowed to be tied to their own products? If so, how will we avoid that problem recurring with the new products, as there are bound to be differences between products? Will she take up the plea by the hon. Member for Twickenham (Dr. Cable) to ensure that everyone receives independent financial advice before they take out many of these products, which are so important for their future?

Ruth Kelly: Ron Sandler endorses the view made clear by the Financial Services Authority that genuinely independent financial advice needs to be available to the consumer. That means that it cannot tied to the commission of the provider when a sales person makes a sale. He does not rule out the fact that tied agents may still exist, but he endorses the vision that if a sales person calls himself an independent financial adviser he must be truly and genuinely independent.

Mr. Tam Dalyell (Linlithgow): A significant number of my constituents work in the financial institutions in Edinburgh, as indeed do those of my parliamentary neighbour, the Chancellor. What was the Treasury's initial reaction to recommendation 10.172? It states that there should be thorough consideration of

"all the differences in treatment between pensions provided through life companies and non-life pensions (and in particular the difference between insurers and others for the VAT treatment of pension fund management)",

and recommends

"that the Government considers making the playing field level wherever possible by, for example, extending the VAT exemption for pension fund management fees to include those levied by non-life companies."

Ruth Kelly: My hon. Friend asks a very serious question. In his report, Ron Sandler specifically points to the fact that although unit trusts and unit-linked life policies are effectively the same product, it is almost impossible to compare them or their underlying investment performance because of their different tax treatment. We endorse the idea of having a regulatory and tax treatment system that is as streamlined as possible, but clearly I shall not now commit my right hon. Friend the Chancellor on matters that will, rightly, be considered in the Budget.

Mr. Peter Lilley (Hitchin and Harpenden): I congratulate the Financial Secretary on her role, which when I held it, I was told, often involved downplaying the significance of embarrassing U-turns in the policies of the Chancellor.

May I return to the question posed by my hon. Friend the Member for Chichester (Mr. Tyrie)? Why was it thought necessary two years ago to protect small savers by imposing a complex and costly system of regulation, when now it is thought that the only way to make savings products affordable for small savers is to exempt them from that system of regulation and to regulate the product separately?

Ruth Kelly: We are consulting on and taking forward the proposals in Ron Sandler's report. He correctly identifies the trade-off between the regulation of the conduct of business or of the sales process and regulation of the product. What is proposed now is a suite of stakeholder products that are simple, transparent, easy to understand, easy to sell and easy to take advice on. It is appropriate that we attempt to make that trade-off and to put the consumer in the driving seat. In the process we will drive much greater competition and transparency into the industry.

Laura Moffatt (Crawley): Does my hon. Friend agree that there are providers, particularly of stakeholder pensions, who are doing an excellent job? For example, B&CE, which is based in Crawley, provides more than 175,000 stakeholder pensions to construction workers, who traditionally would never save at all for their future. Does she agree that, following the Sandler review, it is vital that we continue to work with the best providers in the industry to ensure not only that we protect the people buying the products but that it is as simple as possible to sign up for a stakeholder pension so that those who would not traditionally be interested in such products have access to them?

Ruth Kelly: I thank my hon. Friend for her question. At the heart of the proposals is the idea that people should have access to simple, transparent and easy-to-understand products, such as stakeholder pensions. As the proposals are taken forward, they will make access to stakeholder pensions even easier. We started out by encouraging access throughout the workplace, making it as easy as possible for people to save, and we now intend to develop that process.

Mr. John Redwood (Wokingham): I have declared my interest in the register. Given that the biggest problem facing the savings industry in this country has been brought on by the collapse in the stock market, can the Minister explain why the British stock market has fallen further and faster than the American or the European ones? Do we not need a Government wealth warning on all savings products in Britain: "This Government's taxes and regulations can damage your wealth"?

Ruth Kelly: If the right hon. Gentleman checks his facts, he will see that there has been an almost 5 per cent. real rate of return in the equity market since 1997.

Dr. Nick Palmer (Broxtowe): On Thursday, the Treasury Committee will take evidence from people who have lost up to 99 per cent. of their investment in complex trusts. Does my hon. Friend agree that we need two separate markets: one for sophisticated products for which there is strong regulation and good advice, and one for basic products that are well protected, as recommended in the report? Does she agree that many people rarely come into contact with anyone who routinely gives financial advice? As well as looking at the possible role of citizens advice bureaux, she might consult the industry on incentivising others, such as trade unions and even employers, to take an interest in advising people?

Ruth Kelly: My hon. Friend makes some extremely interesting points. There will always be a need for financial advice for those with sophisticated financial needs who want to take advice on the different tax treatment of different products. However, we must also meet the needs of those whose financial circumstances are less complex. I believe that that can be done through a new mass market in financial advice.

We are, of course, prepared to work not only with citizens advice bureaux but with others involved in the wider industry, including trade unions, for example, to see how we might extend advice in the workplace. It is important that, wherever they are, people have access to the basic financial advice that they need.

Mr. Steve Webb (Northavon): The Financial Secretary mentioned caps on charges. What conclusion does she draw from the example of the stakeholder pension 1 per cent. cap? People on low incomes whose saving is intermittent are simply not profitable because 1 per cent. of not very much is even less, and as a result many pension providers have laid off the whole of their direct sales force—the very people who explain the process and sell the product to people who do not have much money. Is she not worried that the same thing will happen if that attitude is adopted for other products?

Ruth Kelly: The hon. Gentleman is right to raise the concerns expressed by the industry. The time it takes for an independent financial adviser to make a sale has increased from about two and a half hours per sale 10 years ago to about six hours per sale today. Clearly, that increases the costs to the industry of every sale made, whether it is to someone with relatively ordinary needs, or someone with highly sophisticated, difficult and complex financial needs. Ron Sandler's vision is of a new framework whereby simple stakeholder products can be sold without that costly, time-consuming advice process. That will make those sales far more profitable for the industry, so I think that the industry's argument about a 1 per cent. cap on charges will evaporate.

Mr. Mark Hendrick (Preston): Without prejudicing the outcome of any FSA research, does my hon. Friend believe that the future lies in paying up front for financial advice, rather than in relying on commission for producers? Is it not important to regulate advisers as well as producers, so that customers, and not only producers, get the best deal?

Ruth Kelly: The FSA is working on how to change the financial advice regime so that those who call themselves genuinely independent financial advisers cannot be completely dependent on commissions that might skew or be perceived to skew the advice they offer. That vision is broadly supported in the report, although Ron Sandler has a slightly more flexible interpretation of how advice can be paid for.

The need for consumers to buy appropriate products is clearly at the heart of Ron Sandler's proposals. He sets out a regime in which rather than the salesperson being highly qualified and the sales process overregulated, the product itself is regulated. There is a strict cap on charges, there are limits on exit penalties, and it is simple to move between products. That is a different way of protecting the consumer, but consumer protection is clearly at the heart of the proposals.

Tim Loughton (East Worthing and Shoreham): The Financial Secretary's statement would have more credibility if we had not heard it all before, four and a half years ago, and if her figures added up. She said that there had been a 5 per cent. annual return on the market in the past five years, but the yield on the market in each of those years has never been more than 3 per cent. gross, and in capital terms the market is back to where it was in 1997, so her figures simply do not add up.

Will the hon. Lady cast her mind back to 7 December 1997, when the then Paymaster General, the hon. Member for Coventry, North-West (Mr. Robinson), launched individual savings accounts? His pamphlet contained the statement, backed by the Prime Minister, that ISAs would attract 6 million new investors—almost half as many people as were predicted to go to the dome. What has happened to those 6 million investors during a five-year period in which the savings ratio has fallen by two thirds?

While we are on the subject, will the Financial Secretary explain what has happened to CAT standard marks? How many financial products—what percentage of them—now carry CAT standard marks?

Ruth Kelly: On a point of fact, not only is the stock market higher now than in 1997, but the market capitalisation of the stock market is almost £350 billion higher than in 1997. On the point about ISAs, one in four adults now have ISA accounts, which have extended savings opportunities to women and people who were previously non-savers.

Ron Sandler welcomes the idea of CAT standards and product regulation. He emphasises the fact that the introduction of the CAT standard in the ISA market, for example, has transformed charges for consumers, and has led to much greater competition and enhanced consumer benefits.

Geraint Davies (Croydon, Central): Does my hon. Friend agree that ordinary people simply want to be able to present their financial profile to, for example, a CAB and be offered a range of financial products with the assurance that they will be made aware of the risk that they are taking and the level of protection that they are being afforded, perhaps through insurance? In the aftermath of the problems with Equitable Life, the stock market and so on, that would enable us to restore faith in the financial community and market effectively a simple set of products that commands public confidence.

Ruth Kelly: I completely agree with my hon. Friend. It is important that we restore trust in financial products and, even more importantly, restore trust in the advice given alongside financial products. One way of doing so might be to extend the remit of citizens advice bureaux so that they offer not just advice about debt but advice about money management more generally. I welcome the fact that the FSA is prepared to look at whether providing that service would be cost-effective, and hope that others in the industry will consider seriously the way in which they might fill that gap.

Ian Lucas (Wrexham): In view of the systematic mis-selling of endowment mortgages in the 1980s, mainly due to the gross negligence of the Opposition in allowing the operation of a completely unregulated scheme—a consequence of that policy is the poverty and distress that my constituents tell me about when they come to my

[Ian Lucas]

surgeries—is it not possible to consider referring the subject of endowment mortgages to the FSA so that it can carry out a full-scale investigation and put together a scheme to deal with mis-selling?

Ruth Kelly: I know of my hon. Friend's concern, but I should like to tell him that the FSA is being proactive, as it is working with firms to make sure that they offer the appropriate information to consumers and warn them if they face a shortfall. The FSA's remit obliges it to take action that is proportionate to the scale of the problem. I am informed by those at the FSA who know better that a full-scale endowment mis-selling inquiry would cost about £5 billion for pure administration, which is not in proportion to any consumer detriment that has been experienced. That is not to say that consumers do not sometimes find themselves in significant difficulty, but of course they have the option of going to the ombudsman and resolving the problem that way.

James Purnell (Stalybridge and Hyde): Did my hon. Friend hear Sheila McKechnie on Radio 4 this morning saying that stakeholder pensions had been a great success in restructuring the market and getting costs down? Did she also see the research by the Association of British Insurers showing that stakeholder pensions had doubled in less than six months and had been taken up by 800,000 people? Will she take it from me that Labour Members welcome wholeheartedly her attempt to get lower-paid savers, particularly younger workers, to save for their retirement? Will she make a commitment to look at the tax incentive regime to see how younger workers can be encouraged to save more, perhaps through a cash-matching system, rather than complicated tax incentives that they may not understand?

Ruth Kelly: I welcome my hon. Friend's comments about the success of stakeholder pensions. We now have for the first time a system in which the majority of low-income families have access to a long-term savings product. Proposals in the report will make it even more cost-effective for people to take out that sort of long-term pension in future. My hon. Friend also highlighted the comments of Sheila McKechnie who, I know, endorses the heart of the report's proposals, which will provide significant consumer benefit in future.

Points of Order

4.24 pm

Ann Clwyd (Cynon Valley): On a point of order, Mr. Speaker. You will recall that yesterday I raised a point of order, asking that a statement be made on arms sales to Israel. I think it even more important today, because *Jane's Defence Weekly* published this morning reports that the Israel Defence Force employed a huge amount of munitions during the offensive against West Bank cities that took place in April. The report continues:

> "The amount of weapons and munitions used in the operation was more than had been used by the Israeli Defence Force over the last decade."

It is therefore even more important that we get a statement from the Minister on the Floor of the House so that we can discuss the matter. It is totally objectionable that we should be selling even a component or any more munitions to Israel that could be used against the Palestinians.

Mrs. Alice Mahon (Halifax): Further to that point of order, Mr. Speaker. In a written answer to a Member of the House yesterday, the Foreign Secretary effectively changed Government policy. It is in stark contrast to his previous position on 16 April, when the Foreign Secretary told the House:

> "I am profoundly concerned about the scenes of widespread destruction of densely populated refugee camps."—[*Official Report*, 16 April 2002; Vol. 383, c. 465.]

Later, he protested at arms that had been sold by this country to Israel being used against Palestinians. Selling parts of F-16s to the Israeli Government will simply cause more destruction in densely populated refugee camps because, as we have seen, the Israel Defence Force will use them against civilians. Can you advise me how we can get that change in Government policy debated on the Floor of the House?

Mr. Tam Dalyell (Linlithgow): Further to that point of order, Mr. Speaker. Is it not additionally important that there should be an explanation from the Foreign Secretary, in view of the fact that the reason that he has given for part of these decisions is relations with the Americans? The House of Commons deserves some explanation of precisely what these relations with the Americans amount to. Are we to do the bidding of the Americans, whatever they ask, even if it means jeopardising the British position in the middle east?

Mr. Speaker: The hon. Member for Cynon Valley (Ann Clwyd) raised the matter with me yesterday, and shortly afterwards a parliamentary question was answered by the Foreign Secretary.

With regard to raising matters with the Government, we have Trade and Industry questions this Thursday. The hon. Members may be able to catch my eye. Within a fortnight there will be Foreign and Commonwealth questions.

As for initiating a debate, the hon. Ladies are experienced in these matters and know how to go about seeking a debate. I have no doubt that they will continue to pursue this very serious matter.

BILL PRESENTED

TELECOMMUNICATIONS TRANSMITTERS (RESTRICTIONS ON PLANNING APPLICATIONS) (NO. 2)

Mr. Desmond Swayne presented a Bill to permit a local planning authority to decline to determine an application for the development of telecommunications transmission antennae in certain circumstances: And the same was read the First time; and ordered to be read a Second time on Friday 19 July, and to be printed [Bill 166].

Emergency Services Personnel (Protection)

4.28 pm

Mr. Bill Etherington (Sunderland, North): I beg to move,

That leave be given to bring in a Bill to make it an offence to assault, intimidate or otherwise interfere with emergency services personnel in the execution of their duties; and for connected purposes.

I thank the Government Whips Office for enabling me to have this slot this afternoon, the more so because I was originally supposed to speak on the issue in June, but the date was put back until today. I am extremely grateful to the individual concerned and I have let them know accordingly.

The matter begins with a letter dated 21 December last year that I received from Richard Bull, who is the chief fire officer of the Tyne and Wear fire brigade. Following an increasing number of assaults both on his staff and on fire engines, he asked for parity along the lines of part IV of the Police Act 1964, the miscellaneous and general sections of which deal with, among other things, offences against the police. I subsequently met the chief fire officer during the Christmas recess, and he gave me a lot of detail that I found alarming. I then applied for this ten-minute Bill. When we look at the details involved in the chief fire officer's request, we see that, in 2001, there were 58 attacks on fire brigade staff, 15 of which occurred in Sunderland, where my constituency is situated. Since April this year, over three months, there was a total of 15 attacks, which is approximately in line with last year's total, but 12 of them occurred in Sunderland. That is alarming; if that level is projected forward, there will be almost a threefold increase on last year.

The north-east ambulance service has also contacted me about the same problem. In May alone, there were 11 incidents of violence and aggression towards ambulance staff. I have also received representations from the Royal College of Nursing, which has been most supportive of the Bill. It is very concerned about attacks on its people in hospitals. Unfortunately, patients are responsible for most of those attacks, although not all of them. I would also like to place on record my thanks to the *Sunderland Echo*, the local newspaper in the north-east, which has mounted a vigorous campaign with which I fully agree.

The situation is well known to everyone concerned—it is not a north-eastern phenomenon. As recently as earlier today, I was informed that the ambulance service in London is to start providing protective armoured clothing for its ambulance personnel, so it is clear that everyone is well aware of the problem. For many years, violence towards public service workers has been escalating. We all know that, despite the fact that crime in general has reduced in recent years, violent crime has taken the opposite course and is increasing.

That raises a problem and also the issue of the philosophy of how we deal with such problems. It has always been my understanding that it was the Government's job to try to deal with such problems until such time—if ever—as they found an answer, but they must always seek an answer. It surprises me that, for many years, not only the current Administration, but the previous one, have never seen fit to give the same protection to the firefighters, ambulance drivers and medical staff who are involved in the sector that is given

[Mr. Bill Etherington]

to the police. Of course, the police should have that protection, but they should not be alone in that respect. The proposal is also very popular with the public, who want the emergency services to be able to attend to their wants when they need them and to be unfettered in doing so.

All that I am seeking in the Bill is to ensure that we give out two messages. First, we must make it clear to public service workers that we not only say many fine words in Parliament about the wonderful work that they do, but are prepared to try to legislate to carry those good words into effect. Until now, we have failed to do so. Secondly—this is perhaps even more important—we must try to get the message to the public that such attacks will not be tolerated. We do not need a very vivid imagination to envisage the scenario that we are talking about, in which a fire engine going to a fire in which children might be trapped gets a brick heaved through its windscreen and is put out of operation. That could lead to people dying. We are talking not only about the simple assaults that we all know occur all the time, but about people's lives being endangered by antisocial and criminal behaviour.

It seems to me that someone who assaults a person who is engaged in providing an emergency service is in a rather different category from that of someone who is involved in everyday football ground violence or an altercation outside a public house or working men's club. Yet the law does not make any provision for that. I do not want to hear the argument that we can leave this to the courts. The courts are not the social conscience of this country—Parliament is supposed to be that. We are supposed to make legislation that the courts carry out, but in this case we have not done so.

I hope that there is no opposition to the Bill and that it is such a common-sense issue that everyone appreciates its seriousness. Perhaps more importantly, I hope that the Government, if they are not willing to bring in legislation of their own, will give my Bill a fair wind and, indeed, assist it, because it is what the public want. We hear a great deal about the public's disenchantment with parliamentary procedures. They do not think that Members of Parliament are doing their jobs properly or that Ministers are doing a good job, and see no relationship between themselves and this place. It is not too difficult to understand why, given that when there is a big public outcry about an issue, no action is taken to put it right.

I hope that at some time in the near future legislation will be introduced that deals with transgressors in a robust and rigorous manner, and lets people in the front line of emergency services see that we really do care about them. That is a fairly straightforward request, and I hope that all hon. Members agree with it and give it their support.

Question put and agreed to.

Bill ordered to be brought in by Mr. Bill Etherington, Mr. David Atkinson, Sir Sydney Chapman, Mr. John Cummings, Mr. Tony Lloyd, Mr. Khalid Mahmood, Mr. Alan Meale, Mr. George Mudie, Syd Rapson, Mr. Gerry Steinberg, Dr. Rudi Vis and Mr. James Wray.

EMERGENCY SERVICES PERSONNEL (PROTECTION) BILL

Mr. Bill Etherington accordingly presented a Bill to make it an offence to assault, intimidate or otherwise interfere with emergency services personnel in the execution of their duties; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 19 July, and to be printed [Bill 67].

Police Reform Bill *[Lords]* (Programme) (No.2)

4.37 pm

The Minister for Policing, Crime Reduction and Community Safety (Mr. John Denham): I beg to move,

That pursuant to the report [25th June 2002] from Standing Committee A, the Order of 7th May 2002 (Police Reform Bill *[Lords]* (Programme)) shall be varied as follows:

Consideration and Third Reading

1. Paragraph 4 of the Order (consideration and Third Reading) shall be omitted.

2. (1) Proceedings on consideration and Third Reading shall be concluded in one and a half days.

(2) Proceedings on consideration shall be taken on each of those days as shown in the first column in the following Table and shall be taken in the order so shown, and each part of the proceedings shall (so far as not previously concluded) be brought to a conclusion at the time specified in the second column of the table.

Table

Proceedings	*Time for conclusion of proceedings*
First day (half day)	
New Clauses, New Schedules, and Amendments relating to Part 3, New Clauses, New Schedules and Amendments relating to Chapter 2 of Part 4 and New Clauses, New Schedules and Amendments relating to Parts 5 to 7.	Seven o'clock or three hours after the commencement of proceedings on the Motion for this Order, whichever is later.
Second day	
New Clauses, New Schedules and Amendments relating to Part 1.	Six o'clock or, if that day is Thursday, Three o'clock.
New Clauses, New Schedules and Amendments relating to Part 2 and Chapter 1 of Part 4.	Nine o'clock or, if that day is a Thursday, Six o'clock.

(3) Proceedings on Third Reading (so far as not previously concluded) shall be brought to a conclusion at Ten o'clock on the second of those days or, if that day is a Thursday, at Seven o'clock on that day.

The motion allows for one and a half days for Report and Third Reading, which provides an additional half-day as compared with the motion agreed by the House on 7 May. We have structured the order of consideration to ensure maximum time for debate on what are generally seen as the two most contentious parts of the Bill, namely part I and chapter 1 of part IV.

The order of consideration also accommodates members of the Select Committee on Home Affairs who are unable to be present today. Hon. Members will note that amendment No. 1 is tabled in the name of my hon. Friend the Member for Sunderland, South (Mr. Mullin) and other members of the Committee. The order of consideration ensures that that amendment is not reached until tomorrow.

The Bill was extensively debated in Standing Committee, taking up some 28 hours in total, so hon. Members have had the opportunity to give it adequate scrutiny. In any event, the Bill commands widespread support. Indeed, on Second Reading the right hon. Member for West Dorset (Mr. Letwin) said that Her Majesty's Opposition

"agree with or acquiesce in roughly 98 per cent. of it."—[*Official Report*, 7 May 2002; Vol. 385, c. 63.]

I am sure that as a result of the changes made in Committee its approval rating must now be around the 99 per cent. mark, which is not bad for a Bill at this stage of its progress.

There are relatively few Opposition amendments, which cover eight substantive issues, and the one and a half days allowed by the programme motion should be more than adequate to debate them fully. I hope that hon. Members will feel able to agree the programme motion.

4.39 pm

Mr. James Paice (South-East Cambridgeshire): We shall not oppose the motion. As the Minister said, one and a half days should be adequate for our discussions. However, I want to make two specific points.

First, the Minister rightly said that the timetable allows significant time for discussing what are agreed to be the most hotly disputed provisions of the Bill, especially part 1. However, the motion states that discussion on part 1 will conclude at 6 pm tomorrow. I hope that the Minister can assure us that he and the Home Secretary will prevail on the rest of the Government to ensure that statements do not encroach on that time, because there is no provision to extend the time in the case of a statement. Today's timetable provides for three hours; tomorrow, the deadline is 6 pm. Many would consider two and a half hours adequate for debating part 1. However, it will not be adequate if we lose an hour or so through a statement.

My second point causes grave anxiety to Conservative Members. Last night, the Government tabled many amendments. All except one relate to one issue, which part 1 covers. Now is not the time to comment on the detail, but the media were apparently informed about the amendments and the Government spin on them before they were tabled or available to any hon. Member. One and a half hours passed after the first press calls to my office and that of my right hon. Friend the Member for West Dorset (Mr. Letwin) about the amendments and before I could get copies of them from the Public Bill Office. I understand that, strictly, it should not have let me have sight of them, but I am grateful to the Clerks there for allowing me to do so.

Despite the Government's apparent Damascene conversion from spin, the reality is different. They seemed more interested in setting the scene with the media than tabling the amendments about which they were spinning. Consequently, it has been possible for us to table amendments to amendments only today. Although that is perfectly in order, I want to underline the point to you, Madam Deputy Speaker, and I hope that you will pass on our anxiety to the Speaker so that when he makes his selection for tomorrow, he notes the difficulty in which the Opposition were placed by the timing of the amendments' tabling. I shall not comment on their content; that is for tomorrow's debate, but I hope that we can debate our amendments, too.

The Minister rightly said that members of the Select Committee on Home Affairs are unable to be with us today. We can make our judgments about priorities, but I accept the reasoning for the Minister's timetabling. I add

[Mr. James Paice]

that it helps my right hon. Friend the Member for West Dorset, who is also elsewhere on parliamentary business today. Matters have therefore worked out all right.

We shall not divide the House on the programme motion, but I hope that the Minister takes note of my two points and that you, Madam Deputy Speaker, have noted the latter.

4.43 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): Under ordinary circumstances, I would divide the House, but as discussion on the programme motion is taken out of the time for substantive debate, I shall not do so. However, I emphasise that I strongly deprecate timetable motions in general and in particular, and I shall make brief comments on that.

First, any democracy depends on a bargain between the electorate and the House. The electorate will accept obligations and requirements on the assumption that Bills are properly scrutinised. Timetables have a nasty habit of preventing proper scrutiny, and when the electorate realise that the bargain is not being respected, I fancy that their respect for parliamentary democracy will diminish.

We are talking about a Report stage, which is the occasion on which the House as a whole—particularly those hon. Members who did not serve on the Standing Committee—has the opportunity to participate in the debate. The plain truth is that if we tightly constrain the debate, we exclude right hon. and hon. Members. In the end, that reinforces an unwillingness on their part to participate in debate at all. That is something that I have witnessed in this place over many years, and I deprecate that, as well.

I would also make the plain, pragmatic observation that, in these circumstances, substantial chunks of important legislation will go largely undiscussed, or perhaps not be discussed at all. That makes me very uneasy about the parliamentary process. Of course, one is entitled sometimes to impose timetable motions. I accept that; I have been responsible for doing so myself in a previous incarnation. But one should surely do so only if there is a pressing requirement for such a motion. We are, therefore, entitled to ask what the pressing requirement is in this case.

The Minister has told us that there was much agreement on the Bill, and that was reinforced by my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice). Indeed, the Minister suggested that we agreed on 98 or 99 per cent. of the provisions. If that is the case, why the timetable? So far as I am aware, no Conservative Member—and perhaps no Labour Member either—is minded unduly to extend the debate, so why the artificial constraint? No one can say that the House is overburdened with business at the moment. After all, the House is getting up on a relatively early date—24 July—and coming back on a relatively late date in October. Last week, the business collapsed on various occasions, and, on Thursday, we have a debate on the Adjournment. May I ask, therefore, what is the pressure on parliamentary time? Why are we not allowed an unconstrained debate? I suspect that it is because the Government like tightly to constrain all debates, but I am against them on that point, as I would be against my hon. Friends if they tried to do the same thing.

I shall not go into the merits of the Bill—you would stop me if I did so, Madam Deputy Speaker—but I want to emphasise that some important questions are to be discussed. I repeat that this is the first opportunity that many right hon. and hon. Members have had to examine the substance of the Bill in detail. After all, they were not on the Standing Committee. Today, for example, we shall reconsider the circumstances in which chief police officers can be suspended, be required to resign, or retire. That is not a minor issue.

We shall also consider further the ability of the police to obtain specimens from people who cannot give their consent, the ability of the police to seize motor vehicles—those are not a minor matters either—and the orders that can be made against sex offenders, which is a serious issue. My hon. Friend and the Minister were right to emphasise that there will be yet further discussions tomorrow on the circumstances in which the Secretary of State can give directions to chief police officers and police authorities as to how they should perform their functions. That, too, is an important issue. I understand that the debate on that matter will end at 6 o'clock.

My hon. Friend made a serious point about statements, but he did not—I make no criticism of him for this—refer to private notice questions. He was probably here when, for example, the hon. Member for Halifax (Mrs. Mahon) raised the question of a statement by the Foreign Secretary regarding the new changes relating to the sale of arms to the middle east. I had the impression, listening to Mr. Speaker at that time, that he was encouraging a private notice question. If, however, there were a PNQ on such a subject, tomorrow's debate would be yet further curtailed. What would be the justification for that?

My hon. Friend the Member for South-East Cambridgeshire made another serious point about the raft of amendments that was tabled last night by the Government. That action was not very satisfactory, given that nine or 10 days have passed since the Committee finished its sittings. That is hard luck, no doubt, on my hon. Friend, but it is worse luck on those outside the House, as they have had no opportunity until today to make representations to hon. and right hon. Members on the points that they wish to have made in tomorrow's debate. That is yet another example of legislation being pushed through the House at an unreasonable and, in my view, undemocratic speed, and I am against it.

As I understand it, we are not pushing the House to a Division, but I am against timetable motions. I am particularly against the proposition that the time taken by this debate, and by any subsequent Division that we might have been minded to call, comes out of the substantive debate. That could reduce the substantive debate by a further one hour, which is simply an attempt to blackmail hon. and right hon. Members into not protesting at timetable motions. I am against timetable motions, and I believe that we should repeatedly protest against them.

4.51 pm

Mr. Graham Allen (Nottingham, North): I have a brief point to make to the Chair, Madam Deputy Speaker. Is it in your power to direct the Clerks to total up the time used by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) during many, many programme motion debates so that they can tell the House how many hours, and possibly days, of serious debate on matters of substance he has denied other Members?

Madam Deputy Speaker (Sylvia Heal): The hon. Gentleman may care to read through past editions of *Hansard*, where he will find the answer for himself.

4.52 pm

Norman Baker (Lewes): I shall, I hope, be reasonably brief. As you know, Madam Deputy Speaker, I have been a stout defender of the Government on many occasions in the House.

Dr. Howard Stoate (Dartford): Quite right too.

Norman Baker: Well, one or two.

I am afraid that I take issue with the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), as the Bill is not being rushed through at, to use his words, an unreasonable and undemocratic speed. I am the first Member to object to unnecessary reductions in the time available to the House to debate Bills. Such an example was the Anti-terrorism, Crime and Security Act 2001, which was rushed through. This Bill is not being rushed through. We have had 28 hours of debate in Committee, and we have the opportunity here to debate, as it happens, relatively few amendments for a day and a half. I believe that the time allocated is appropriate, so I have no problem at all with the timetable motion.

The objections to timetable motions surely apply only if the timetable is so tight as to have the consequences to which the right hon. and learned Gentleman referred. That is not the case on this occasion. My only concern is one mentioned by the hon. Member for South-East Cambridgeshire (Mr. Paice)—the guillotine at 6 o'clock tomorrow. I understand that there is likely to be a statement tomorrow on cannabis, or something of that nature, or there may be a private notice question, so a situation might develop in which the debate on part 1 is curtailed, which would be unfortunate, although not what the Government intend. Will the Minister respond on that particular point? I hope he will, as it would put my mind at rest.

I am sure that it was scurrilous of the hon. Member for South-East Cambridgeshire to raise the point that the Government might be involved in media manipulation. I cannot imagine the circumstances in which they would resort to such tactics. Well, if I try hard I cannot imagine them. I note that tomorrow's controversial matters will be dealt with after the statement on cannabis, which means, of course, that the media will have gone home to write about that.

The other, more serious point is that the Government have managed to timetable this business to coincide with the all-party parliamentary beer group dinner, which will take place tomorrow evening at the same time as a number of important Divisions in the House. For that, I am not very grateful to the Minister.

4.53 pm

Mr. Denham: May I respond briefly? The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) set out his reasons for opposing timetable motions, although I have to say that, in the process, he reminded many of us of why we are generally in favour of them.

On the issues raised by the hon. Members for South-East Cambridgeshire (Mr. Paice) and for Lewes (Norman Baker), I had understood that the programme motion was the subject of discussion through the usual channels. On the assumption, for the moment, that we would none the less wish to complete our business with Third Reading at 9 and a 10 o'clock finish tomorrow night, if there can be discussions through the usual channels about flexibility over the 6 o'clock knife in the programme motion, we are willing to entertain that.

Although I cannot speak for the business managers, I cannot rule out the possibility of a Government statement tomorrow. If some adjustment within the normal finishing time were desirable, we would consider it after the debate this evening. The issues are too important for people to be left with a sense of not having discussed them properly. However, the fact remains that there are only eight substantive amendments in the groups to be discussed in these two days.

With regard to the media, people living in glass houses should be careful with their stones. Those of us who spent a good part of Sunday being rung up by people saying that they understood from sources not connected with the Government that some deal or arrangement had been reached, and asking about the Government's intentions on these issues, are well used to the briefing that has been going on around the Bill. It is better that we concentrate on the matters of substance before the House and move on.

Question put and agreed to.

Orders of the Day

Police Reform Bill *[Lords]*

[1st allotted day]

As amended in the Committee, considered.

Clause 33

REMOVAL ETC. OF SENIOR OFFICERS AT THE INSTANCE OF THE SECRETARY OF STATE

4.57 pm

The Minister for Policing, Crime Reduction and Community Safety (Mr. John Denham): I beg to move amendment No. 20, in page 35, line 45, at end insert "a notice in writing".

Madam Deputy Speaker (Sylvia Heal): With this it will be convenient to discuss Government amendments Nos. 21 to 23.

Mr. Denham: The Government have tabled these amendments in response to a point made in Committee by my hon. and learned Friend the Member for Redcar (Vera Baird), so I shall deal with them as a group.

Subsection (2) provides that if the Secretary of State proposes to require a police authority to exercise its power to call upon the chief officer to retire or resign, he must give the chief officer concerned notice of his intention to do so and an explanation of his reasons.

The point raised in Committee by my hon. and learned Friend was that the provisions under new subsection (2A) to section 42 of the Police Act 1996, as inserted by clause 33(2) of the Bill, place a requirement on the Secretary of State to give a copy of the notice to the police authority while not explicitly requiring that the notice include his grounds for acting.

Theoretically, a situation could arise in which the police authority was not notified of the grounds on which the Secretary of State wished to proceed, while the chief officer had received both notice of the Secretary of State's intention and the grounds for acting. That situation would obviously be undesirable, and these amendments will ensure that the notice given to the chief officer includes the Secretary of State's reasons for acting, so when a copy of the notice is sent to the police authority it will be aware of those reasons.

Mr. James Paice (South-East Cambridgeshire): I note that the hon. and learned Member for Redcar (Vera Baird), who raised these issues in Committee, is not present. I am not sure whether she is on the Select Committee on Home Affairs. I welcome the Minister's introduction to the amendments, but I want to press him a little, especially on the question of what is in writing and what is not.

At column 182 of the Committee's deliberations, the Minister clearly said that the Secretary of State would have to give reasons if he wished to remove senior officers. That was during the discussion on what was then clause 29. He later resisted the Opposition's attempts to introduce further rights for inquiries to be held and for the chief officer in question to make personal representations to the Secretary of State, accompanied by a professional adviser, if the Secretary of State intended to use his powers to remove a senior officer or require his resignation or retirement. The Minister also said at that time that he would seek to make regulations under what was then clause 33, now clause 34, which would lay down the procedures to be followed.

Clause 42 of the 1996 Act, as amended by this Bill, gives chief officers the right to make representations in person if they are to be forcibly retired or required to resign. That right to make representations in person does not extend to the new part of section 11 of the 1996 Act, introduced by clause 32(2) of the Bill, which relates to suspension of chief officers.

The Chief Police Officers Staff Association, CPOSA, is extremely concerned that, in effect, suspension from duty is tantamount to a requirement to resign. It is extremely difficult for any chief officer who has been suspended—whatever the outcome of the case—to be reinstated with the credibility necessary to carry out their very important duty, and almost every case of suspension will end in resignation. The association is therefore concerned that the right to make representations in person does not extend to the issue of suspension.

The amendments appear not to extend the inquiry system to suspension, nor do they appear to require the Secretary of State to give notice in writing of where suspension is to take place. They are limited to the specific circumstances in which resignation and retirement are required, but not to the stage of suspension.

That brings me to the draft protocol, which has been sent to CPOSA. The association is now considering the procedures relating to suspension of chief officers. I will not detain the House by going through the protocol, with which the Minister is obviously familiar; at least, I sincerely hope so. *[Interruption.]* He is laughing, obviously to inform us that he is familiar with it. He will know, therefore, that nowhere does the protocol refer to an inquiry, to the chief officer being given the reasons for their suspension, or to the opportunity for the chief officer to make representations either in writing or in person if they are to be suspended.

My challenge to the Minister concerns the very narrow sense of the amendments. From his opening remarks, I understand the specific reason raised by the hon. and learned Member for Redcar that gave rise to the amendments, but behind that is a much bigger issue. The Government are consulting on a protocol that does nothing whatever to fulfil what at least was the understanding of Committee members: that a number of these issues would be addressed in regulations or in guidance.

I stress again that it is widely believed—Members of this House will accept it—that if a chief officer has been suspended, as with any other profession, it is very difficult ever to regain the credibility that was held before, regardless of the outcome of the case that led to the suspension. Resignation may be the only sensible way forward, regardless of the outcome. That is why I would argue that the opportunity for the chief officer in question to be given reasons why he is to be suspended, the opportunity to make representations in writing and in person, and the opportunity for an inquiry, are important adjuncts to the power that the Secretary of State is taking in the Bill to provide for suspension.

I challenge the Minister, even at this late stage, to respond to the real concerns of chief officers, expressed through CPOSA to me today, that the protocol is wholly inadequate, and if he is not prepared to alter the Bill, at least to amend the protocol.

Norman Baker (Lewes): The amendments seem uncontroversial and improve the Bill in the way suggested by the hon. and learned Member for Redcar (Vera Baird). I want to refer to the protocol. The hon. Member for South-East Cambridgeshire (Mr. Paice) has the advantage of me, in that I have not seen the protocol. It is a pity that it has not been circulated to all members of the Committee. I should be grateful if the Minister clarified what he intends to do to make the protocol available to Members of this House. Even if the protocol is not available in its final form, it would be helpful to have the draft circulated, as that would inform discussion.

That point has particular validity, given that paragraph 49 of the Home Affairs Committee's report states:

> "We recommend that the proposed protocol on the operation of the powers to remove senior officers be published before the Bill reaches report stage."

Paragraph 43 of the Government's response states:

> "As these discussions are ongoing it will not, in the event, be possible to publish a protocol in advance of Report Stage, but we will do so as soon as possible thereafter."

Will the Minister please circulate the draft protocol that he has put out for consultation, or make it available by putting a copy in the Library? In addition, what is the time scale for reaching agreement on the protocol? I hope that such agreement will be reached before the Lords consider any further matters relating to the Bill.

Mr. Douglas Hogg (Sleaford and North Hykeham): I rise to support some of the observations made by my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice). My hon. Friend is right to say that, under the Bill as drafted, the power to suspend does not require the giving of reasons. Furthermore, the power to suspend in no way triggers an inquiry, which will probably do a grave injustice to the senior officers concerned. My hon. Friend made the sensible point that once a police officer has been suspended, it is extraordinarily difficult to recover their credibility. It is very difficult for them to obtain employment, whether in another force or with an alternative employer. In the absence of the giving of reasons, it will be extraordinarily difficult for them to challenge the justification for the suspension. I ask the Minister to explain why provision is not made for the giving of written reasons, or for the holding of an inquiry.

Suspension, by definition, is not a final state. What provision will be made for finally determining whether a chief officer is to remain in the force? So far as I can tell, the Bill provides no such procedure. There is no obvious procedure through which a police authority can ask that a chief officer be no longer suspended; nor does the Bill provide for the officer concerned to submit that the suspension be done away with. We have a state of limbo that is entirely dependent on the Home Secretary's discretion. I am always against giving Home Secretaries such discretion, regardless of their political complexion.

I ask myself another question. Under clause 33, the Secretary of State can choose between suspending, requiring retirement or requiring resignation. What obligation is there on the Secretary of State to consult a police authority in advance on which of those alternatives might be desirable? The answer is: none at all. As far as I can see, the views of the police authority are not necessarily to be sought; it is for the Secretary of State to determine which of the three options is the most attractive. I am against giving Secretaries of State—particularly the Secretary of State in question—such power. Why is provision not made for pre-action consultation between the Secretary of State and the police authority concerned?

It is clear that there are financial distinctions to be drawn between the consequences of retirement and of resignation. When somebody retires, they normally trigger pension entitlements. As we well know, such entitlements constitute a substantial burden on police authorities; however, the same is not necessarily true in respect of resignation. What consultation will take place between the Secretary of State and police authorities about the preferred route? Nothing in the Bill requires the Secretary of State to undertake such consultation.

The criteria in question are "efficiency or effectiveness". I realise that that phrase appears in the Police Act 1996—legislation for which the Government of whom I was a member were responsible. However, the question of what is efficient or effective is as long as the Home Secretary's foot; in other words, the power is completely discretionary. We are reinforcing a provision in the 1996 Act that enables the Secretary of State to get rid of a police officer on the subjective judgment that they are not effective or efficient. I am very sceptical about giving any Home Secretary—particularly the present one—that power, and I hope that the House shares my inhibition.

I am personally in favour of fixed-term contracts for senior police officers, which would mean little need for these provisions. The re-engagement of chief police officers would be considered on a rolling basis every three to five years. The disadvantages of that policy are not so great as to displace the advantages.

I am very cautious about these amendments. They would give the Executive yet more discretionary power—and I do not value the discretion of the present Home Secretary—in the important policy area of the police service.

Mr. Graham Allen (Nottingham, North): I have one query for my right hon. Friend the Minister. The Home Secretary may issue a written notice of removal to senior officers if he feels that they have been inefficient or ineffective. Does that phrase relate to their performance on operational matters or on non-operational matters? Is there any definition of what an operational matter is? I ask because some years ago, when I had some responsibility for the subject, operational matters were tightly defined, but now they appear to be anything that a chief constable decides is in his remit. That is an important, albeit detailed, issue and I would be happy for my right hon. Friend to undertake to write to me if that is more appropriate.

Mr. David Cameron (Witney): I share the views of my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and I am very uneasy about the powers that the Government will take to remove senior officers. I am pleased to take part in the debate.

[Mr. David Cameron]

I sit on the Home Affairs Committee; as other hon. Members have pointed out, its members are in Brussels. I had to stay in the country for personal reasons, not because of any antipathy to Brussels. I do not wish to be governed from that city, but it is a pleasant place to visit and I am sure that my colleagues on the Committee are having an interesting time.

I support the Committee's report and what it said about the protocol. I shall return to that issue because it is germane to the amendments. First, however, I must make the point that we are today debating further centralisation. The Home Secretary will have the power to sack every chief constable in the land. I ask the Minister to contrast that situation with that pertaining to the rest of the police organisation. In the Witney or Banbury police station, the chief inspector or superintendent does not have the power to remove ineffective officers in his own force. Power in the police force is going in the wrong direction—towards the centre and the Home Secretary—instead of being devolved throughout the organisation, and the amendments will not improve the situation.

I accept that the Government have made some concessions and have started to talk about consulting police authorities on the removal of chief constables. However, because of those concessions, the Bill now contains some very tortuous language. The question of the sacking of a chief constable should be a matter for the police authorities. That point was made in evidence to the Committee by Mr. Kevin Morris of the Police Superintendents Association of England and Wales, when I asked him whether he thought that the real responsibility for hiring and firing chief constables should rest with the police authority. He replied:

> "Yes, I do. We do have this tripartite structure which gives the police authorities quite a lot of discretion and a role to play within policing."

The Bill should reinforce the powers of police authorities, and its failure to do so concerns me most of all.

The Committee made two recommendations in its report that are germane to the amendments:

> "if the Home Office has concluded that strengthened powers are needed for the suspension and removal of chief constables, it should be able to give a fuller explanation of how they might be used. We would expect these powers to be used only in exceptional circumstances."

Can the Minister, even at this late stage, give us some more assurances and perhaps even some examples of circumstances in which those powers would be used?

Our second point had to do with the protocol being discussed by the Home Office and senior officers. The hon. Member for Lewes (Norman Baker) and my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) have both referred to it. The Select Committee stated:

> "We recommend that the proposed protocol on the operation of the powers to remove senior officers be published before the Bill reaches report stage. We hope the House, before agreeing to these clauses, will press Ministers for a fuller explanation of why they are necessary and why the matter cannot be left to police authorities."

We are asking a vital question—when can the Home Secretary exercise the powers, and when can he not?

5.15 pm

Above all, where is the protocol? My hon. Friend the Member for South-East Cambridgeshire is ingenious and seems to have got hold of a copy. The first people I know to have got hold of a copy of the protocol work for *The Times*. Yesterday, in an article with the wonderful subheading "Crunch week for Blunkett on crime, cannabis and asylum", the newspaper stated:

> "The new Bill includes an extra power to suspend a chief constable or his deputy or assistants where public confidence is undermined.
>
> Details of the regulations under which such intervention would happen have not been included in the Bill. The framework for such powers is set out . . . in a protocol produced by the Home Office, a copy of which has been seen by *The Times*."

It may be a naive question, but if *The Times* could see the protocol, why could not it be seen by hon. Members before the Bill reached Report stage? If *The Times* had it, why did paragraph 43 of the Government's response to the Select Committee report state:

> "As these discussions are ongoing, it will not, in the event, be possible to publish the protocol in advance of Report Stage".

I echo what the hon. Member for Lewes said. Given that my ingenious hon. Friend the Member for South-East Cambridgeshire has got hold of a copy of the protocol, perhaps one could be given to all hon. Members, even at this very late stage.

Why does this matter? Yesterday's article in *The Times* quoted an adviser—an "aide to Mr. Blunkett", according to the newspaper—who explained why the power might be necessary:

> "We want to consult chief constables about this, but if a police area is completely failing, there is a very strong argument that the Home Secretary should be able to intervene."

The arguments may be strong, but they should be presented to the House, with copies of the protocol for hon. Members to look at. It seems odd that the Government are still consulting on the matter. Normally, one consults before legislating, but the two processes seem to be going on at once.

I am unhappy about the proposed centralisation, as we could end up with chief constables looking over their shoulders at the Home Office rather than at local circumstances or their local police authorities. A good example of that was reported by *The Times*, which has been assiduous recently. We were assured yesterday that Ministers, not all of them Home Office Ministers, are not overseeing individual police forces, but *The Times* reported that those Ministers were looking at police areas and at the operation of the street crime initiative.

In an article by Mr. Tom Baldwin—who is known for his close connections with Downing street and for his assiduity in getting stories—*The Times* reported that it had learned

> "that the police forces, covering areas where 80 per cent. of street crimes are committed, are each submitting weekly crime figures to their own minister from Downing Street's special "Cobra" emergency committee. This committee was set up in February under the chairmanship of the Prime Minister."

The article states that my own Thames Valley police force is being overseen by the Minister for Social Exclusion and Deputy Minister for Women, who does not even live in that force's area.

It is clear that the new powers in the Bill will cause chief constables to look over their shoulders at the Home Office, to divine the thinking there and to determine the central initiatives that the Government are driving through. They will not be as worried as they should be about local policing matters.

In my area of Witney, there has been a spate of bad rural burglaries. I am meeting the Thames Valley area's chief constable tomorrow, and I want to know that he is focused on local issues such as that. I want to be sure that he is not always worrying about whether the Minister for Social Exclusion and Deputy Minister for Women is satisfied with what he is doing about street crime, or that he is not always looking to the Home Office to see whether he is going to be fired. The power to sack chief constables should reside with the police authorities.

I shall end with a quotation from the evidence of Sir John Stevens to the Select Committee, as it relates directly to the amendments. I put it to Sir John—not too brutally, I hope—that

> "the Secretary of State may require the Metropolitan Police Authority to exercise its power . . . in the interests of efficiency or effectiveness, to retire or resign. And he can just sack you?"

Sir John Stevens said:

> "I think there has to be a very, very detailed debate on what is operational independence"—

the point made by the hon. Member for Nottingham, North (Mr. Allen)—

> "and what might affect operational independence. I am not talking about this Home Secretary, or Mr. Straw, or anybody else. I believe that, the worst case scenario, you should look at someone who might be the Home Secretary who may well want to exercise control over Chief Constables, and it is a golden thread of British justice that the police are independent."

That golden thread is being unravelled by the powers in the Bill. Those powers will mean that chief constables will consider only the Home Office and how they are doing with Ministers—not even Home Office Ministers in the case of the Minister for Social Exclusion and Deputy Minister for Women—and they will forget about the importance of local policing.

Mrs. Claire Curtis-Thomas (Crosby): I support the Government amendments which will be extremely important in delivering better crime prevention to all areas of the United Kingdom.

I shall set my remarks in context by quoting from "Policing a New Century: a Blueprint for Reform", which included a statement from the Audit Commission. The commission noted:

> "There remain, however, significant variations in performance between police forces. These variations cannot simply be explained by differences in workload or by the varying circumstances forces face . . . There is no consistent link between increases in spending and improvements in performance. Of those forces that increased spending the most between 1994/95 and 1998/99, some registered improvements across a number of key indicators, others did not."

The report continued:

> "The performance variations at force level are striking. The recorded crime detection rate for burglaries varies between 43.5 per cent. and 7.9 per cent., for vehicle crime between 28.3 per cent. and 4.7 per cent., and for robbery between 50.8 per cent. and 14.4 per cent."

Few people would find such variation remotely acceptable. I represent an area where the amount spent on policing is significantly higher than in many other areas, yet our detection rates are consistently low. I have great difficulty in explaining that to my constituents.

Contrary to some of the views expressed in the debate, police officers or chief constables will not be dismissed on a whim. They will be dismissed, or asked to resign or retire following a period during which they will have failed to come to terms with the difficulties that they experience in their community and to deliver good policing services.

We must find ways of removing from post people who are inefficient and ineffective. The notion that the tripartite system of Her Majesty's inspectorate of constabulary, police authorities and the Home Office achieved that in the past is farcical. There have been few cases of dismissal of chief constables in the UK.

Chief constables should be looking to the Home Office. After all, the Home Office is called to account for the failure of police authorities throughout the country, yet it has little impact on the performance of those authorities.

I welcome the Government's proposals on the removal of chief constables who are failing. Many areas of the country would benefit—as they would have done if we had introduced such a measure many years ago.

Mr. Denham: We have held a useful debate on a set of amendments on which we agree—I look forward to the debates on amendments on which we disagree.

I shall take in turn the points that were raised. It is worth reminding the House that for almost 40 years Governments have had the power to initiate the retirement of chief police officers. There is nothing new in that. Some contributors have spoken as though the Home Secretary was taking some new centralising power.

The new elements in these provisions are, first, the ability to require a chief officer to resign rather than to retire. As we discussed in Committee, the provision is based primarily on the fact that chief constables reach that rank substantially earlier than they used to. Police officers always appear to be getting younger, but chief officers genuinely are younger than they were 20 or 30 years ago. Therefore, it does not seem appropriate to require someone who might be in their early 40s to retire and receive the benefits of a pension.

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) referred to the financial issues. We undertook in Committee to work them through with the staff associations, because appropriate provision will obviously have to be made for those who have to resign.

Mr. Hogg: Does the Minister accept that the course of action chosen will have substantial financial implications for the police authority? Therefore, there is a good case for discussing with the authority which of the two courses should be taken.

Mr. Denham: I am not sure that a decision about the appropriate action should be taken on financial grounds. However, the nature of the provision to be made in such circumstances will, of course, be discussed with the CPOSA, the Association of Chief Police Officers and the Association of Police Authorities.

The new elements include the Bill having procedural safeguards on retirement and resignation that did not exist before. We have also discussed suspension, and it has been suggested that the Home Secretary will have an

[Mr. Denham]

untrammelled power to suspend a chief officer on a whim. I shall not go through the legislation in great detail, but it makes very clear the circumstances in which a chief officer can be suspended. First, he can be suspended by a police authority when it has considered—or has decided to take—action leading to resignation or retirement. There is an important initial stage in the process. The same is true when the Secretary of State initiates action. The possibility of suspension comes into the frame only when a decision has already been made to take measures leading to retirement or resignation, when serious consideration has been given to such measures or when they have been implemented but the chief officer has not yet resigned or retired.

The Bill makes it clear that the test to be used by the police authority or the Home Secretary is the maintenance of police confidence. Action will be taken to suspend a chief officer if that is necessary to maintain public confidence. Although the wording is slightly different, that is essentially true whether the police authority or the Home Secretary takes action. Therefore, it is not an arbitrary power. The suggestion that it was such a power was made not by the hon. Member for South-East Cambridgeshire (Mr. Paice), but by other Members who have spoken in the debate.

Norman Baker: To return to the point about public confidence that was discussed in Committee, does the Minister not recognise that if a Home Secretary or Minister rightly or wrongly publicly decried a chief constable, that could lead to a loss of public confidence in that officer who would automatically then be suspended by the police authority because public confidence had been eroded? If confidence had been eroded, it would be difficult to imagine the circumstances in which it would be restored so that the officer could return to duty.

Mr. Denham: I recognise something in the hon. Gentleman's remarks, but the possibility of an officer's career being damaged by action initiated by the Secretary of State has existed ever since the 1964 or 1966 Act first gave the Home Secretary the ability to act with regard to a chief officer. If the Home Secretary is considering action, a danger must be present, and I do not believe that we have introduced something significantly new in principle.

Members have reasonably asked about the protocol. The Select Committee on Home Affairs had hoped that the negotiations on the protocol would have been completed before Report—in an ideal world, I would have shared that hope—so that we could discuss them. Discussions are continuing this week between my officials and the CPOSA. If it is possible to conclude those discussions in time for Lords consideration of the Bill, we will make every effort to do so. However, I cannot promise that. It is important that negotiations take place between the Government, the CPOSA and organisations such as the Association of Police Authorities rather than occurring in the pages of the national press.

5.30 pm

Mr. Paice: The Minister is right. He has introduced safeguards when chief officers are required to retire, but he has not addressed the problem of safeguards when someone is suspended. There is nothing on such safeguards in the Bill; and the draft protocol, which I have been fortunate to see, makes no reference to them. Many hon. Members said that suspension is extremely damaging, whatever the outcome. The Secretary of State can require suspension and there is no option of a third-party appeal to him. What safeguards will the Minister introduce on suspension?

Mr. Denham: The suspension power comes into effect when circumstances are moving towards action to require a chief officer to retire or resign on either the Home Secretary's or the police authority's initiative. Suspension in those circumstances is seen as an immediate action and response to maintain public confidence. If all the procedural safeguards that are in place for a resignation or retirement are applied to the suspension process, the danger is that that process becomes the hearing on resignation or retirement. The power becomes unusable and the ability to get the right balance between maintaining public confidence and fair treatment of the chief officer is upset. How we handle that process needs to be the subject of discussion on the protocol, and I am sure we have some way to go before that is in a satisfactory form.

Mr. Mark Francois (Rayleigh): If the protocol is a work in progress, why was a copy of it shown to a journalist from *The Times* before it was shown to some hon. Members, including specialists who serve on the Home Affairs Committee?

Mr. Denham: I have no idea. I am reasonably confident that it did not come from any source within the Home Office or any Minister associated with the Department. I believe that copies of the draft protocol are fairly widely available in the police service. Chief constables have told me that they have had sight of it, although I have no reason to believe that any of them shared it with *The Times*. The matter will have to remain a mystery.

My hon. Friend the Member for Nottingham, North (Mr. Allen) asked whether there is a legal definition of efficiency or effectiveness in this context. The answer is no. It has not been defined in law, nor has there been a definition in law—certainly not in primary legislation—of operational matters, although the noble Lord Denning referred to a description of operational matters in a judgment 20 years ago. Other parts of the Bill exclude certain decisions from the powers of direction that may be made by the Home Secretary or a police authority, as set out in a new clause.

Mr. Allen: Given that "operational" is an elastic term, will my right hon. Friend consider defining it so that the operational creep in the police service, which allows just about everything to be seconded to the powers of the chief constable, is limited? I realise that it might be too late to do that for this Bill.

Mr. Denham: My hon. Friend will see that we have approached the matter in a slightly different way in the Bill. It is much easier, in law and in practice, to define those matters that must be solely the responsibility of the chief constable rather than to define all those that might be called "operational" in a broader sense. In the clauses that deal with what are currently called powers of direction, we have sought to exclude certain types of activity from those that could be the subject of a direction.

Mr. Allen: My right hon. Friend knows that I am interested in a particular problem. The chief constable in Nottinghamshire has effectively been able to do away with the beat bobby service in the city of Nottingham by ending what we would all term "community policing". Is my right hon. Friend telling me that nothing in the amendment, the clause or indeed the Bill would have prevented the chief constable from doing something that he can do now with impunity? He can disregard the rhetoric that Ministers dispense at the Dispatch Box; is my right hon. Friend telling me that he will still be able to do so in future?

Mr. Denham: I hate to disappoint my hon. Friend, but the answer is yes. It is clear from the discussions on Second Reading, in Committee and in the other place that the powers of intervention will not allow us to say to a chief constable, "You must do things our way." They apply only where the quality of service and the results achieved for the public are not satisfactory. The Bill makes provision for codes of practice to which chief constables would have to have regard. That could cover several different areas of policing, but I would not like to speculate today on whether it would cover the issue raised in such detail by my hon. Friend. He has inadvertently given me the opportunity to make it clear that this is not the prescriptive, centralising Bill to run the city of Nottingham from Whitehall that Opposition Members make it out to be.

My hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) made valuable points about variation. The thrust of the Bill is to ensure that we bring the standard of all police forces up to that of the best.

Lady Hermon (North Down): I apologise for coming slightly late to the debate. Will the Minister elaborate on the nature of the representations that senior officers may make? He will know that under the rules of natural justice a person is entitled to a fair hearing. Given the seriousness of retirement or enforced resignation to an individual, surely it is acceptable and wholly reasonable that he is able to make representations in person as well as in writing.

Mr. Denham: Certainly we intend that the chief officer will be able to make such representations during the appropriate part of the proceedings, and I shall write to the hon. Lady with details about that. We do not intend to make available a full hearing at every stage in the proceedings, but it is obviously right that the rules of natural justice are followed if measures are taken to require a chief officer to retire or resign.

Amendment agreed to.

Amendments made: No. 21, in page 35, line 46, leave out "a notice" and insert "informing him".

No. 22, in page 36, line 1, leave out—

'an explanation in writing of'

and insert "explaining".

No. 23, in page 36, line 5, leave out—

'of his intention to require the exercise of any power'.—*[Mr. Ainger.]*

New Clause 2

SCOTTISH SEX OFFENDER ORDERS

'(1) The Crime and Disorder Act 1998 (c. 37) shall be amended as follows.

(2) In section 20(1) (application for a sex offender order in Scotland) for "in the area of his police force" there shall be substituted "who he believes is in, or is intending to come to, the area of his police force".

(3) In section 20(2) (conditions to be fulfilled), for "the public" there shall be substituted "the public in the United Kingdom, or any particular members of that public".

(4) In section 20(3) (court to which application must be made)—

(a) after "application to" there shall be inserted "—

(a) ";

(b) at the end there shall be inserted "; or

(b) the sheriff whose sheriffdom includes any part of the area of the applicant's police force.".

(5) In section 20(5) (prohibitions which may be imposed), for "the public" there shall be substituted "the public in the United Kingdom, or any particular members of that public,".

(6) In section 21(7) (time limit, variation and revocation of order)—

(a) in paragraph (b), after "revoked" there shall be inserted "(in the case of a sex offender order, by the appropriate court for that order)";

(b) in paragraph (b)(i), after "the order" there shall be inserted " or, in the case of a sex offender order, any other relevant chief constable".

(7) After that subsection there shall be inserted—

"(7A) In subsection (7) above—

'the appropriate court' means—

(a) the sheriff who made the sex offender order; or

(b) the sheriff whose sheriffdom includes any part of the area of the applicant's police force or of the police force of any other relevant chief constable;

'relevant chief constable' means a chief constable who believes that the accused is in, or is intending to come to, the area of his police force."

(8) After subsection (7A) (inserted by subsection (7)) there shall be inserted—

"(7B) Where a sheriff makes a sex offender order in relation to a person who is already subject to such an order (whether made by that court or another), the earlier order is discharged by the making of the subsequent one."

(9) Subsections (5) to (7) apply in relation to applications and orders under section 20 of the Crime and Disorder Act 1998 (c. 37), whether made before or after the coming into force of this section.'.—*[Mr. Denham.]*

Brought up, and read the First time.

Mr. Denham: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to discuss the following: Government new clause 3—*Sex offender orders made in England, Wales or Northern Ireland.*

Government new clause 4—*Sex offender orders: Northern Ireland.*

Government new clause 5—*Interim orders for sex offenders: Northern Ireland.*

Government new clause 6—*Sex offender orders made in England and Wales or Scotland.*

[Sir Michael Lord]

Government amendments Nos. 48, 50, 60 and 61.

Mr. Denham: In Committee we introduced amendments to sex offender orders made in England and Wales to bring more flexibility to the application process, to introduce interim orders and to extend the jurisdiction of sex offender orders to the UK as a whole. The five new clauses in this group provide parallel provisions for sex offender orders made in Scotland and Northern Ireland. The Scottish Parliament passed a Sewel motion on the 27 June allowing the UK Parliament to legislate on its behalf.

New clauses 2 and 4 make three changes to the application process. First, when police forces know that an offender intends to come to their area, they will be able to apply for an order prior to the offender's arrival. Secondly, police forces will be able to make an application to any court in their police area, rather than only to a court in the area in which some of the risky behaviour took place. Thirdly, police forces will be able to vary orders at courts in their own police area without having to go back to the original court that made the order. That is not necessary in Northern Ireland because there, there is no limitation on which court may hear a variation. New clauses 2 and 4 also make it possible for the prohibitions in Northern Ireland and Scottish orders to extend to the UK as a whole by amplifying the definition of "the public" to

"the public in the United Kingdom, or any particular members of that public".

New clause 5 introduces interim sex offender orders in Northern Ireland, allowing police forces immediately to put into place preventive measures whenever necessary. Interim orders will have the same effect as full orders. Interim sex offender orders already exist in Scotland. New clauses 3 and 6 make breach of an order, whichever jurisdiction created it, an offence in Scotland and Northern Ireland respectively. The other amendments are consequential.

Mr. Nick Hawkins (Surrey Heath): The Opposition are pleased that a Sewel motion was passed by the Scottish Parliament enabling the new provisions to be introduced in line with the Government's proposals in Committee. We agreed with the Government's action in Committee, but it is fair to say that although we welcome the Government's having taken the opportunity to use the Bill to expand the operation of sex offender orders and make them more flexible, the Government might need to do more. From discussions with Ministers, I know that the Government recognise the need to keep the issue under review; that, too, is welcome.

I pay a personal tribute to another Home Office Minister, the Minister for Citizenship and Immigration, who assisted me on an especially difficult constituency case that is relevant to the new clauses. In that case, a person who had committed serious offences was about to try to move from one part of the UK to another part of the UK. The Minister was extremely helpful. There is no doubt that the provisions relating to England and Wales that the Government introduced in Committee, and the new clauses and consequential amendments that introduce those provisions to Scotland and Northern Ireland, will help the police.

None the less, we ask the Minister to repeat on the record the assurance that the Government have not closed their mind to making further changes if it transpires that there are other loopholes. The case with which I dealt, and the not dissimilar cases with which my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) and my right hon. Friend the Member for West Dorset (Mr. Letwin) have dealt, have exposed potential difficulties in the law as it stands.

We all want there to be a really effective set of provisions in statute to control dangerous sex offenders and prevent their committing further offences. After the tragic Sarah Payne case, we are all especially conscious of the need for the law to be very tough and not to allow any loopholes to remain. Having said that, I welcome the Government's action, but ask the Minister to reassure us that if we propose further changes, the Government will consider our proposals seriously.

Norman Baker: On behalf of the Liberal Democrats, I am happy to express full support for the Government's proposals. We also supported the amendments made in Committee. The provisions are sensible and they will close one or two of the loopholes that all of us recognise need to be closed.

Like the hon. Member for Surrey Heath (Mr. Hawkins), I am aware of at least one relevant case. After becoming the subject of an order, an offender in a Welsh force's area moved to Scotland. The relevant Scottish force was informed of the order, the man's behaviour was monitored, and I understand that risky behaviour was observed. An additional order had to be sought because the prohibitions of the first order were not legally binding in Scotland. That is not satisfactory. The loophole must be closed, the Government are right to close it, and they have our full support.

I welcome too the heightened commitment from Ministers to deal with sex offences generally—a small straw in the wind, but welcome none the less. The Home Secretary personally answered a question about rape at Home Office questions, which did not go unnoticed. He has also said that he intends to introduce legislation to update sex offences legislation, which is overdue. I am therefore pleased with the Government's response in this regard, both this afternoon and more generally.

5.45 pm

Mr. Hogg: I am afraid that I do not share the enthusiasm that some hon. Members have expressed for the amendments. When I look back at section 20 of the Crime and Disorder Act 1998, I am struck by its draconian nature. One must therefore ask oneself whether one should extend it even further.

Under section 20(2)(b) of that Act, the power to make an order is exercised on a standard of proof less than that required under the criminal code. Under section 21(7)(a), the order can be made indefinitely. Under section 20(5), the prohibitions imposed

"are those necessary to protect the public from serious harm from the person in respect of whom the order is made."

Someone who satisfies the criteria—I accept that they have to have been a sex offender in the past—can have an indefinite prohibition imposed on them on a standard of evidence that falls far short of that required in the criminal courts. The order may require them to desist from a particular occupation, living in a particular place or pursuing certain conduct—all on a standard of proof below that used in the criminal courts and for an indefinite period.

We are extending that provision, and I view that process with considerable suspicion. I am a little surprised, as clause 20 is a Scottish clause, that we have not had the privilege of hearing from a Scotland Office Minister. As other matters refer to Northern Ireland, I am a little surprised that we have not had the privilege of hearing from Ministers from the Northern Ireland Office, but so be it—those are small points. At the end of the day, we are extending draconian powers, and we need to be jolly careful about doing so.

Lady Hermon: I am sorry that we have not had input from a Minister from the Northern Ireland Office, but I hope that the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) will grant me the courtesy of accepting that as someone who represents a Northern Ireland constituency, my views may carry just as much weight as those of a Minister from that Department.

We in Northern Ireland are particularly in favour of the extension of the orders, as our position has become increasingly difficult—when sex offenders moved into an area, we could not impose interim sex offender orders. A number of my constituents are exceedingly concerned about that problem, so I wish to compliment the Minister, rather than criticise him, on introducing the new clauses. However, I should be grateful for clarification of two matters. First, new clause 4(2) will change the Criminal Justice (Northern Ireland) Order 1998 so that it reads,

> "If it appears to the Chief Constable that the following conditions are fulfilled with respect to . . . any person"—

meaning a sex offender—

> "who he believes is in, or is intending to come to, Northern Ireland"

Will the Minister clarify what is meant by a person who

> "intends to come to . . . Northern Ireland"?

Does that extend to people coming form the Republic of Ireland, as well as the rest of the United Kingdom?

Secondly, the Minister will know that under section 21 of the Crime and Disorder Act 1998, a chief constable in England and Wales

> "shall consult the local authority"

before a sex offender order is made. In Northern Ireland, we do not have a similar procedure. The Chief Constable has no obligation to consult a local authority. Bearing in mind the impact of the Patten report and reform of policing in Northern Ireland—the central element of which is to bring policing closer to the community—was any consideration given to consultation with the new district policing partnerships which will mirror district council areas in Northern Ireland, or was the matter overlooked when the new clauses were tabled?

Annabelle Ewing (Perth): I, too, place on record my regret that no Scotland Office Minister has seen fit to be present during the debate on these clauses, which will of course apply to Scotland. Perhaps that is symptomatic of their somewhat cavalier attitude to the treatment of Scots law matters in this Parliament.

On behalf of the Scottish national party, I welcome the closing of loopholes in the sex offender order system and in the enforceability of such orders throughout the United Kingdom. I hope that that will help to ensure public confidence in the way in which we deal with sex offenders.

Reference has been made to the debate in the Scots Parliament on 27 June this year on the Sewel motion passing jurisdiction on this matter to Westminster. During that debate, my SNP colleagues raised some concerns, motivated by the need to proceed as urgently as possible. At that time, it was not clear whether the Bill would complete its legislative passage through this place before the House rose for the summer recess. During the debate in the Scots Parliament, we in the SNP were arguing for the passage by the Scots Parliament of emergency legislation to ensure that this vital matter was dealt with urgently. Of course, the Scots Parliament retains jurisdiction over criminal justice matters and on several occasions has passed emergency legislation in the criminal justice field.

During that debate—I mention this on the off-chance that the legislative completion of the Bill does not proceed in the way it appears to be heading—my SNP colleagues sought a guarantee from the Scottish Executive Minister that, if the passage of the Bill in Westminster was delayed for any reason, the issue of sex offender orders would be brought back to the Scots Parliament when it reconvenes at the beginning of September after its shorter summer recess, to ensure that emergency legislation would be forthcoming.

We support the principles of the new clauses and the consequential amendments. I hope that the introduction into Scots law of such important new provisions will not be delayed simply because they have been tagged on to Westminster legislation which, for the most part, has no application in Scotland.

Mr. Denham: I shall deal with the points in turn. I am grateful for the general welcome that has been given to the new clauses and amendments. I can confirm to the hon. Member for Surrey Heath (Mr. Hawkins) that it is the Government's intention to respond in the autumn to the conclusions of the consultations on the "Setting the Boundaries" report on sex offences generally. In due course, we will look for legislative slots to take forward our proposals in that regard. As we discussed in Committee, we have used the Bill to introduce necessary and urgent measures, but this is by no means the end of the issues that need to be addressed. I am happy to give the hon. Gentleman that assurance.

I welcome the support from the hon. Member for Lewes (Norman Baker). He is right to notice the commitment of my right hon. Friend the Home Secretary to these issues.

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) said that the powers were draconian; they are. They are powerful measures, which the House has judged necessary to protect our children from people who have a record of sexual offences and who may be displaying behaviour—for example, hanging round children's swimming baths or playgrounds—from which the public wish to be protected, and the public do not understand why there is no preventive measure. The House and other Parliaments having decided to introduce such measures, it is appropriate that we make sure that they work as effectively and flexibly as possible.

The hon. Member for North Down (Lady Hermon) asked about a couple of points. Yes, the power can potentially be used against a convicted sex offender from abroad. It could obviously also be used in circumstances where somebody convicted in this country had travelled

[Mr. Denham]

abroad and was coming back. Precisely because situations have arisen where police have become aware that a convicted offender is moving to their area, whether from within the country or from abroad, the power is necessary. Somebody may, for example, be relocated or housed upon release through a registered social landlord. It may become quite widely known that that person is moving to a particular area, but at present the police cannot act until the person has taken up residence in the area. Clearly, that has been a matter for public concern.

On the comments of the hon. Member for Perth (Annabelle Ewing), let us hope that because of the utmost reasonableness of the Government and our accommodating approach to the Report stage, any questions of legislative delay need not entertain us.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 3

SEX OFFENDER ORDERS MADE IN ENGLAND, WALES OR NORTHERN IRELAND

'After section 21 of the Crime and Disorder Act 1998 (c.37) there shall be inserted—

"21A Sex offender orders made in England, Wales or Northern Ireland

(1) If without reasonable excuse a person does anything in Scotland which he is prohibited from doing there by—

(a) an order under section 2(3) or 2A above; or

(b) an order under Article 6 or 6A of the Criminal Justice (Northern Ireland) Order 1998 (S.I. 1998/ 2839 (N.I. 20)),

he is guilty of an offence.

(2) A person who is guilty of an offence under subsection (1) above shall be liable—

(a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both; or

(b) on conviction on indictment, to imprisonment for a term not exceeding five years or to a fine, or to both." '.—*[Mr. Denham.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 4

Sex offender orders: Northern Ireland

'(1) Article 6 of the Criminal Justice (Northern Ireland) Order 1998 (S.I. 1998/ 2839 (N.I. 20)) (sex offender orders) shall be amended as follows.

(2) In paragraph (1) (application for a sex offender order)—

(a) for "in Northern Ireland" there shall be substituted "who he believes is in, or is intending to come to, Northern Ireland";

(b) for "the public" there shall be substituted "the public in the United Kingdom, or any particular members of that public,".

(3) In paragraph (2) (which identifies the court to which an application must be made), for the words following "1981 to" there shall be substituted "any court of summary jurisdiction".

(4) In paragraph (4) (the prohibitions which may be imposed), for "the public" there shall be substituted "the public in the United Kingdom, or any particular members of that public,".

(5) In paragraph (7) (discharge of orders), after "parties" there shall be inserted "and subject to paragraph (7A)".

(6) After that paragraph there shall be inserted—

"(7A) Where a court makes a sex offender order in relation to a person who is already subject to such an order (whether made by that court or another), the earlier order is discharged by the making of the subsequent one."

(7) Subsection (4) applies in relation to applications and orders under Article 6 of the Criminal Justice (Northern Ireland) Order 1998 (S.I. 1998/ 2839 (N.I. 20)), whether made before or after the coming into force of this section."'.—*[Mr. Denham.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 5

INTERIM ORDERS FOR SEX OFFENDERS: NORTHERN IRELAND

'(1) After Article 6 of the Criminal Justice (Northern Ireland) Order 1998 (S.I. 1998/ 2839 (N.I. 20)) there shall be inserted—

"6A Interim orders: sex offenders

(1) This Article applies where an application for a sex offender order ("the main application") to a court of summary jurisdiction has not been determined.

(2) The applicant may apply by way of complaint under Part VIII of the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/ 1675 (N.I. 26)) to the court for an interim order, pending the determination of the main application.

(3) The court may make an interim order prohibiting the defendant from doing anything described in the order if it considers that it is appropriate to do so.

(4) An interim order—

(a) shall have effect for the period specified in the order;

(b) shall (if still in force) cease to have effect on the determination of the main application.

(5) While an interim order is in force, Part 1 of the Sex Offenders Act 1997 (c.51) shall have effect as if—

(a) the defendant were subject to the notification requirements of that Part; and

(b) in relation to him, the relevant date (within the meaning of that Part) were the date of service of the order.

(6) The applicant or the defendant may apply for the variation or discharge of the interim order by a further order.

(7) If without reasonable excuse a person does anything which he is prohibited from doing by an interim order, he is guilty of an offence.

(8) A person guilty of an offence under paragraph (7) shall be liable—

(a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both; or

(b) on conviction on indictment, to imprisonment for a term not exceeding five years or to a fine, or to both.

(9) Where a person is convicted of an offence under paragraph (7), it shall not be open to the court by or before which he is convicted to make an order under paragraph (1)(b) (conditional discharge) of Article 4 of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/ 3160 (N.I. 24)) in respect of the offence."

(2) In Article 7(7) of that Order (sex offender orders: supplemental)—

(a) after "a sex offender order" there shall be inserted "or an interim order under Article 6A";

(b) after "Article 6(6)" there shall be inserted "or 6A(6)".'.—*[Mr. Denham.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 6

SEX OFFENDER ORDERS MADE IN ENGLAND AND WALES OR SCOTLAND

'After Article 6A of the Criminal Justice (Northern Ireland) Order 1998 (S.I. 1998/2839 (N.I. 20)) (which is inserted by section (*Interim orders for sex offenders: Northern Ireland*) above) there shall be inserted—

"6B Sex offender orders made in England and Wales or Scotland

(1) If without reasonable excuse a person does anything in Northern Ireland which he is prohibited from doing there by an order under section 2, 2A or 20 of the Crime and Disorder Act 1998 (c. 37) he is guilty of an offence.

(2) A person who is guilty of an offence under paragraph (1) shall be liable—

(a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both; or

(b) on conviction on indictment, to imprisonment for a term not exceeding five years or to a fine, or to both.

(3) Where a person is convicted of an offence under paragraph (1), it shall not be open to the court by or before which he is convicted to make an order under paragraph (1)(b) (conditional discharge) of Article 4 of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/ 3160 (N.I. 24)) in respect of the offence."'.—*[Mr. Denham.]*

Brought up, read the First and Second time, and added to the Bill.

Clause 57

SPECIMENS TAKEN FROM PERSONS INCAPABLE OF CONSENTING

Mr. Denham: I beg to move amendment No. 39, in page 55, line 6, after "patient" insert—

'no specimen of blood shall be taken from him under section 7A of this Act and'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 40 to 46.

Mr. Denham: The amendments seek to protect a person unconscious after an accident by providing that a constable cannot ask for a blood specimen to be taken if the medical practitioner with clinical care of the person objects. The amendments meet an undertaking that I gave in Committee to consider an amendment covering the same ground moved by the hon. Member for South-East Cambridgeshire (Mr. Paice).

The amendments to the Road Traffic Act 1988 introduced by clause 50(1) make it lawful, but not compulsory, for a medical practitioner to take a specimen when requested, if he thinks fit. The Bill already prevents the request being made to the practitioner with clinical care of the person concerned. Clearly, it would not be fitting if the practitioner with clinical care objected or if it were against his own medical judgment.

The Road Traffic Act already protects hospital patients by providing that a patient cannot be required to give a specimen if the clinician objects. Clause 50(2) further amends the Act to provide additional protection in that, when he recovers capacity, the person from whom the specimen was taken cannot be required to consent to its analysis if the clinician objects.

It has never been our intention to allow a specimen to be taken without consent where the clinician objects. However, we need to ensure as far as possible the equality of treatment between conscious and unconscious patients, at whom the measures in the Bill are aimed.

At present, a clinician can object to, and so prevent, a conscious patient from being required to provide a specimen. Under the Bill as it stands, the clinician can object to, and so prevent, an unconscious patient being required to consent to analysis of a specimen, but he cannot object to, and so prevent, the specimen from being taken in the first place. In practice, that is highly unlikely to happen: a medical practitioner would not take a specimen if the clinician objected, for reasons of medical ethics and professional etiquette. It remains, however, a theoretical possibility. The amendments would remove that possibility. Parallel amendments are made to the Transport and Works Act 1992.

6 pm

Mr. Paice: The Minister knows that the Opposition strongly support this cluster of amendments, which puts right a legal anomaly that has allowed some people to escape prosecution for their crimes because they were unconscious at the relevant moment. We support that, but, as he said, we raised in Committee the issue of the responsibility of the clinician in charge of a patient and his right to refuse to allow a sample to be taken. The issue arose in the British Medical Association's representations to me and I am grateful to the right hon. Gentleman for his response, which I welcome. He did not say whether he had spoken to the BMA about the amendments. Will he confirm that he has done so and that it is happy and content that they achieve the objectives about which it expressed the concern from which the original amendments arose?

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): I speak for myself and my hon. Friend the Member for Lewes (Norman Baker) in welcoming the amendments. It was especially pleasing to see the Minister responding to the very good points that were made, and we all appreciate his taking them away and incorporating them into the Bill.

Mr. Hogg: Before I can give my consent to the amendments, I should like the Minister to answer one or two questions, both general and particular. First, new section 7A(1)(d) to the Road Traffic Act 1988 states:

"it appears to that constable that that person's incapacity is attributable to medical reasons."

I need to know a little more about the meaning of the phrase "medical reasons". I cannot find any illumination in the definitions section of the Bill, but such reasons may be defined in other legislation. In that case, it would be helpful to know which legislation is involved.

My anxiety is that the incapacity in question could arise from a mental disability. On the face of it, such disability could well be attributable to medical reasons. The Minister spoke about somebody being unconscious, and such circumstances will clearly fall within the definition, but what happens if an individual is suffering from a

[Mr. Hogg]

severe disease or abnormality of mind? Does the phrase "medical reasons" prevent the clause from applying to such a person? I require clarification on that question. If the clause can apply to such a person, we are considering giving somebody who is suffering from a mental abnormality or disease a warning about the consequences of not supplying a specimen, which is a pretty pointless activity.

We need to be clear that the classification of individual for which the clause provides does not extend to the mentally ill or abnormal, otherwise, we have got a problem. Of course, one resolution would be to provide that the warning should not be given unless the medical practitioner certifies that the person is capable of understanding it. If the medical practitioner made such a statement, one might assume that the position of the patient was safeguarded.

My question is this: does the provision cover those who are mentally ill, and if so, what protection will be given to such people? They would not understand the warning and a prosecution might well flow in respect of an offence that they did not fully comprehend.

Ms Candy Atherton (Falmouth and Camborne): My right hon. Friend the Minister will know that I have been much exercised by the issue with which the amendment deals because of the case of the late Sarah Kettle in my constituency and the campaign that her mother, Mary Kettle, has run to obtain justice for families who find themselves in similar circumstances in future. Will he assure me that blood can be taken by a medical practitioner when somebody has been involved in a serious accident such as that which occurred in the Kettle case and ensure that, in similar circumstances, justice can be seen to be done in future?

Mr. Denham: Certainly, it is very much the intention of the clause to ensure that justice is done in future. There has been extensive discussion with the British Medical Association about trying to get the legislation right and to ensure that it has the right checks and balances. The underlying problem is that of somebody who has been involved in a road accident and was drunk at the time, but can escape prosecution purely by virtue of being unconscious. That is the loophole that we are trying to close. It is only fair to the House and to everyone else to say that we are seeking generally and in the amendment to ensure that the proper clinical duties of doctors and their ethical position are also respected. My hon. Friend the Member for Falmouth and Camborne (Ms Atherton) would not expect anything different.

The hon. Member for South-East Cambridgeshire (Mr. Paice) asked about the BMA. In answer to his question, I have to confess that I have not spoken to the BMA. I have every reason to believe that the amendment deals with the issue that it raised, but he asked me a direct question and I must give him a direct answer: I have not spoken to the BMA, but I would be mortified if I found out that the amendment did not address the issues about which it was concerned.

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) asked about people who are mentally ill. Perhaps I have missed his point, but I am not sure whether he has entirely understood the gist of the provision. Clearly, the person's incapacity must be attributable to medical reasons. Given the essence of that safeguard, I do not think that there is any question of a sample being taken if either the medical practitioner making the request or the clinician who is responsible for the person's care objects. That is the purpose of the amendment: it builds into the system the clinical protection of the judgment of the clinicians who are responsible for dealing with the matter. I do not think that the difficulty to which he alluded will arise in practice. If there is a problem of definition, the provisions will place clinical responsibility on the clinician who is responsible for the individual patient's care to object if he does not think that the procedure is in the patient's clinical interests.

Mr. Hogg: I should like to press the Minister a little further. Two circumstances trouble me. First, a prosecution can follow from a failure to supply a specimen. For that to happen, a warning must be given, but in order to accord with the rules of natural justice, the warning must be tendered in such a way and to such a person as to ensure that it can be understood. A mental patient may not be able to understand the warning, which is given by the constable and not the doctor.

Secondly, and rather differently, if a person who has had an accident was rendered unconscious and is in a pretty woozy state on coming round, the constable may well set about giving a warning prematurely, when the patient may not fully understand what is going on. Surely, there should be some requirement to ensure that if there is any doubt about the patient's ability to comprehend the warning, the medical practitioner will be asked to express an opinion.

Mr. Denham: The legislative approach is that, under existing road traffic legislation, it is conceivable that somebody who is asked to provide a sample will be unable to comprehend the warning, although one might query why such a person was driving a car. None the less, that is possible under existing legislation, so there is nothing new here.

We are introducing a protection that attempts to put the unconscious person from whom the sample is taken in the same position as that of somebody from whom a sample is taken under existing legislation. If a sample is taken and the person decides on regaining consciousness that they do not wish it to be analysed, they can refuse to allow that to happen. They will therefore have put themselves in the same position as that of somebody who is competent to refuse to allow the taking of a sample and decides to take the consequences of being taken to court in relation to that refusal. We have carefully structured the provisions so that a person from whom a sample is taken while they are unconscious can, if they like, put themselves in exactly the same position as somebody who refused a sample in the first place.

With regard to the circumstances to which the right hon. and learned Member for Sleaford and North Hykeham referred, in which somebody with a mental incapacity was unable to understand the question, unless such a person was unconscious at the time, which would mean that they were dealt with under the provision, the situation would be unchanged from that which applies under existing road traffic legislation.

Amendment agreed to.

Amendments made: No. 40, in page 55, line 8, leave out—

'section 7A of this Act'

and insert 'that section'

No. 41, in page 55, line 10, after "proposal" insert—

'to take the specimen or'.

No. 42, in page 55, line 17, after "that" insert—

'the taking of the specimen,'.—*[Mr. Denham.]*

Clause 59

EQUIVALENT PROVISION FOR OFFENCES CONNECTED WITH TRANSPORT SYSTEMS

Amendments made: No. 43, in page 59, line 9, after "patient" insert—

'no specimen of blood shall be taken from him under section 31A of this Act and'.

No. 44, in page 59, line 11, leave out—

'section 31A of this Act'

and insert 'that section'

No. 45, in page 59, line 13, after "proposal" insert—

'to take the specimen or'.

No. 46, in page 59, line 20, after "that" insert—

'the taking of the specimen,'.—*[Mr. Denham.]*

Clause 60

VEHICLES USED IN MANNER CAUSING ALARM, DISTRESS OR ANNOYANCE

Norman Baker: I beg to move amendment No. 4, in page 60, line 28, after "occasion", insert—

'within the last six months'.

When I raised the issue of the seizure of motor vehicles in Committee, I came away from our relatively short discussion a little concerned about the Minister's reply, so I hope that he will forgive me for raising it again today. I am grateful to you, Mr. Deputy Speaker, for selecting the amendment tabled in my name and in that of my hon. Friends the Members for Southwark, North and Bermondsey (Simon Hughes) and for Mid-Dorset and North Poole (Mrs. Brooke).

I want to outline a theoretical case which I hope will interest the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). Clause 60 allows for the following scenario. A constable who has reasonable grounds for believing that a motor vehicle is being used in a way that causes or is likely to cause alarm, distress or annoyance has the power, if the vehicle is moving, to order the person who is driving it to stop, and the power to seize and remove the vehicle, using reasonable force to do so. So far, so good. The constable is required to warn the person that that will be the consequence if the vehicle's use is continued or repeated, or if the use has continued or has been repeated after the warning. Equally, I see no problem there. The clause includes the reasonable provision that a warning is not required if the circumstances would make it impracticable for the warning to be given. It also includes certain other let-outs that make good common sense. Again, so far, so good.

What worries me is subsection (2), which states:

"A constable in uniform shall also have the powers set in subsection (3)"—

that is, the power to stop and seize—

"where he has reasonable grounds for believing that a motor vehicle has been used on any occasion"—

I repeat, on any occasion—

"in a manner falling within subsection (1)."

That worries me for two reasons. The immediate problem that would cause the constable to wish to seize or stop the vehicle has gone, because the vehicle is no longer causing any problem. Therefore, the necessity to stop the vehicle has completely gone, and the necessity to seize it is perhaps limited to the constable's fear or suspicion that the intimidatory behaviour may be repeated. That may be justifiable if it turns out that the person who owns the vehicle has a history of behaving in a way that leads the constable reasonably to conclude that they will again use their vehicle in a way that will cause alarm, distress and annoyance to members of the public.

The problem is that there is no time limit on such a seizure. Moreover, the constable may not have been able to give a warning to the person driving the vehicle. That means that it is possible that some months or years later—I accept that it is a remote possibility, but it is what the clause allows—a constable could come along and seize a vehicle, saying, "I wanted to give you a warning at the time, but I could not stop you. This vehicle was involved in an incident, so I am exercising my powers to seize it." The Minister may think that that is rather far-fetched, but it is a possibility, as he admitted himself. I remind him of what he said in Committee:

"The hon. Gentleman conjures up the possibility of the seizure without warning of a vehicle many months after an event. As the clause is constructed, that is a theoretical possibility, although whether it is likely to happen is a matter for speculation."—*[Official Report, Standing Committee A*, 25 June 2002; c. 365.]

The Minister is rightly keen on removing theoretical possibilities—indeed, he did so about 10 minutes ago when he dealt with a matter to do with blood specimens, saying, "It remains a theoretical possibility, so we are acting to remove it." I therefore hope that he will apply that logic to the matter that I have drawn to the House's attention and remove the theoretical possibility that is conjured up by the clause.

6.15 pm

The six-month limit that my colleagues and I are trying to insert is reasonable. Surely, the Minister can envisage no circumstances in which a constable would wish to seize a vehicle after six months. If he does not wish to have a time limit, he must accept that the theoretical possibility that I have outlined could happen, which would be a gross distortion of justice. After all, there can be no certainty that the vehicle seized was driven by the person who owned it. A person could have a vehicle stolen and because it is subsequently found three streets away, that person does not bother to tell the police that it happened. During the time that it was missing, the vehicle could have been used for purposes to cause alarm, distress or noise to members of the public. Some months later, the law-abiding citizen who retrieved his or her missing car could be confronted by a constable who says, "On one occasion this vehicle was driven in such a way that I am now going to seize it, because I was not able to give a

[Norman Baker]

warning to the person driving it." If the person then says, "It went missing but I didn't report it because it turned up three hours later", the constable will say, "That's a likely story, sir—I'm seizing your vehicle."

Although that is obviously not the intention of the clause, I suggest to the Minister that it is drafted in such a way as to allow the possibility to occur, and he therefore needs to insert some safeguards. The safeguard that I propose is a six-month time restriction. That is a normal time restriction which is applied by the police in all sorts of cases, and it would not be unreasonable to include it in the clause. Given that the Minister recognises that theoretical possibilities need to be removed, as he said 10 minutes ago in respect of blood samples, I am sure that he will support the amendment.

Mr. Hogg: Although I am not sure that I support the amendment, the hon. Gentleman identifies a point of some substance. There are two issues here, because clauses 60 and 61 have to be read together. Clause 60(2) enables the police to stop an individual who was not responsible for the antisocial behaviour set out in subsection (1), and to do so on the basis of hearsay—that is, information that is neither known to him personally nor within his ability to check. So a driver can be stopped and have his vehicle seized for behaviour that was not carried out by himself, in a situation where the constable has less than adequate knowledge on which to base his decision.

Yet more problematic is what happens where the owner is perfectly innocent. Under clause 61, the regulations to enable the owner to recover the seized vehicle are couched in permissive terms only, so the Secretary of State is not obliged to lay regulations enabling an innocent owner to recover it, but only "may" do so. Together, the two clauses represent an undesirable curtailment of liberty.

Mr. Hawkins: I can be brief in dealing with this. On 25 June there was a short debate in Committee, which is recorded at columns 364 to 366 of *Hansard*. We understand the point that the hon. Member for Lewes (Norman Baker) has raised, but we anticipate that the Minister may say that an artificial time constraint of only six months might be rather too restrictive. My hon. Friend the Member for Henley (Mr. Johnson) spoke in Committee to express his view that the measures were very widely framed. Although we do not support what the hon. Member for Lewes says, we recognise, as did the Minister in Committee, that he raises a theoretical possibility.

Mr. Denham: The hon. Gentleman correctly anticipates that I am going to ask the House to resist the amendment on the grounds that I am not sure that an arbitrary time limit is a good idea in this context. It is worth noting clause 60's reliance—not exclusively, but for the most part—on circumstances in which a constable has already given a warning to those indulging in the antisocial use of a motor car. I have some discomfort with the idea that a warning that has been given might lapse because of some arbitrary time limit. I will therefore ask hon. Members to resist the amendment.

On late seizure and the effects on an innocent person, the Bill makes it mandatory that people who did not know about the vehicle's use should get it back without charge. That is a provision in the Bill, although there are details about charging through regulations.

Mr. Hogg: I wonder whether the Minister is right. I presume that the power to reclaim the vehicle will be made under the regulations. Clause 61(1) provides:

> "The Secretary of State may by regulations make provision as to . . . the procedure by which a person who claims to be the owner . . . may seek to have it released".

Why is not the provision to lay the regulations mandatory rather than permissive?

Mr. Denham: Draftsmen have different views about whether "may" means "shall" and vice versa in legislation, and we are in one of those terrible debates. However, the Secretary of State intends to make regulations. He will thus fulfil the requirements of clause 61(3), which states:

> "Regulations . . . must provide that a person . . . shall not be liable to pay . . . if . . . the use by reference to which the motor vehicle in question was seized was not a use by him; and . . . he did not know of the use of the vehicle in the manner which led to its seizure".

Norman Baker: I understand why the Minister does not want an arbitrary time limit. However, clause 60 is loosely worded or widely drawn. Will he recognise that there is at least the potential for injustice? What further safeguards does he propose? Does he acknowledge that clause 60(5) provides that a warning is not necessary?

Mr. Denham: I made a point of saying that the clause relies largely but not exclusively on warnings. Subsection (5) allows for circumstances under which a warning is not practicable. I do not agree that the clause is loosely worded. It allows necessary operational flexibility. We should not forget the severe disruption that many of our constituents suffer through the irresponsible and unauthorised use of off-road vehicles, such as motor cycles, and people who joyride repeatedly around the same residential estates and roads. That causes great distress. I believe that clauses 60 and 61 reflect the mood in Committee and respond to a genuine environmental nuisance caused by irresponsible people against which action must be taken. Seizing vehicles will often be the best method of tackling that.

Norman Baker: The Minister is right that vehicles that are used in a

> "manner causing alarm, distress or annoyance"

create severe disruption. Nobody disagrees with that, and the Committee's mood was to support the clause's intention. My colleagues and I fully support its purpose. It is sensible that steps are available to the police to deal with vehicles that are used in the manner described by the clause. My constituents, like others, are subject to such unwelcome use of vehicles, and we support measures to give the police powers to tackle that. However, we do not support provisions, the drafting of which allows injustice to occur. The Minister has failed to deal with that.

The Minister accepted that a warning will not necessarily be given and that a vehicle could be subsequently seized without warning. He has not explained why subsequent seizure, rather than seizure during an alarming incident, is appropriate. The alarm has, by definition, passed if the vehicle is not seized or stopped during the incident. He did not state that a vehicle may not seized from an owner who has no knowledge of the vehicle's use. The potential for injustice cannot be justified by the Government's proper attempts to deal with the nuisance caused by vehicles used in the manner that clause 60 describes.

Surely it is not beyond the wit of the Government or the parliamentary draftsmen to draw up a clause that deals with the "alarm, distress or annoyance", which hon. Members of all parties want to tackle, while ensuring that injustice does not occur. I am disappointed that the Minister has failed to deal with that aspect of my argument.

However, we have a timetable motion and there are other matters to discuss, and I shall therefore not try to divide the House. I am disappointed by the Minister's reply, but I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 62

ANTISOCIAL BEHAVIOUR ORDERS

Ms Julia Drown (South Swindon): I beg to move amendment No. 62, in page 63, line 20, at end insert—

'(6A) At the end of subsection (3) there is inserted "; save that, where the behaviour giving rise to the complaint involves prostitution, the complaint may alternatively be made to a county court."

(6B) In subsection (4), after the words "magistrates court" there is inserted (or, as the case may be, county court)".'.

The amendment would allow antisocial behaviour orders involving prostitutes to be considered in the county courts as an addition to current powers that permit them to be considered in magistrates courts.

Residents in central Swindon suffer severely from the prostitutes and pimps who frequent the area. A recent survey of residents found that most men had been propositioned. Only last week, a gentleman told me that he was driving normally and safely from the community centre and was shocked when someone jumped into the back of his car. If that can happen when someone is simply leaving a community centre, hon. Members can imagine the problems that many men in the area are experiencing.

Many women are also propositioned, causing offence and distress. Prostitution has an impact not only on people's social and family lives but on businesses in the area.

Mr. Hogg: I understand the problem that the hon. Lady is outlining, and I am not against her. However, why does she want the application to be made to the county court, not the justices?

Ms Drown: I shall deal with that shortly.

First, I want to explain the disruption that prostitution is causing. I know of a child minder who is obviously embarrassed about the situation when the people whom she helps come to her door. Even 10-year-olds have been propositioned by prostitutes. That is clearly unacceptable. Condoms are discarded in people's gardens and in alley-ways, and there is harassment from pimps and prostitutes. We have got to the point of telephone lines being pulled out of people's homes.

I congratulate the police on their work on the problem. They have put extra resources into the area. Councillors, especially local Labour councillors, have been trying to tackle the problem. The community council has also been supportive. However, those are temporary solutions, and the community welcomed the introduction of antisocial behaviour orders. Great faith was placed in taking prostitutes to our magistrates court.

When the four prostitutes were identified, much work was put into ensuring that there was a strong case, especially as it was the first use of antisocial behaviour orders. I am attracted to the orders because they can be used to tackle other issues, such as the drug problems that many prostitutes in the area experience.

There was a co-ordinated effort to get an antisocial behaviour order through our magistrates court. The community experienced extra frustration when there was a delay. As hon. Members know, magistrates are voluntary, and the court worked hard to get the three magistrates together for a three-day hearing. The delay caused problems; once again, I congratulate the community council, which kept threats of vigilante action at bay. Hon. Members can imagine the community's frustration when a defence solicitor in the magistrates court described antisocial behaviour orders as a sledgehammer to crack a nut. I hope that the Minister will agree that that is not the case, and that the orders are appropriate for dealing with the genuine problems that prostitution causes.

6.30 pm

The magistrates did not believe that the case was strong enough or that it fulfilled the requisite conditions. Hon. Members can imagine the huge disappointment in the community after that decision. A lot of work went into analysing the case, and into assessing whether it had been strong enough and whether the conditions had been fulfilled. The local borough council and the police strongly believe that the conditions were fulfilled, and that the problem was caused by having to deal with the case in a magistrates court. There was a real feeling that if it had gone to the county court, the application for an antisocial behaviour order would not have failed.

The reasons for that were, first, that county court judges are used to drawing inferences. In Swindon, the magistrates refused the antisocial behaviour orders because they did not have the evidence to link the individual prostitutes to the antisocial behaviour that they admitted was being caused by the soliciting. There was also no question but that those particular people were prostitutes. County court judges are much more used to drawing such inferences. Secondly, they are much more used to weighing up hearsay evidence, which is particularly prevalent in cases involving prostitution. That greater experience would really help in assessing such evidence.

Thirdly, county court judges are used to applying a civil burden of proof. Just as they have greater experience of hearsay evidence, they also have greater experience of applying such a burden of proof, and are better informed as to how much evidence is needed to balance the probabilities in such cases. The other advantage of

[Ms Drown]

allowing cases to be taken in either a magistrates court or a county court is that the more possibilities there are for bringing antisocial behaviour orders, the more likely a case is to be heard quickly. When we are dealing with real frustration in communities, it is important to try to get the orders in place as soon as possible.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I am following the hon. Lady's argument carefully, but I have to say, with great respect, that the delay involved in finding three whole days for a county court hearing would be immense. In most county courts, that process can take three or even six months.

Ms Drown: I appreciate that comment. It took that long in Swindon, too, to get this whole process running. The amendment would allow more possibilities and flexibility. The time scale varies up and down the country, and I would hope that most of these cases would not need three days. The proposal would provide a sensible way for the Government to improve the quality of life for many of my constituents in central Swindon, and I urge the Minister to consider accepting the amendment.

Mrs. Brooke: Antisocial behaviour orders are multi-purpose tools—sometimes rather blunt ones—and because they are applied in many different circumstances, I can follow the argument of the hon. Member for South Swindon (Ms Drown). Indeed, I listened to her speak on the matter in an Adjournment debate which I found very interesting. I had not really thought about the prostitution side of the argument at all; I was hooked into the argument relating to young persons.

I would remind the Minister that I was very concerned about one use of antisocial behaviour orders, which involved attaching them to a person moving from one area to another. That could have dreadful consequences for a young person. I have also pointed out a use for the orders that had considerable appeal in my area, certainly over the last few weeks. We have to think quite broadly about the orders, and we need a degree of flexibility.

I am no expert on the different kinds of court, so I do not know what the best solution is to this problem, but I support the hon. Lady's amendment. When we need to address a particular problem, we may need extra flexibility to make the provisions work and, I imagine, to let lots of other measures kick in so that that can be achieved.

Mr. Michael Fallon (Sevenoaks): I, too, support the amendment. I think that all hon. Members want these orders to be more effective than they are, as I mentioned at Home Office questions yesterday. The argument that the hon. Member for South Swindon (Ms Drown) put forward in support of taking this particular route—namely, that county courts would be better equipped to draw inference, to handle hearsay evidence and to judge the burden of proof—might well apply to other categories of offence as well as to prostitution. I am afraid that this brings us back to the question of whether the orders are still sledgehammers, blunt tools, or however we want to describe them. We need to look again at how the orders are processed, taking the time delay into consideration as well.

It would nevertheless be churlish of me not to recognise that the Minister is trying to improve the way in which the orders work. I certainly welcome the extension of the relevant authorities, and the inclusion of housing associations, which will make a big difference in my particular part of Kent. I hope, however, that when he replies to this short debate, he will recognise with some humility that the orders have been cumbersome to operate and that, three years on, cases such as the one brought before us by the hon. Member for South Swindon show that they are still not working as effectively as they should be. I look forward to the Minister's reply.

Mr. Denham: I am grateful to my hon. Friend the Member for South Swindon for raising this matter. She has raised it in the House before, and I understand her concerns. No one would deny the real nuisance caused by prostitution and also by kerb-crawlers—an issue on which the Government have recently taken action by making kerb-crawling an arrestable offence.

I have some concerns about the amendment, however. One, touched on by the hon. Member for Sevenoaks (Mr. Fallon), was the difficulty that we might set up an anomalous treatment of antisocial behaviour orders as between one type of offence and another. One of the Government's reasons for routing antisocial behaviour orders through magistrates courts was the perception of the difficulty of accessing county courts through a more traditional type of injunction. I fear that a consequence of accepting the amendment would be a great deal of pressure to put a lot of other antisocial behaviour orders into the county court, much of which might come from defence lawyers seeking to prevent orders being put in place, rather than from those who wish—as do all hon. Members—to make them more effective. For that reason, I must resist the amendment.

The Government have recognised that there are ways in which antisocial behaviour orders can be improved, and part of the Bill deals with the interim ASBO to that end. We also recognise that a county court dealing with an eviction matter, for example, could impose an ASBO—as, indeed, could a criminal court dealing with a prostitution-related matter. Those measures will be helpful.

Research that we published earlier this year suggests that some of the time taken in getting ASBOs has, in my view, reflected the way in which people have gone about collecting evidence, the expectation of the courts, and so on, rather than anything in the primary legislation. Part of that stems from our own guidance about ASBOs, which we shall aim to slim down when it is revised once the Bill has completed its passage. There have certainly been cases in which the weight of evidence collected has been greater than anyone would have thought necessary for a criminal case, let alone for a civil injunction of this kind.

I have travelled round the country talking to people about antisocial behaviour orders, and there is no doubt that magistrates must, of course, consider each individual case on its merits. When local authorities, the police, and others have sat down with the magistracy, however, and explained the context in which ASBOs are being used, their purpose, and the types of problems being tackled, there has been greater consistency by magistrates in supporting applications for the orders. I do not know whether that is relevant to my hon. Friend's constituency, but it may be an issue that needs to be looked at there.

After this debate, I would, of course, be happy to consider whether we need to address any of the specific issues of inference, evidence, and so on, that my hon. Friend has raised, or whether we need to ask my right hon. Friend the Lord Chancellor to address them in the context of his role as president of the Magistrates Association.

Lady Hermon *rose—*

Mr. Denham: I shall give way to the hon. Lady.

Lady Hermon: Thank you, Mr. Deputy Speaker. I must apologise to you, because I spoke with such haste last time that I forgot to thank you for calling me to speak.

Will the Minister please have a quiet word with his right hon. Friend the Secretary of State for Northern Ireland, just to put on record with him the fact that we in Northern Ireland would very much like to see antisocial behaviour orders made available to the magistrates courts? We do not have the orders in Northern Ireland at all; perhaps the Secretary of State could give some thought to that gap at another juncture.

Mr. Denham: I shall draw the hon. Lady's remarks to my right hon. Friend's attention.

Ms Drown: I do not want to detain the House, so I shall not push the amendment to a vote. However, I hope that the Minister will continue to review the matter, which is important to improving the quality of life of my constituents in central Swindon. I am reassured by his commitment to continue to tackle the issue, and I look forward to continuing our correspondence about it. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 65

ORDERS ON CONVICTION IN CRIMINAL PROCEEDINGS

Mr. Denham: I beg to move amendment No. 47, in page 65, line 37, after "(6)" insert—

'for the discharge of an order'.

The amendment will make a minor drafting change to the clause. Under the legislation, we will enable an ASBO to be made on criminal proceedings. As the Bill stands, however, the ASBO could not be varied in the flexible way that all other ASBOs may be varied. The amendment makes it clear that the application can be made to vary an order at any time by the relevant authority or by the offender. The amendment will achieve consistency between all the orders, and a fair and proportionate system will be established.

Mrs. Brooke: The Minister will not be surprised that I want to pursue the matter, as I did in Committee although we were rushed, and I am sure he agrees that we did not have time for a proper answer. In Committee, I raised the point that if we are attempting to change as well as stop certain behaviour, which I hope we are, people should not have to go through an absolute two-year period before they can apply, or even have the opportunity to apply, for an order to be rescinded. That would confirm such behaviour rather than give an incentive to reform and to use a new approach.

Such orders may have an effect, perhaps by shaking up young people and their families, but we are condemning them to a two-year wait with that label on them. Would it not be better to provide the opportunity to get rid of the label and to tackle the behavioural problems rather than just put a stop to them temporarily? Will the Minister consider the fact that although six months might not be enough, two years is a long time for somebody to carry a label if they are determined to change their behaviour?

Mr. Denham: Indeed, the purpose of our amendment is to bring into line the flexibility on other ASBOs and that on those for criminal convictions. I agree with the hon. Lady that, when an ASBO is in place, we must always consider how we can change the underlying offending behaviour.

Amendment agreed to.

Clause 70

SEX OFFENDER ORDERS MADE IN SCOTLAND OR NORTHERN IRELAND

Amendment made: No. 48, in page 69, line 22, after "Article 6" insert "or 6A".—*[Mr. Denham.]*

New Clause 7

DUTIES UNDER HEALTH AND SAFETY AT WORK ETC. ACT 1974

'(1) The following enactments shall be amended in accordance with subsections (2) and (3)—

(a) section 51A of the Health and Safety at Work etc. Act 1974 (c. 37) (application of Part 1 of that Act to the police);

(b) section 49A of the Employment Rights Act 1996 (c. 18) (right of police officers not to suffer a detriment in relation to health and safety at work issues); and

(c) section 134A of that Act (right of police officers not to be unfairly dismissed in relation to health and safety at work issues).

(2) In subsection (1) of each of those sections, for "officer" there shall be substituted "authority".

(3) For subsection (2) of each of those sections, there shall be substituted—

"(2) In this section 'the relevant authority' means—

(a) in relation to a member of a police force, a special constable appointed for a police area or a police cadet appointed by a chief officer of police, the police authority or, in the case of a combined area in Scotland, the police board (within the meaning of the Police (Scotland) Act 1967 (c. 77));

(b) in relation to a person appointed as a police member of the National Criminal Intelligence Service, the Service Authority for that service;

(c) in relation to a person appointed as a police member of the National Crime Squad, the Service Authority for that squad;

(d) in relation to any other person holding the office of constable or an appointment as police cadet, the person responsible for maintaining the body of constables or police cadets in question.

(2A) The Commissioner of Police for the City of London shall be treated for the purposes of this section as if he were a member of the City of London police force."

(4) After subsection (2A) of section 51A of the Health and Safety at Work etc. Act 1974 (c.37) (which is inserted by subsection (3)) there shall be inserted—

"(2B) The following provisions (which impose the same liability for unlawful conduct of constables on persons with their direction and control as would arise if the constables were the employees of those persons) do not apply in relation to any liability arising in respect of a contravention of this Act—

(a) section 88(1) of the Police Act 1996 (c. 16);

(b) section 97(9) of that Act;

(c) section 42(1) of the Police Act 1997 (c. 50);

(d) section 86(1) of that Act;

(e) paragraph 7(1) of Schedule 8 to that Act;

(f) section 39 of the Police (Scotland) Act 1967 (c. 77); and

(g) paragraph 14(1) of Schedule 3 to the Criminal Justice and Police Act 2001 (c. 16).

(2C) The provision which may be made by health and safety regulations includes in particular—

(a) provision which, for the purposes of this Part specified in the regulations, treats the acts or omissions of a chief officer as if they were acts or omissions of the relevant authority in relation to the constables or police cadets under that officer's direction and control;

(b) provision which treats premises under the control of a chief officer as premises under the control of the relevant authority in relation to that officer.

(2D) In subsection (2C) 'chief officer' means—

(a) a chief officer of police;

(b) the Director General of the National Criminal Intelligence Service;

(c) the Director General of the National Crime Squad; or

(d) any other person having direction and control of a body of constables or police cadets."

(5) In each of paragraphs (a), (b) and (c) of subsection (3) of that section, for "chief officer of police" there shall be substituted "police authority".

(6) In subsection (4) of that section, for "or (c)" there shall be substituted ", (c) or (d)".

(7) Section 5 of the Police (Health and Safety) Act 1997 (c. 42) (payments by police authorities etc. out of relevant funds in relation to contraventions of health and safety legislation) shall cease to have effect.

(8) An order bringing this section into force may make such savings and transitional provisions as the Secretary of State thinks fit.'.—*[Mr. Denham.]*

Brought up, and read the First time.

Mr. Denham: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendment No. 108.

Mr. Denham: This is an important new clause, which has, I accept, been introduced relatively late in the day. It will make amendments to deem police authorities and, in Scotland, police boards to be employers of police officers for the purposes of health and safety legislation. In the case of the National Criminal Intelligence Service and the National Crime Squad, the service authority for each will be deemed to be the employer of police officers for that purpose.

Currently, health and safety legislation treats chief officers as the employer of police officers. That has led to the anomaly that chief officers are personally liable when prosecuted as employer for criminal offences alleged to have been committed by their forces under health and safety legislation. That is because forces are not legal entities and cannot therefore be prosecuted as organisations. A chief officer may find himself or herself in the invidious position of being prosecuted as an individual, rather than in a representational capacity, and incurring a criminal record. That could damage the image of policing for no good reason.

6.45 pm

Of course, where a health and safety offence has been committed with the consent of, or through neglect by, an individual, that person should be personally liable, and that will not be altered by these changes.

The measures will replicate for police officers the position that already exists for police support staff, and the position that will exist under the Bill in relation to designated support staff. In both cases, police authorities are employer.

Police authorities are well able to discharge the employers' duties and liabilities set out in the Health and Safety at Work, etc. Act 1974. They already fulfil that role in relation to civilians, and the Home Office will negotiate detailed arrangements with all the relevant parties in relation to police officers, in the framework of police authority responsibilities and powers set out in the Police Act 1996.

Those arrangements will be enshrined in a statutory code of practice. We have consulted the Association of Chief Police Officers and other relevant bodies, and we believe that arrangements can be arrived at which will not undermine the operational independence of chief officers.

We will give priority to producing the code. It will provide that police authorities are responsible for ensuring that chief officers have in place a suitable regime for dealing with health and safety issues, and that police authorities can call for reports if they are not satisfied that chief officers are carrying out their responsibilities in that area. The code will make it clear that police authorities are not responsible for carrying out health and safety risk assessments, which will continue to be a matter for chief officers.

Mr. Hawkins: Once again, I can be brief. Although we understand entirely what the Government propose—we see a great deal of sense in it—we raised in Committee our concerns about the growth of the so-called compensation culture and the fact that, as the Minister is well aware and as he fairly accepted in Committee, on many occasions police authorities have been severely hit by compensation claims of various kinds. Taxpayers' money, instead of going on front-line policing, pays for compensation or the increased cost of police pensions, which is a matter of grave concern to many people, both inside and well beyond the House.

In the winding-up speech to what I hope is a fairly brief debate, I hope that the Minister says that the Government will keep under review the question of the compensation culture in relation to the police and police authorities. We certainly do not oppose the Government bringing the position in respect of chief officers in line with that relating to civilian staff—as the Minister said, that seems eminently sensible—but one would not want a chief officer to be regarded and treated in the courts as personally liable when the matter should properly be dealt with as one of corporate responsibility, if I may put it that way.

We understand entirely what the Government are doing, but we remain concerned. We hope that the Minister confirms that he will keep the compensation culture and its effect on police authority funds for front-line policing under review.

Norman Baker: I can be even briefer. I recognise the reason for introducing the new clause, which I welcome as an entirely sensible measure. I hope that I can continue to welcome Government measures as sensible. If I show such generosity, the Government may reciprocate one day.

Mr. Hogg: I have but one reservation. I accept that there is a good case for transferring responsibility to the police authorities, but if they are to perform the various duties under the legislation, they may, in certain circumstances, find themselves making decisions of an operational kind; otherwise, they will be unable to comply with the obligations under the health and safety legislation.

Lady Hermon: I have a request for clarification, which arises out of a briefing that right hon. and hon. Members were invited to attend last week with the Deputy Metropolitan Police Commissioner. During those discussions it became clear that the new community support officers will be equipped with only a radio: they will not have handcuffs or a truncheon. The new clause makes it clear that the relevant authority means members of a police force, a special constable or a police cadet. Does that cover the duty of care that is owed to the new community support officers?

Mr. Denham: The answer to the hon. Lady's question is that this new clause does not directly address that issue, because CSOs as support staff are already direct employees of the police authority, so they are covered by health and safety legislation. Constables or sworn officers are being brought into line with the responsibilities of the police authority. There is no change in the position of CSOs, as in our view they are already appropriately covered.

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) referred to operational issues. He may have noticed that I read out my speaking note with more than the usual care. I set out our proposals for a code of practice to govern the way in which police authorities exercise their responsibilities, and said that the position of the chief constable would be protected. After discussion with the Association of Police Authorities and the Association of Chief Police Officers, we are confident that police authorities will be able to accept the responsibilities that they are given under this new clause and that the proper independence of chief officers will be protected. We must give priority to producing the statutory code of practice.

I am grateful to the hon. Member for Lewes (Norman Baker) for his support for this measure, and for his recognition of the Government's generosity. We always seek opportunities to reciprocate, although we have not found many yet.

The compensation culture is of concern across a huge area of public life, and the hon. Member for Surrey Heath (Mr. Hawkins) and I would not suggest that there is a particular problem with the police service. However, we need to take a number of steps. Proper attention needs to be paid to health and safety, especially occupational health matters. That is certainly part of the answer. We should minimise the situations in which officers feel that compensation claims should be made. The hon. Gentleman, being a lawyer, will understand better than I the difficulty of denying someone access to the courts for proper protection.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Clause 100

POWERS OF SECRETARY OF STATE TO MAKE ORDERS AND REGULATIONS

Mr. Denham: I beg to move amendment No. 130, in page 100, line 13, leave out "40(7)".

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will [illegible] convenient to discuss amendment No. 2, in clause 4[illegible]e 46, line 16, leave out Clause 45.

Mr. Denham[illegible]t not amazing that within a matter of seconds of my bein[illegible]vited to be incredibly generous, an opportunity comes along? The hon. Member for Lewes can be well satisfied.

This clause was debated at some length in Committee. We see it as a perfectly reasonable and proportionate mechanism, which requires the affirmative resolution procedure. It gives this and future Governments the flexibility to add limited powers to and to take limited powers out of schedules 4 and 5. Essentially, it enables the Government to give limited powers to community support officers and accredited community safety officers, or in the light of experience to remove those powers from the menu available.

It is worth mentioning that the Committee on Delegated Powers and Regulatory Reform in the other place saw nothing wrong with the procedure in the clause. A precedent has been set by the Bill, because my understanding is that up until this Bill it had been a matter of course for Governments and Oppositions to respect, pretty much without question, the conclusions of the Committee on Delegated Powers and Regulatory Reform. A precedent has now been set in the other place for not respecting the decisions of that Committee, although I am not sure that that will serve us well in the long run.

None the less, we are moving into the closing stages of our proceedings on the Bill. It is perfectly clear to me that the opposition that this clause has faced is likely to arise again in the House of Lords, where the Government do not have a majority. For that reason we have added our names to the consequential amendment No. 2. What we will lose by doing that is flexibility. Should it in future be shown that existing legislation should apply to community support officers or to accredited community safety officers, that will be much more difficult. Equally, should it appear in the light of experience that a power has been made available to chief constables that should not have been made available, it will be a much more laborious and lengthy process for Parliament to remove it. That is the cost attached to the amendment, but I recognise the parliamentary arithmetic.

[Mr. Denham]

I hope that in later discussions there will be support for the measures that we have introduced to enable local authority traffic wardens and others to have additional powers to help with the escort of abnormal loads and to take part in traffic checks. We intended to extend powers in that area, so we have brought that measure forward as soon as possible, because we believe that those powers would rapidly have been seen to be necessary.

Mr. Paice: I respect the Minister for moving the amendment, but I feel sure that he would rather not have done so. He explained his move by saying that he recognised the parliamentary arithmetic. Obviously, I would have preferred it if he had recognised the power of oratory that some of us used in Committee. Whatever the reasons for the Government's decision to add their name to amendment No. 2 tabled by the official Opposition and the Liberal Democrats, we are grateful to them for doing so.

In accepting the situation and speaking to amendment No. 2, the Minister expressed concern about the problem of altering the position should experience in the next few months or few years show that there are too many powers or too few. Without wishing to pre-empt any future debate, I can tell the right hon. Gentleman that the official Opposition will not oppose the point that he made about traffic powers. I recognise the logic of that: indeed, some of it fits neatly with proposals presented by my noble Friend Lord Attlee in the other place.

On the question whether schedules 4 and 5 will in time prove to be defective—providing either too many or too few powers—I remind the Minister that over the years we have discovered that the Home Office has a propensity for legislation. We know that there is a substantial amount of legislation in the Home Office pipeline. I feel sure that, should the Government at any stage discover that they need to amend the powers given to civilians, to civilian officers employed by the police or to accredited community safety officers, they will find a suitable vehicle within weeks, if not minutes, to which to append the changes that they need or wish to make. I cannot believe that it will be long before they find a suitable mechanism.

It is odd that the Government have come to this point so late in the proceedings. At some stage—I have forgotten when exactly—the Minister said that this was not a Henry VIII clause, which is at odds with what his noble Friend Lord Rooker said in the other place. He stated categorically that it is a Henry VIII clause.

The House of Lords threw the clause out, and the Government reinserted it in Committee, against the advice of my hon. Friends and the Liberal Democrats. Then, at about 6 o'clock last night, the Government tabled an amendment that had the effect of adding Ministers' names to our amendment. We welcome the Government's conversion, and I congratulate the Minister on his wisdom in understanding the argument, notwithstanding the arithmetic of the other place. We shall of course support the Government if they seek to divide the House on the issue.

7 pm

Norman Baker: It is an odd experience to have a Minister add his name to an amendment that carries my name, but I suppose that all of us in the House have to get used to things. I look forward to similar experiences in the future. It is also instructive that when the two main Opposition parties have stuck together and shown determination to remove the proposal, the Government have recognised the arithmetic, as the Minister put it. I am not sure whether that drives the Liberal Democrats and the Conservatives closer together; that is a worrying prospect, but it is the logic of tonight's developments.

I recognise the Minister's admission that this measure would continue to be unpopular with the Opposition in this House and in the House of Lords. It is sensible for him to pull the plug now, rather than suffer a further defeat in the Lords on the matter. To give credit to the Minister, we started off by saying that there was agreement on a large proportion of the Bill and disagreement on only three or four key issues, one of which the Minister has now dealt with. He has lanced the boil on that issue. If he wishes to lance the boil on one or two other issues tomorrow, we can all leave early and I can go to the parliamentary beer group dinner to which I referred earlier. I should like the Minister to consider overnight whether there are further concessions that he might make tomorrow.

The Minister complained that we were removing flexibility from the Bill; indeed, that was the purpose of the amendment. The serious point is that there is a balance to be struck between what is the proper subject of primary legislation and what is the proper subject of subsequent regulations. It is our view that matters dealing with CSOs are controversial. The Government are bringing in a new concept, and we do not know how it will work. The Government think it will work well; others have more suspicions about how things will turn out.

It would be wrong to give the Government the power to add powers to CSOs when we do not even know how they will work in practice. It is right that if the Government want to come back—at least for the first time—to add powers, we should be able to have a debate on how CSOs have worked in practice on our streets. That is what the amendment achieves, and I am grateful that the Government have signed up to it. It is useful and allows for a sort of review.

The Minister said in a letter to the hon. Member for South-East Cambridgeshire (Mr. Paice) and me that another result would be that the Government could not remove powers from CSOs. Equally, that power has now been taken from the Government by the addition of Ministers' signatures to the amendment. That is not a worry for me. I suspect that if a particular power turned out to be hugely controversial or unworkable, chief constables would be reluctant to use it and it would wither on the vine. We are talking about adding powers to CSOs and, under the circumstances, it is right that that matter should be brought back before the House for discussion.

Incidentally, I have no objection to the proposal to help in the guiding of heavy loads and so on. That seems to be eminently sensible. I am grateful that we are reaching agreement on such a major matter. I am happy to welcome the Government's admission and I assume that there will not be a Division on this matter.

Angela Watkinson (Upminster): I rise to support the removal of clause 45 from the Bill. The clause seeks to give the Secretary of State the power to add to, amend or repeal the powers and duties specified in schedules 4 and 5. Schedule 4 relates to powers exercisable by police civilians, most of which I would be quite happy to see repealed; I would not mind that element of the Bill staying in. However, the idea of enabling the Secretary of State to add to or amend those powers fills me with horror.

I hope to speak in more detail tomorrow on CSOs when part 1 of the Bill is debated. I have grave reservations about giving the powers of a constable in uniform to anyone other than a fully trained constable. For that reason alone, I support the omission of clause 45.

Mr. George Osborne (Tatton): It would be a shame to let this moment pass so quickly and not to dwell on the fact that we have persuaded the Government to climb down on this matter, which the Minister did with considerable eloquence and style. I have been trawling through the Committee reports and, unfortunately, there is no "killer quote"; that is unlike the "killer quotes" made by the Prime Minister while speaking on the Police and Magistrates Courts Act 1994. I pay tribute to the Minister for that.

I also pay tribute to the House of Lords for raising the issue. The Lords had the power in the Division Lobby, but my hon. Friends the Members for South-East Cambridgeshire (Mr. Paice) and for Surrey Heath (Mr. Hawkins) had the power of oratory to persuade the Government. It would be tempting to divide the House and watch Labour Members who served on the Committee vote for something against which they all voted two weeks ago. Sadly, I am not sure whether there is a single person in the House who would provide a Teller for the other side in a Division.

The serious point made in Committee and in the House of Lords was that, after all the controversy about the powers that CSOs would have—and about CSOs themselves—it was wrong for the Home Secretary simply to add to those powers, despite the Government making certain concessions, including on the power of detention and arrest. However, it would have been wrong to give the Home Secretary that power.

There is a division of opinion both in the House and in the police force as to whether CSOs will work or not. We should wait and see, and the removal of the clause will at least give us a safeguard. If there is a feeling that the powers of CSOs need to be increased, the Government must come back to the House for a proper debate and not use the unsatisfactory statutory instrument procedure; they must use primary legislation.

The point has been made that the Home Office always has so many Bills going through at any one time that there will not be a problem in finding parliamentary time. It is not as if the Minister comes from one of those obscure Departments that are always desperately looking for a slot in the Queen's Speech. No doubt there will be many slots for the Minister and the Home Secretary.

I welcome the climbdown, and I hope it is a foretaste of things to come tomorrow. We will wait and see.

Mr. Francois: I would like to spend a few moments dwelling on tonight's enjoyable occurrence—the withdrawal of clause 45. It is particularly appropriate to welcome a change of heart by the Government in a week when 13 statutory instruments are being rammed through the House. I am pleased to see that, in a week during which we see such evidence of government by statutory instrument by the Labour party, provisions are being taken out of this Bill that would have allowed the Government to use statutory instruments to widen the powers of community support officers. There is a delightful irony there, if I might put it like that.

Among rank-and-file officers, there was more concern about the new institution of CSOs than about almost any other element in the Bill. To put it at its bluntest, there was concern among regular police officers that they might have to spend a lot of their time protecting the CSOs as they attempted to carry out their duties, thus diverting regular police officers from carrying out other important tasks.

My personal view is that, rather than pushing the CSO agenda, it would have been better to have provisions in the Bill to boost the position of special constables, with whom the regular police are used to working. Special constables are volunteers whose hearts are fully in the job and who do a tremendous service to all members of the public. The numbers of special constables have declined considerably under this Government. There were about 20,000 special constables in 1993; there were some 19,000 in 1997, when Labour took office; now, there are fractionally over 12,000. That is a gigantic drop. Many are leaving because they are demoralised by the way in which their service is being run by a Labour Government. Surely it would have been better to reinforce the special constabulary in a proactive and helpful manner, and to let it work with the police, rather than bringing in an entirely new type of officer.

As my hon. Friend the Member for Tatton (Mr. Osborne) ably pointed out, we will have to wait and see whether this experiment works. Like many other Opposition Members, I have reservations about it—as, indeed, do many professional police officers. I am delighted that the Government have given way on this aspect of the Bill, at least, but would that they had not come up with this idea in the first place.

Mr. Kevan Jones (North Durham): Somewhat ironically, the Conservatives' comments reveal the true nature of their opposition. As two such contributions have shown, they are against community support officers. *[Interruption.]* The hon. Member for Upminster (Angela Watkinson) nods, but in my constituency CSOs will be welcomed. In Stanley, our experiment with community safety wardens has proved very popular, and I am sure that CSOs will prove likewise.

The Government have taken a very practical approach to ensure that the Bill is enacted. It is clear that an alliance has been forged between the Conservatives and the Liberal Democrats on this issue, but the public should take note of the fact that this Government are not simply talking about making communities much safer; they are putting in place provisions to achieve that end. The Opposition have nitpicked and gloated, both today and in Committee.

Mr. Hawkins: As the Minister acknowledged, the reality is that agreement was reached on 98 per cent. of the Bill. There were only one or two contentious points—points of substance—one of which the Government conceded, so it is outrageous for the hon. Gentleman to speak of Opposition nitpicking.

Mr. Jones: I would be happy if the Conservatives had made it clear in Committee and on the Floor of the House that they are against CSOs—the hon. Member for Upminster did so a moment ago—but instead they are trying to neuter them. It is clear that the hon. Member for Tatton (Mr. Osborne) is not convinced that CSOs will be effective, but I am and so are the Government, who want to ensure that communities are made safer. The Opposition should have the courage of their convictions and say that they are against CSOs, rather than trying to neuter them.

Mr. Francois: Rank-and-file police officers are unable to speak in this House, but we are. We are not nitpicking; we are simply articulating the concerns expressed to us by several such officers in our constituencies. They earn their living as police officers, and they are seriously concerned about whether this idea will work. We are representing—

Mr. Deputy Speaker: Order. This debate is moving outside the strict terms of the amendment that we are discussing. As we have another group of amendments to discuss and a limited amount of time, it would help the House if we could focus exactly on the amendment before us.

Mr. Kevan Jones: I find it strange that Conservatives are now acting as the trade union officials of police authorities. I welcome CSOs and so will my community. This Government should get a lot of credit for their introduction, but the Opposition will claim that credit, or—once they prove popular—they will say that they thought that they would work. We shall also see the usual double standards from the Liberal Democrats. I support the amendment, in the sense that we need to get the Bill passed.

Patrick Mercer (Newark): I am grateful for this opportunity to speak. I regret the sentiments of the hon. Member for North Durham (Mr. Jones), who accuses Conservatives of gloating: this subject is wholly above such pettiness.

Mr. George Osborne: Absolutely.

Patrick Mercer: I am grateful for my hon. Friend's support. I also resent the idea that the views expressed by my hon. Friend the Member for Rayleigh (Mr. Francois) suggest that he is acting as some sort of trade union official. The hon. Member for North Durham, the Minister and others—

Mr. Deputy Speaker: Order. The hon. Gentleman is not heeding my advice.

7.15 pm

Patrick Mercer: Forgive me, Mr. Deputy Speaker. I shall stick rigidly to the subject.

I should like to add my support for the withdrawal of clause 45, and to point out that Nottinghamshire constabulary has broadly welcomed its withdrawal. I should also point out that I spoke to those policemen not as a trade union official, but as their Member of Parliament. Despite what was said in Committee, all of them—

Mr. Kevan Jones: Has the hon. Gentleman asked those of his constituents who are ordinary members of the public whether they are in favour of CSOs and safer communities?

Patrick Mercer: Yes, I have, and I am grateful to the hon. Gentleman for enabling me to point out my assiduousness in doing so. Naturally, my constituents are concerned about safety, but they are somewhat concerned and confused about the nature of CSOs. The policemen to whom I have spoken welcome the withdrawal of the clause. They view this as an opportunity for CSOs to take to the streets and, if they prove successful, perhaps to grow into the sort of institution—I am thinking of traffic wardens—that we all know and may not like, but which we certainly respect. It is not a question of gloating; they regard this as a common-sense measure, which I like to think Opposition Members have persuaded the Government to adopt.

I am grateful to the Minister for showing enormous common sense in respect of this clause, and I add my support to the amendment.

Vernon Coaker (Gedling): I support the amendment, but I am disappointed that we have reached this compromise. It is clear that the amendment is necessary simply to ensure that the Bill is enacted. Much of the antisocial behaviour legislation that we pass gives rise to problems with flexibility. We repeatedly have to return to such issues, saying that we need to enact primary legislation. The point of the clause was to give flexibility, so that, if necessary, the Secretary of State could regulate and change community support officers' powers to tackle antisocial behaviour.

If the hon. Member for Newark (Patrick Mercer) and others do not want CSOs in their areas because they believe that they will not work, I am happy to have them in mine. CSOs will provide a further option in the range available in tackling antisocial behaviour. It is important to note that, because the legislation will work in an unprecedented way, CSOs to some extent will not prove as effective as we would like.

Several hon. Members *rose*—

Vernon Coaker: We will therefore have to return to the matter and make the necessary changes through primary legislation. Our constituents will say, "Why hasn't the House allowed CSOs the flexibility to use their powers on the street in such a way that they can tackle antisocial behaviour?"

Patrick Mercer: The hon. Gentleman may be missing the point somewhat. It is not so much that people oppose CSOs but that—in my experience of my constituents and members of the police force—they are cautious about the proposals. We do not understand them fully, and that is why we welcome the withdrawal of the clause.

Vernon Coaker: The hon. Gentleman will have to defend that position. It is a reasonable position to take, and Conservative Front Benchers also take a reasonable position, although they seek to decry the position that I take. My point is that because the Home Secretary will not have the flexibility that the original provisions provided, the CSOs will be introduced with curtailed powers. With the amendment, if we wish to change that, we will need primary legislation to do so. That is wrong and we will unnecessarily deny CSOs the flexibility that they should have.

Mr. Denham: I am pleased to receive such support for a Government amendment. My hon. Friends the Members for Gedling (Vernon Coaker) and for North Durham (Mr. Jones) have made excellent contributions to the debate. It is a matter of sadness that some of the opposition to the provisions has stemmed from opposition to the whole concept of CSOs, rather than the merits of clause 100. The provisions were examined by the Select Committee on Statutory Instruments, which did not find them offensive in procedural terms. It was always the case that the flexibility we sought would have been exercised subject to the affirmative resolution procedure, requiring positive votes in both Houses of Parliament.

It is a great shame that the drive to undermine the concept of CSOs, which has been so common among the Opposition, has led to opposition to the provisions. None the less, I want the Bill to make progress so that we see real CSOs out there in communities, including some exercising the full powers that they will have.

Mr. Paice: I wish to reaffirm on the record, so that no one is under any illusion, the fact that the official Opposition do not oppose CSOs. It is true that with a blank sheet of paper we would have made different proposals for providing extra help for the police. However, we have never and will never oppose the use of civilians in assisting the police. The only debate has been about the range of their powers, and that will be the subject of tomorrow's debate. We do not oppose CSOs, nor giving them some powers: we are concerned about the range of their powers, and that is why we have opposed these provisions.

Mr. Denham: In tomorrow's debate, we will see just how many Opposition Members support their Front Benchers in that position. The tone of many contributions has not been in line with those remarks. However, for practical reasons, we have agreed to remove these provisions from the Bill and perhaps we could now move on to the last group of amendments.

Amendment agreed to.

Clause 103

SHORT TITLE, COMMENCEMENT AND EXTENT

Amendment made: No. 50, in page 101, line 22, at beginning insert—

'Sections (*Scottish sex offender orders*) and (*Sex offender orders made in England, Wales or Northern Ireland*) and'—*[Mr. Denham.]*

Mr. Denham: I beg to move amendment No. 51, in page 101, line 40, leave out "96(3)" and insert "96".

Mr. Deputy Speaker: With this it will be convenient to discuss the following: New clause 8—*Continued deployment of traffic wardens*—

'Police authorities shall continue to appoint persons to discharge, in aid of the police, functions normally undertaken by the police in connection with the control and regulation of, or enforcement of the law relating to, traffic or stationary vehicles unless—

(a) notwithstanding regulations under Part VIII of the Road Traffic Regulations Act, the police authority passes a resolution by 1st January 2004 not to continue deploying traffic wardens; and

(b) that police authority informs the chief officer of police for that police force and the Secretary of State of its decision.'.

Government amendments Nos. 35 and 58.

Amendment No. 100, in schedule 4, page 148, line 41, at end insert—*'Traffic warden powers*—

(14) Where a designation in this paragraph applies to any person that person shall have all the powers of traffic wardens under—

(a) the Traffic Wardens Order 1970 (SI 1958);

(b) the Road Traffic Regulation Act 1984;

(c) the Road Traffic Act 1991; and

(d) the Traffic Wardens Amendment Order 1993 (SI 1334).'.

Government amendment No. 59.

Mr. Denham: I mentioned this group of amendments earlier. Under current legislation, only the police have a general power to stop vehicles and only the police and traffic wardens—in this sense, traffic wardens means those employed by police authorities—have a power to direct traffic. That means that police have to be employed for such purposes as stopping vehicles for emissions tests and escorting abnormal loads, even though their other powers are not required. That is not the best use of police time.

Traffic wardens already have a power to direct traffic. Clause 44 removes restrictions on their power to stop, which will enable them to undertake escorting duties. The amendments clarify the fact that their power to stop includes a power to stop vehicles for tests of their roadworthiness and compliance with construction and use regulations. We will also, by these amendments, give CSOs and accredited persons a limited power to stop vehicles and direct traffic. The power will be solely for the same escorting and testing purposes. The amendments will allow local authority traffic wardens to be given the power to stop traffic for those specific purposes. For the avoidance of doubt, I should emphasise that it will not be necessary to confer on any such local authority traffic wardens any of the other powers that may or may not be conferred on other accredited persons within the force area. They could be accredited and trained only in the use of the power to stop traffic.

The amendments will reduce the number of occasions on which the police have to be diverted from other important tasks to help other agencies and road hauliers, and to carry out work unrelated to crime and public order. That will also benefit the other agencies and hauliers, since they will no longer have to wait on the availability of police, who might then be withdrawn at short notice for more urgent operational duties. That is much less likely to happen with traffic wardens, CSOs and accredited persons. The accredited persons may in fact be the employees of another interested party—for example, the Vehicle Inspectorate—if they have been so accredited by a chief officer of police under the provisions of the Bill. The amendments will free up police time for crime reduction, facilitate the enforcement of other legislation and promote road safety.

Amendment No. 100 would extend all traffic wardens' powers to CSOs. The Government amendments will give certain, tightly defined traffic powers to CSOs such as the power to stop vehicles to help other agencies in particular circumstances. That is not the same as giving all traffic wardens' powers to CSOs. However, if it were desirable locally to ensure that CSOs exercised the full powers of traffic wardens, that could be achieved without amendment No. 100, either by designating someone who is already a traffic warden as a CSO, or appointing a CSO as a traffic warden. We have preferred to add some limited specific powers for traffic wardens to those available to CSOs.

Mr. Hawkins: We think that it is sensible for the Government to provide the opportunity for such tasks as the escorting of exceptional loads to be performed by people other than the police. However, I hope that the Minister will be able to provide some reassurance about the level of extra training for those undertaking those tasks. We are conscious that those who perform the specialist role of traffic police, many of whom I have worked with in my previous career at the Bar, have particular experience. The issue has been raised on several occasions, especially in the other place by Earl Attlee, who has particular expertise on the matter, and I hope that the Minister will be able to tell us something about the extra training that may be available.

With great respect to the hon. Member for Lewes (Norman Baker) and his colleagues, we agree with the Minister that the proposals in the Liberal Democrats' amendment can be achieved without amending the Bill. We would be slightly concerned by the suggestion that anybody who is appointed as a CSO will automatically have all the powers that are currently given to traffic wardens, because that might lead to a confusion of roles. We do not intend that the Bill should create a new category of traffic wardens, and while I understand the sensible motivation behind new clause 8 and amendment No. 100, it is not necessarily the right approach.

Norman Baker: Confusion is the issue, and we have tabled new clause 8 and amendment No. 100 to try to avoid it. The reply to the letter from the hon. Member for Sunderland, South (Mr. Mullin) can be found at paragraph 49 of the Government's response to the Select Committee report, which states:

> "It is, of course, important that the public are not confused by the introduction of CSOs and community safety accreditation schemes. For this reason we want the public to be able to distinguish between police officers, CSOs and members of accredited community safety schemes. The uniform worn by CSOs will make it clear that they are members of the police service, whilst, as is the case with many neighbourhood or street warden schemes, accredited people will probably wear a more casual uniform. In any case, accredited people will be required to wear a badge . . . which identifies them as members of an accredited scheme."

7.30 pm

Confused? I am. The Government are going to put on our streets special constables who will look like police officers. There is no problem with that, but there will also be CSOs, whose powers will vary from area to area, and they might not even exist in some areas. There will also be accredited officers, who may wear a badge, in addition to their Tesco badges or whatever else they happen to wear. Their powers will also vary from area to area. There will also be local authority traffic wardens, with different powers in different areas.

I drew attention to that confusion on Second Reading, as that is what we want to avoid. Respect for this country's policing system requires that that system commands respect among the public. People must be clear about the powers of officers, and be able to recognise immediately what sort of officer a person is.

At the moment, there is a clear distinction between police officers and traffic wardens, but that clarity will be lost if many new categories of officer are introduced. That will lead to confusion, given that CSOs in different parts of the country will have different powers, if they have them at all. New clause 8 and amendment No. 100 would remove that uncertainty.

Furthermore, we must ensure that the people on our streets are deployed to maximum effect. The Government's intention is to ensure that police officers are not wasted, and that they are not called to deal with trivial matters that could be dealt with by others.

How could it be wrong for traffic wardens on the street to be able to deal with relatively low-grade matters that could be dealt with by a CSO? We suggest that traffic wardens ought to be able to deal with such matters as if they were CSOs. If they are not going to be able to deal with abandoned vehicles or youngsters with alcohol, for example, they will presumably have to call out a CSO. The Government have stated that they want to avoid that duplication of effort, which is a consequence of the proposals in the Bill.

New clause 8 and amendment No. 100 would allow police authorities to decide whether they wanted to rationalise the problem, or whether they wanted to make their employees more effective by giving them the same powers as CSOs. That would also ensure greater understanding of those powers among the public.

I suspect that the Minister will not accept new clause 8 and amendment No. 100. If so, he will be saying that he wants a plethora of people with different powers and that he wants duplication, with the result that people on the street will not be allowed to deal with offences with which they are capable of dealing. I hope that he will reflect on the matter.

I give you notice, Mr. Deputy Speaker, that I should like, at the appropriate juncture, to have a vote on new clause 8, as Liberal Democrat Members consider the matter to be important.

The Government amendments seem eminently sensible. I have no problem with them. I am happy to support them.

Mr. Denham: I shall deal with the points raised by the hon. Member for Lewes (Mr. Baker). I am somewhat perplexed by his determination to divide the House on new clause 8, as it attempts to give to police authorities a discretion that they already enjoy. Perhaps the intention was different, but it seems the oddest thing to divide the House on. However, that is the hon. Gentleman's privilege, of course.

I turn now to the questions of training. It is the responsibility of the chief officer to ensure that people such as accredited officers and CSOs have had the necessary levels of training. As I explained in general terms to the Committee, the training authority Centrex will help to advise on the necessary levels of training, taking into account the competencies required for each of the CSO skills.

The Committee debated the question of standardisation. I have made it clear that the Government recognise that there is a choice to be made. It is undeniable that we are introducing a new element into the policing of our communities and streets. The question is this: do we attempt, before a single CSO has been employed or a single organisation accredited, to predict exactly which set of powers and responsibilities will be right, or do we allow the greater flexibility—what is essentially a menu approach—represented by schedules 4 and 5?

Both options can be argued, but I believe that we shall do better to allow that flexibility at the start. We should allow chief officers, after the necessary consultations, to design schemes that meet the problems of policing, antisocial behaviour and traffic management in their areas.

I believe that, over time, the tendency will be towards some consensus on how best to meet the needs of particular communities. I am sure that professional best practice will take us in that direction. The hon. Member for Lewes raises an important point, but he wants us to leap ahead to a time in the future when there is no doubt about the most appropriate menu of powers. I honestly do not think that we have reached that point yet, and I believe that we will have to live with a little variation between areas until we have been able to establish how best to deploy and use CSOs and accredited community safety officers.

Mrs. Brooke *rose—*

Mr. Deputy Speaker: Order. If the hon. Lady is seeking to catch my eye, I advise her that perhaps it would have been more orderly for her to have done so earlier. I can of course call her, but the Minister has already replied to the debate.

Amendment agreed to.

Schedule 7

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 60, in page 164, line 5, leave out "(4)(b)".

No. 61, in page 164, line 43, at end insert—

'Rehabilitation of Offenders (Northern Ireland) Order 1978

7A In Article 8(2) of the Rehabilitation of Offenders (Northern Ireland) Order 1978 (S.I. 1978/ 1908 (N.I. 27)) (limitations on rehabilitation under Order etc.), after sub-paragraph (b) there shall be inserted—

"(bb) in any proceedings on an application for an order under Article 6 or 6A of the Criminal Justice (Northern Ireland) Order 1998 (S.I. 1998/ 2839 (N.I. 20)) or in any appeal against the making of such an order;".'.—*[Mr. Denham.]*

Schedule 8

REPEAL

Amendment made: No. 108, in page 170, line 32, at end insert—

'Police (Health and Safety) Act 1997 (c. 42)   Section 5.'.

—*[Mr. Denham.]*

Further consideration adjourned.—*[Joan Ryan.]*

Bill, as amended in the Standing Committee, to be further considered tomorrow.

Mersey Tunnels Bill (*By Order*)

Order for Second Reading read.

Mr. George Howarth (Knowsley, North and Sefton, East): On a point of order, Mr. Deputy Speaker. I seek your advice and guidance on a matter. In the edition of the *Liverpool Echo* published yesterday, 8 July, my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) is quoted as saying, about the Bill:

> "We shall be there, ready to object whenever and wherever it crops up . . . It will be guerrilla warfare."

Would not the use of guerrilla warfare tactics in a debate such as this be distinctly unparliamentary?

Mr. Deputy Speaker (Sir Alan Haselhurst): If I see anything in the nature of what the hon. Gentleman and I might consider to be guerrilla tactics, I am sure that the powers of the Chair will be adequate to deal with them.

7.37 pm

Mrs. Claire Curtis-Thomas (Crosby): I beg to move, That the Bill be now read a Second time.

As a Merseyside MP, I am proud to be sponsoring the Mersey Tunnels Bill on behalf of the Merseyside passenger transport authority. The proposals for this Bill were the subject of widespread consultation on Merseyside, in line with Cabinet Office guidance, and the House will wish to know that a formal statement from the promoters is available in the Vote Office.

For the benefit of hon. Members who may not be familiar with the role of PTAs, there are seven of them in Great Britain—Greater Manchester, Merseyside, South Yorkshire, Strathclyde, Tyne and Wear, West Midlands, and West Yorkshire. They are comprised of locally elected councillors nominated by the district, city and borough councils in the former metropolitan counties. All the PTAs are currently led by Labour party supporters.

Passenger transport authorities are accountable to the local electorate and set the transport policy framework for their respective areas. The policies are then implemented by the full-time staff of the passenger transport executives. The PTEs were the creation of a Labour Government under the Transport Act 1968, a piece of legislation masterminded by my late and noble Friend, Baroness Castle.

All PTAs and PTEs are required to ensure the quality and availability of public transport services in their area. That includes giving financial support for the local rail network, funding socially necessary bus services, managing local concessionary fare schemes and providing public transport information. They have played a truly extraordinary role in improving public transport in our great metropolitan areas outside London, and deserve far more recognition than they currently receive.

On Merseyside, the PTA, which is promoting the Bill, and the PTE have been fused together to operate under one banner—Merseytravel. That body is the principal architect of the Merseyside local transport plan, drawn up in partnership with other public and private sector interests in the area, in line with the Government's 1998 White Paper and the subsequent Transport Act 2000. Merseytravel has been awarded the status of a centre of excellence by the Government in both integrated transport and integrated transport planning—an accolade of which I am extremely proud.

The Bill fits exactly into the context of the Merseyside local transport plan, which is a serious attempt to create a holistic solution to the current and anticipated needs of both Merseyside and the wider travel-to-work area. The plan was drawn up after full and thorough consultation with the five district councils on Merseyside and—importantly—with neighbouring authorities, such as the Cheshire and Lancashire county councils.

It is a further mark of Merseytravel's success that the Government are in the process of transferring from the Strategic Rail Authority to Merseytravel the full panoply of powers over the local rail network. That change, too, is endorsed by Cheshire and Lancashire county councils. My right hon. Friend the Minister for Transport has played a leading role in making that change, which will give a unique degree of local control of the heavy rail network to the community that it serves.

The five local authorities represented on the Merseyside PTA are Knowsley borough council, Liverpool city council, Sefton borough council—in my constituency—St. Helens borough council and Wirral borough council. My right hon. and hon. Friends should know that two of those authorities are currently held by Labour; two are hung, but Labour councillors are in leading roles; and one is led by the Liberal Democrats. All five support the Bill.

Merseytravel itself has a majority of Labour councillors, so I point out to my hon. Friends that the Bill is being promoted by a Labour-controlled authority, established by Labour, carrying out the policies of the Labour Government.

As well as carrying out the normal duties of a PTA and a PTE, Merseytravel owns and manages the famous Mersey ferries and the two Mersey road tunnels that run under the river between Liverpool and Wirral. The Queensway tunnel, between Liverpool and Birkenhead, opened in 1934, nearly 60 years ago. The twin bores of the Kingsway tunnel, between Liverpool and Wallasey, opened in 1971 and 1974.

The Mersey tunnels are an important strategic transport asset for Merseyside. They are the only estuarial crossing in Britain to be found at the heart of a conurbation.

Mr. Andrew Miller (Ellesmere Port and Neston): Will my hon. Friend give way?

Mrs. Curtis-Thomas: Perhaps my hon. Friend would bear with me.

The tunnels provide an important route for commerce, and commuting and leisure travel between the Wirral and Liverpool and for journeys further afield.

Mr. Miller: I am glad that my hon. Friend made that point, as it is a recognition that we are dealing with journeys that go much further than Merseyside. In the light of that, does she agree that as I represent constituents in Ellesmere Port and Neston it would be appropriate for me and people such as me to be part of the consultation process under best-value legislation?

Mrs. Curtis-Thomas: I thank my hon. Friend for that intervention; I understand his motivation, but I stress that the five Merseyside authorities bear the cost of the tunnels so the future of the tunnels is largely at their discretion.

Although the tunnels are the responsibility of the Merseyside PTA, research has shown that the tunnels are used by only 3 per cent. of the people of Merseyside. Car ownership in the area is relatively low by national standards, and I am pleased to say that its citizens are far more reliant on public transport than those in most conurbations. As I shall explain, it is questionable on grounds of fairness whether the 97 per cent. of Merseysiders who do not use the tunnels should be called on to subsidise them through their council tax when additional financial support is needed. I repeat: 97 per cent. of Merseysiders are called on to subsidise tunnels that they do not use.

The Mersey tunnels are an important strategic transport asset for Merseyside. They are the only estuarial crossings in Britain to be found at the heart—

Stephen Hesford (Wirral, West): Will my hon. Friend give way?

Mrs. Curtis-Thomas: Please bear with me.

As I have already pointed out, the tunnels provide an important route for commerce, and commuting and leisure travel between the Wirral and Liverpool and for journeys further afield.

Merseytravel has an obligation to put the tunnels on a sound financial footing, to invest in them to ensure that they operate at the highest practicable levels of safety, and to provide alternative public transport services for those increasingly congested river crossings. That is what the Bill does.

Let me make it absolutely clear that the Bill does not privatise the tunnels in any way—despite what some hon. Members have been led to believe. It is true—

Mr. Robert N. Wareing (Liverpool, West Derby): Will my hon. Friend give way?

Mrs. Curtis-Thomas: Perhaps my hon. Friend will bear with me while I finish this part of my speech.

It is true that a previous Mersey Tunnels Bill envisaged letting the operation of the tunnels on a long-term concession to a private sector operator. At that time, Merseytravel saw that as the only way to achieve the modernisation of working practices essential to the spirit and letter of the Labour Government's best-value principles. The proposal was scrapped by the Labour leadership of Merseytravel, which is why the current Bill is but a third of the size of the original.

A year ago, the political leadership of Merseytravel offered the five trade unions representing the 300 or so employees of the tunnels the opportunity to be involved in negotiations on the modernisation of working practices while remaining in the public sector. Such modernisation is exactly what the TUC claims is the alternative to private sector involvement in public services. Thus far, however, the trade unions have not attended a single meeting to take that process forward; instead, four of the five unions and the north-west region of the TUC have chosen to petition against the Bill, even though it poses no threat whatever to their members.

Mr. Wareing: Will my hon. Friend give way?

Mrs. Curtis-Thomas: I must make progress.

The exception was Unison, which has written to its members who serve in this place urging them to support the Bill. It is a source of great regret to Merseytravel that the trade unions did not take up the offer to negotiate the creation of a modern public service. Nevertheless, Merseytravel remains fully committed to the principle of public sector operation and is still ready to enter negotiations with the trade unions at any time. The Bill is not about privatisation.

Having set out the role of Merseytravel and clarified what the Bill does not do, I shall explain what it is actually about. First, it is designed to put the Mersey tunnels on a sound financial footing. Since the abolition of the Merseyside county council by the Conservative Government in 1986, Merseytravel has been responsible for the management, operation and maintenance of the Mersey tunnels.

All Labour Members accept that the sound management of our public finances is necessary if we are to raise the quality of public services. In the case of Mersey tunnels, that ambition is impossible under the current legislation. They are financed through the collection of tolls from the drivers of cars and other vehicles that pass through them. Current legislation stipulates that toll revenue must equal only the cost of operating, refurbishing and financing the tunnels. The tolls must not explicitly produce any surplus revenue that can be aggregated in anticipation of the need for future investment. That means, in reality and actuality, that Merseytravel can seek to raise the tolls only after the tunnels have been pushed into deficit by rising maintenance and other costs.

The process of raising the tolls to cover additional costs can take up to two years. That is because Merseytravel has to apply to the Secretary of State for Transport for authority to raise the tolls. He, in turn, is obliged to call a public inquiry if objectors oppose the rise so requested, and they inevitably do. The toll revision process can take up to two years and will cost hundreds of thousands of pounds. Therefore, the elected councillors of Merseytravel find that they have responsibility for the finances of the tunnels with no power to finance operating losses other than through the levying of the five district councils until a public inquiry, which could take two years, has been completed and the Secretary of State has made his decision. That is exactly what has taken place in the past and it is what the Bill seeks to avoid in future.

The last time that the Merseyside PTA was compelled to request financial assistance from the five district councils for the Mersey tunnels was in 1992. Hon. Members may well ask whether that request was made to advance public transport on Merseyside. The answer is absolutely not. The finance was used to subsidise the private cars, vans and lorries using the Mersey tunnels. This ridiculous arrangement resulted in £28 million having to be paid to the tunnels by the five Merseyside district councils and, hence, by council tax payers. That debt is still being paid out of income from tolls. The authority in my constituency is owed £5 million. The 97 per cent. of Merseysiders who do not use the tunnels subsidise the 3 per cent. who do. Should Parliament fail to enact this Bill, the beast of 1992 will again pick the pocket and purse of every council tax payer on Merseyside. Some of our authorities can least afford that.

[Mrs. Curtis-Thomas]

Moreover, users of the tunnels resident outside the conurbation have been immune from any additional burden whatever. Research has shown that as many as 10 per cent. of the users of the tunnels reside outside Merseyside and therefore never incur the consequence of the debt that accrues to the facilities.

I fully acknowledge the contribution that commuters from outside Merseyside make to the economy of the county, especially those "workers by brain", as we used to call them in the Labour party, who are employed in the burgeoning financial, technical and academic sectors of Liverpool's economy. We do not doubt their contribution, but we wish to make the situation more equitable for all concerned. Can it be right that the council tax payers of the conurbation, many of whom are on very low earnings compared to the outside commuters, should be called upon to subsidise the travel-to-work costs of those able to reside in the more affluent shires? I ask my right hon. and hon. Friends, especially those representing constituencies in London and other great cities, whether their constituents would be prepared to countenance that.

Clearly, Merseytravel is under an obligation to its constituents to put the tunnels on a sound financial footing so that there is no need for future subsidies from the council tax. We have already paid far too much, and we are already owed a great deal. The Bill, which is promoted by Labour-led Merseytravel, seeks to right that wrong. It would reconfigure the economics of the madhouse in such a way that neither the tunnels nor importantly the council tax payers on Merseyside would be forced to go into debt. That has been the reality for some of the authorities concerned.

A resolution to the problem is even more pressing in the light of a recent report on safety in the Mersey tunnels. An urgent need now exists for additional funding for investment in the tunnels. Let me explain. In April this year, the Allgemeiner Deutscher Automobil Club—the German motorists' organisation—published its latest report on safety in 30 road tunnels throughout Europe. The report was commissioned by, and carried out in conjunction with, a range of European Union organisations, including Britain's Automobile Association. Merseytravel volunteered to co-operate with the study, enabling ADAC to examine the Mersey tunnels. The report awarded good marks to the Kingsway tunnel between Wallasey and Liverpool, which came seventh overall in Europe. That reflected, in large part, the relatively modern design from the 1960s and 1970s. However, the Queensway tunnel between Birkenhead and Liverpool scored less highly, rating as acceptable and coming 21st out of 30. That was mainly a result of the way in which it was designed and constructed in the 1920s and 1930s.

The Queensway tunnel's weaknesses include it having only one tube with oncoming traffic, no emergency lanes or lay-bys, narrow traffic lanes, inadequate emergency walkways, 1,500 m gaps between emergency exits and no automatic detection of traffic congestion. The emergency telephones are not soundproofed, the fire ventilation system is not automatically activated and the tunnel is not automatically closed in the event of a fire. Merseytravel has examined the report in detail and has provisionally costed the works recommended to bring both tunnels up to European safety standards at about £8.5 million.

Merseytravel has long anticipated that the need would arise for substantial expenditure in the Queensway tunnel. However, the ADAC report, following on from a number of serious fires in road tunnels on the mainland of Europe in the past few years, has now produced a compelling need to act swiftly and in additional areas.

Mr. Miller: My hon. Friend refers to an extremely—

Mr. Deputy Speaker: Order. May I encourage the hon. Gentleman to address the Chair?

Mr. Miller: My hon. Friend makes a serious point about the ADAC report, which I have read in great detail along with reports from the Massachusetts Institute of Technology and other United States studies. The money must be spent whether we have the Bill or not. Therefore, does she not think that it is a bit ingenuous of the Bill to talk in terms of using resources to develop other passenger transport services when, for years to come, any surplus that is generated by the tunnels will have to be used to invest in safety?

Mrs. Curtis-Thomas: I am grateful that my hon. Friend has raised that point. If he bears with me, I shall address it shortly.

The money must obviously be found and the PTA has recommended that tolls be raised to meet the high costs of refurbishing the tunnels. The alternative—which is to ask local council tax payers to foot the bill, possibly by cutting spending on other services—is simply not on. However, as a result of the arcane procedures to which I referred earlier, raising tolls means a public inquiry that may take up to two years and that will also cost the council tax payers who currently subsidise the tunnels.

I argue strongly that the PTA must be given the authority to take whatever action is necessary to meet the highest safety standards as quickly as possible. That would be achieved by enactment of the Bill, which would allow the PTA to increase tolls in line with the retail prices index.

That in turn would allow tolls to rise by 10p next April, from £1.20 per car to £1.30, thereby enabling the safety improvements in the tunnels to get under way almost immediately. Merseytravel envisages that all the additional revenue raised from the indexation of tolls would be spent exclusively on improvements to the tunnels in the first four years or so after the Bill's enactment; which brings me neatly on to its second main purpose: improving Merseyside's public transport network.

As I said, the Bill contains powers to allow tolls to rise in line with the retail prices index. Thanks to the Labour Government's sound economic policies, the RPI is at an historic low, and the estimated increase for motorists using the tunnel is 10p over three years. Given that the fares for crossing the Mersey by any other means—train, bus or ferry—rise at least in line with inflation, it is eminently reasonable that motorists should be subject to a comparable increase.

It is important to know that, although the Bill empowers Merseytravel to increase tolls in line with the RPI, it would not require Merseytravel to exercise that power. Its use is at the discretion of the elected members of the PTA. For example, if economic circumstances are such that a toll increase would be harmful to the

Merseyside region, the councillors could choose not to apply it either in full or in part. Users would be protected from an increase above the level of the RPI, under agreements similar to those currently in force. In very exceptional circumstances, Merseytravel would be able to apply to the Secretary of State for an increase in tolls above the level of inflation.

Mr. Christopher Chope (Christchurch): In deploying arguments about the financial case, will the hon. Lady address the concerns of the district auditor, who was unable to get access to sufficient management information to assess whether the figures produced by Merseytravel were accurate?

Mrs. Curtis-Thomas: I thank the hon. Gentleman for raising that point, but it is a matter for the authority and the auditors. I note his concern and will write to him in due course.

Merseytravel would have to justify its request for an increase in tolls above the level of inflation to the Secretary of State, as it does now—for example, on the grounds of emergency maintenance—and the Secretary of State would continue to have the power to hold a public inquiry. Having provided for indexation, the Bill would allow Merseytravel to use creatively any surplus toll income over and above the cost of operating the tunnels and maintaining them to the highest safety standards. Merseytravel would be empowered to use the surplus to fund improvements to public transport, enabling the Merseyside local transport plan, which the Government commended, to be delivered faster.

It is necessary to deliver these improvements at the earliest opportunity so that we provide alternatives to the car for those very people who believe that they have no choice but to drive through the tunnels. The tunnels are operating at, or near, capacity at peak times. As the economy of Merseyside continues to recover and grow, the need for travel will similarly expand. Shall we stand aside and allow the tunnels to become even more congested, causing tailbacks and pollution in Wallasey, Birkenhead and Liverpool city centre; or shall we act now to manage demand by modestly increasing tolls in line with inflation and providing genuine public transport alternatives?

Mr. Colin Pickthall (West Lancashire): I refer my hon. Friend to the front page of the statement by the promoters, which states:

> "Merseytravel sees the level of tunnels' tolls as a device to help manage traffic growth in the tunnels, by making sure that tolls keep pace with inflation".

We know that wages keep pace with—and indeed exceed—inflation. We also know—this is confirmed in the document—that the cost of motoring has been decreasing for some time. Why would a toll increase that is linked to the RPI reduce or even manage traffic in the tunnels?

Mrs. Curtis-Thomas: Clearly the dynamics and utilisation of the tunnel are a matter for considerable debate. We can project the use of the tunnels on existing figures, which suggest that it will increase to an unbearable extent. I do not believe that the measures are onerous. As my hon. Friend has said, the cost of travel is decreasing. For a small increase in Merseytravel's fees, we will introduce something that might not only contain the level of traffic growth, but offer viable alternative public transport opportunities.

Let me outline some of the projects in the local transport plan which will benefit the Wirral and could be delivered quicker as a result of the Bill. They include: the transformation of the quality of bus services from Liverpool and Birkenhead in the A41 corridor to Eastham and Mill park via Bromborough, in the A552/A551 corridor to Heswall via Woodchurch road, and in the A553 corridor to West Kirby via Bidston and Upton; a major upgrade to the Birkenhead Hamilton square underground station, which is desperately needed; and the progressive upgrade of all Merseyrail stations in Wirral to offer an enhanced passenger waiting environment, including closed circuit television, which is in great demand, real-time passenger information, interactive help points, seating, and secure cycle storage, and the provision of better interchange opportunities with connecting bus services. Who would not want those services in the Wirral, and who would not want them now?

The projects also include: electrification of the mid-Wirral diesel rail line between Bidston and Woodchurch; the creation of a major new multi-modal interchange and strategic park-and-ride at the new station close to the junction of the M53 and A552 at Woodchurch; a new station and a park-and-ride at Beechwood; a major refurbishment programme to the Merseyrail train fleet; an integrated ticketing system including smart cards; improvements to the main underground rail station in Liverpool city centre; and further investment in Merseyside ferries.

A 10p increase in tunnel tolls every three years is a pretty small price to pay for the earlier delivery of that package of improvements, especially as tunnel users would help to fund measures that will provide them either with a real alternative or with a reduction in congestion if they must use the roads.

Mr. Frank Field (Birkenhead): I intervene only because my hon. Friend admirably cited Birkenhead. I will support the Bill on Second Reading because there is much sense in the reforms that she proposes. Nevertheless, does she accept that some of us who support the Bill in principle may be more concerned, on Report, that moneys from the tolls will go to far distant areas in Merseyside and not to Birkenhead, Beechwood and Wirral, West, areas on which she cleverly concentrates when setting out the advantages? We would like to see all those reforms, but many of my constituents and I are less keen on a council tax increase to fund improvements to the far stretches of Merseyside, whose people never use the tunnel.

Mrs. Curtis-Thomas: I thank my right hon. Friend for that intervention. He will notice that none of the many improvements that I have cited will benefit Crosby.

Mr. Field: Birkenhead was included though, was it not?

Mrs. Curtis-Thomas: Birkenhead will benefit, as will many areas inside the Wirral, but much of Crosby will not. We have a list of priorities that need to be addressed, and the areas that I have identified clearly rank far higher

[Mrs. Curtis-Thomas]

than my own. The local transport plan is available for consultation and open for negotiation. I have expressed my concerns and aspirations, and I encourage my right hon. Friend to do the same. However, if I were in his place, I would be very grateful that at least some aspects of my kingdom had been referred to and that they were to have a definite opportunity to secure improvements in the short term—rather than the long term, as I fear it will be for some of us.

On congestion, I point out to the House that the Bill empowers Merseytravel to carry out noise insulation works for about 200 homes near the Kingsway tunnel portals on the Wirral. The Bill will close a gap in the law which has prevented Merseytravel from providing that help in the past.

Angela Eagle (Wallasey): Does my hon. Friend share my happiness about that? The mistake allowed 200 houses in my constituency which directly abut the tunnel entrance to be plagued with noise for 30 years, and the inhabitants could have no relief because it would have been ultra vires to soundproof their houses. Does my hon. Friend understand how grateful my constituents are that the error has been rectified in the Bill? I shall support its Second Reading simply for that reason, but I share some of the worries expressed by my right hon. Friend the Member for Birkenhead (Mr. Field) about the distribution of other largesse.

Mrs. Curtis-Thomas: I thank my hon. Friend for that contribution. It is well understood on Merseyside how hard she has argued for significant support for the 200 homes directly affected by the problems associated with the Kingsway tunnel portals. I thank her in advance for her support for the Bill, which will make recompense available to the people who have been placed in that difficult position for many years. I am sure that all hon. Members receive complaints from constituents about noise levels at major road junctions. I am delighted that the Bill will enable the PTA to address such concerns.

Many will benefit from the enactment of the Bill. First, the people of Merseyside will benefit. They are currently required to bear the financial burden of the tunnels, irrespective of whether they use them or even own a car. The current legislation effectively means that the tunnels must be operated at a loss, and the debt must be passed on to local authorities and thus to council tax payers before tolls can be raised to cover any deficit. The Bill corrects that anomaly.

Secondly, the tunnel users will benefit. I referred earlier to the cost of meeting the recommendations of the ADAC report on tunnel safety. Without the guaranteed additional income generated by the Bill, tolls will in any event have to rise significantly to meet the £8.5 million cost of the additional safety works required to bring the tunnels up to the recommended European standards.

Thirdly, those who use or would like to use public transport will be significant beneficiaries. Once operating and safety costs have been met, surplus revenue from the tolls will go towards accelerating the implementation of the local transport plan, benefiting tens of thousands of people on Merseyside. Motorists quite reasonably say that they will be persuaded to leave their vehicles at home only if public transport improves. The Bill will generate additional investment in local buses, trains and ferries, and give Merseyside motorists a genuine alternative, which they are currently denied.

Fourthly, the environment and the quality of life for those living near the tunnel portals will also benefit. So too will the health of others in the region, particularly our young people. Between 1992–93 and 1999–2000, despite a small population decrease on Merseyside, there was a 9.6 per cent. increase in traffic using the Mersey tunnels. The tunnels are now operating at 92 per cent. of capacity at peak times, and queueing times at the entrances in the morning peak have increased from approximately 20 minutes in 1991 to 45 minutes today, despite the use of additional contraflow lanes at peak times.

The Bill is not anti-car or anti-motorist, but it reflects the growing awareness, in particular on the part of my right hon. and hon. Friends at the Department for Transport, that public bodies have a duty to manage traffic growth. The increase in traffic noise and pollution at the portals of the Mersey tunnels affects some of the most deprived areas on Merseyside, where poor health is already experienced owing to a number of factors. Those areas naturally include several schools.

I draw hon. Members' attention to research commissioned by the National Asthma Campaign which points to a conclusive link between car exhaust fumes and the growing incidence of asthma in children. The Bill is designed to manage traffic growth through modest toll increases and improvements to public transport. That can only be of benefit to the health of Merseyside children.

Fifthly, business will benefit from the Bill. According to the Confederation of British Industry, traffic congestion costs the British economy £20 billion a year. In its progress report on the Government's 10-year transport plan, published on 24 June, the CBI explicitly warned that shirking difficult decisions on matters such as road tolls puts the Government's integrated transport policy at risk. A survey by Barclaycard earlier this year revealed the cost of congestion to industry throughout Merseyside and north Wales to be £700 per worker per year. In the 2001 "Small Business Watch—Transport Research" by Yellow Pages, a third of small firms in the north-west claimed that road congestion had a serious impact on their competitiveness. Managing traffic growth is good for business and good for Merseyside.

I should now like to deal briefly with some of the arguments against the Bill. Some people claim that there is massive local opposition to the Bill. That is nonsense. A petition to Parliament opposing the Bill contained 251 signatures. Of the written representations to the former Department for Transport, Local Government and the Regions, 950 were tear-off coupons from the *Liverpool Echo* and the Wirral *Evening News*.

As I said earlier, the Bill has the full support of all five local authorities on Merseyside, as well as a number of public and other bodies including Transport 2000, which has petitioned the House in support of the Bill, and, significantly, Friends of the Earth. The Bill is backed by Unison and the railway union ASLEF. The latter has also petitioned the House in favour of the Bill.

Opponents claim that Merseytravel should be seeking to cut the tunnels' operating costs rather than index-linking the tolls.

Mr. Wareing: Will my hon. Friend give way?

Mrs. Curtis-Thomas: If my hon. Friend will bear with me—

Mr. Wareing: I am indeed bearing with you.

Mrs. Curtis-Thomas: Good. Perhaps my hon. Friend could bear with me a little longer.

The tunnels are a 24-hours-a-day, 365-days-a-year business. At £11.8 million a year, their operating costs are relatively modest. Even if there were cuts, that would do nothing to manage traffic growth or to generate additional revenue for safety improvements and public transport. In any case, like other public services, the tunnels are subject to the best value process, and that will continue irrespective of the Bill.

It is claimed that index-linked tolls will damage local businesses. Given that earnings generally rise faster than prices, tolls linked to the RPI will fall in relation to average earnings; therefore the economic effect of index-linked tolls on commuter traffic and thus on employees in Liverpool will be, at worst, neutral. Finally, opponents claim that commuters have no alternative means of getting to work and accuse Merseytravel of holding them to ransom.

Mr. Edward O'Hara (Knowsley, South): Before my hon. Friend winds up, I would like to address a point made in a previous intervention. It has been suggested that the revenues from the proposed modest increase in tolls would result in users of the tunnel subsidising wider areas of Merseyside. Does she accept that, for more years than is fair, the constituents whom I represent have been subsidising the users of a tunnel that they themselves do not use in large numbers?

Mrs. Curtis-Thomas: I thank my hon. Friend for that valid and accurate observation. It is of course true, and it applies not only to his constituency but to many others on Merseyside.

The Bill reflects the need to change an arcane and damaging piece of legislation which forces the Mersey tunnels to be operated at a loss before tolls can be increased, and which compels local authorities on Merseyside to pick up the tab in the meantime. It is combined with a real opportunity to improve safety in the tunnels, to manage traffic growth and to provide additional investment in public transport.

I am grateful for having been given the opportunity to sponsor the Bill. I am proud to be associated with Merseyside passenger transport authority, which is chaired in an exemplary manner by Councillor Mark Dowd, who has spent the best years of his life trying to improve transport provision on Merseyside. His authority has been motivated by the single objective of trying to do all it can to improve transport opportunities and provision for all the people of Merseyside. The authority has been uniquely successful, but there is much more to be done.

I hope that the House supports this sensible Bill, which is welcomed and needed by the vast majority of people on Merseyside. I commend it to the House.

8.22 pm

Dr. John Pugh (Southport): I rise to speak about something that I have known all my life. I was driven through the Mersey tunnel as a child, anxiously looking up from the back seat of the car to see whether water would come in through the ceiling. That remains a residual fear even today, even though it has been explained to me—with drawings—why it is not a realistic likelihood. I recall there being traffic lights in the old tunnel, and the people of Liverpool proudly walking through the Kingsway tunnel when it was first opened. All my life I, as a Liverpudlian, have been proud that we have such excellent tunnels. I regard the tunnels as engineering marvels—structures of which we can be genuinely proud. Whenever I had visitors, I would make some excuse to take them through the tunnels—thus increasing by some measure the traffic congestion—because I wanted to display what is undoubtedly an engineering wonder.

At that stage, I did not regard the tunnels as being remotely problematic. Only when I became a councillor did I realise the burden of substantial historic capital costs that falls on every council tax payer on Merseyside. I was a councillor during the period when the hon. Member for Bootle (Mr. Benton) occupied a senior position on the same council. From 1998 to 1992, when we were both councillors on the same authority, the operating loss on the tunnels was £28 million. Both of us know what a substantial effect that loss had in terms of having to make cuts in the council's budget. Sorely needed services were not provided, and one of the reasons they could not be provided was the £28 million that should have been available for Merseyside but simply was not available.

The loss on the tunnels represented a £28 million loss of services. It had to be made up in some way if we were not to cut services indefinitely, but it was funded by a range of people who had little connection with the tunnels.

Mr. Miller: Will the hon. Gentleman clarify which year he is talking about? According to the accounts, there is only one year in which total expenditure was £28 million, and that was 1999–2000. Expenditure in all the other years was substantially less.

Dr. Pugh: Anyone who pretends that there has been no substantial loss on the operating costs of the tunnel is not living in the real world. We could argue the figures indefinitely—the hon. Gentleman and I both have figures in front of us—but I genuinely believe that there was an operating loss that had an effect on services. However, even if the operating loss were only small, and not substantial, the fact remains that it has to be made up—elderly ladies in Speke, Crossens, Prescott and elsewhere have to play some part in making up the loss. In effect, such people are subsidising the haulier and the motorist.

Mr. Peter Kilfoyle (Liverpool, Walton): Does the hon. Gentleman agree that my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) might feel a little differently about the £28 million cumulative loss if he,

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and his local councillors in turn, had to explain where the transport precept was going? Does the hon. Gentleman agree that my hon. Friend does not have to face that reality, unlike MPs representing the five boroughs on Merseyside?

Dr. Pugh: It is not only MPs but councillors who every year have to deal with the Merseyside passenger transport authority precept and explain the basis on which it is calculated.

The fact is that there was a loss—it happened—and there is nothing in the system as currently defined that can stop it happening again. Regardless of the details, the facts and the figures, what we have is a system of deficit financing that is cumbersome, unpredictable and incapable of dealing with a range of perfectly likely scenarios. Any long-term safety issues or requirement to meet new standards cannot be dealt with under the existing funding system. Environmental problems affecting people living near the tunnels increase as traffic increases, but they are not addressed in any way by the current funding regimes. The present system contains no mechanism to deal with major structural problems that might give rise to an emergency in the tunnels. There is no mechanism to deal with any change in fiscal rules, VAT treatment or interest rates.

The system is absolutely inflexible, and it cannot guarantee that granny will not end up subsiding Eddie Stobart. I have nothing against Eddie Stobart—he is a very fine chap in his own way—but I see no reason why people who have no use for the tunnels should end up subsiding something that does not specifically concern them.

Any council leader on Merseyside knows the yearly agony of trying to fix the budget while waiting for input from the Merseyside passenger transport authority. The PTA can make a substantial difference to what the council has to tell council tax payers, and to the taxpayers themselves. A feature of the system that has been identified year after year is its sheer unpredictability, and the tunnels and the various associated charges contribute to that unpredictability.

Mr. Joe Benton (Bootle): To confirm the hon. Gentleman's comments, I well recall the many torturous hours spent in budget preparation in Sefton, and I have no doubt that other local authorities had the same experience. Does he agree that that experience of having to wait until the last minute before we could set a rate arose because it often depended on the Merseyside PTA levy? Does he agree that the Bill is motivated by the desire to modernise the system and overcome the arcane process that councillors on Merseyside still have to undergo?

Dr. Pugh: I certainly do agree, and I am grateful for that intervention. In fairness, I have to say that sometimes budget negotiations within Sefton council were torturous for reasons that were not related to the MPTA, but that is another matter.

It would be disingenuous, wrong, inaccurate and dishonest of supporters of the Bill to say that it is designed solely to establish a stable financial platform. If the Bill does that, that is in itself sufficient reason to support it, but I think it is designed to do other things, and it is fair to identify what they are.

Stephen Hesford: Perhaps, like me, the hon. Gentleman has had the opportunity to examine the Mersey Tunnels Bill briefing update produced by the Promoter of the Bill, Merseytravel. In no year since 1992–93 has there been an operating loss. The hon. Gentleman talked about stable financing, which is precisely what we have as a result of the increased tunnel toll in April 1992 and a further rise in November 1999. He is talking about history, which is not relevant to the position today.

Dr. Pugh: The hon. Gentleman is slightly missing the point—he is a bit like someone who tries to persuade me not to take an umbrella tomorrow because it did not rain this afternoon. There is nothing in the present system to inhibit or prevent a loss, but the Bill includes a provision that leads one to believe that a loss is far less likely. As a loss is undesirable in principle, I support that provision.

The Bill allows the people running the tunnels to create an operating surplus—I am not against that.

Mr. George Howarth: Does the hon. Gentleman agree that the Bill seeks to acquire for people the power to increase tolls in line with inflation if necessary? His point is perfectly valid: if there is no need for an increase, the tolls will not necessarily go up; but if a rise is required, there is the power to increase the tolls appropriately.

Dr. Pugh: The Bill provides the people running the tunnels with a tool to prevent a loss, should one be on the horizon. I do not think that anyone in the Chamber would seriously claim that such an enterprise as the one operating the Mersey tunnels should never have an operating surplus in principle. Lots of tunnels across the world have a surplus, as do many traffic management schemes.

Mr. Wareing: I am much obliged for the graciousness with which the hon. Gentleman gave way. Did he see in the Merseytravel briefing that there will be a surplus on the Mersey tunnel tolls by 2005, which could be hypothecated and used for other purposes? Is not that why the Freight Transport Association and the Automobile Association oppose the Bill?

Dr. Pugh: I shall not explore the reasons why the AA opposes the Bill but, as the hon. Member for Crosby (Mrs. Curtis-Thomas) made clear, if there is an operating surplus, it will be needed by the operators to meet considerable demands to comply with European safety requirements. I went through the tunnel as a child so it must, by definition, be fairly old and in need of substantial refurbishment. We need a system that enables us to tackle that. A key feature of the Bill is that it creates the possibility of integration with the local transport plan; it brings the tunnels into the frame so that we can achieve a coherent and sensible local transport plan. There is not a political party on the planet that does not support local transport plans that propose an integrated transport system. Rejecting the possibility of such a system is crass stupidity and against the spirit of the Government's own 10-year plan. It is simply not possible to have integrated transport nationally, but not locally.

It is only sensible that a transport body should have the power and tools to secure economic prosperity, social inclusion and a wholesome environment. The body that we charge with the task of executing an integrated transport plan for Merseyside is the MPTA. What is there to fear? I do not understand the force of the objections to the Bill. The MPTA is a democratically elected body of people who have been nominated by their own councils because they know something about transport and have a grasp of the issues. The MPTA is not the haunt of slavering Trots, and it is not a bunch of misguided anoraks. I dare say its members have their faults. I know many of them personally, including Councillor Dowd who will acknowledge that he is by no means perfect in every respect. None the less, he is recognised for his vision, abilities and skill in determining what is needed on Merseyside, and has been nominated as transport personality of the year.

Stephen Hesford: It is a pleasure to intervene in this debate. Is the hon. Gentleman talking about the same Councillor Dowd who was chair of the authority which sponsored the previous Bill, which would have privatised the management of the tunnels? Is that the same perspicacious person?

Dr. Pugh: I understand the hon. Gentleman's confusion, as there are two well-known Councillor Dowds on Merseyside. However, it is the same Councillor Dowd.

The MPTA, the Minister will concur, has received tangible praise from the Government for its vision, and for its ability to understand what might be required in a transport plan for Merseyside. It submitted a transport plan which was so good that the Government, most peculiarly, asked whether it wanted more money. It was given more money as it was thought to be able to spend it properly.

The people sponsoring the Bill therefore have an acute idea of Merseyside's transport needs. Where is the danger in giving them a power that they need? Why the animus against some of the benefits that may flow from the Bill? The MPTA predicts that there will be £2.5 million of additional revenue. That figure may vary, and may be a little less, but even if it were only £1 million, that would make an appreciable difference to people on Merseyside, who could have better bus networks and stations; various environmental improvements to soften the effects of transport congestion at the tunnels; and park-and-ride schemes. They could have a range of things once money is available from the transport plan. At the moment, however, there is no guarantee that there will be any further income coming their way.

To conclude, the Bill solves the long-standing problem of unpredictable finances. Even its opponents must accept that it offers potential benefits. It is thoroughly in line with integrated transport and modern thinking. Importantly, it is subject to appropriate safeguards. If I am wrong, and if the MPTA ends up as the haunt of slavering Trots or anoraks, the only way it can damage the motorists of Merseyside is to go to the Minister and ask whether it can do so, as ultimately he has control over whether it can raise charges above the retail prices index. I hope that all Labour Members would trust the Minister to make a sensible and reasonable decision in that respect. They should be assured by the fact that he is nodding and agreeing that the safeguard will be in place when the legislation goes through.

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson) *indicated dissent.*

Dr. Pugh: Given that the measure is so thoroughly in line with Government thinking, the mystery is why the Government have not thrown their weight behind it—why it is a private Bill and not a Government Bill. After all, as I said earlier, if they want a national integrated transport scheme, they must support local integrated schemes as well. The tragedy may be that if the Bill falls tonight, it will be the Government's fault. In a sense, it will be the Government's tragedy, because a slice of their own national integrated transport plan will not be accomplished.

8.38 pm

Mr. Ben Chapman (Wirral, South): I differ on a number of points from the Bill's sponsor, my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas), but I recognise the sincerity with which she holds her views and the commitment with which she has pursued these ends. I wanted to begin with that introduction.

Before I go on to the main body of my speech, I shall address some of the particulars of the points that my hon. Friend made. She referred to the benefits that might flow to the Wirral. There may have been a suggestion that there was a quid pro quo—that the Wirral was looking to get benefits out of the measure that would not otherwise have come its way. However, the projects that are mentioned are in the transport plan and would have come to the Wirral anyway.

It is not, let me stress, a matter of us and them. I do not object to the Bill because it disadvantages the Wirral or favours other parts of Merseyside. I take a different view from the sponsor of the Bill in that I object to the principle.

Angela Eagle: Will my hon. Friend admit that there is at least one group of people in the Wirral—my constituents who live in those 200 houses next to the Wallasey tunnel—who will not get the benefits unless the Bill or something like it closes the loophole in the law which currently makes it illegal for them to get their soundproofing, just at a time when the ro-ro which is likely to open soon will increase the weight of heavy traffic through the tunnel and make their plight even worse? They have been waiting for 30 years.

Mr. Chapman: I intended to deal with that point. Of course I agree with my hon. Friend. Those provisions of the Bill have my wholehearted support. I fear that there are not many others that do.

Mr. Kilfoyle: If my hon. Friend accepts that there are provisions in the Bill that will benefit people—notwithstanding any debate about the projected rises in the tunnel fees—if the Bill is talked out tonight, will there not be a grave danger of our throwing the baby out with the bath water? The Bill is part of an integrated transport plan for the whole of Merseyside. Does my hon. Friend accept that many aspects of the plan would be contingent

[Mr. Kilfoyle]

on those increases, and presumably a diminution in the amount of money taken out of the precept in order to support the tunnels as they are?

Mr. Chapman: By definition, because of the ADAC report and the comments about the £2.5 million a year for safety improvements in the first four years at least of the Bill being in force, if such a thing were ever to happen, the money could not be spent on the projects that have been outlined. In any case, those are not contingent on the Bill; they are part of the local transport plan.

I return to my point that there is no quid pro quo. The concerns of the people who oppose the Bill relate to the effects on Merseyside as a whole, not on the individual components of Merseyside. We are not saying that one part suffers more than another, or that one part gains more than another, but that the Bill—in my view, at least—damages the whole of Merseyside, or has the potential to do so.

As it was mentioned in the opening remarks, I shall touch on the fabled 10p increase that is always spoken about—only 10p, we are told, every three years. So it may be while inflation continues at its present level, but even with the present Chancellor and the Monetary Policy Committee of the Bank of England, global economic circumstances change, interest rates may not be at their present level for ever, and there is a potential, as I shall demonstrate later, for the increases to be very much larger than the mythical 10p that is often quoted.

It was said that the consultation was effective and in accordance with Government guidelines and God knows what else, but in my view at least, the consultation was inadequate. For example, as my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) said, it did not include him. He was not consulted about the matter, nor were other Members of Parliament who have an interest in the tunnels but who are not Merseyside Members. It did not include, for example, the Federation of Small Businesses, which has 6,000 members on Merseyside. It did not include a great many people.

Stephen Hesford: Does my hon. Friend recall that one of the great offences in respect of the previous Bill—he may agree that it has been rolled over to this Bill—was that nobody was consulted about it? It came out of the blue to most hon. Members and merely appeared on the Floor of the House. Representations were made about that, and does my hon. Friend recall that between the appearance of that Bill and the introduction of the Bill before us, it was suggested that there should be a Merseyside forum—

Mr. Deputy Speaker: Order. The hon. Gentleman's interventions are getting longer as the debate progresses. He must remember that there is distinction between an intervention and a speech. If he is hoping to catch my eye later, he might like to avoid spending too much time on interventions.

Stephen Hesford: I am obliged to you, Mr. Deputy Speaker.

Does my hon. Friend not recall that a forum was promised—I think that he was mooted as its chairman—but never came into being?

Mr. Ben Chapman: My hon. Friend made two points. He said that the Bill that was formerly proposed to deal with Mersey tunnels has, to some extent, merged into this one. I think that that is true, although the difference is that the former Bill was a de facto privatisation measure. At least this Bill drops that suggestion entirely. Of course, that is very welcome.

I should like now to move on to the points made by my hon. Friend the Member for Crosby. It was suggested that the MPTA was merely a vehicle for carrying out Government policy in all that it did, and that all that was proposed in the Bill was in accordance with Government policy. I take some issue with that suggestion, but I shall deal with it later.

My hon. Friend the Member for Crosby also said that the petition carried only 251 signatures. That is often said, and I should like to lay that theory to rest, as it was me who presented the petition to the House. There were petitions, e-mails and filled-in forms cut out from the newspapers. A variety of signatures were collected in the streets and at railway stations by people who saw the iniquity of what was proposed. The urgency of submitting the petition and the fact that House of Commons petition procedure meant that some petitions were not regarded as appropriate ensured that the number of signatures handed in was less than the 2,000 figure that was roundly proclaimed. However, the fact of the matter was that there were many more than 2,000 signatures. Let that not be doubted. Equally, let it not be doubted that, if we had allowed the petitioning to continue, the number would have been in multiples of 2,000. Let there be no doubt that the bulk of the people of Merseyside, given the opportunity, oppose the measure. There is no question about that, so let us not get carried away with talking about 251 signatures. It is simply not so.

Mrs. Curtis-Thomas: It is, actually.

Mr. Chapman: I say again that it is not the case. I was the hon. Member who submitted the petition and I can tell the House that there were many more than 2,000 signatures. That is the fact of the matter.

Mr. Wareing: Would it not be very interesting to know how many individual constituents have written to hon. Members suggesting that they support an increase in the tolls and are in favour of the Bill?

Mr. Chapman: It would indeed be interesting to have those figures. I can give the figures for my constituency, but I fear that I cannot speak for other Members. To be fair, I received one letter saying that it was a good idea to increase the tunnel charges. I think that it was from an employee of Merseytravel, but I am sure that it was a neutrally made point, for all that.

Mr. Kilfoyle: May I enlighten my hon. Friend in another sense? I have not had a single letter against the proposed changes to the tunnel fees, but if it will help him, I will, as his constituent, write to him and let him know that I do not object—I want the fees to go up.

Mr. Chapman: Some points were made about the affluent shires, and I shall deal with those later on.

The Bill is promoted by the Merseyside passenger transport authority, about which I shall have more to say. I also want to deal with the generic issue of passenger transport authorities, which is relevant not only because the powers in the Bill are unique in the context of a private Bill, but because my hon. Friend the Member for Crosby dealt with the issue of the PTA generically as well as particularly.

I want to deal with the history of the tunnels and of their financing, together with the nature, role and powers of the PTA, because that is crucial in setting the Bill in context. I shall also discuss other forms of transport on Merseyside, since one of the arguments advanced in favour of the Bill is that it will move people on to other forms of transport. I need to deal with that in terms of the other forms of transport in Wirral, South, because that is the area of which I have the closest experience. I shall also talk about the orientation of the Wirral, because it is relevant to what the Bill would do to the whole of Merseyside.

The Bill relates to the Mersey tunnels, which comprise the road tunnel between Liverpool and Birkenhead—the Queensway tunnel, also known as the Birkenhead tunnel—and the two road tunnels between Liverpool and Wallasey called the Kingsway tunnel, but also known, unsurprisingly, as the Wallasey tunnel. The Queensway tunnel was completed in 1934 and the Kingsway tunnel was completed in 1974. I mention those dates because they are relevant to the financial issues.

Although the Wirral is clearly and demonstrably part of Merseyside in local government terms, its allegiances and economic linkages vary. Some people hark back nostalgically to the time when it was part of Cheshire, which in a physical sense it still is. Rightly or wrongly, and although it was more a matter of form than substance, many very much welcomed the change to the postcode some years ago that meant that it began with "CH", not "L". That did not mean that services improved; if anything, they deteriorated. However, people in some parts of the Wirral are comforted simply by having "CH" as part of the postcode.

Economic links matter not only with Cheshire and Chester, although people go to Chester for shopping, the races and work in the business park and firms such as MBNA. People also work in north Wales, not least at Airbus. The Deeside economy is unitary in many respects. Our links with Ireland are historic and remain strong. King Billy sailed to Ireland from the Wirral. People remember cattle from Ireland coming into the lairage at Birkenhead. The new roll on/roll off ferry service will further strengthen our links with Ireland. We have connections with Ellesmere Port, where people work at, for example, Vauxhall. We also have links with Halton, where people work in the chemical industry.

However, our cultural and leisure links are overwhelmingly with Liverpool and the rest of Merseyside. For both sides of the Mersey, the tunnel is a vital artery and a daily lifeline. Unnecessarily increasing the charges for using the tunnels is deeply damaging and divisive. The Wirral and the rest of Merseyside have been connected throughout history, but it was in the first part of the 20th century that Liverpool traders, ship owners, brokers, merchants and business people started to move across the Mersey to live in the Wirral and enjoy what were viewed as its bucolic pleasures. The relationship is almost umbilical.

In 1922, Sir Archibald Salvidge tabled a motion in Liverpool city council to inquire into and report on the feasibility of a tunnel or a bridge to improve traffic facilities across the Mersey. The engineers' report emphatically supported a tunnel. They pointed out that although a high-level bridge would add to the appearance of the port and river, it would be a susceptible target in the event of war. If subject to a direct hit, it could lead to the closure of the port of Liverpool. A bridge would be impossible to guard. That was wise counsel in view of the bombing of Liverpool in the second world war. Furthermore, the cost of continuous painting and maintenance of a bridge was viewed as astronomical.

It was therefore reported that a road tunnel would cost less to construct and offer considerable economy in maintenance. On 8 August 1925, a private Bill that authorised the project and established the Mersey Tunnel Joint Committee received Royal Assent. On 16 December 1925, Her Royal Highness the Princess Royal switched on the power to the pneumatic drills and formally inaugurated an undertaking without parallel in engineering history.

The tunnels are part of our psyche on Merseyside. King George V opened the Queensway tunnel on 18 July 1934. It cost £8 million to construct in eight years and eight months. It ranked financially as the biggest municipal enterprise ever undertaken in the country. As the hon. Member for Southport (Dr. Pugh) said, people remember walking through the tunnel on its opening in 1934.

Mr. George Howarth: My hon. Friend has been speaking for 20 minutes but he has reached only the 1930s. Will he give us an idea of the likely proportions of the rest of his speech so that we can pace ourselves?

Mr. Chapman: It is important to set this issue in its historical context, but I can assure my hon. Friend that I shall move on relatively quickly—

Mr. Stephen Pound (Ealing, North): To the 1960s.

Mr. Chapman: Yes, to modern times.

The people walking through the tunnel in 1934 did so secure in the knowledge that, in the fulness of time, the debt would be paid off and the tunnels would belong to them.

Mr. Wareing: As a matter of interest, my hon. Friend might like to know that I am now the only hon. Member in the House to have walked through the tunnel in 1934, my father having paid a small amount of money to local charities.

Mr. Chapman: I am sure that my hon. Friend will remember the sense of well-being that he felt in the knowledge that, one day, the tunnels would belong to him, to his family and to the rest of the people of Merseyside.

I hesitate to cover all the details that I have before me, but they are relevant. One million bolts tightened the iron lining of the tunnel, and some 140 miles of joints were caulked. Some of the rubble was used to build the nearby Otterspool promenade, which was part of a scheme to reclaim the land along parts of the foreshore of Liverpool and the River Mersey. I make that point because it reinforces the fact that the two sides of the Mersey are wholly interdependent.

[Mr. Chapman]

The main tunnel is 40 ft in diameter and carries four lanes of traffic for more than two miles between Liverpool and Birkenhead. The fact that it is only two miles long is relevant, too.

Mr. George Howarth: Why?

Mr. Chapman: My hon. Friend asks why. There are two branches of tunnels. The Birkenhead dock branch, which at one time carried traffic to and from the Birkenhead dock estate, is now closed. The Liverpool dock branch is still in operation for exit traffic into the docks area.

I was going to deal with some of the environmental aspects of the project, but in the light of the haste that people are urging on me, I shall move forward to the 1950s.

Mr. Kilfoyle: I do not want to upstage my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing), but he may not be aware of how the tunnel was used by young scallywag kids in the 1950s to access the coastal resorts of the Wirral, by jumping on the backs of wagons, which were very slow-moving in those days.

Mr. Howarth: You're too big for that now, Peter.

Madam Deputy Speaker (Sylvia Heal): Order.

Mr. Chapman: During the 1950s, because of the post-war boom in motoring and the expansion of local industry, the need for a second crossing became evident. Detailed studies of cross-river traffic and the flows thereof provided definitive evidence of the need for an additional crossing. The arguments about the form that that crossing should take followed the earlier lines of argument. I shall spare the House the explanation of that, but the matter was investigated at great length and the same conclusion was arrived at. There was to be a second tunnel, and, in 1965, Royal Assent was given for the reconstitution of the Mersey tunnel joint committee. In 1966, work commenced.

The Kingsway tunnel, which was opened by Her Majesty the Queen in June 1971, is a twin-tube tunnel. Each tube has two traffic lanes that are 12 ft wide—compared with the 9 ft width of the lanes in the Queensway tunnel—and slightly under two miles long. The Mersey tunnels are unlike any other estuarial crossing in the country, in that they are situated in the heart of a conurbation. Patronage of the tunnels is predominantly local, but not, of course, completely so. Recent surveys show, for example, that 82 per cent. of tunnel users are Merseyside residents and that the majority of journeys through the tunnels are work oriented.

Current debt relates to the construction of the Wallasey tunnel, costing some £44 million, and the use of borrowing to finance the operating losses incurred between—

Mr. Miller: Will my hon. Friend explain that point? The outstanding debt for 2000–01 is £110 million. The first published figure of which I am aware is for 1968–69, when the outstanding debt was £17.1 million. How did the debt reach its high point of £140 million? That is well beyond the difference between income and expenditure.

Mr. Chapman: Absolutely. If my hon. Friend permits me, I shall come to that in a moment.

The use of borrowing to finance the £116 million operating losses incurred between 1968 and 1992 added to the original inherited debt. From my time as Department of Trade and Industry director on Merseyside, I recall that the debt was contributed to by shenanigans during the Militant years, but I have been unable to do the research to confirm or deny that proposition, which may be apocryphal. That was my understanding at the time, but it may not be correct.

Mr. Kilfoyle: On that serious point, my hon. Friend refers to the Militant years, although I hope that I have misheard him. Of course, before the county council was abolished, it was responsible for the tunnel authority. As far as I am aware, the residuary body that took over the Mersey tunnels and the whole transport infrastructure was never, in any shape or form, infected or dominated by Militant Tendency or its influence.

Mr. Chapman: That may be so, but what I have referred to was common currency when I worked in Merseyside. I accept my hon. Friend's point, however.

Deficit funding by borrowing was authorised by legislation, but it continued for far longer than was envisaged and involved much greater amounts due to higher costs and less traffic than was anticipated. According to Merseytravel's website, and there can be no better authority, Merseytravel inherited the tunnels in 1986 with £100 million of debt and operating losses of £10 million per annum. Annual operating costs were £20 million and toll income £10 million.

Tolls increased in 1986 and 1989—I hope that this addresses the point made by my hon. Friend the Member for Ellesmere Port and Neston—but total debt rose to £140 million before Merseytravel raised tolls again in 1992, from 60p to 100p for cars, and was able to balance operating costs and revenue. According to Merseytravel, toll income is £30.6 million and expenditure consists of £11 million operating costs, debt charges of £14 million and refurbishment costs of £5.6 million.

The outstanding debt is, I understand, £106 million, which includes borrowing of £65 million raised in the 1970s, 1980s and 1990s at relatively high interest rates. The balance of debt is pooled and it is being repaid with interest at variable rates.

Mr. Pound: Like many west London MPs, I have a passionate interest in seeing the Bill make progress, but I am starting to doubt that I will ever see the light at the end of this particular tunnel. Would it be presumptuous to suggest that my hon. Friend should produce a handsomely blocked booklet containing all these extraordinarily interestingly facts, although he should allow us to read it on another occasion? Might we proceed to the vote some time this decade?

Mr. Chapman: I may take that suggestion up, or at least produce the bound volume for people to read after the event. All that I am saying is relevant to the position that we find ourselves in today, and it needs to be said in this debate here and now.

The purpose of the Bill is to amend the statutory provisions relating to the levying and revision of tolls for the use of the tunnels, especially so that in future tolls are revised annually with reference to the rate of inflation. The second purpose is to remove the present requirement to reduce tolls once debts arising from construction and operation of the tunnels have been repaid. The third is to allow the authority to use surplus toll income to improve public transport in Merseyside, and the fourth is to allow the authority to undertake and finance noise insulation work to properties adjacent to the Kingsway tunnel approach on the Wirral. As I told my hon. Friend the Member for Wallasey (Angela Eagle), I can say without fear or favour that I have no problem with the fourth item relating to noise insulation in Wallasey.

Mr. George Howarth: Does my hon. Friend recognise that the powers currently available to the passenger transport authority do not enable it to carry out such work?

Mr. Chapman: I do, of course. I accept that legislation will probably be required for that purpose. However, I do not accept what I regard as pernicious provisions, which outweigh the benefit of the fourth item.

Mr. Kilfoyle: Will my hon. Friend tell us why he is trying to destroy the Bill, rather than to amend it?

Mr. Chapman: I am not trying to destroy anything. I am putting the arguments that I believe should be made. I have made a valid point. I approve of one aspect of the Bill, but not the others. That needs to be said.

Mr. George Howarth: I am interested to hear that. Given my hon. Friend's stated position, would not the logical course of action be to allow the Bill to receive a Second Reading and to try to make suitable amendments during the Committee stage?

Mr. Chapman: That course may need to be followed, but all I am trying to do on Second Reading is to put the arguments that I feel are relevant to the case. That is what I want to do.

Mr. Howarth: I am trying my best to follow the logic of my hon. Friend's argument. As I understand it—perhaps he will correct me if I am wrong—his position is that the Bill has some good aspects and some less good. If so, is not the logical course of action to allow the Bill to have a Second Reading tonight, and to raise those concerns in the form of amendments or in points that he can make in Committee?

Mr. Chapman: I may be reacting rather hastily to my hon. Friend's comments, as I know that he means well and is trying to be helpful, but the fact is that I approve of only one item in the Bill. It is not a matter of trying to destroy or to save the Bill. I am merely pointing out that I have a distinct objection to three provisions of the Bill, but not to the fourth. I am engaging in the debate on the provisions of the Bill as a whole.

As the proponents of the Bill point out, the financial stability of the tunnels depends on the tolls collected from people using them. That is apparent, and I agree up to a point. They also argue that the tunnels' financial stability cannot be guaranteed in the longer term, and I agree with that. It is to some extent a matter of management. The tunnels need to be managed so as to ensure financial stability. The evidence does not suggest to me that that is happening at present. The proponents also say that further toll increases will be necessary in due course to ensure that the tunnels continue to break even. There is thus an admission that they are breaking even, and I have no hard evidence to suggest that they will not be able to continue to break even, given appropriate management.

Stephen Hesford: My hon. Friend, unlike the proponents of the Bill, mentions management, which was dealt with specifically in the previous Bill. One of the reasons for that was that the tunnel had been mismanaged for years, an element with which the present Bill does not deal. Does he agree that if it did, it might receive a fairer wind from us?

Mr. Chapman: Absolutely. I fear that, to some extent, there is something of a cop-out style of management involved in the tunnel.

Mr. Kilfoyle: If it is a question of management, how would my hon. Friend manage the sound insulation that is desperately needed by those 200 houses at Wallasey?

Mr. Chapman: There are ways of catering for that; this Bill is not the way to do it. I shall come on to that subject in greater length later, if I may.

In any organisation, there is scope for efficiency improvements. The chairman of Merseytravel always challenges me to say what those might be. Frankly, it is the job of the chairman of Merseytravel to identify them. The MPTA has been reluctant to tackle management issues, but I would look at whether there was a need for 80 policemen for four miles of tunnel. It is no doubt apocryphal, but it is said that there are often more policemen in the tunnel than there are simultaneously in the rest of Liverpool.

The passenger transport authority wanted to cop out of the management under the previous Bill, and proposed to sell a long-term concession to an organisation in the private sector to run the tunnels.

Stephen Hesford: Why does my hon. Friend think that that was the intention of Merseytravel at that time?

Mr. Chapman: I cannot speak for Merseytravel but, in my view, it wants to get out of tackling the issues and to transfer its burden, just as the burden is being transferred now to a readily available increase in tunnel tolls, whether or not they are justified. These increases must be justified. Those involved must demonstrate their stewardship and their prudence in financial management. It must be demonstrated that there are consultation processes and checks and balances before there are toll increases.

Stephen Hesford: Does my hon. Friend recall that a large part of the justification for the previous Bill—supported by my hon. Friend the Member for Crosby

[Stephen Hesford]

(Mrs. Curtis-Thomas)—was that it would provide best value in the running of the tunnels? The present Bill is silent on that issue.

Mr. Chapman: That is entirely true. Perhaps we will hear from others as to why that is so.

Such was the keenness of the MPTA to sell a long-term concession to run the tunnels to an organisation in the private sector, it was prepared virtually to privatise the tunnels, removing the fact that the tunnels hitherto had been operated by the people of Merseyside for the people of Merseyside in the public sector and for the advantage of the people of Merseyside. It may be that that mentality arises from an absence of management skills.

If the authority has such skills, it is a random occurrence, because there is no requirement to that effect.

As my hon. Friend the Member for Wirral, West (Stephen Hesford) said, to rid itself of its responsibilities, Merseytravel was even prepared to risk the imposition of VAT on tunnel charges by virtual privatisation. How much would that have cost the people of Merseyside and its economy? Moreover, given that, apparently, no Merseyside organisation could offer the services that the concessionaire required, it seemed likely that the operation would be run by a profit-making organisation from elsewhere. That would have involved siphoning off loads of money to another part of the United Kingdom, much to the detriment of the people of Merseyside.

As I said, there is an element of copping out in the Bill.

Mr. George Howarth: On a point of order, Madam Deputy Speaker. I have listened very carefully to my hon. Friend, whom—as he probably realises—I normally hold in the highest regard. However, is it in order for him to make a Second Reading speech on a Bill that is not before us, rather than on the one that is?

Madam Deputy Speaker: It is in order for the hon. Gentleman to make a Second Reading speech about the Bill before us.

Mr. Chapman: I was trying to point out that the attributes that characterised Merseytravel's attitude to the previous Bill are still apparent. Rather than justifying increases in tunnel tolls or accounting for its stewardship of our funds, it simply wants to have the money given to it on a plate without any justification, other than the fact that inflation has risen.

Mrs. Curtis-Thomas: I have considered my hon. Friend's comments about the 80 police officers who are employed to maintain safety and traffic throughput in the tunnel. I remind him that the tunnel operates 24 hours a day, 365 days a year. By my reckoning, that equates to 12 police officers on duty at any given time across what are in fact two tunnels: in other words, six officers per tunnel, with three on each side. I believe that six officers is the minimum necessary to attend to any major emergency that might occur. Does he disagree?

Mr. Chapman: Up to a point, I do. Even to the layman, the figure of 80 policemen and women for a what is a very short stretch of tunnel merits examination, however it is presented. A crisis involving the fire service might arise, yet the Merseyside passenger transport authority employs no fire service personnel; it relies on the external fire service to provide for such emergencies. Why, therefore, does it need a separate force of 80 policemen and women in the tunnel? I am simply suggesting that that is a point for examination, were I to be tempted down that road.

The authority wants increases to be granted to it on a plate. Moreover, as has been pointed out, it wants the ability to raise charges, where appropriate, by more than the rate of inflation. Given that the authority is unskilled as a tunnel operator—or, indeed, as much else—and given that it provides the equivalent role of a board of directors, I am not sure that this is right. A proper board of directors might reasonably include representatives of tunnel users and businesses on Merseyside, and people with expertise in transport, tunnels, finance, accountancy, the environment and management. However, I fear that, by and large, nominations to the authority are based on the principle of Buggins's turn.

Dr. Pugh: The hon. Gentleman suggests that the MPTA contains no representatives of tunnel users, but he will accept that a lot of tunnel users live on Merseyside. He will also accept that many MPTA members—in fact, all of them—are representatives of Merseyside people. In other words, the MPTA does include representatives of tunnel users.

Mr. Chapman: By random process, that must be so.

Mr. Howarth: I am listening to my hon. Friend with increasing incredulity. He has the privilege of speaking in the House by virtue of the fact that he is an elected representative of the people of Wirral, South. He appears to be saying that those local authority members who sit on the passenger transport authority, who are in their turn elected by the people of their wards, are in some way unfitted to sit on the authority. Is not that a case of pots calling kettles black?

Mr. Chapman: Like my hon. Friend the Member for Crosby, I wish to analyse the role of the passenger transport authorities generically, and I shall come on to that point.

Stephen Hesford: Was not my hon. Friend's point that the MPTA seems to lack expertise in the running of that multi-million pound affair?

Mr. Chapman: Indeed, and things might be done better if a board of directors had appropriate expertise on it. I am not impugning the motives of those on the MPTA, but I think that things could be done better. I asked questions about the qualifications of people assigned to PTAs or fire authorities or police authorities, and the response came that none are sought and none are particularly held.

Mr. Howarth: I do not understand why my hon. Friend cannot accept the simple fact that the qualification of members of PTAs is the fact that they have been elected as local councillors in their own areas and that they, as individual members of the authority, have the confidence of those councils that have sent them to sit on that body.

Surely that is just as much a qualification as my hon. Friend has for standing here and making his speech tonight.

Mr. Chapman: I am sorry that my hon. Friend takes that view. I am trying to describe a way in which the Mersey tunnels might be run more efficiently, and I am determined so to do. The organisation has 880 staff, 320 of whom work in tunnel operations. I am determined to examine whether the balance between administrators and deliverers is right. I have asked any number of people on Merseyside to guess the number of people involved in running the tunnel for Merseytravel and the tunnel police, and nobody has ever come near guessing the actual numbers.

I have no doubt that the workers are dedicated, committed and hard-working. However, we need an effective management structure, and I am not sure that we have one. In questioning that, I am posing questions not only about the MPTA but about PTAs generically, and that is appropriate, especially as the point was originally raised by my hon. Friend the Member for Crosby. Operationally, Merseytravel is responsible for the tunnels and the ferries. Administrative matters such as timetables, pensioners' passes, bus subsidies and fast tags are not operational matters as such. If I were on the board of Merseytravel, I would want to examine the degree of overhead that was involved.

The proponents of the Bill said that by increasing tolls at the rate of inflation, their proposals would be administratively simple. That may be true, but it would not necessarily make them justifiable. The Bill would give no right of appeal on inflationary increases either to the MPTA or to the Secretary of State. That is not right. At the moment, if Merseytravel wishes to increase the tunnel tolls and some groups object to that, a public inquiry process has to be followed. That gives people the opportunity to give evidence for and against the issue. The effect of the Bill would be to take away that right, so it is even more important that those groups that would be affected are given an opportunity to give their evidence before that right is taken away. That is something that Merseytravel has attempted to prevent, although it failed to do so at the Court of Referees.

I do not think it right to use the RPI. Mr. Fleming, the Federation of Small Businesses representative at the Court of Referees, said that the move to raise prices in line with inflation sounds good, but that people have to remember that the normal rate of RPI is based on a basket of prices for products such as food and fuel, and so on. He said that an annual RPI of 5 per cent. does not apply to the Mersey tunnel or to public utilities, because they do not eat food and or use fuel. In a nutshell, Mr. Fleming said that Merseytravel was not just trying to balance the books, but that it was trying to create cash using the RPI index proposal.

The proponents of the Bill say that the proposal will make revenue forecasting easier, but I am not so sure. When Mersey tunnel price increases have been pursued through the public inquiry process, they have always been granted. If a case is justifiable, there is no reason why it should not be granted.

The proponents say that an increase in tunnel tolls would increase use of other transport, as if people drove back and forth through the tunnels for fun. I have discovered today that the hon. Member for Southport (Dr. Pugh) does just that.

Mr. Wareing: Does not my hon. Friend agree that if Merseytravel had not introduced a Bill in November 1999 but had applied instead for a toll increase, that proposal would have completed the public inquiry stage already? That original Bill, incidentally, contained an element of privatisation. By now, a small toll increase would have been secured. Instead, Merseyside's council tax payers have had to fund parliamentary advisers, public relations people and others to draft this Bill, and its predecessor.

Mr. Chapman: I agree with my hon. Friend.

The Bill's proponents postulate that raising the tolls would increase the use of other transport, but I doubt that other forms of transport are up to the job. I have a mental picture of people sitting at home on spare afternoons and choosing to go for a drive through the tunnel. I fear that people do not do that—although the hon. Member for Southport is an exception. The scenario is unlikely. People go through the tunnel because they have to.

The local train and bus services are no great shakes. My mailbag is full of complaints. I shall say more about that later, as I shall about the ferries. The alternative to the tunnels is the Runcorn bridge, but that involves a round trip of nearly 50 miles. The bridge is massively congested, and the Halton authority is seeking an additional Mersey crossing to alleviate the burden.

It is worth noting that the authority that supposedly manages, operates and maintains the tunnels levies tolls, from which the income is used to defray operational costs and the expenses involved in paying off the principal of moneys borrowed to finance the construction and operation of the tunnels. The authority also makes payments to maintain a reserve fund in respect of the tunnels. That seems to me to be exactly appropriate: money raised from the tunnels should be used for the tunnels, without any element of cross-subsidisation.

If other transport services are needed, they must be justified, by and large, on their own account. I believe that cross-subsidisation ultimately leads to uneconomic or unjustified services—

Mr. George Howarth: I am trying to follow my hon. Friend's logic. He seems happy with cross-subsidisation when it means that my constituents subsidise those who travel through the tunnel, but he objects to it when it works in the opposite direction.

Mr. Chapman: I do not accept that, as I shall explain shortly.

Stephen Hesford: Will my hon. Friend reflect on why the burden was devolved to the five local authorities? It was because the previous Conservative Government refused to allow Merseytravel's predecessor to raise the money in the way that it wanted, so it was forced to raise the precept?

Mr. Chapman: Absolutely.

[Mr. Chapman]

The measure proposes a form of hypothecation that is entirely without precedent in private Bill provision. I am not against hypothecation in all circumstances but it needs to be tightly defined—there must be horses for courses. In any case, it appears from the MPTA's pronouncements that the matter will be dropped for a few years while the safety measures are implemented.

There is provision in other funding mechanisms for transport schemes. Have steps been taken to examine those sources? Cities in other parts of the north-west have managed to create substantial projects without recourse to a private Bill such as this one. They do not have the same problems as Merseyside, but they do not receive objective 1 funding. Merseyside has that advantage although it has disadvantages. Why does an area with recourse to objective 1 funding need a Bill such as this? Is it another cop-out? Is there a lack of the financial engineering that is needed to put together projects that involve a multiplicity of funding schemes—matching contributions and so on? Perhaps the proponents could specify what has been done to find sources other than the mechanism that we are discussing?

Who will benefit from the proposals? I agree that transport on Merseyside is not merely of concern to the local area; there is massive interdependence.

Mrs. Curtis-Thomas: I am deeply concerned about some of my hon. Friend's comments. He has implied that the management structure of Merseytravel is excessive and that its reduction would lower the costs of the organisation. He has inferred that the tunnel is overstaffed in terms of the number of police and, I guess, operators. Do I rightly understand that his principal objection is that the tunnel infrastructure is overstaffed and that his solution to that problem is to cut jobs—

Madam Deputy Speaker: Order. That intervention is rather lengthy.

Mr. Chapman: I am saying that before we agree to a proposal for a cash increase for the MPTA for toll increases without let or hindrance we need to be sure that we are getting value for money.

Mrs. Curtis-Thomas: It is about cutting jobs then.

Mr. Chapman: I realise that the tunnel workers and the police are working hard and make a considerable contribution. All I am suggesting is that there may be a need—I put it no stronger than that—to examine the overheads. If they are as they should be, everything will be right and proper.

One side of the Mersey depends on the other; there is a mutuality of interests. Those who advocate that only the users of the tunnel should pick up the tab need to understand that. There is no such thing as a free lunch.

Stephen Hesford: Is not the giveaway the fact that the previous Bill would have privatised the management? It was recognised that there was a problem. The previous Bill addressed it, but this one does not.

Mr. Chapman: My hon. Friend makes a valid point.

All Merseyside can benefit from, or be detrimentally affected by, the tunnels. It is not true that those who are closest to them benefit more and those who are furthest away benefit less. Many organisations are Mersey wide and not just based on the Wirral or elsewhere in Merseyside. That is how it is. Wirral is part of the Mersey partnership, and the Mersey Docks and Harbour Company and hosts of other organisations have interests on both sides of the Mersey. The recent inaugural sailing of a roll on/roll off ferry from Twelve quays to Ireland shows how the weighting of the mutuality of interest has increased on the Birkenhead side. However, a considerable flow of commercial traffic goes through the tunnels between the docks, and that traffic takes goods to Knowsley, Southport and Crosby. They all benefit from the use of the tunnels.

Mr. Wareing: Cancer patients on Merseyside—whether they live on the Wirral, Merseyside or in Southport—often have to make their way to Clatterbridge hospital on the Wirral for radiotherapy treatment. How do the Bill's supporters think that such people get across the river? Do they swim across? I suggest that they go through the tunnels. Does my hon. Friend realise that, in 2001-02, the ambulance service on Merseyside—

Madam Deputy Speaker: Order. I ask the hon. Gentleman to bring his intervention to a close.

Mr. Wareing: Does my hon. Friend realise that the ambulance service spent £43,200 on tolls even for emergency ambulances?

Mr. Chapman: I was about to come to that. A preponderance of traffic may begin on the Wirral, but it goes to work in Liverpool and in other parts of Merseyside. It is a matter of mutual benefit, with the balance of advantage going to Liverpool and other parts of Merseyside rather than the Wirral. Every delivery from a store in Liverpool that is dispatched to the Wirral makes a contribution to the Liverpool economy. People go from the Wirral to work and invest in Liverpool; and many organisations benefit the people of Merseyside and not just the areas close to the tunnel.

Mrs. Louise Ellman (Liverpool, Riverside): Does my hon. Friend have any idea of when, as a result of the Bill, additional money would be released to support other public transport initiatives in Merseyside, and when those sums would be made available?

Mr. Chapman: As I understand it, the proposal is that, for the first four or five years, the extra money that might accrue from the Bill would go to fund health and safety mechanisms in the tunnels rather than to other projects. I hope that covers my hon. Friend's point.

People from the Wirral who travel to leisure facilities and to football matches contribute massively to the Liverpool and wider Merseyside economy. People travel through the tunnels from all parts of Merseyside and beyond. People from Southport may go to north Wales, and people from north Wales may go to the philharmonic. Lorries and commercial vehicles do business in one way or another all the time. The tunnels are a hive of activity and an essential one.

Alan Simpson (Nottingham, South): I grew up on Merseyside, and I am well aware of the promise made to the people of Merseyside that the tunnels were a gift to us all and that, when the debts were paid off, the tolls would be reduced or removed. Will my hon. Friend spell out whether the economics of the tunnels depend on the Bill, or will the Bill turn the tunnels into a milch cow that will finance other transport initiatives and break the promise to the people of Liverpool?

Mr. Chapman: The Bill does indeed establish the tunnels as a milch cow. It specifically and explicitly breaks the promise to the people of Merseyside.

Those who work or live far from the tunnel entrances might think that they are not affected by them or do not benefit as much from them, but they are wrong. Travel-to-work areas are extensive and interlinked, and it is not always the case that those people are affected to a lesser extent. Some 40,000 people use the tunnels regularly. There are 80,000 vehicle movements a day through the tunnels, which amounts to 25 million—perhaps 35 million—vehicle movements a year. Those journeys affect all the people of Merseyside.

The Bill would allow the authority to use tolls to provide public transport facilities in the county of Merseyside in such a manner and for such purposes as it thinks fit. That goes a wee bit too far. The Bill proposes to give the Merseyside PTA an entirely free hand in financial matters and to use moneys raised for such purposes as it thinks fit. Would that include items such as the refurbishment of the chairman's office, recently refurbished at a cost of £24,000 when the location of the headquarters was in question? The facelift features include trendy light wood and glass, cabinets with subdued spotlights that highlight the chairman's Everton memorabilia on glass shelves built into a wooden wall-mounted unit, a matching light-wood conference table—

Madam Deputy Speaker: Order. I cannot understand the relevance of that to the Bill.

Mr. Chapman: I am trying to explain that if we give an entirely free hand, we need to know how the money will be spent.

The authority claims to have spent £100,000 on promoting the Bill. I would wager that it has spent substantially more than that, perhaps even multiples of it, and it covers only the direct costs. Does that sum include the fees for lawyers and, perhaps, barristers, public relations companies, a public affairs consultant and parliamentary agents? Does it include all the opportunity costs of management time that was spent on developing and promoting the Bill, which is largely unwanted on Merseyside?

Mr. George Howarth: Does my hon. Friend accept that at least some part of the expenditure will have been incurred as a result of his opposition to the Bill?

Mr. Chapman: It would be something if that were so, but judging by the amount of literature that I have received from various sources within Merseytravel, it is evident that phenomenal sums have been spent, with or without my efforts. Do the figures include travel and subsistence costs?

Alan Simpson: In respect of the balance sheet, and before my hon. Friend pleads guilty to sole responsibility for opposing the Bill, does he accept that there is another side to the £500,000 or so that has probably been spent on promoting it? Does he acknowledge that he may have to share the credit for opposing the Bill with the North West Trades Union Congress, a collection of Labour MPs, the Federation of Small Businesses, the Mersey tunnels shop stewards committee, the Merseyside TUC, the Wirral TUC, the local *Daily Post* and *Liverpool Echo*, and a huge number of people on Merseyside? The confederation of local authorities may not be in tune with the confederation of local people.

Madam Deputy Speaker: Order. May I remind hon. Members that interventions must be brief?

Mr. Chapman: None the less, Madam Deputy Speaker, my hon. Friend made a valid point, and I am grateful to him. Those are honourable bodies which believe in the opposition that they have stated.

Mrs. Curtis-Thomas: My hon. Friend referred to the £100,000 used to fund the Bill, but he did not refer to the likely £500,000 cost of a public inquiry if the Bill does not get through. I regard this as investment today to save money tomorrow. How does he regard it?

Mr. Chapman: Frankly, I think that Merseytravel has to justify its proposed toll increases, and people need to be able to raise objections to them. We should not, whatever the circumstances, give Merseytravel carte blanche to raise its tolls with no justification besides the fact that the cost of living has risen. Toll increases would have a massively detrimental effect on the Merseyside economy, notwithstanding the points that were made earlier.

Merseytravel is, after all, the organisation that reportedly sent 20 people to an entirely abortive hearing at the Court of Referees. Apparently, it failed to foresee the need for safety measures, despite the fact that safety ought to be its first priority. It is now saying that it needs £14.2 million, and it will use the Bill to raise that money. Do we really think that we should give that organisation rights that are, in terms of private Bills, unprecedented when questions are posed about it?

It has been argued that the £14.2 million is the reason for Merseytravel's pursuit of the Bill, but in my view that is a red herring. It is not as though the ADAC report was unanticipated; it is not as though provision for health and safety had not been made. It is not as though the report's recommendations were mandatory or set in a time frame. It is not as though the tunnels were worse than others. The Wallasey tunnel got a good grade; indeed, I think that it may have come out on top. Even the Birkenhead tunnel was regarded as acceptable. We are not talking about tunnels that are bottom of the table.

Merseytravel, having said that it would strive for a public inquiry to raise the money, has apparently had second thoughts and suggested that safety might be a good argument for getting the Bill passed. It has been added to the arguments at a late stage. As I said, the safety argument cannot stand alongside the argument that the money will be used for other transport schemes on Merseyside, because it would prevent that.

Mr. Howarth: My hon. Friend the Member for Nottingham, South (Alan Simpson) intervened a few

[Mr. Howarth]

moments ago—obviously, the Bill is of great concern to the people of Nottingham—and listed some of the opponents to the Bill.

Is my hon. Friend the Member for Wirral, South (Mr. Chapman) aware of a letter to the Secretary of State for Transport dated 4 July, headed "Mersey Tunnels Bill" and signed by Dave Martin, the leader of Sefton council, Marie Rimmer, the leader of St. Helens council, Jim Keight, the leader of Knowsley council, Steve Foulkes, the leader of Wirral council and, last but by no means least, Joe Anderson, the leader of Liverpool Labour group? Does he think that they have suddenly dreamed up the idea of supporting the Bill, or does he think that they may be representing the communities that we are all sent here to represent?

Mr. Chapman: Of course I am aware of that letter. I am also aware of the opponents to the Bill mentioned by my hon. Friend the Member for Nottingham, South (Alan Simpson). They include the Union of Construction Allied Trades and Technicians, the North West Trade Union Congress, Amicus, the Amalgamated Engineering and Electrical Union and the Unison members who work in the tunnels rather than in the Merseytravel office.

Mr. Howarth: My hon. Friend mentions the involvement of the AEEU. I am member of the AEEU. Is he sure that he is not confusing one branch of the AEEU with the entire union?

Mr. Chapman: Yes, I am sure that I am not confusing one branch with the entire union. The Bill is opposed by Amicus-AEEU.

Alan Simpson: My hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) referred to the interests of the people of Nottingham, South. May I point out that some of us are expatriate scousers by birth—

Mr. Pound: How can you be an expatriate by birth?

Alan Simpson: Sorry, I meant to say that some of us are scousers by birth and expatriate scousers by affliction.

Does my hon. Friend the Member for Wirral, South (Mr. Chapman) accept that the interests of the people of Merseyside are not necessarily expressed by the leaders of the local authorities? Whatever weight he gives to those views, they ought to be set alongside the trade union resolution supported nationally by the TUC, which states:

> "local people, who work on the opposite side of the Mersey to which they live, already pay up to £780 per annum for a one-and-three-quarter mile each way journey. In an area of high unemployment and poverty those tolls"—

Madam Deputy Speaker: Order. Once again, I remind hon. Members that interventions must be brief.

Mr. Chapman: My hon. Friend has covered the points made by my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), but he did not mention the fact that the Automobile Association, the Freight Transport Association and many others also object to the Bill.

Let me list the current scale of tolls, because it is worth considering the effect of the Bill's proposals in that light. A charge of £1.20 each way applies to motor cycles with sidecars; three-wheeled vehicles; private or light goods vehicles up to 3.5 tonnes gross vehicle weight; and passenger-carrying vehicles with seating capacity for fewer than nine persons. The £2.40 each way charge applies to private or light goods vehicles up to 3.5 tonnes gross vehicle weight with trailer; heavy goods vehicles over 3.5 tonnes gross vehicle weight, with two axles; and passenger-carrying vehicles with seating capacity for nine or more persons, with three axles. The £3.60 each way charge applies to heavy goods vehicles of more than 3.5 tonnes gross vehicle weight with three axles; and passenger-carrying vehicles with seating capacity for nine or more persons, with three axles. The £4.80 charge applies to heavy goods vehicles over 3.5 tonnes gross vehicle weight with four or more axles.

Thus an ordinary motorist in an ordinary car going through the tunnel once each way pays toll charges of £2.40 a day; that is £12 a week, or £600 a year. That strikes me as quite enough to take out of an ordinary person's pocket simply to get to work, or to get to hospital for cancer treatment, as my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) said. The fellow with a sidecar, who pays a similar sum, is similarly taxed. For a goods vehicle of 3.5 tonnes with four or more axles, the daily cost of a single return journey is £9.60 but, for argument's sake, let us say that the same lorry from George Henry Lee goes back and forth four or five times day, making the cost £12,000 per annum. If that calculation is applied to all the lorries going through the tunnel, all the people travelling on business from factory to warehouse, from dock to dock, from shop to wholesaler, and from builder to building site, it can be seen that the proposed increases will have a massive effect on the Merseyside economy, which will not be experienced by the economies of other sub-regions which compete with Merseyside.

Alan Simpson: Will my hon. Friend confirm that the main dock for exporting goods to Northern Ireland is in Birkenhead? For all those companies that export goods from Liverpool to Northern Ireland or southern Ireland, there will be an inevitable additional cost for moving their goods through the tunnel to the port for export. What estimate has been made of the additional costs of an inflation-led increase in charges on the Merseyside economy?

Mr. Chapman: I fear that I cannot provide a figure, but it would be substantial. As I said, the effect is unique to Merseyside. The passenger transport authority has proposed an increase of 10p every three years, but that may not necessarily be the case. The inflation rate in 1980 was 18 per cent.; in 1981, 11.9 per cent.; in 1982, 8.6 per cent.; in 1983, 4.6 per cent.; in 1984, 5 per cent; in 1985, 6.1 per cent.; in 1986, 3.4 per cent.; in 1987, 4.2 per cent.; in 1988, 4.9 per cent.; in 1989, 7.8 per cent.; in 1990, 9.5 per cent.; in 1991, 5.9 per cent.; in 1992, 3.7 per cent.; in 1993, 1.6 per cent; in 1994, 2.4 per cent.; in 1995, 3.5 per cent.; in 1996, 2.4 per cent.; in 1997, 3.1 per cent.; in 1998, 3.4 per cent.; in 1999, 1.5 per cent.; in 2000, 3 per cent.; and in 2001, 1.8 per cent.

If we took the years 1989 to 1991 and applied the authority's three-year yardstick, the increase would be 29p, not 10p as projected. The increases would therefore have a massive effect. The projected charges apply to the lowest common denominator—the ordinary vehicle. If they are applied to lorries, the overall increase is much greater. The rise is not necessary, as it does not result from increased operational costs. Charges will certainly not be reduced because of increased operational efficiency. Charges are not determined by a formula, which could provide for negative inflation; increases are made simply because the cost of living has gone up. However, if that is the case, people do not want to pay unnecessary charges. Life is tough enough. We are already taking £600 from the motorist's pocket, so we should give the people who use the tunnels a break and operate the tunnels efficiently. Let us use the revenue raised from the tunnels for the benefit of their users and the Merseyside economy, not for other purposes for which there are alternative sources of funding.

Alan Simpson: If the House agreed to the shift from a cost-based increase in charges to an inflation-based increase in charges, and if there were a war in the middle east later this year that resulted in a dramatic increase in oil prices, would not the charge increases applied to people on Merseyside be based on the increase in petrol charges, as well as on an increase in tunnel charges arising not from costs but from external factors unrelated to the tunnel? If so, how on earth would my hon. Friend justify it?

Mr. Chapman: That is entirely the case. We could be faced with massive increases that had nothing to do with the economy of Merseyside or the operation of the tunnels, but which were due to wholly external factors that could have a massively detrimental effect on the Merseyside economy through the provisions of the Bill. It is not a free lunch. One cannot impose increases on the nod; one must justify them. What is proposed is simply a drive to profitability, and in no sense a drive to efficiency. It is about raising money from the tunnels to use for other purposes.

That is not the end of the matter. According to the formula for index-linked rises, if the formula produces a sum that is neither a multiple of 10p nor an amount which, on division by 10, produces a remainder of 5p, it should be rounded to the nearest 10p; and if it is an amount which, on division by 10, produces a remainder of 5p, it should be increased by 5p. That is a balanced provision, but the fact remains that in some years, under just the basic provisions of the Bill, the rounding provisions could result in an automatic inflation-plus increase, quite apart from the circumstances that my hon. Friend the Member for Nottingham, South (Alan Simpson) mentioned.

Matters get worse. It is also provided that

> "If at any time it is represented in writing to the Secretary of State by the Merseyside Passenger Transport Authority"—

nobody else, just the Merseyside passenger transport authority—

> "that in the circumstances then existing or in prospect—
>
> (a) all or any of the tolls fixed by or by virtue of this Act should be increased by more than the increase authorised by subsection (6) of section 91 (Classification of vehicles, level and application of tolls) of this Act, or
>
> (b) any classification of traffic then in force for the purposes of the levying of tolls should be revised".

In other words, in addition to the automatic increase and the possible rounding-up, and on the say-so of the MPTA alone, the Secretary of State may be asked to increase any of the tolls by more than the increase authorised in the basic provisions of the Act, or to revise the classification of traffic. The chap with the motorbike and sidecar could be paying a different category of charge to that which he is paying at present. The initiative lies purely with the Merseyside passenger transport authority. It is true that the final decision would be with the Secretary of State, but under the terms of the Bill nobody is allowed to ask for a reduction if operating costs go down.

Before the Bill appeared in its present form, I went to see the MPTA, at its request, to discuss the Bill. I said that one might want to consider a formula-based inflation-minus proposal that had a built-in provision for independent reflection on what was proposed, or a proposal that contained constraints and checks to prevent the free-for-all that is proposed in the Bill, or one that had inputs by users, consultation and appeal mechanisms.

I think that the authority must have failed to understand me. The response that it has given in the Bill is to the effect that it will reflect on the increases before applying them. That is the equivalent of turkeys voting for Christmas—it is not likely to happen. The Bill states:

> "On each occasion that an order is made under section 91 (Classification of vehicles, level and application of tolls) of this Act"—

the County of Merseyside Act 1980—

> "the Authority shall consider, having regard to such matters of an economic or social nature within the county of Merseyside as the Authority considers to be relevant—
>
> (a) whether it is necessary or appropriate in relation to any or all classes of traffic to exercise its power in subsection (1)(c) above to reduce tolls or to continue to exercise that power (as the case may be); and
>
> (b) if the Authority considers that it is necessary or appropriate to do so, for how long tolls should be reduced or continue to be reduced."

The authority is the promoter of the Bill. Why should it want to raise money for other projects by imposing unnecessary increases, but then say that it will not need the money after all? The provision makes absolutely no sense.

Alan Simpson: Will my hon. Friend confirm that there is a huge difference between an agreement to reflect on the part of the authority and a concrete agreement with the people of Merseyside that once the costs of the tunnel are met, the charges for using it will be reduced? One of those positions is a concrete commitment, but the other is little more than a lick and a promise.

Mr. Chapman: That is absolutely right, and as I said, it is contrary to the overall thrust and purpose of the Bill. As my hon. Friend says, it is unlikely that any such reduction will happen.

Having run speedily through the provisions, I should like to explore some aspects in greater detail. Wirral people and others on Merseyside have to use the tunnels for both business and leisure purposes. They need to do so if they are going to work, whether in insurance, shipping, retail, banking, manufacturing or whatever. My hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) made a telling point about Clatterbridge centre for oncology, but even if people go to hospitals in the other direction, the same problems would apply. For example, the same would apply in respect of going to

[Mr. Chapman]

Alder Hey or to Liverpool Women's hospital. Although we have good hospitals on the Wirral, just as Liverpool has good hospitals, people need specialist treatment such as that provided by the centre for oncology, and they have to use the tunnels.

For leisure purposes, whether Merseysiders want to go to nightclubs such as Cream, watch the blues and reds at Goodison and Anfield, listen to music, catch planes or ferries, listen to the opera, watch plays, as we have done, or visit or worship at either of the cathedrals, they need to go through the tunnels. There is no realistic choice. They use them for work, education and leisure.

Mr. O'Hara: Does my hon. Friend recognise that there is an alterative for my constituents if they want to go to Clatterbridge for treatment? The route is as follows: M57, A5300, Runcorn bridge, M56 and M53. That is far faster than being stuck in the centre of Liverpool or Birkenhead.

Mr. Chapman: It is also far less environmentally friendly to travel all those miles only to find oneself on a congested Runcorn bridge halfway through the circuit.

Ian Stewart (Eccles): It is a roundabout way.

Mr. Chapman: It is as my hon. Friend says. So they go for education to Liverpool university and to John Moore's university, to work at Jaguar—

Mr. Miller: It is not a roundabout way. That is part of the importance of the debate about the sub-regional infrastructure. As it happens, my home is equidistant to the centre of Liverpool going by either route. There are merits in considering the regional infrastructure, not just the tunnels.

Mr. O'Hara: It is my constituents' favourite route to Ellesmere Port as well.

Mr. Chapman: People go through the tunnels to the many festivals on both sides of the river, to the Tate and to the splendours of national galleries and museums on Merseyside. They go, as colleagues and I are going to go, to eat in Chinatown and to see the Chinese arch. Then, the money stays on the Liverpool side of the river, as is right and proper. They might go to work in motor vehicle, timber or hi-tech industries. On the other hand, people go through the tunnel to the Wirral for country pursuits, to walk, to visit Port Sunlight, to visit the Williamson art gallery, to see the splendours of the estuary and to watch Tranmere Rovers. They go for bird-watching, to work on Deeside, to climb Moelfamau—for a whole variety of reasons. It is a continuing, permanent heavily flowing artery that is essential to the life of people on Merseyside. Of the tunnel traffic, about 40 per cent. originates in the Wirral, 17 per cent. originates in Liverpool, 15 to 20 per cent. originates in the rest of Merseyside and the balance is from elsewhere. The tunnels are an essential artery for all of us. For people on the Wirral, Liverpool is our sub-regional centre. We have to go there.

The Bill is certain to lead to increasingly higher tolls being imposed on tunnel users, for the following reasons. Merseytravel has admitted that the last 20 per cent. increase to £1.20 each way, bad though it was, was less than the increase that would have occurred if the retail prices index trigger had been in place since 1992. Moreover, the Bill would provide for increases in excess of inflation. What utility is allowed to increase charges like that? It would think it fantastic were it permitted to do so. Normally the best that is offered is an inflation-minus figure, and that drives efficiency.

This proposal would drive profitability. If, as is argued, the tunnels could be more efficient, the profits could be large. Where would they go, who would account for them, and how would they do so? The people of Merseyside would not experience the future reduction in tolls that they have been promised. Under current legislation, the tunnels' operating surpluses must be used to accelerate the repayment of debt, and once the debt is repaid tolls should be reduced to cover operating and maintenance costs. That promise would be broken were the Bill to become law. The aspirations of 1934 would be dead and gone and the public would feel cheated.

Mr. Roy Beggs (East Antrim): Will the hon. Gentleman confirm that the proposals would do nothing to enhance economic development between Merseyside and Northern Ireland?

Mr. Chapman: The proposals would be detrimental to the economic relations between Merseyside and Northern Ireland, especially because of the new ferry operation that is starting to develop from Birkenhead, which will be a new centre of trade and commerce between our two parts of the United Kingdom. If we were to accept the proposals in the Bill, those areas would be massively damaged by them.

It is unfair to our constituents and their families to impose massive increases in tunnel tolls. As has been pointed out, it is not only the local economy that will be damaged and it is not only local jobs that will be put at risk by the effect on business. We are considering a second-by-second conduit of business and life. The tunnel is crucial to investment and business flow. We cannot afford to allow the toll to fund other schemes or cover inadequate provision for health and safety. Investment would not come to Merseyside—

Mr. Kilfoyle *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 110, Noes 18.

Division No. 299] **[10.21 pm**

AYES

Bailey, Adrian
Barron, Rt Hon Kevin
Beggs, Roy
Beith, Rt Hon A J
Benton, Joe
Berry, Roger
Brennan, Kevin
Brooke, Mrs Annette L
Burnham, Andy
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Carmichael, Alistair
Challen, Colin
Chaytor, David
Chidgey, David
Cohen, Harry
Connarty, Michael
Cotter, Brian
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Edward *(Kingston)*
David, Wayne
Davidson, Ian
Dismore, Andrew
Donohoe, Brian H
Doughty, Sue

Dowd, Jim
Eagle, Angela *(Wallasey)*
Farrelly, Paul
Field, Rt Hon Frank *(Birkenhead)*
Flint, Caroline
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
Francis, Dr Hywel
George, Andrew *(St Ives)*
Gidley, Sandra
Gilroy, Linda
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Havard, Dai
Hermon, Lady
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Simon *(Southwark N)*
Hume, John
Jenkins, Brian
Jones, Kevan *(N Durham)*
Kemp, Fraser
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Lamb, Norman
Laxton, Bob
Luke, Iain
McFall, John
McNamara, Kevin
Mallaber, Judy
Mann, John
Marshall, David *(Shettleston)*
Meale, Alan
Merron, Gillian
Mudie, George
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Hara, Edward
Picking, Anne
Pike, Peter
Pollard, Kerry
Pope, Greg
Pound, Stephen
Prosser, Gwyn
Pugh, Dr John
Quinn, Lawrie
Rapson, Syd
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John
(Glasgow Anniesland)
Ruane, Chris
Russell, Bob *(Colchester)*
Salter, Martin
Sanders, Adrian
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Starkey, Dr Phyllis
Stunell, Andrew
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Harrow W)*
Thurso, John
Turner, Andrew *(Isle of Wight)*
Turner, Neil *(Wigan)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Ward, Claire
Watson, Tom
Watts, David
Webb, Steve
Willis, Phil
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas
(Macclesfield)
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Peter Kilfoyle and
Mr. George Howarth.

NOES

Atkinson, Peter *(Hexham)*
Bacon, Richard
Banks, Tony
Chope, Christopher
Hall, Mike *(Weaver Vale)*
Hamilton, David *(Midlothian)*
Iddon, Dr Brian
Leigh, Edward
Lewis, Terry *(Worsley)*
Murrison, Dr Andrew
Pickthall, Colin
Sheridan, Jim
Skinner, Dennis
Spink, Bob
Stewart, Ian *(Eccles)*
Taylor, David *(NW Leics)*
Tyrie, Andrew
Wareing, Robert N

Tellers for the Noes:
Mr. Andrew Miller and
Stephen Hesford.

Question accordingly agreed to.

Question put accordingly, That the Bill be now read a Second time:—

The House divided: Ayes 105, Noes 22.

Division No. 300] **[10.30 pm**

AYES

Bailey, Adrian
Barron, Rt Hon Kevin
Beggs, Roy
Beith, Rt Hon A J
Benton, Joe
Berry, Roger
Brooke, Mrs Annette L
Burnham, Andy
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Carmichael, Alistair
Chaytor, David
Chidgey, David
Connarty, Michael
Cotter, Brian
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Edward *(Kingston)*
Davidson, Ian
Dismore, Andrew
Donaldson, Jeffrey M
Donohoe, Brian H
Doughty, Sue
Dowd, Jim
Eagle, Angela *(Wallasey)*
Field, Rt Hon Frank *(Birkenhead)*
Flint, Caroline
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
George, Andrew *(St Ives)*
Gidley, Sandra
Gilroy, Linda
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hendrick, Mark
Hermon, Lady
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Simon *(Southwark N)*
Hume, John
Jenkins, Brian
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Kemp, Fraser
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Lamb, Norman
Laws, David
Laxton, Bob
Leigh, Edward
Luke, Iain
McFall, John
McNamara, Kevin
Mallaber, Judy
Mann, John
Meale, Alan
Merron, Gillian
Mudie, George
Murphy, Denis *(Wansbeck)*
Murrison, Dr Andrew
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Picking, Anne
Pike, Peter
Pollard, Kerry
Pope, Greg
Pound, Stephen
Prosser, Gwyn
Pugh, Dr John
Quinn, Lawrie
Reid, Alan *(Argyll & Bute)*
Rendel, David
Ruane, Chris
Russell, Bob *(Colchester)*
Salter, Martin
Sanders, Adrian
Smith, Geraldine *(Morecambe)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Starkey, Dr Phyllis
Stunell, Andrew
Tami, Mark
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Harrow W)*
Thurso, John
Turner, Andrew *(Isle of Wight)*
Turner, Neil *(Wigan)*
Tyler, Paul
Vis, Dr Rudi
Ward, Claire
Watson, Tom
Watts, David

Webb, Steve
Willis, Phil
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Peter Kilfoyle and
Mr. George Howarth.

NOES

Atkinson, Peter *(Hexham)*
Banks, Tony
Chapman, Ben *(Wirral S)*
Chope, Christopher
Drew, David
Hall, Mike *(Weaver Vale)*
Hendrick, Mark
Hope, Phil
Iddon, Dr Brian
Lewis, Terry *(Worsley)*
Lloyd, Tony
O'Brien, Bill *(Normanton)*
Olner, Bill
Pickthall, Colin
Rapson, Syd
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Spink, Bob
Stewart, Ian *(Eccles)*
Taylor, David *(NW Leics)*
Wareing, Robert N

Tellers for the Noes:
Mr. Andrew Miller and
Stephen Hesford.

Question accordingly agreed to.

Bill read a Second time, and committed.

Genetically Modified Crops

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Caplin.]*

10.40 pm

Mr. Eric Joyce (Falkirk, West): I would like to take this opportunity to raise the issue of genetically modified crops. As the Secretary of State for Environment, Food and Rural Affairs and the Prime Minister have said recently, it is time for a rational and national debate around this subject and it is essential that that debate be informed by sound science and economics.

For some time now, the tenor of public debate around the issue of GM crops has been of too high a pitch. That has led to a considerable degree of misperception in the public mind as regards levels of risk and potential benefit. That is not to say that people are wrong to be concerned about the health implications of a new food technology such as GM. I am sure that my right hon. Friend the Minister for the Environment will confirm tonight that DEFRA's highest priority is to protect human health and the environment.

Nor would I suggest that pressure groups of one kind or another are wrong to flag up what they perceive as potential problem areas; quite the reverse. Indeed, in preparing for this debate, I received an excellent brief from Greenpeace, for which I have great respect, even though it knows that I do not agree with the general thrust of its argument on the GM issue. It is essential that all sides of the GM argument are heard and that organisations such as Greenpeace play a key role in this matter.

Most people would agree, however, that the best basis for debate is a foundation of reliable and generally agreed facts. Indeed, unless anything can be taken as axiomatic by all parties to a debate, the debate cannot really exist at all. Rather, the activity that ensues will simply represent a clash of world views yielding a similar effect to the playing of two CDs loudly at the same time.

It is of course possible to come to a set of axioms in a number of ways; perhaps through reason or scientific observation, or perhaps even as a matter of faith. Yet however it is done, there is a need for all parties to obey the rules of the game—otherwise, there can be no game.

It is especially worrying that a common means of laying down the parameters or assumptions contained within the debate—that is to say, empirical observation and broad scientific method—has played such a small part in the debate around GM to date. It is clear to me, for example, that the Food Standards Agency is unequivocal in regarding GM crops of the type presently being grown as part of the farm scale evaluations as safe for people to eat. The view has been arrived at through rigorously applied scientific method. It has also been arrived at in other countries. By the time of the beginning of the European moratorium on GM food production in 1998, 70 million acres had been cultivated in all sorts of trials without any substantive predicted or unpredicted hazard being discovered.

Key elements of research have been published in peer-reviewed journals and the scientific orthodoxy is that GM crops such as those being trialled at present are safe. Of course scientists will usually regard any orthodoxy as contingent and there will always be those who propose counter-arguments, but that is part of scientific method itself; indeed, it is part of life itself.

It seems to me that some interest groups have heretofore set about disrupting scientifically informed debate, rather than actually participating in it. For example, the farm scale evaluations presently under way, which will be completed next year, have been subject on occasion to official representatives of non-governmental organisations, dressed in wacky masks and white dungarees, using their size 10—and indeed size five—wellington boots to tramp down the trial crops. Participants in such activities doubtless claim that the evaluations' underpinning framework and assumptions are technically wrong. However, the greater impression conveyed by such people is that they wish to bypass scientific debate, and to use media spectaculars to distort public perception of risk. I am afraid that, at times, some interest groups have seemed more intent on spreading fear than on engaging in scientific debate. That has been a pity, to say the least.

To begin redressing the consequence of interest groups' spinning and the sometimes one-sided media reportage, I want to emphasise some of the potentially great benefits of GM technology. GM crops offer the possibility of greatly increased crop yields, less waste and the use of fewer resources. That has fairly obvious environmental benefits, but it could offer entirely realistic scope for massive indigenous production in the developing world. Perhaps as many as 400 million people worldwide suffer from vitamin A deficiency, more often than not as a consequence of inadequate diet. Many such people are children, who will develop other health problems as a result. In theory, at least, GM could help dramatically through the development of a new type of rice, for example, which could deliver the daily level of required vitamins. Dr. Ingo Potrykus, of the Swiss Federal Institute of Technology, in Zurich, has pioneered the genetic modification of rice using daffodils and a bacterium called erwinia uredovora. Dr. Dean Dellapena, of the university of Nevada, has produced an oilseed plant with high levels of vitamin E, which helps the immune system to fight disease. That is particularly relevant to those who suffer from poverty in the developing world.

There is little dispute about the benefits that GM, if safe, could deliver for developing countries. It is perhaps for that reason that the interest groups that have so far dominated public discourse have tended to avoid this area. Instead, we have heard much about Frankenstein foods, and little to suggest that cross-pollination has been a natural and everyday reality in farming through the ages. We have heard little to remind us that the animals that non-vegetarians eat every day are the result of extensive cross-breeding through the ages. Nor has much been said of the fact that, to grow food conventionally in volume, we must kill competing vegetation, which involves using chemicals in great volume, too. We have also heard little to remind us of the "killer bees" phenomenon, whereby African and European bees were cross-bred conventionally to provide a higher honey yield. Instead, a highly aggressive species was produced that, according to some, has killed 1,000 people throughout the world.

Indeed, a feature of the discourse to date is that, when apparent scientific evidence emerges that seems to back the case of the relevant interest groups, they have trumpeted it from the rooftops. One example is the now invalidated work of Dr. Árpád Pusztai. I say "invalidated", rather than anything stronger, because it is essential that the unorthodox be given a full hearing; otherwise, we would never experience the step-change advance of some of our greatest scientific triumphs. Equally, however, new evidence has to be evaluated in a balanced and peer-reviewed way, and put properly into context. Ironically, in so far as Dr. Pusztai challenged GM orthodoxy and failed, he helped to strengthen it.

Last night, I debated this issue with Lord Melchett on the excellent programme entitled "Despatch Box". I understand that it may be under threat, and for the sake of intelligent political debate I hope that it is not. Lord Melchett is a world leader in anti-GM theory and practice, and much more besides. He is a leader in the field of organic produce and, by the way, is a former Labour Minister and a thoroughly charming man. Yet I could not help noticing that he selectively quoted parts of scientific research. Given that he famously trampled a field of GM crops that were under scientific test, I found that a little odd. In a way, his approach is reflected across the interest groups, which can reasonably be categorised—and are often self-categorised—as anti-GM.

I suspect that, in truth, many anti-GM interests recognise that they are on a sticky wicket on the science front, and that that is why they often seem to avoid balanced debate on the evidence. I hope that such debate will ensue during, and following, the scientific and economic studies announced recently by the Secretary of State, about which the Minister may wish to say something.

I also have an inkling that the objections of many anti-GM interests are in truth economic rather than that scientific in origin, but that the economic objections are less sexy and perhaps less sellable than the pseudo-scientific ones. A paper by Julian Morris of the Institute of Economic Affairs refers to a paper by the Centre for International Environmental Law in Washington DC, which puts two interesting arguments. They are exemplary arguments of their type. It is suggested that the profits of GM will not be shared with the people of developing countries. In essence, the benefit from GM technology will primarily accrue to mainly American multinationals, and that is given as a reason for objecting to it. The CIEL paper also suggested that GM technology could reduce food security in the developing world because

"real food security problems are not caused by food shortages by poverty, inequity and the concentration of food production."

To take the latter point first, the anti-GM lobby may have raised an issue of importance. I do not agree with the IEA paper which rejects that point out of hand, because I have seen at first hand how countries such as the Democratic Republic of Congo can have great natural resources but people are simply too afraid to farm the land. GM crops would not solve that problem directly. It could only be solved by countries such as ours giving countries such as theirs assistance with security by means of regional security forces and so forth. Perhaps through the New Partnership for Africa's Development—NEPAD—we will arrive at that point.

It is the former argument about who benefits economically that forms the bulwark of the anti-GM philosophy, but it remains obscure to most of the public, hidden behind nonsense about Frankenstein foods and other stunts. At one level, the argument may be refuted by appealing to the logic of global markets and arguing the case that liberal and democratic economies and

[Mr. Eric Joyce]

countries will provide much of the solution to the problem of national underdevelopment in the developing world. Perhaps it is reasonable that that is not enough for the anti-GM lobby, since it has—it sometimes seems—a world view that is antipathetic to economic globalisation. That is its right, but although globalisation does not produce uniformly perfect outcomes, it is broadly a force for good. I disagree with the anti-GM lobby on that point, but I do not intend to press that case tonight.

My objective tonight has been to highlight the fact that until now public discourse on the vastly important subject of genetic modification has been dangerously slanted. It is now time, in the months leading up to what may be a Government decision in 2004 on the future of GM crop production in this country, for the interest groups in the UK and in Europe to participate in a full and open debate, potentially to the great benefit of us all.

10.52 pm

The Minister for the Environment (Mr. Michael Meacher): I found that speech refreshing listening, given that the debate has been rather hysterical and polarised. My hon. Friend the Member for Falkirk, West (Mr. Joyce) gave a balanced and thoughtful view, and I congratulate him. This is a contentious subject and the Government recognise that people have genuine concerns about GM crops. The Prime Minister confirmed that in his recent speech on science and technology, when he said:

> "In GM crops, I can find no serious evidence of health risks. But there are genuine and real concerns over biodiversity and gene transfer."

We have heard some interesting points tonight from my hon. Friend and I would like to respond by trying to set out—to copy my hon. Friend, in what I hope will be a balanced and evenhanded manner—the action that the Government are taking in this area. First, the release and marketing of GM crops are governed by a statutory control regime agreed by the European Union. It is detailed and rigorous, and makes it clear that protecting human health and the environment is the overriding objective of public policy. That very much reflects the Government's own thinking—I emphasise this point—that if there is any unresolved doubt about the safety of a GM crop, we will not allow it to be grown.

The Government played a leading role in negotiating a strengthened EU regime, which will come into effect in October. We have improved risk assessment procedures, as well as new provisions on public consultation and the monitoring of genetically modified organisms after they have been released.

We are implementing the EU regime openly and transparently. Information on proposed GM crop releases and the associated risk assessments is made freely available. The minutes of the Advisory Committee on Releases to the Environment are posted on our website, as are the locations of GM crop trials. We are ready at all times to consider views or evidence on the science relating to the safety of GM crops or public concerns in general.

Further controls on the traceability and labelling of GMOs and on the approval of GM foods and animal feeds are currently under discussion in the European Union. We will continue to support controls that help to maintain safety and provide for informed consumer choice.

I turn now to the farm-scale evaluations of GM herbicide-tolerant crops. As the House will know, the Government are sponsoring this research programme, and we have agreed with the industry that GM crops will not be commercialised in the UK before the results are considered. Commercialisation will happen only if they are found to pose no risk and cause no damage to the environment. The trials illustrate our precautionary and responsible approach to assessing the potential risks of this new technology.

I have just announced the final round of farm-scale trials to be sown this autumn. The crop concerned is oilseed rape. As with previous rounds, we have written to parish councils with a trial in their area to explain the trials' purpose, and officials from the Department will attend parish council meetings if requested. I assure the House that I have always been anxious to ensure that local people know what is happening in their area, and why it is happening. I have also written to all hon. Members to provide background on the trials.

A number of issues have been raised by hon. Members, and I shall turn to them now. Some hon. Members have complained about the distribution and selection of sites. The industry body, which is rather oddly titled the Supply Chain Initiative in Modified Agricultural Crops, identifies a pool of candidate farms. Researchers assess and select those that are suitable for participation. That is done in accordance with criteria established by the independent scientific steering committee overseeing the programme, which also approves the overall distribution of sites.

Some hon. Members are worried about the disproportionate clustering of farm-scale evaluation sites, especially in Dorset. The distribution of the trial sites has to reflect the geographic range over which the particular crop is grown and the range of different management regimes for the crop in the UK. Having several sites in one area—whether it be the south-west or Lincolnshire—does not preclude that, provided that the sites taken overall are representative of the crop in question. The scientific steering committee for the programme is content that the overall distribution of sites is in line with the aims of the farm-scale evaluation research.

I should make it clear that the purpose of the farm-scale trials is not to test the GM crop plants—a mistake that many people make—but the herbicides being used with them. To that extent, the scope of the trials is rather limited. The GM plants have already undergone a full safety evaluation as required under EU legislation. Contrary to what many people think, the trials are not about safety. ACRE said that the crops in the trials pose no greater risk to human health or the environment than their non-GM counterparts. We are allowing the trials to proceed only on that basis.

One concern about the farm-scale evaluations is their potential impact on other farmers in the vicinity. Indeed, I think that is the issue that is raised most often. The Government recognise that the transfer of GM material might affect the economic interests of conventional and organic producers, so separation distances are being applied to the trials to ensure that any GM cross-pollination is kept to a very low level. For example, the distances relating to organic crops will ensure that cross-pollination is normally below 0.5 per cent.

I am pleased to say that, to my knowledge, there has been no instance of a farm-scale trial affecting the status of a neighbouring conventional or organic crop. We are currently considering how GM and non-GM crops might co-exist in a commercial setting, although of course there is a huge difference between protecting conventional or organic farmers in respect of a limited number of trial sites and protecting them if full commercialisation were to take place.

The first results from the farm scale trials will be published next summer. They will tell us what impact herbicide use with GM herbicide-tolerant crops has on farmland biodiversity, relative to the impact of equivalent conventional crops. We await that information; that is the purpose of the trials. If the results show that the GM crop herbicide regimes have a negative effect on the environment, we will use that information to impose restrictions or to block the commercial release of the GM crops. I want that to be clear.

I shall take this opportunity to address some of the objections that have been raised from time to time about the GM field trials. The first relates to GM contamination and the demand made by some people that there should be zero GM contamination. However, we cannot avoid all GM cross-contamination. GM crops are widely grown in other countries—as my hon. Friend made clear—so GM traces may occur in imported material. It is also impossible to prevent cross-pollination between compatible crops and extremely difficult to test reliably for incidental GM presence at low levels. However, we realise that some people want the lowest possible GM presence and we shall bear that in mind as the policy is developed.

Another issue that has frequently been raised is liability; it has certainly been raised in the House. EU proposals for an environmental liability regime are being considered. If adopted, they will provide liability rules for GM crops, covering damage to biodiversity and serious harm to human health. We are also considering the measures that might be needed to facilitate the co-existence of GM and non-GM production, recognising of course that GM crops may affect the economic interests of non-GM farmers.

Another point that I wish to discuss—it has been raised in the media and in other ways—is the production of superweeds and the experience in Canada. Crop weeds in Canada have acquired multiple herbicide tolerance because different types of herbicide-tolerant oilseed rape have been used. That is known as gene stacking, and it raises the concern that it might result in agronomic or environmental problems here. However, gene stacking cannot occur with the GM crops in line for possible use here, because they do not cross-pollinate each other. If it is proposed to release other crops that could result in gene-stacked weeds, I give the assurance that the risks will be fully evaluated before that is done.

Two years ago, the Government established the independent Agriculture and Environment Biotechnology Commission to provide strategic advice on the social and ethical aspects of developments on this issue. That recognises that the issues raised by biotechnology and genetic engineering are not purely science based. The commission includes members from a range of backgrounds, including environmental and organic farming groups as well as from the biotech industry. It produced a major report last year on the farm-scale evaluation programme called "Crops on Trial"—I recommend it as reading to any hon. Member—that the Government accepted, including the recommendation for a GM public debate.

We have confirmed that we will encourage a full and informed public debate on GM issues, including GM crops. Among other things, we expect the debate to address the current state of scientific knowledge on current issues, focusing on public concerns about the potential risks to human health or the environment from GM crops and food. We are also commissioning an economic assessment of the costs and benefits of GM crops, including their effect on conventional and organic farming.

At present, we are considering detailed advice from the Agriculture and Environment Biotechnology Commission on how the debate should be conducted. It recommended several innovative ideas, including the use of citizens workshops to identify the issues for debate, and the production of a video film to illustrate the issues and stimulate discussion among local groups—for example, parish councils—and in specially convened focus groups. We genuinely want to stimulate public debate and we are considering all the options. There has never been a serious and thoughtful debate—it has been polarised—so we now want a much more rational and balanced debate, such as we are having tonight in the light of my hon. Friend's speech.

We want the debate to start as soon as possible and an announcement will be made once the arrangements have been finalised. The debate will ensure that the Government are fully informed of the range of people's views before decisions are taken on the possible commercialisation of GM crops. It is intended to demonstrate that we are responsive to people's concerns and are looking to maximise the opportunity for public views on all sides of the spectrum to be heard.

Contrary to what is often suggested, the Government have an open mind on what we may offer. We are clear that the potential risks have to be fully evaluated on a case-by-case basis. We have always proceeded on that basis. At the same time, however, it would be wrong not to acknowledge the potential for this technology to deliver benefits—as my hon. Friend suggested, it could be used in some circumstances in developing countries—if it is used wisely. That is an important consideration, given the considerable concerns. We believe that people should consider the issues carefully taking due account of sound science. That is what we intend to promote.

Question put and agreed to.

Adjourned accordingly at ten minutes past Eleven o'clock.

House of Commons

Wednesday 10 July 2002

The House met at half-past Two o'clock

PRAYERS

[Mr. Speaker *in the Chair*]

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Sectarianism

1. **Mr. John Lyons** (Strathkelvin and Bearsden): When he last met trade unions in Northern Ireland to discuss the implications of sectarianism for the peace process. [65799]

The Secretary of State for Northern Ireland (Dr. John Reid): The trade union movement in Northern Ireland has been at the forefront of the campaign against sectarianism, particularly in the workplace.

I met a delegation from the Irish Congress of Trade Unions on 25 March 2002, and we discussed sectarianism among other subjects.

Mr. Lyons: I thank my right hon. Friend for his reply. All across the House there is recognition of the sterling work of the trade unions in Northern Ireland, not only in fighting for certain issues in the workplace but in combating sectarianism. Will my right hon. Friend review how the trade unions in Northern Ireland can become more involved and included in the work of the broader civic Northern Ireland?

Dr. Reid: Yes, indeed, I am happy to pay tribute to the trade unions. As part of the discussions on sectarianism that I have been having with a range of bodies, I have been meeting the trade unions and discussing with them what they can contribute. It is a particularly challenging problem in Northern Ireland because, unfortunately, we have recently seen an increase in attacks on bus drivers and essential emergency services. This reached a new low yesterday when a cortege and hearse in Londonderry were pelted with stones and paint-bombed. That is the lowest of the low—beneath contempt. Where are we when we cannot even treat the dead with dignity? I am sure that I speak for the whole House when I say that those who are laying their loved ones to rest should be afforded—if anyone should be—at least a dignified funeral at the culmination of their loved one's life.

Mr. David Trimble (Upper Bann): I am sure that the Secretary of State will be happy to convey to the hon. Member for Strathkelvin and Bearsden (Mr. Lyons) the fact that trade unions—whose work in dealing with intimidation in the workplace I, too, applaud—are represented in the civic forum in Northern Ireland, which represents those elements of civic society not directly represented in the Assembly.

I agree with the Secretary of State about the new low that has been reached in a number of recent incidents. Someone appears to have made a deliberate attempt in north Belfast to use a car as a lethal weapon to drive on to the pavement and run people down, simply because they were in a different area. Is that not symptomatic of the way in which relations in a number of areas have deteriorated; is that not inseparable from the recent activity of various paramilitary organisations; and is that not the problem that the Secretary of State should get a grip of?

Dr. Reid: I agree with much of what the right hon. Gentleman says. A report yesterday from the University of Ulster about the further polarisation of opinions made depressing reading. I have no doubt that sectarianism is at least part of the problem with which we are confronted. We have seen street violence where there has been some involvement by paramilitaries. That is part of the reason why there is a need to restore confidence in the peace process.

We have a challenging and difficult weekend ahead. I appeal to anyone of any influence and authority to do all they can to make sure that we come out of this weekend without the blight of the violence that has too often scarred Northern Ireland in the past. In the longer term, we will have to take steps to ensure that everyone recognises that there is no halfway house, no tolerable level of violence in Northern Ireland. I will certainly do all I can in that respect, and so, I hope, will right hon. and hon. Members on both sides of the House.

Mr. Harry Barnes (North-East Derbyshire): Are not trade unions in Northern Ireland to be complimented not only on their formal campaigns against sectarianism in the workplace but on their day-to-day activities, in which Catholic and Protestant workers are drawn together in seeking decent wages and conditions? Some of us are of the opinion that membership of the Labour party should be permitted so that that such activity can be continued in those areas.

Dr. Reid: I hear what my hon. Friend says, and I know that that view is shared by many in the Labour party. Notwithstanding the fact that the Labour party is not at present organised in Northern Ireland, I hope he would accept that many of the measures that the Labour Government have introduced—the legal right to membership of trade unions, the minimum wage, the working families tax credit, the extra expenditure provided to the Northern Ireland Assembly for quality public services—have an impact on the social and economic environment of many areas in Northern Ireland.

My hon. Friend is absolutely right: it behoves all of us to address the underlying social problems in many of those areas. Unfortunately, many of the areas in which there is continual violence are precisely those with the worst social deprivation. One of the elements that we cannot forget is the practical application of policies on the ground to create a better economic and social environment for people in Northern Ireland, who deserve just as much opportunity and just as much chance to advance their families as people in the rest of the United Kingdom.

Mr. Gregory Campbell (East Londonderry): Given the Secretary of State's comments about the report released yesterday by the University of Ulster, which indicated the increasing sectarianism and increasing polarisation in Northern Ireland, allied with the recent police report which indicated that community relations are at an all-time low and that violence has been at an all-time high in the past eight years, what plans has he to put in place a political process in Northern Ireland that has the possibility of attracting Unionist as well as nationalist support?

Dr. Reid: As the hon. Gentleman knows, we have a political process and, indeed, a wider peace process under way in Northern Ireland that has received far more backing than any alternative that I have ever heard of. If he knows of an alternative that he thinks can command the support that the present process commanded in referendums north and south of the border, I would be glad to hear of it, but I have not so far heard of it from him or his colleagues. Surely part of combating sectarianism and polarised attitudes is the capacity of all politicians from all parties and all walks of life to reach out beyond their own community to try to understand the position adopted by the other community in Northern Ireland. I am sure that the hon. Gentleman attempts to do that just as much as I do.

Mr. Quentin Davies (Grantham and Stamford): I strongly agree with the Secretary of State's comments about the incident in Londonderry. It is particularly disappointing that it should happen in Derry, where I hope to be on Monday, because that city has had a very good record during the past few months. I also thoroughly endorse his appeal for forbearance and for everyone to use their influence to try to avoid violence next weekend, during coming weekends and, of course, beyond then.

As for reviving the peace process and restoring momentum, the Taoiseach, speaking in the Dail on 17 April, spoke of his determination—I use his word—that decommissioning should be completed in advance of the May Assembly elections next year. If Bertie Ahern can say that, and if he can set out a maximal time scale in which that must happen, why cannot, or why will not, the British Government say the same thing?

Dr. Reid: Because the Taoiseach did not say that; he said that he expected that we could make rapid progress towards the culmination of decommissioning before May of next year. I would certainly hope that that is the position, and the Taoiseach has made his views known. There is no difference on this issue between the Irish and the British Governments. We have continually made it plain that the process has to proceed to the eventual disbandment of all paramilitaries. We want that to happen as soon as possible. We also make it absolutely plain that, if anyone is under any illusion that there is a halfway house that can comfortably accommodate successful political intervention as well as the maintenance of a high level of paramilitary activity, we have to get rid of that illusion.

Mr. Davies: I am afraid that we have another example of self-delusion by the British Government. The Taoiseach did say that; I used the quotation correctly. I shall now hand the right hon. Gentleman the document which quotes from the Dail record of 17 April. The Taoiseach did use the word "determination". He spoke of his

> "determination that this will not drift on into election time in the North next year."

In another words, he suggests that it will be over by May next year. Those are the facts, and I am sorry that the Secretary of State is so poorly advised that he did not know what the Taoiseach said.

Let me ask the right hon. Gentleman another question on which he has had no less than four months to try to make up his mind. On 9 March, the First Minister called for a border poll or referendum on the future status of Northern Ireland at the same time as the Assembly elections next year. What is the Secretary of State's response to that proposal?

Dr. Reid: You won't mind, Mr. Speaker, if I tidy up the Desk.

My response to the second point, which I have made public on several occasions—I am sorry that the hon. Gentleman has not had a chance to read my response—is that I will consider that.

Mr. Davies: After four months!

Dr. Reid: I am afraid that we are about 10 months away from the next election. The hon. Gentleman is keen on deadlines, and he is now ascribing the deadlines to the Taoiseach, whom—with great respect to him—I meet occasionally, and I am familiar with what he says publicly and privately. We are, of course, determined that, as far as is humanly possible, we get advances on decommissioning and on demilitarisation of paramilitary organisations. The whole House wishes to see that achieved. It is something that we have been trying to achieve in Northern Ireland since the origins of the state. It is easy to make trite points to the effect that it should be finished by next week or the following week.

All I would say to the hon. Gentleman is that there are no illusions in the Government or in the House that, for any sustainable period, we can tolerate indefinitely the level of paramilitary activity, including targeting and attempts to acquire weaponry, which appears to have been going on. I cannot make that plainer. I am determined, as are the whole Government, to try to get full decommissioning of paramilitary apparatus in the shortest possible time. There is no difference on that between us and the Irish Government, and, no doubt, no difference between my wishes and those of the hon. Gentleman on the matter.

Smuggling

2. **Mr. Neil Turner** (Wigan): If he will make a statement on progress made in tackling smuggling in Northern Ireland. [65800]

6. **Mr. Tom Harris** (Glasgow, Cathcart): What progress the Government have made in combating organised crime in Northern Ireland. [65804]

The Minister of State, Northern Ireland Office (Jane Kennedy): This year—for the first time in five years—legal deliveries of oil products in Northern Ireland have risen, which, in large part, is thanks to the successful disruption of fuel smuggling rings. Since April last year, Customs has seized more than 63 million smuggled cigarettes in Northern Ireland. Clearly, there is much more to do, as the Select Committee report has shown, but I congratulate my partners engaged in the organised crime taskforce on their efforts and their success to date.

Mr. Turner: I thank my hon. Friend for that reply, and I am sure that we are all gratified by the progress that is being made. Does my hon. Friend agree that one of the problems in the Northern Ireland context is that much of the smuggling contributes to the funds of paramilitary organisations on both sides of the sectarian divide? Is she satisfied that the legal process in Northern Ireland gives proper recognition to that when it takes account of the people who carry out that smuggling?

Jane Kennedy: I am grateful to my hon. Friend for that question. The organised crime taskforce was established because we recognise the links that exist between those engaged in organised crime and paramilitary organisations in Northern Ireland. Of the more than 70 different organised crime networks, we acknowledge that probably half have links to paramilitaries. That is precisely the reason why, through the organised crime taskforce, we have adopted a multi-agency approach to tackling anyone engaged in organised crime. By doing so, we know that we will catch in the net those who would use the proceeds of that activity for terrorist purposes. We find it easier to bring those individuals to justice through the operations of the organised crime taskforce. The effect is the same.

Mr. Harris: Would my hon. Friend agree that, for many terrorists, the accumulation of personal wealth comes before the political aims of a united Ireland or of maintenance of the union? Will she reassure the House that the Proceeds of Crime Bill will be used with enthusiasm and vigour to confiscate the property of gangsters who, even now, are buying up Southfork-style homes in Northern Ireland? Some are even applying for planning permission for swimming pools next door, without there being any evidence that they have the legitimate income to do so.

Jane Kennedy: My hon. Friend is right. Later this year, the Assets Recovery Agency, a statutory body, will be an important extra weapon in the armoury that we will be able to deploy against organised criminals. As he rightly points out, to the great irritation of the ordinary, decent people of Northern Ireland, these criminals flaunt in the face of everyone else the assets and wealth that they have gained through their activities.

Lembit Öpik (Montgomeryshire): The Government lose about £400 million a year as a result of petrol and diesel smuggling across the border. What do they intend to do to enforce law-abiding practice, and is the Minister willing to accept representations from those who represent the law-abiding people who sell fuel in Northern Ireland? They are absolutely desperate for support in terms of law enforcement in the Province.

Jane Kennedy: The hon. Gentleman is right. In the United Kingdom context, the problem of fuel smuggling and laundering is unique to Northern Ireland because of the long land border and the problem of policing areas such as South Armagh. Many resources are being deployed to tackle the problem, and there have been many successes, including recent successes in which significant smuggling and fuel laundering plans and networks have been disrupted. I commend the work of Customs and Excise officers, the Police Service of Northern Ireland and the other agencies who work under the umbrella of the organised crime taskforce. They are having a real impact—so much so that, as I said earlier, we are beginning to see an increase in the amount of legal fuel being delivered to the Province.

Mr. John Taylor (Solihull): Will the Minister comment on the difference in fuel duties north and south of the border in Ireland and on the impact that the fuel duty differential has on the proprietors of filling stations in Northern Ireland?

Jane Kennedy: There is no doubt that there is an impact. The fuel price differential is one of the factors that encourages those who would engage in criminal activity to smuggle fuel. However, those individuals would smuggle something else or engage in another form of criminal activity in other circumstances. The tax differential is a factor, but not the only one. The Government need to bring together all the law enforcement agencies and make sure that their policies, procedures and energies are directed towards tackling the individuals engaged in such activities and towards disrupting and interrupting whatever criminal activity they carry out. That is the taskforce's focus, and that is why we are having the success that we are.

Mr. John Hume (Foyle): Given that the petrol industry is the biggest cross-border industry, will the Minister and the Secretary of State strongly support the proposals that I have put to the Chancellor of the Exchequer to save the petrol industry? The tax on fuel has closed petrol stations in Derry, Tyrone, Fermanagh, Newry and Armagh, and instead of bringing the Government extra money, the tax has lost them £400 million a year because fuel is being bought on the other side of the border. Will the Minister therefore ask the Chancellor to act strongly on my proposals to restore the petrol industry in the border counties of Northern Ireland? *[Interruption.]*

Mr. Speaker: Order. Before the Minister replies, may I remind hon. Members that it is only courtesy to remain quiet during Question Time?

Jane Kennedy: Thank you, Mr. Speaker. Tax and taxation policy are matters for my right hon. Friend the Chancellor. We have regular discussions and constantly monitor the situation, particularly the impact that the duty has on legitimate businesses. Indeed, I have met representatives of the fuel retail industry in Northern Ireland. Tax evasion is not the only issue; many other factors are involved. Criminals are taking through the

Irish countryside—both north and south of the border—dangerous vehicles containing huge amounts of fuel in very risky conditions. We should oppose such practice, and the Government and every law enforcement agency should work with the utmost vigour to stop the smuggling of fuel and other commodities in that way.

Again, we return to the link between organised crime and paramilitaries and to the need for the law enforcement agencies to co-ordinate their efforts to beat these criminals and to achieve the success that they are achieving in the organised crime taskforce. It is a long haul, but we will get to the end of the road.

Voluntary Bodies (Grants)

3. **Norman Lamb** (North Norfolk): What sums have been earmarked by his Department for grants to voluntary bodies in 2002–03. [65801]

The Minister of State, Northern Ireland Office (Jane Kennedy): In Northern Ireland there are an estimated 5,000 voluntary and community groups. Some £200 million of public money is invested each year in grants to these bodies, which includes European funding. For this financial year, the Northern Ireland Office has earmarked more than £1 million for Victim Support Northern Ireland, £400,000 for the Northern Ireland Association for the Care and Resettlement of Offenders and nearly £300,000 for Extern, which focuses its work on young offenders.

Norman Lamb: One of the great values of the voluntary sector in Northern Ireland is that it is one way of keeping the lines of communication open between the communities. Given the importance of the voluntary sector to the peace process, will the Minister agree to meet representatives of the sector to discuss their role fully?

Jane Kennedy: I, or perhaps more appropriately my hon. Friend the Under-Secretary of State, will be happy to meet representatives of voluntary organisations. Such meetings have taken place and I am sure that a request will be received sympathetically.

Lady Hermon (North Down): What aid have the Government given to women's voluntary organisations such as the Women's Support Network, which does such great work in both communities, especially among working-class women in Belfast?

Jane Kennedy: My right hon. Friend the Secretary of State met representatives of women's organisations as recently as, I think, the night before last. Representations are received regularly. I cannot give the hon. Lady the exact figures, but I undertake to get those to her in the next few days.

Security Situation

4. **Mr. Stephen O'Brien** (Eddisbury): If he will make a statement on the security situation in Northern Ireland. [65802]

The Secretary of State for Northern Ireland (Dr. John Reid): There are significant residual problems of violence in terms of paramilitarism in Northern Ireland and we will continue to work to ensure that these are eliminated. We have, however, come a long way in counteracting violence and we maintain a security presence commensurate with the level of threat.

Mr. O'Brien: While I recognise the depressing and deteriorating level of violence in Northern Ireland, as shown in the answers given by the Secretary of State this afternoon, does he agree that the best way to demonstrate his and the Government's good faith and belief that no violence will be tolerated in Northern Ireland is for him and the Prime Minister to rule out once and for ever an amnesty for Northern Ireland paramilitaries on the run?

Dr. Reid: We said publicly at Weston Park that there is an issue to resolve. We are intent on doing that, but we have not decided how to resolve it. As far as the general situation is concerned, there is no doubt that violence is intolerable, and we have made it plain that there is no acceptable level of violence in a modern democratic society. We will continue to make that plain, but no one should forget just how far we have come in the past 10 years. There have been enormous improvements in the economy, in the standard of living, and in security in Northern Ireland in terms of the number of people maimed, injured and murdered. That is not to say that we are the least bit complacent. There is a very long way to go.

Mr. Crispin Blunt (Reigate): Following talks at Hillsborough last week, the Prime Minister undertook to introduce proposals to sustain the peace process before the House rises on 24 July. Will the Secretary of State, with the Prime Minister sitting alongside him, confirm that those will be announced in an oral statement to the House?

Dr. Reid: We will certainly consider that and say what we have to say before the House rises.

Mr. Jeffrey M. Donaldson (Lagan Valley): The Secretary of State said that there is a residual security problem, yet the number of regular police officers with the Police Service of Northern Ireland has gone down to 6,952, several hundred below the number recommended by Chris Patten for normal circumstances. Will the Secretary of State now give a commitment to the retention of the full-time police reserves for the foreseeable future, because it is clear that they are indispensable?

Dr. Reid: First, the hon. Gentleman is incorrect; Patten envisaged that number not in normal circumstances, but in more benign circumstances than we have at present. I agree that we are below the level that we should have by several hundred, as he pointed out, which is precisely why we are recruiting about 50 per cent. more a year than was envisaged in the Patten proposals.

On the full-time reserves, I had a meeting on the matter—yet another meeting—with the Police Federation yesterday. I am well aware of the valuable role played by the reserves in the present situation and historically, and I have no hesitation in paying tribute to them. However, the new policing board is looking at human resources, the manpower and womanpower element, and I would not want to pre-empt any decision that it may make. I can assure the hon. Gentleman that it will take into consideration the facts that he enumerated when it is looking at the full-time reserves.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [65830] **Fiona Mactaggart** (Slough): If he will list his official engagements for Wednesday 10 July.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Fiona Mactaggart: Is the Prime Minister aware that the lack of affordable housing in the south-east is not only causing us difficulties in delivering our public service commitments but causing despair to decent families? Will he use the comprehensive spending review to increase the supply of affordable housing in London and the south-east?

The Prime Minister: There is no doubt that that is a serious issue. We have to ensure that we retain the green belt, and since we came to office some 30,000 hectares have been added to it. We must retain the existing 60:40 split between brownfield and greenfield developments, which we increased. We also have to make sure that there is more affordable housing in London and the south-east. That is one of the issues that the comprehensive spending review will address on Monday, and that is permissible only because of the extra investment that we are putting into our public services. As has been made clear, most recently yesterday, that investment is opposed by the Conservative party.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Why should anyone now have confidence in the Government's new drugs policy when the Prime Minister's own drugs tsar has resigned, saying that it is all wrong?

The Prime Minister: Perhaps for this reason: the change proposed by the Home Secretary, which he will give details of later, is supported by the Advisory Council on the Misuse of Drugs, which includes many senior police officers, by the Home Affairs Committee, which includes Conservative MPs, by the Association of Chief Police Officers, which is the association of chief constables, and by the Metropolitan police. It is clear that there will be differences of opinion on all sides, and it would be absurd to say that everybody is of the same view. If the right hon. Gentleman listened to the arguments, he would find that they are supported by all the people whom I have just listed.

Mr. Duncan Smith: I notice that the Prime Minister failed to say why Keith Hellawell, his drugs tsar, who has now resigned, said that the policy was wrong. It is worth reminding everyone that the Prime Minister said of Keith Hellawell, believing that he was a very good man, that he had

> "a formidable record of tackling drugs".

When Mr. Hellawell resigned today he said something very important. He said that the change is

> "a softening of the law and sending the wrong message".

Will the Prime Minister answer this very simple question? When the public have to choose between the Home Secretary and the Government's drugs tsar, who does he think they ought to choose?

The Prime Minister: Keith Hellawell's work on issues such as drugs education and spending on treatment, which has doubled in recent years, has been extremely important. The right hon. Gentleman says that this is a question of preferring Keith Hellawell's views to those of the Home Secretary, but my point is that one could ask whether it is a question of preferring Keith Hellawell's views to those of the Association of Chief Police Officers or the Advisory Council on the Misuse of Drugs, which are experts in this field.

I suggest to the right hon. Gentleman that we have a sensible argument about the matter. There are differences of view between people in the police service. There are differences of view locally, in areas such as Lambeth, as the right hon. Gentleman discovered for himself yesterday. There are also differences of view within the political parties. There will be some on the Government Benches who disagree with the change of policy, and some on the Opposition Benches who disagree with the right hon. Gentleman's position. I suggest that we debate the policy itself, rather than simply scoring points.

Mr. Duncan Smith: I could not agree with the Prime Minister more about the need to have a proper debate, but we can hardly have a proper debate when the Home Secretary, without disclosing any evidence whatever, comes to the House and tells us that the law is to be changed. Worse than that, the Prime Minister knows that his Home Secretary bases that change on the Lambeth experiment. If the Prime Minister listened to the radio today, he will know that people who work on the Stockwell Park estate say:

> "Our children are being told that it is OK to get stoned because nobody has the right to challenge you on this."

If the Prime Minister wants that debate, perhaps he can answer this question: if he were the parent of a 16-year-old living on that estate, would he want that kind of message going out to children there?

The Prime Minister: In relation to Lambeth, as I pointed out to the right hon. Gentleman a moment or two ago, there will be differences of opinion. I think that he found that himself. The independent Police Foundation poll found most people in Lambeth in favour, but of course there will be people against the change.

Since the Lambeth experiment started, there have been more arrests, for example, for class A drug dealing. Street crime has fallen since the experiment began. When the right hon. Gentleman says that the Home Secretary presents the proposals without any consultation at all, let me repeat that he asked for advice from the Advisory Council on the Misuse of Drugs. The council has given him the advice, and he has decided to take it. It is therefore absurd to say that the Home Secretary is taking this step without any support whatever.

Let me make it clear that, under the proposals, the possession of cannabis remains a criminal offence; dealing remains a criminal offence, with the full weight of the law; and the power to arrest remains. However, where the police think it right, reclassification allows them to focus on hard drug dealing and drug dealing of any description, including of cannabis. That is why the proposals are supported by the chief police officers and the Metropolitan police.

Mr. Tom Levitt (High Peak): Last week the Prime Minister outlined the results of the G8 summit in Canada, which included a substantial initiative to remove weapons of mass destruction—chemical and otherwise—from the face of the globe. Can my right hon. Friend outline to the House what the British contribution to that most worthwhile and essential initiative will be?

The Prime Minister: Very roughly, we will be allocating about $750 million to that programme over the next 10 years. We are currently allocating about $51 million to it. That allows us to clean up facilities—nuclear facilities, or chemical or biological weapons facilities. The important point is not merely the environmental benefits, but stopping such weapons of mass destruction falling into the wrong, and possibly terrorist, hands. It is an important programme, and I thank my hon. Friend for his support.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Applications this year from Scottish students to attend university are up by 5.5 per cent. The equivalent increase in applications from students in England is up by only 0.5 per cent. How does the Prime Minister explain that difference?

The Prime Minister: In fact, since we introduced student fees, applications are significantly up, by more than 0.5 per cent. Of course the right hon. Gentleman can argue that we could provide tuition free, but he knows that under the Scottish experiment, people do pay at the end—indeed, everyone pays.

Mr. Kennedy: Not only have tuition fees been abolished in the Scottish context but, in addition, grants have been reintroduced for students from poorer backgrounds. In England, students face the prospect of ever-rising levels of debt. Will the Prime Minister deny this week's reports that, in the light of that evidence, the Government are considering increasing the level of fees that some students in England will have to pay? Given the evidence available, such a policy would be totally unacceptable.

The Prime Minister: First, I remind the right hon. Gentleman that he and his colleagues said that numbers of applications for universities in England and Wales would fall as result of tuition fees, but they have not—they have risen. Secondly, let me point out to him that we are putting more money into universities, but it is important to recognise that we will never be able to go back to the old grant system—not with the numbers of people who are going through universities. Moreover, he is wrong to say that all people from poorer backgrounds pay tuition fees—more than 40 per cent. of them are exempt from tuition fees.

Mrs. Irene Adams (Paisley, North): Given that the air travel industry throughout the world suffered a great loss of business after 11 September last year, will my right hon. Friend join me in congratulating the management and staff at Glasgow airport in my constituency, where business has increased by 5.7 per cent. in that period? Will he thank them for their hard work and investment and for holding their nerve during that time?

The Prime Minister: That is a tough one, but I am going to answer it. I entirely agree with what my hon. Friend says and congratulate the staff at Glasgow airport on the excellent service that they provide.

Q2. [65831] **Mr. Michael Jack** (Fylde): The Prime Minister will no doubt recall the statement made in November 1998 by Lord Robertson, who committed the Government to the purchase of 232 Eurofighter Typhoon aircraft. May I invite the Prime Minister to tell the House that there is no truth in today's press reports that the Government are to renege on that commitment, and that they will purchase all 232 Eurofighter aircraft?

The Prime Minister: There is no change in our commitment to the Eurofighter.

Q3. [65832] **Ann McKechin** (Glasgow, Maryhill): Last month, the Scottish Council Foundation issued a report showing that if Glasgow is to reach the Scottish average for the percentage of its population in employment, an additional 40,000 jobs are required to be created in the city. Can the Prime Minister assure the House that in the forthcoming comprehensive spending review, the Government will place continued priority on reaching full employment for all, especially in areas of special need such as Glasgow?

The Prime Minister: Obviously, there are still pockets of very high unemployment in my hon. Friend's constituency and in others, and we will continue to address them in the comprehensive spending review and elsewhere. However, I think she will agree that the measures that have produced one and a quarter million extra jobs in the British economy have been achieved through a combination of low interest rates, low inflation and the new deal for the long-term unemployed, which has given hundreds of thousands of people the chance to get decent work for the first time in their lives. Again I point out that the new deal was of course opposed by the Conservative party.

Q4. [65833] **Mr. Alistair Carmichael** (Orkney and Shetland): Will the Prime Minister join me in congratulating my constituents in Shetland, who succeeded in raising more than £20,000 in six weeks for the purchase, operation and training of a drugs detector sniffer dog, a resource that is now much appreciated by police on the islands who are combating a growing hard drugs problem? Can I ask him to intervene with the senior management of Her Majesty's Customs and Excise, who have demonstrated a very poor attitude towards that community initiative, refused to allow local officers to use it, and insisted that our ports in Shetland can be covered by dogs based in Manchester?

The Prime Minister: I am happy to congratulate the hon. Gentleman's constituents on what they have done. As for the second part of his question, if he will forgive me I do not know the details of the matter, so I shall have to write to him about it.

Mr. Derek Wyatt (Sittingbourne and Sheppey): This morning, ASW, which has steel mills in Cardiff and in Sheerness in my constituency, went into receivership. President Bush's steel tariff proposals may have been the last straw for UK banks in respect of our overdraft facility for ASW. Does the Prime Minister think that the World Trade Organisation has the systems in place to react more speedily—within days, rather than months—on this issue, because that announcement has had a profound and devastating impact on my community today?

The Prime Minister: Let me first express my sympathy to my hon. Friend's constituents. We greatly regret that ASW Holdings plc has applied for receivership. As my hon. Friend knows, meetings took place with him, Ministers, the company and others to try to avoid the situation. Unfortunately, that did not happen but we shall do everything possible to help those employed by the company.

We have made clear our reasons for disagreeing with the decision made by the United States, and I hope that the WTO rules against it. I understand my hon. Friend's desire to speed up the processes; that can be considered in the context of the negotiations that will continue later this year. However, even in the light of the exclusions for some of our companies, the decision is regrettable. I do not believe that it is in the interests of people here or of the US steel industry.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Last week, the Prime Minister told the House that new restrictions on care homes

"do not come into effect until 2007."

Of the 246 new rules that the Government are imposing, how many will take effect by 2007?

The Prime Minister: From memory, I said that provisions for matters such as widening rooms and bathing would take effect in 2007, and that those were the regulations about which people were complaining. I do not accept the right hon. Gentleman's comments. On our information, my remarks last week were accurate.

The main issue is care home fees. Again, I point out that we are increasing social services spending by 6 per cent. in real terms. Some of that money will go to care homes, yet the right hon. Gentleman is opposed to all that spending.

Mr. Duncan Smith: I know that the Pope is meant to be infallible, but I did not realise that that applied to the Prime Minister. He said of the regulations that they

"do not come into effect until 2007."—[*Official Report*, 3 July 2002; Vol. 388, c. 221.]

The answer to the question that he did not want to answer is that only four provisions do not come into effect until 2007. Almost all the others—some 240—came into effect on 1 April this year. No wonder care homes are closing: instead of removing red tape, the Prime Minister spins his way out of doing that every time.

Now that we know there are fewer care homes, perhaps the Prime Minister would like to answer another question. Since he came to power, how many more elderly people are receiving care in their own homes?

The Prime Minister: First, I said that the provisions that related to matters about which people were complaining, such as widening rooms, would not take effect until 2007. That is my understanding.

Also on care homes, I speak again from memory, I believe that around 40,000 extra people are receiving care in their homes. It is therefore true that there has been a net loss of some 17,000 care beds and that the number of people who receive care in their homes has increased by 43,000.

Mr. Duncan Smith: The Prime Minister should ensure that he surrounds himself with friends before taking people's advice. The number of people who receive care at home has fallen by 80,000 since he took office. If elderly people cannot get places in care homes and they are not being looked after at home, does he agree that the message from the Government is, "Fend for yourself"?

The Prime Minister: No, I do not accept that. I am afraid that we disagree about the figures. However, it is obvious that if people need more care, whether in care homes or in their own homes, we need to invest in provision for that. Yesterday, the Leader of the Opposition and the shadow Chancellor committed themselves to opposing the extra money for investment in health and education. The right hon. Gentleman started by believing that he would go for compassionate Conservatism, but he has reverted to the proposals for cuts—precisely the same position adopted by the Conservatives in the previous Parliament. Indeed, after their public spending announcements yesterday, the right hon. Gentleman must be the only known disciple of Hagueism.

Ms Dari Taylor (Stockton, South): Will my right hon. Friend join me in congratulating Stockton's drugs action team? It has more than 800 young people in treatment, 500 of whom are testing clean and 200 of whom are testing clean permanently. However, we have a problem with chaotic drug users—people who are spending more than £45 a day by stealing from anybody. Those people are outside the loop. Does he think that it is time we gave serious consideration to allowing supervised prescriptions of heroin so that we can break the link with the drug dealers and also get those young people into a system of support?

The Prime Minister: I hear what my hon. Friend says. The most important thing is to ensure that persistent drug abusers are getting treatment. That is precisely why we have radically increased provision. What is happening in her constituency is happening in other constituencies too. Indeed, we have a target to increase dramatically the number of drug users who are receiving treatment in the next few years. I also believe, however, that drug treatment and testing orders are a further important innovation. In the areas where they have been piloted—more than 6,000 have been granted—they mean that people who may go to prison, and are criminals, are faced with a choice: they may either have drug treatment or they will go to prison.

I think that we have got to increase the level of treatment available, increase arrest referral schemes in police custody suites and increase the testing of people in relation to drugs so that we can ensure that people who are criminals and are committing criminal offences are given a clear choice: they can either take the treatment to get off the drugs or they will face the consequences, which may well include custody.

Q5. [65834] **Dr. Andrew Murrison** (Westbury): The secondary schools in the constituencies represented by the five Education Ministers receive 20 per cent. more funding than the schools in my Wiltshire constituency. That gap has widened since 1997. Given that the Prime Minister and his Ministers have consistently assured the House that they are looking at that problem, when can Wiltshire schoolchildren expect to receive a fair slice of the funding cake?

The Prime Minister: First, there is an increase of more than £11 million to the Wiltshire LEA on last year, so that is the good news, but I have to say to the hon. Gentleman that he and his hon. Friends had better wake up to what happened yesterday. His shadow Chancellor and his leader said that the answer was not money. Indeed, they wanted to cut the amount going to education. I am afraid that they are in a lot of trouble. Every Conservative Member who gets up from now on and asks for more money for schools, hospitals, transport or crime will, I am afraid, have to go down under the category of rebel.

Mrs. Claire Curtis-Thomas (Crosby): While the rain has been falling throughout the UK this week, the sun has been shining in Formby, where for the first time, we have been organising an arts festival. The festival has been made possible through lottery funding, and I know that many other constituencies throughout the UK have received similar funding to celebrate Britishness and community in this year of jubilee. What other measures can my right hon. Friend take to ensure that this is not a one-off event and that the sun keeps shining on that part of the world?

The Prime Minister: Interesting requests come to Prime Ministers. The unfortunate thing about bank holidays marking particular events is that if we were to grant every request for a bank holiday that was made to us, very few people would be at work at any point in time. Of course, we try to make provision for sensible bank holidays, and I point out to my hon. Friend and to her constituents who are enjoying the sunshine that, as a result of the Government's signing up to the social chapter, we have paid holidays for the first time in this country as of right rather than at the discretion of the employer.

Q6. [65835] **Miss Anne McIntosh** (Vale of York): In a parliamentary reply on 11 June, I was told:

> "It is for the French railway industry and public authorities to ensure that rail freight through the channel tunnel is not disrupted".—[*Official Report*, 11 June 2002; Vol. 386, c. 1133W.]

In a further reply on 1 July, I was then told:

> "The Strategic Rail Authority . . . will contribute to the cost of works in progress".—[*Official Report*, 1 July 2002; Vol. 388, c. 103W.]

Why has there been a change in policy and what specific guarantee has the Prime Minister received that rail freight services will be restored in respect of 100 freight trains going in each direction each week by September? He assured the House that that would happen.

The Prime Minister: Of course the French have a responsibility for this matter, but it is very much in our interest to help them to discharge that responsibility. I would have thought that the hon. Lady supported the moves to tighten security and achieve the September deadline for restoring the freight service to its proper position. It is not a question of either us or the French doing this; we have to do it together, and that is what we will do.

Constituency Visit (Blackpool)

Q7. [65836] **Mr. Gordon Marsden** (Blackpool, South): When he next plans to visit Blackpool.

The Prime Minister: I will visit Blackpool in the autumn.

Mr. Marsden: May I assure my right hon. Friend that he will be warmly welcomed back to a Blackpool that has had three sure start schemes, one of the best-used NHS walk-in centres in the country, and major sea defences all completed in the last 12 months? May I also remind him, however, that Blackpool has 11 million visits a year, and that those visits are not fully funded by the money that is given for policing, health and social services? Given that we are having a fundamental review of local government finance, will he at least talk to his colleagues about this factor, which disadvantages Blackpool and other seaside towns?

The Prime Minister: Let me congratulate my hon. Friend's constituents on the significant advances that they have made on the facilities in Blackpool and on the changes in schools and health, which are important for them. On visitors' costs, he will know that there is a consultation at the moment; some options include provision for this, and some do not. This is obviously a matter that we will consider very carefully, but, at this time, I cannot give him a determined view.

Engagements

Q8. [65837] **Jonathan Shaw** (Chatham and Aylesford): Is my right hon. Friend aware that there are 6,500 parents, including 30 in the Medway towns, struggling to bring up their children in bed-and-breakfast hotels, where they are forced to share a bathroom, toilet and kitchen? Is it not the case that compassionate words are simply not good enough for these children? Will he give a commitment that the £35 million provided to tackle this issue will be continued in the comprehensive spending review so that we can put an end, once and for all, to this hellhole-type accommodation that blights the lives of our children?

The Prime Minister: We have set a time limit of March 2004 by which to ensure that no homeless family with children is in bed-and-breakfast accommodation for more than six weeks. My hon. Friend is right to say that we have put £35 million into tackling this. Obviously, he will have to wait for the comprehensive spending review to find out the details of that. To return to the first question that I was asked this afternoon, the other thing that is necessary is to increase the levels of affordable housing and social housing in London, the south-east and elsewhere, because that is one of the things that will relieve the pressure on homelessness and avoid what I agree is the wholly unacceptable situation in which families are in bed-and-breakfast accommodation for long periods of time.

Rev. Ian Paisley (North Antrim): Is the Prime Minister aware that all the members of the Ulster Democratic Unionist party in this House have received a warning from the police of a threat to their lives? Does he know that each one of us has had attempts on our lives in the past, by both bomb and bullet? Is he aware that the authorities have not only refused, in some cases, to make any provision of security for these Members of Parliament, but lavishly given security provision to many members of paramilitary organisations? Further to my letter to the Prime Minister of 4 July, delivered by hand, will he now agree to meet the Democratic Unionist Members of the House to discuss this issue?

The Prime Minister: I shall be perfectly happy to meet the hon. Gentleman and his delegation—of course I will. In relation to protection, my right hon. Friend the Secretary of State for Northern Ireland has just indicated to me that, if the hon. Gentleman has particular concerns, he would be happy to meet him to discuss them. We obviously put forward protection for people on the basis of the advice that we receive, and I cannot really say any more than that about it. I do not think that it would be very sensible of me to speculate on levels of threat. I would simply say that, for all of us who have been Members of Parliament for many years, but not in Northern Ireland, it is sometimes difficult to understand the degree of courage that it takes to be a politician of any democratic description there. Even though the hon. Gentleman and I disagree on many things, I think that he and all his colleagues in the Ulster Unionist party and elsewhere who are democratic politicians deserve our thanks for persevering with the democratic commitment in the face of such threats.

Q9. [65838] **Mr. Iain Luke** (Dundee, East): Given the Prime Minister's visit to Dundee earlier in the year, I am sure that he shares my joy at the announcement two weeks ago by a Canadian company called Arius 3D on the creation of 250 high-tech jobs in Dundee. The decision was taken, according to the president of that company, on the basis of Dundee's growing international reputation as a centre of innovation and expertise in life sciences and other technologies. Will my right hon. Friend join me in paying tribute to the two universities and to companies such as NCR and Michelin, which have done so much to give Dundee that position and the growing added value from such jobs?

The Prime Minister: I well remember my visit to Dundee and to Cyclacel, which is a new technology company in my hon. Friend's constituency. The two things that are most important at the moment are, first, carrying on the relationship between universities and business—Dundee university and Abertay university have been pioneers in the link between business and universities—and, secondly, the significance of science and biotechnology for the future of this country. I hope that the investment that we are making in science and the Government's strong commitment to science ensure that many more companies come to my hon. Friend's constituency and to others up and down the country.

Speaker's Statement

3.32 pm

Mr. Speaker: I have a statement to make. Several Members have written to me expressing concern that Members of the House who were or who are members of the RMT union might have been, or might be, subject to improper pressure on the part of the union. I have considered whether such information as has been brought to my attention justifies me in giving precedence to a motion to refer the union's actions to the Standards and Privileges Committee. On the information that I now have, I am unable to give Members the precedence they seek.

Let me, however, draw the attention of all Members to part of the House's resolution of 6 November 1995, which states that

> "it is inconsistent with the dignity of the House, with the duty of a Member to his or her constituents, and with the maintenance of the privilege of freedom of speech, for any Member to enter into any contractual agreement with an outside body, controlling or limiting the Member's complete independence and freedom of action in Parliament, or stipulating that he or she shall act in any way as the representative of such outside body in regard to any matters to be transacted in Parliament".

The full text of the resolution is set out on page 33 of the code of conduct.

No evidence has been submitted to me that arrangements between Members and the union have been of that contractual nature. The House expects at all times that Members will take the greatest care to ensure that their relationships with all outside bodies will be in strict conformity with our rules.

Sir Brian Mawhinney (North-West Cambridgeshire): On a point of order, Mr. Speaker.

Mr. Speaker: Does it relate to this matter?

Sir Brian Mawhinney: Yes. I thank you for that ruling, Mr. Speaker, as one of those who wrote to you. Right hon. and hon. Members will have heard your judgment. Would we be right to assume that your statement should be seen as a warning to outside bodies to stay well clear of any behaviour that might raise even the suspicion of a breach of privilege in the minds of hon. and right hon. Members?

Mr. Speaker: Those bodies must interpret my statement as they think fit.

Mr. Paul Tyler (North Cornwall): Further to that point of order, Mr. Speaker. I am one of the other Members who drew this matter to your attention. Can you confirm that the letter you have seen is the reply to the union on behalf of a number of Members of the House, but that you have not yet seen the letter from the union to Members, which made the apparent threats to which the Leader of the House and other Members have referred?

Will you also confirm, Mr. Speaker, that following my request for the full correspondence to be put in the Library—a request to which the Leader of the House agreed—only part of the correspondence was put there?

Mr. Speaker: I will not go into detail about the correspondence that I have received. That last matter is a matter not for me, but for the Leader of the House.

Drugs Strategy

3.35 pm

The Secretary of State for the Home Department (Mr. David Blunkett): With permission, I wish to make a statement responding to the Home Affairs Select Committee's report on drugs. In doing so, I wish to make it clear that I will publish a substantial update of the 1998 drugs strategy this autumn.

On 23 October, in my evidence to the Select Committee, I set out a number of key themes that are reflected in the Committee's report. I am grateful for the excellent work done by the Chair and members of the Committee, and to all who have assisted both the Committee and me, including my drugs unit. I also thank the Advisory Council on the Misuse of Drugs, and the many agencies and authoritative bodies that have contributed.

I cannot imagine that there is a Member of Parliament who does not wish to ensure that those whom we represent are free of the misery that is caused by drug abuse. Class A drugs are the scourge of modern time, and are potential killers. Over the last 30 years the huge increase in the use of drugs, particularly hard drugs, has caused untold damage to the health, life chances and well-being of individuals. That has undermined family life, fuelled criminality and damaged communities. The estimated social and economic costs of drug misuse are well in excess of £10 billion. Around three quarters of crack and heroin users claim to be committing crime to feed their habit.

I am grateful for the considerable progress made by my predecessors. I am also grateful to my right hon. Friend the Secretary of State for Health for the announcement that we are to make today of an additional investment, totalling £183 million over the next three years, in treatment services and harm minimisation.

The number of people beginning treatment has increased by an average of 8 per cent. each year since 1998. In 2000, seizures worth £780 million were made. Last year 3.4 tonnes of heroin and 10.9 tonnes of cocaine were seized, which exceeded the targets.

Today I want to inform the House of the overall direction of the review of the drugs strategy, and the Committee's report. There will be an increased focus on class A drugs. The message is clear: drugs are dangerous. We will educate, persuade and, where necessary, direct young people away from their use. We will not legalise or decriminalise any drugs, nor do we envisage a time when that would be appropriate.

As recommended by the Committee, there will be a better focus on those whose drug addiction causes the most harm to them and to society—those described as problematic drug users. In the last two years we have established the National Treatment Agency, and invested more than half a billion pounds. We have begun to fill the gap in services relating to crack addiction.

We will continue the rapid expansion of offenders' referral for treatment. We accept that expansion in managed prescribing for heroin addiction will be necessary for the most appropriate cases—that there must be the right treatment for the right patient. But more than treatment is required: after-care and rehabilitation must become part of the package of care for those ending treatment or leaving prison. Harm minimisation will be given greater priority. However, in the form in which the term is normally used, we are not persuaded that shooting galleries would be helpful at this time. We will use the powers in the Proceeds of Crime Bill to confiscate the assets of those whose lifestyle depends on the misery of, and danger caused to, others, and to target the regional or "middle" drug market.

We will clamp down on dealers who prey on the young. We will increase the sentences for trafficking and dealing in class B and C drugs to 14 years. This will avoid sending mixed messages to those dealing in more than one drug, and will establish a new lead in Europe-wide discussions. However, we do not agree that it is necessary to introduce supply for gain offences. We will support parents and families to help them cope with the effects of addiction. In line with the Committee's recommendation, we will ensure that carers and families are involved in the development of services.

We will launch an education campaign, targeted at young people, with the message that all drugs are harmful and class A drugs are killers. We are not persuaded that ecstasy should be downgraded: it kills. However, the message to young people and families must be open, honest and believable. That is why I asked the Advisory Council on the Misuse of Drugs to review the classification of cannabis. It has recommended that the current classification is disproportionate in relation to the harmfulness and nature of other controlled drugs. It was clear, and so am I, that cannabis is a potentially harmful drug, and should remain illegal. However, it is not comparable with crack, heroin or ecstasy. The council made it clear that greater differentiation between drugs that kill and drugs that cause harm would be both scientifically justified and educationally sensible.

I have considered this advice, along with the recommendations of the Home Affairs Committee. I have taken account of the Metropolitan police experiment in Lambeth, which has seen a 10 per cent. increase in arrests of class A drug dealers. The Metropolitan police will today announce that the pilot will be adjusted, and that the new model will be applicable across London in the coming months. I can tell the House that I will seek to reclassify cannabis as a class C drug by July of next year.

Let me be clear: cannabis possession remains a criminal offence. I am determined that the police be able to control the streets and uphold order. That is why I will instate the ability to arrest for possession where public order is threatened, or where children are at risk. The Association of Chief Police Officers will shortly issue national guidance to ensure that in the vast majority of cases, officers will confiscate the drug and use warnings. Police time saved will be refocused on class A drugs.

Where communities are strong, drugs do not take hold. Drug-related crime and disorder devastates communities. That is why last year, we launched the communities against drugs fund, which will provide £220 million over three years to enable communities to become part of the solution. It is the vulnerable who suffer most through drugs, and statutory and voluntary agencies, families and communities all have a role to play in protecting them.

Through education, harm minimisation, treatment, and tough action against dealers and traffickers, we have a winning strategy. It will require positive commitment, rather than grandstanding. Last October, I called for a mature and intelligent debate, and in making today's statement, I hope that we continue that sensible approach. I commend the statement to the House.

Mr. Oliver Letwin (West Dorset): I thank the Home Secretary for his usual courtesy in giving me an early sight of the statement.

The House will recognise that this was an extraordinary statement, made on an extraordinary day. There are two coherent alternative strategies on cannabis, but in his statement today, the Home Secretary has not adopted either of them.

A serious argument can be made for complete legalisation of cannabis, with sale being taken out of the hands of the drug dealers and the substance being treated like tobacco or alcohol—licensed and taxed. Alternatively, as we prefer, policy can be constructed—as it is in Sweden, for example—to make serious efforts to lead young people away from cannabis use. The Home Secretary has not adopted either of those courses. He is giving control over cannabis to the drug dealers, with the police turning away.

This is not just the day on which the Home Secretary has made a statement about a muddled and dangerous policy. Today is also the day when the Home Secretary's chief adviser on drugs, Mr. Keith Hellawell, has resigned in protest at that muddled and dangerous policy, telling the "Today" programme:

> "this is causing a great deal of problem on the streets. It's causing a great deal of problem for parents who just don't know where they are".

Commenting later on the Home Secretary's Brixton experiment, Mr. Hellawell went on to say that it has led to an "open season" for those peddling drugs.

There are some hard questions that the Home Secretary needs to answer. He needs to explain to the House whether he intends the police to arrest people who are openly selling cannabis—as they are on the streets of Brixton today—or whether he is asking the police to look away. He needs to explain to the House why, if he is effectively decriminalising cannabis use, he still wants young people to buy their cannabis from criminals. He also needs to explain how it can be right to tell one set of people that it is half okay to smoke cannabis, but to tell another set of people they may be put in prison for 10 years if they sell it. In short, the Home Secretary needs to explain how, with a policy that consists of deeply confusing mixed messages, he can conceivably expect to reduce drug dependency and criminality in this country.

The saddest thing about this policy is that it owes it origins not to the advice of the Government's chief adviser on drugs, not to a well considered examination of the results of the Brixton experiment, and certainly not to the views of people whose children's lives are being destroyed by drugs, but to a political stratagem. The Home Secretary adopted this policy—*[Interruption.]*—oh yes, and he told people so—because he believed that he could wrong-foot all his opponents, buying off the libertarians with increasing liberalisation, and the anti-drugs lobby with a show of toughness.

However, as his own adviser said today,

> "there is just a sort of repackaging, a respinning of the issue to appear as if something has been done".

[Mr. Oliver Letwin]

The Home Secretary's clever stratagem has disintegrated in 24 hours. It has presented the Government with a massive liability. Much more importantly, it will present many of our most vulnerable communities with the prospect of social disaster.

I admire the Home Secretary on many counts. One of his most admirable features has been his willingness on repeated occasions over the past few months to withdraw from ill conceived policies and legislative proposals. It is not too late for him to display that same admirable quality in the coming days. He has time to think again before this disastrous Order in Council is implemented. In the interests of the Government, and in the interests of the young people of this country, he should do so.

Mr. Blunkett: I am very sad that the right hon. Gentleman has taken the view that he has this afternoon. It is right to believe that the issue is not a political football, but he is right to point out that there is a stratagem—as he would have it—from the political right that advocates complete legalisation and a free market. I have read that in the leaders of *The Daily Telegraph* and elsewhere.

The right hon. Gentleman is wrong to make cheap remarks about policy being withdrawn. Yes, I lost the vote on religious incitement in the Lords and, yes, we have sought to find sensible compromise if we can achieve the same goal by a different route. However, the House should make no mistake that the right hon. Gentleman would be wrong if he thought that he could get away with pretending that a sensible move to protect the lives of young people, and to provide credibility for the educational message to them, can be summed up as a cheap political stratagem. It is not.

The policy has been adopted after receiving the advice of the Advisory Council on the Misuse of Drugs, scientific evidence, the recommendations of the Home Affairs Committee—which has members from all parties and has heard scientific, medical and other evidence over the past six months—as well as advice on what works from those working with young people involved with drugs. Families were mentioned by the right hon. Gentleman, and I can confirm that we also listened to families. It was the families who convinced me that the measure would be right. They told me of how they had told their children that all drugs were the same and had the same impact and effect. When their young people had tried cannabis and found that that was not the case, they did not believe their parents when they told them of the dangers of crack and heroin. Families have told me that we need credibility in the message that we give young people. We need to be able to educate them in the dangers that exist. We need to tell them that hard drugs kill but that cannabis, like other class C drugs, is dangerous but not widely dangerous to one's future and mortality.

Let me answer the questions directly. Are we keeping cannabis as an illegal drug? Yes. Are we decriminalising it? No. Do we believe it is harmful? Yes. Are we educating young people to that effect? Yes, we are. Do we think that we can lead young people away from moving on to hard drugs by being honest with them? Yes, we do and so do those who work with young people. Should we malign the police for taking a similar stance in the Met or through the Association of Chief Police Officers? The right hon. Gentleman uses that organisation against me time and again. When he wants me to give them total independence, I am to believe its word, not mine. Let us have some consistency.

That consistency was not exhibited by the former drugs tsar, Mr. Keith Hellawell, who ceased to be the tsar when I took over as Home Secretary. He has been given part-time roles advising on international drugs matters over the past nine months. [HON. MEMBERS: "Shame on you."] No, not shame on me. I shall not stoop to argue Mr. Hellawell's case this afternoon except to say this, so that it is on the record. When I told Keith Hellawell last October—not August as he said at lunchtime—that we would refer the matter to the Advisory Council on the Misuse of Drugs, he agreed that it would be a good idea. We have a minute to that effect. He has changed his mind three times, as he is entitled to do.

I have changed my mind once. Until two years ago, I was against reclassification, but I have been convinced by the evidence, by the need to target hard-drug dealers, and by the way in which we can clamp down on those who are threatening the lives of young people. It is for those reasons that I have chosen to back the police in their request that if people are dealing in drugs, including cannabis, if they are causing or potentially causing disorder by the flagrant use of those drugs, or if they are threatening the lives of young people, they will be arrested. Those dealing will get not 10 years but 14 years, as I said in my statement.

This is a strategy that is aimed at securing harm minimisation, proper treatment and education. Above all, we want to get across the message that we know what we are doing. If young people understand that, they will get the message. Drugs are dangerous, and class A drugs kill. That is the message this afternoon.

Mr. Chris Mullin (Sunderland, South): Although there may be one or two differences between my right hon. Friend the Home Secretary and me, may I say at the outset that it is obvious that he and his advisers have taken the Select Committee's report seriously? I am grateful for that.

In addition, I welcome my right hon. Friend's decision to reclassify cannabis. It is plain common sense, and he should take no notice of the uncharacteristic nonsense from the right hon. Member for West Dorset (Mr. Letwin). I am sure that my right hon. Friend will not misunderstand me if I say that we must not get too hooked on cannabis. He is right to say that heroin and crack cocaine are overwhelmingly the drugs that cause the most problems. We must concentrate on them, and I was disappointed that the Opposition spokesman had nothing to say about them.

How does my right hon. Friend envisage that the increase in managed prescribing to which he is committed will be achieved? He said that safe injecting houses would not be helpful at this moment, but does that mean that he might be prepared to consider them in the future?

Finally, will he say why it has not been possible to agree that the National Treatment Agency should audit drug treatment services in prisons, as well as outside them?

Mr. Blunkett: I am grateful to my hon. Friend the Member for Sunderland, South (Mr. Mullin) for what he has said. He has worked very hard on this matter, and the Select Committee has taken a lot of evidence, as I said earlier.

The Government are not convinced that shooting galleries, as they have been described, would be helpful at the moment. We want to build a consensus around the rapid development of heroin prescribing for the right patients. We want to do so in association with the country's medical services so that there is confidence in such prescribing. That confidence was undermined when the experiments that began in the early 1970s were misused, and drugs were sold on.

We believe that careful, managed and overseen prescribing will help enormously in reducing the terrible pyramid selling by users who capture others in their lair. Such prescribing will help to reduce the terrible harm and misery experienced by people injecting in the most violent and unhealthy circumstances, and to lessen the harm that that brings to them and to the community.

We are not turning our faces away from providing safe and clean areas: in fact, we are developing, together with the health service, new policies on what is known as the paraphernalia, to minimise the harm that people suffer. However, we need to build a consensus. We must make sure that people are secure in accepting that we are not simply setting up shooting galleries outside clubs, where people can use needles and drugs in an unsupervised and unordered fashion.

My hon. Friend the Member for Sunderland, South made a final point about the audit of drug treatment services in prison. I am very glad that my right hon. Friend the Secretary of State for Health is present, as we must ensure that there is a much more coherent approach to health policies in prisons in general. Mental health in particular relates to the misuse of drugs. We must make sure that there is a coherent policy that spans not only what happens to people inside prison, but above all what happens to those who leave prison.

Simon Hughes (Southwark, North and Bermondsey): I thank the Home Secretary for his statement. I share his view that drugs policy is a difficult, sensitive but very important issue. If we are honest, we must admit that there are differences of view on the matter among members of all political parties.

Will the Home Secretary accept that, even though hon. Members will not have identical views, it would be a good idea to conduct consultation with people across the political divide over the next few months? In that way, the maximum consensus can by achieved before the strategy is finalised in the autumn, as the right hon. Gentleman said that he intends. I offer the services of the Liberal Democrat party to ensure that that conversation takes place, even if, in the end, we do not agree on all the outcomes.

Although the Home Secretary was right to identify the successes and progress that have been achieved, does he agree that the major national tests show that we are still failing in this area? The statistics show that addiction to drugs is rising, as are the numbers of people for whom drug use brings harm and death. If those statistics are the product of past policy, then the policy must be changed to try to turn matters around.

I think that the Home Secretary was effectively saying that he shares the view that this is a health issue for the user and the addict for which we should seek a health remedy. For the dealer and the trafficker, the appropriate remedy is the criminal justice system—the courts and punishment.

I listened carefully to what the right hon. Gentleman said about heroin, which is hugely important. If he rejects the shooting gallery option, does he agree that we must find a way of taking the heroin addict out of the clutches of the criminal profiteers and into the safe hands of the health service professionals? *[Interruption.]*

Does the Home Secretary agree with me that all the evidence is that although it is appropriate to lock up dealers and traffickers, doing so is entirely inappropriate as a way of dealing with the repeated habits of addicts? It adds thousands of people to the prison numbers, it is of very little use to them and does the Prison Service no good.

Can the right hon. Gentleman explain the new logic behind having different classifications of drugs yet the same maximum penalty for people dealing in those drugs, as will happen now with amphetamines and cannabis?

The Master of Rolls, among many others, says that the law on cannabis is not working. We, like others, have argued for a long time that cannabis should be reclassified as a category C drug. We also welcome the announcement of a common police response across London. [HON. MEMBERS: "Come on"] However, does the Home Secretary accept that there is a horrible danger of sending a muddled message if the national policy means that people are not normally stopped for cannabis use and possession while if it is a public order matter, it becomes an arrestable offence? That sends a muddled message about whether or not it is acceptable to use cannabis.

Mr. Speaker: Order. Before the right hon. Gentleman replies, let me say that I was reluctant to interrupt the hon. Gentleman as he is the Liberal Democrat Front-Bench spokesman, but I want shorter contributions in future.

Mr. Blunkett: I will try to be short and snappy in reply, Mr. Speaker. For the first time in quite a few months, I agreed with everything that the hon. Gentleman said, except for his final point. If there is a will for people to come together and look at developing a consensus on the attack on drugs and drug abuse, we would be very happy to take that up.

I do not agree with the hon. Gentleman's final point. I do not think that there is a mixed message in saying that if a drug is flagrantly displayed, used to provoke, in danger of causing disorder and makes the police's job more difficult, they have every right to arrest the people responsible. That will also help in respect of dealers. There has been some concern and misgiving about having differential penalties for dealers of different drugs, given that there is often confusion about whether dealers peddle one drug to lure people into taking another. We are intending to deal with the issue by raising the penalty to 14 years. However, we entirely agree with much of what the hon. Gentleman says about developing harm minimisation programmes and prescribing for heroin. The real danger in many of our most deprived communities, and the cause of criminality, is the growth of crack. We have a major national and international challenge on our hands, and I think that we should agree to tackle it together.

Kali Mountford (Colne Valley): Can the Home Secretary tell the House what implications there are from

[Kali Mountford]

his announcement for the many multiple sclerosis sufferers in my constituency—some grow their own cannabis while others buy small quantities to relax their muscles—while they await the outcome of the NHS review on cannabinoids?

Mr. Blunkett: The only comfort that I can give my hon. Friend is that the Secretary of State for Health and I have seen the results of the early phases of the tests. They have proved successful and, as with the use in medical applications of heroin derivative, so it will be with cannabis derivative. As soon as the final phase is completed and we have the results, which I hope will be very soon, we will give the Medicines Control Agency the opportunity to ensure that that derivative can be used and the benefits accrued to patients such as my hon. Friend's constituents.

Miss Ann Widdecombe (Maidstone and The Weald): May I ask the Home Secretary what consideration he gave to creating an offence of substantial possession? If those in possession of cannabis will not now be arrested unless they deal to children or cause a public order offence, what will be the position of those in possession of substantial amounts of cannabis? Where the police do not have quite enough evidence to prove intent to supply and therefore cannot make an arrest for dealing, what is the position of those people? Will he consider the law in those countries that have an offence of substantial possession under which people carrying unlikely supplies of cannabis for personal use can be arrested?

Mr. Blunkett: This is a serious and difficult issue. As with so many issues that, unfortunately, have become adversarial in recently days, there is a very fine line to tread. The fine line in this circumstance is whether dealers distribute and therefore disseminate small amounts of the drug to avoid being arrested as dealers and therefore whether a specific amount of the drug would be a reasonable trigger to determine whether they are dealing or merely possessing the drug. The jury is out on that. We are not convinced that it would be wise to create such an offence at the moment, but the right hon. Lady has hit on a reasonable point. If we and the police became convinced that it would help, we would certainly consider such an offence.

Mr. Jimmy Hood (Clydesdale): Many hon. Members will welcome my right hon. Friend's statement today, but I have to tell him that I am not one of them. I very much appreciate what he is seeking to do, but I am very concerned about the mixed messages coming from today's statement. May I raise an issue that has not been mentioned so far? The greatest killer drug in this country is tobacco. Young people are becoming increasingly addicted to tobacco, and that is a great problem for all parents. If we make it easier to consume cannabis, the only way to consume cannabis is through tobacco, so there will be a greater temptation for younger kids to try cannabis by smoking cigarette tobacco. That can be more damaging to our young people, by dragging them into tobacco addiction as well. I understand what the Home Secretary is seeking to do, but I am not convinced that his statement will help to achieve it. My great fear is that it will increase tobacco addiction.

Mr. Blunkett: There is a general feeling that, if we were starting from scratch, we would take much more draconian measures against tobacco use than are possible in society today. Some of us fought very hard to ensure that tobacco advertising was banned and that young people were dissuaded from using tobacco in public places and elsewhere. I sympathise with the points that my hon. Friend makes because they cross fine lines. For example, the evidence on gateway access using tobacco, alcohol and, yes, cannabis to class A drugs is very mixed, but it is clear that all three play a part in taking young people on to the killer drugs. All I can offer my hon. Friend is this: the strategy that we have adopted so far has not worked. It is estimated that 46 per cent. of those under 30 have used cannabis at some time, so seeking to criminalise them or to pick them up for mere possession or use—

Mr. Letwin: I thought that the right hon. Gentleman said that it is still criminal.

Mr. Blunkett: Yes, it is criminal, but picking up, arresting and charging young people for possession would not be sensible. The right hon. Gentleman giggles. My view as a parent is that, if youngsters of 18 or 19 are found in possession of cannabis, a warning signal has to be sent to them, but arresting and charging them would not be in the interests of themselves or society. That is why we are taking these steps.

Mr. John Maples (Stratford-on-Avon): The Home Secretary must be right to want to worry less about soft drugs and more about hard drugs; it therefore seems illogical to equate the penalties for selling both. If people are to suffer the same penalty, whichever they sell, they will be more inclined to sell the more profitable one. His statement fails to recognise, however, that for many years, well before 1997, this country's drugs policy has been a complete failure. Fifty per cent. of property crime is drug related, nearly three quarters of our jail population are in for drug-related offences, and millions of pounds and masses of police and customs time are spent on the problem, yet drugs are readily available close to every school, even in a rural constituency such as mine, and even in the most secure buildings in the country—the jails run by the Home Office—where drugs are apparently easily obtained.

Far more fundamental consideration needs to be given to this problem. As part of that, will the Home Secretary consider making it general practice to treat hard drug addicts not as criminals but as addicts, as we would treat alcoholics or others with a health problem? Provided that they entered some sort of rehabilitation programme, drugs should be available to them on prescription. That would reduce crime and enable us to concentrate resources on education and rehabilitation.

Mr. Blunkett: On a small point of clarification, the sentence for trafficking in class A drugs is life. On a lighter note, I hope that it remains so, whatever the Lord Chief Justice thinks about the Home Secretary and Parliament.

The hon. Gentleman is right about treating addicts as opposed to punishing them—that must be the direction in which we move, and drug testing and treatment orders and arrest referral are designed to do that. The establishment of the National Treatment Agency in April last year and the development of sensible drug policies in prison were necessary to start the process of reversing years of neglect. I do not wish to make a silly party political point this afternoon—*[Interruption.]* I will not do so. A concerted effort inside and outside prison is necessary. The modest progress that has been made so far in reducing the availability of drugs inside prisons needs to be accelerated. On that issue, I agree entirely with the hon. Gentleman.

Kate Hoey (Vauxhall): Is the Home Secretary not aware that, whatever he says today, and whatever the experts are saying, a stark and uncomfortable message is going out to families across the country that cannabis is okay, no matter how strong it is and no matter how it is taken? In my view, the experiment in my constituency was not a success. There are more drug dealers than ever and there are more people using cannabis. That is the message. Is the Home Secretary certain that, in 10 or 20 years' time, we will not look back on this day as the one when we got it wrong?

Mr. Blunkett: I want to say to the hon. Lady, whose views I respect and whose campaign has been vigorous, that there are no certainties in dealing with drugs policy. There are no certainties in finding a way forward. If there were, we would have found them, and I would be much less modest than I am this afternoon about putting forward the policy.

All I can tell the hon. Lady is that, first, the facts that she has enunciated—I do not mean the assertions that have been made by certain members of the community—are in doubt. The 10 per cent. increase in the capture of class A drugs dealers is a fact. The 10 per cent. drop in the last six months in robbery on the streets in Brixton is a fact.

Kate Hoey: It is nothing to do with cannabis.

Mr. Blunkett: The re-use of police time is certainly making a difference. Robbery in Lambeth is now at almost a two-year low. Those may be uncomfortable facts as they do not back up the rhetoric, but they are facts that I have taken into account in making the statement this afternoon.

Lady Hermon (North Down): Will the Home Secretary enlighten us all about his consultations with Ms Jo Daykin, who is—and remains, I am pleased to say—Northern Ireland's drug and alcohol strategy co-ordinator? I ask about the consultation because of the concern that she expressed on the record today:

> "My concern is that young people will get a mixed message that cannabis is now harmless, which it is not."

She pointed out that the changes announced by the Secretary of State today

> "would not take into account the prevalence"—

of cannabis—

> "in Northern Ireland. Whereas in England there are major problems with class A drugs like heroin, the main drugs of choice here are cannabis and ecstasy."

Will the Home Secretary confirm that he has taken into account Jo Daykin's representations? Can he confirm that the substantial additional investment that the Secretary of State for Health announced will be extended to Northern Ireland?

Mr. Blunkett: I can confirm the latter point.

On the hon. Lady's earlier points, I understand the issues that have been raised. Representations were made, which is one reason why I decided to increase the penalty for traffickers and dealers—a particular problem in Northern Ireland—to 14 years. I did that specifically in response to a request and to ensure that the implementation of the new recategorisation will take place next summer and will take account of the particular problems of Northern Ireland.

I want to make a substantive point. The only people who will be giving the wrong message are not me, Ministers or those putting forward the policy, but people out there who are now telling young people that cannabis is legal or has been decriminalised. That is why I was genuinely disappointed that the shadow Home Secretary fell into just that trap.

Dr. Brian Iddon (Bolton, South-East): I, too, congratulate my right hon. Friend the Home Secretary on his willingness to listen and to think about a very serious problem and shift policy in a very pragmatic manner. It was not, and it is not, right to criminalise very young people who possess trivial amounts of cannabis, often on a first-time basis. However, like me, I am sure he understands that in the few months since he made the provisional announcement there has been considerable confusion about the policy. It concerns me that it will take until next July for the recategorisation from B to C to occur. Will he tell us why that is so? Will he also assure the House that the change in policy on prescribing heroin to the more chaotic heroin users, who cause the most criminal problems, will take immediate effect and that we will not have to wait that long for the heroin policy to change?

Mr. Blunkett: Where we do not have to change the law, we will act swiftly but by consensus. As I said earlier, we should move as quickly as we can towards prescribing and towards tackling problem users. The allocation of resources will help with that. The delay will allow us to have a debate in the House on recategorisation, to change the trafficking and dealing penalties and to be able to put in place the necessary changes in the models that the Metropolitan police and then, under the Association of Chief Police Officers guidance, police across the country will operate.

Mr. Peter Lilley (Hitchin and Harpenden): I wanted to welcome any liberalising measure from the Home Office, following a series of illiberal measures, but I fear that the Home Secretary's proposals may land us with the worst of all possible worlds. Surely steps effectively to depenalise the use or possession of cannabis at the same time as retaining or reinforcing the penalties for its supply will do nothing to reduce demand for cannabis while continuing to drive soft drug users into the arms of hard

[Mr. Peter Lilley]

drug providers. What does he propose to do to break the link between the supply of cannabis and that of heroin and cocaine?

Mr. Blunkett: I respect the fact that the right hon. Gentleman has been interested in and committed to such issues for some time. I am disappointed, therefore, to hear what many of his hon. Friends have to say. They claim that a differential rate for trafficking and dealing would lead to people receiving a lesser penalty for dealing in cannabis—they would get away with it and encourage people to get involved in class A drugs. We now hear the reverse argument: that by having a similar penalty, we make it more likely that people will turn to class A drugs. We cannot have it both ways. It has to be one or the other. *[Interruption.]* We have used the word "confusion" a great deal this afternoon. I will examine *Hansard* and the public statements to ensure that we are clear about where the confusion has arisen.

I understand the right hon. Gentleman's point on traffickers. We said that we will target the middle-market dealers. The assets recovery agency will assist with that when the Proceeds of Crime Bill completes its stages—tomorrow, I hope, if it is not blocked in the House of Lords. We also intend to use the security, intelligence and law enforcement agencies more effectively, as we have been doing, to work in combination to break the trafficking route, but that is the biggest challenge of all.

Mr. Tony Lloyd (Manchester, Central): Is my right hon. Friend aware that his statement is important because he is concentrating on the hard drugs, which do enormous damage not simply to the individual but to the fabric of society? I urge him, however, to look carefully at the practice of prescribing heroin for the chaotic users. Breaking the link between money and heroin or crack use is important if we are to have an effect across society, and prescribing has a significant role to play.

I hope that the Home Secretary will return to the issue of cannabis because I think that he needs to move further on it. In cities such as Manchester, the use of cannabis is so widespread that it no longer makes sense to take even the approach that he outlines. However, I strongly welcome the emphasis on hard drugs, which are the real issue.

Mr. Blunkett: I welcome my hon. Friend's comments on harm minimisation through prescribing. The Netherlands and, recently, Portugal found that without legitimising fully the world supply of those drugs, which breaches every international convention, and the trafficking, by which I mean dealing and selling across the counter, the same conflict is faced all the time. There will be a contradiction whatever steps we take. If we were all prepared to examine that problem and be honest about it, we would have a much more rational debate.

Ann Winterton (Congleton): I pay tribute to the work of Keith Hellawell, with whom I had contact in the previous Parliament. His work was valid and his views were sound.

I and many parents believe that not enough emphasis is put on drug prevention, especially on education. I am not merely talking about harm reduction, which is often what is proposed. If drug education is to be effective, clear and unequivocal messages must be sent to the young. The Home Secretary's statement means that those messages are now extremely mixed. I leave him with the thought that virtually no crack cocaine or heroin addict in this country did not start first on cannabis.

Mr. Blunkett: I might be prepared to accept that, with some exceptions, there is not a hard-drug user who did not start on either tobacco, alcohol or cannabis. If we were all more rational in what we think and say, we could have a more reasonable debate. I agree that the education campaign is critical. It is why we are stepping it up and seeking tenders for an entirely new approach. We accepted the hard-hitting approach recommended by the Select Committee.

I pay tribute to Keith Hellawell, who gave his time, energy and commitment for many years.

Mr. Nick Hawkins (Surrey Heath): Having rubbished him.

Mr. Blunkett: I am being heckled. I have not rubbished Keith Hellawell; he rubbished me. He, not I, went on the "Today" programme. He decided that he would announce today in an extraordinary fashion the resignation that he had tendered a month ago. On a lighter note, I thank him also for the drug targets that he set for us all. They were described as inspirational: they inspired him; they perspired him; and they appear to have expired him.

Mrs. Janet Dean (Burton): I thank my right hon. Friend for his statement. I welcome the extra money for treatment because, as I am sure everyone will agree, when treatment is requested, it should be made available. It is right that we should have a credible drugs message. I welcome my right hon. Friend's reassertion that all drugs are harmful because that is the message that we should get over to young people.

I welcome the proposal to increase the maximum sentence for dealers, but I am concerned that my right hon. Friend does not believe that there should be a supply for gain offence—*[Interruption.]*

Mr. Speaker: Order. Mr. MacKay, let me chair the proceedings.

Mrs. Dean: I would welcome any further information and views that my right hon. Friend could give on a supply for gain offence. I also ask for reassurance—

Mr. Speaker: Order. One question is sufficient for the Home Secretary.

Mr. Blunkett: We believe, as do our lawyers, that the supply for gain offence can be dealt with under the existing discretion, particularly with the new clarity about the offence of dealing.

Mr. David Cameron (Witney): As someone who sits on the Home Affairs Committee, may I thank the Home Secretary for his statement and for accepting some of our recommendations? It might have been more coherent if he had accepted all of them, but perhaps that is too much to ask.

Does the Home Secretary agree that the biggest prize is to get the 270,000 heroin users into treatment? With that in mind, will he consider a specific suggestion made to me by police in Oxford, which is to speed up the operation of the drug treatment and testing order because the wheels of justice turn slowly and it takes a long time for people to get to court? Will he consider making the start of treatment a condition of police bail in some circumstances? Will he ensure that all forms of treatment are available on DTTOs, including methadone replacement? Will he ensure also that, as the Select Committee suggested, if someone starts treatment outside prison, they are able to continue it in prison because stopping treatment can be damaging for the health and it increases crime?

Mr. Blunkett: I agree entirely with the latter point, and it is a serious issue. I pay tribute to the hon. Gentleman for his open mind and his willingness to engage with these issues on the Select Committee. These are difficult and sometimes dangerous questions to deal with in politics, and I respect him for doing so. We should examine the commitment to ensure that we use treatment as a clear incentive, whether that concerns bail, referral or the question of whether someone will be sent to prison. In the broader statement that will be issued in the autumn, I hope to be able to deal with that more thoroughly.

Mr. Jon Owen Jones (Cardiff, Central): I congratulate my right hon. Friend on being the first Home Secretary in 30 years to stand at the Dispatch Box and argue for a drugs policy based on evidence rather than prejudice and emotion. It was a great disappointment to see the shadow Home Secretary argue so uncomfortably a case in which he clearly does not believe. Will the right hon. Gentleman look to his own Front Bench and recognise that seven of its Members have admitted to using cannabis—

Mr. Speaker: Order. The question is to the Home Secretary, not the shadow Home Secretary. If the Home Secretary can answer the hon. Gentleman's question, that will be fine, but the hon. Gentleman must understand that it is late in the day.

Mr. Blunkett: I am keen to maintain our privacy, as the shadow Home Secretary knows because he is always chiding me about it. I shall not ask anybody to reveal what they took, and I hope that the papers will not. I have not taken anything, by the way, just in case that answer evokes the question, but after being Home Secretary, who knows? I thank my hon. Friend for his words, which I greatly appreciate.

Angela Watkinson (Upminster): I was the only member of the Home Affairs Committee not to sign the report. I was implacably against the declassification of cannabis and I am grateful to the Home Secretary for not accepting the other recommendations to declassify ecstasy from class A to class B or to set up a network of heroin shooting-up galleries throughout the country. If the Home Secretary is in any doubt about the gateway theory relating to cannabis, will he please speak to any police officer, who will confirm it to him?

Colleagues have rightly referred to treatment for existing addicts. Does the Home Secretary agree that unless measures are put in place to prevent the ever-increasing flow of new addicts, the treatment for existing addicts will become unachievable and unaffordable? Our resources, such as they are, should be focused on prevention and education. I have been horrified by some of the examples that pass for education in our schools and some of the leaflets that are circulating, which teach children how to avoid being caught, rather than stopping them taking drugs.

Mr. Blunkett: There is a big distinction between advising children how to avoid being caught, and advising young people, for instance, on fluid intake and on the way in which they can protect themselves in clubs. That distinction must be made. I agree entirely that the task of education, preventing people from drifting into drugs, building confidence, self-esteem, self-belief and hope for the future and early intervention are all critical in this regard. I do not accept that the evidence on the gateway to hard drugs is overwhelming; otherwise I would not have made the statement that I made. I accept that the evidence is incredibly mixed, as I said earlier.

Mrs. Irene Adams (Paisley, North): I, too, congratulate my right hon. Friend the Home Secretary on taking head-on what is probably the scourge of our time. However, there are aspects of his speech with which I disagree. I represent a constituency that has very strong communities, but it was almost destroyed in the mid-1990s by drugs, and I have to say that cannabis was a part of that. The only way in which we tackled the situation was by all the agencies coming together—the politicians, the police, the medical services, the educationists and the whole community. Using that approach, we reduced violent crime by 56 per cent. within a year.

My main concern today—my great fear—is that much of the Home Secretary's statement will be lost, and the only part of it that will be reported is the downgrading of cannabis. It is almost tantamount to telling a child that he may not have a sweet, but that if he takes it from the drawer behind our back, that is all right. We are sending extremely mixed messages that will worry many communities. I hope that my right hon. Friend will ensure that there is a wide-ranging debate in the House and outside it before the proposals are enacted.

Mr. Blunkett: I am happy to give that assurance, and to offer my congratulations on the enormous amount of work that my hon. Friend put into building the community as a solution, to which I referred in my statement. The risk to which she put herself at one time in doing that, I understand, is greatly respected. Organised criminals—those intent on destroying the lives of others and making money—are at the heart of the challenge that we face. I believe that what we are trying to do today by sending the right message—the proportionate message—will help. All of us with children of our own deal differently with the commission of an offence or some deed that we know to be wrong. We deal with it differently not just in terms of how often it happens, but what it is. That is what I am trying to do in aiding the police to do their job.

Pete Wishart (North Tayside): I, too, welcome the move to reclassify cannabis from class B to class C, but has the Home Secretary given any thought to how the measure will apply across the United Kingdom? Such are the vagaries of the devolution settlement that drugs laws

[Pete Wishart]

are reserved to this House, but criminal justice and police matters are devolved to the Scottish Parliament. For instance, in Scotland we have no system of caution, and all drugs offences will still be referred to the procurator fiscal. The Police Federation of Scotland has already said that the measure is irrelevant to Scotland. How does the Home Secretary envisage that it will apply to the whole United Kingdom, and does he agree that, as matters stand, it is irrelevant to Scotland?

Mr. Blunkett: The hon. Gentleman makes a fair point. That is one of the joys of devolution. As we talk to Ministers in the Executive, we need to ensure that there is clarity and continuity. I am sorry that people in Scotland have reacted in a different fashion, but I hope that we can get very similar messages across so that we are all batting on the same wicket in terms of reducing drug trafficking and drug use.

Paul Flynn (Newport, West): Will not today be remembered as the day when we started to get it right? The Secretary of State is to be commended for being the first with the courage and sense to change a policy that has failed every year since 1971. Then, there were 1,000 heroin addicts and no drug crime, and drug-related deaths were very rare. Every other Government's continuing with more and harsher prohibition has resulted in 250,000 addicts and record crime and deaths compared with any country in Europe.

The Home Secretary has introduced a policy that changes direction and is pragmatic, rational and courageous. May I urge him to look at the drug injection rooms throughout Europe, which are a very distressing sight? I suggest that he go to the Paulus Kerk in Rotterdam to see people injecting. The needles are clean, and people are in hygienic surroundings with support, education and training for jobs. That is infinitely better than being on the streets.

Mr. Blunkett: I accept that there is a debate to be had about managed prescribing and whether that spills over into unsupervised or alternative prescribing, but I am clear about the fact that it would not help that debate if we allowed people, unmanaged and unsupervised, to set up so-called shooting galleries around the country. That said, as regards the so-called paraphernalia—sterilised water, pads and needles—it is critical that we are able to develop policies to minimise harm and to ensure that we take those things out of the hands of the dealers and organised criminals who are destroying people's lives.

Matthew Green (Ludlow): I listened carefully to what the Home Secretary said, and I welcome it as an initial step forward. He stressed the importance of the credibility of the message to young people, but all the organisations and committees that he consulted represent the great and the good, and he made no mention of any consultation with users—young people themselves. Is he concerned that the whole debate may end up sounding like the great and the good patronising young people and not listening to their concerns about drugs?

Mr. Blunkett: There is a danger in every area of policy that we end up debating with ourselves, those whom we meet, and those who influence us through the newspapers and other media. That is why the first-past-the-post constituency and the constituency work that we do are so crucial—we meet people in our surgeries every day and we have to respond to them.

The hon. Gentleman made a serious point about listening to young people. All Departments need to pull together forums to listen to young people, hear their message, weigh it and give advice where we can. Young people do not necessarily expect diktats or life by example—God forbid that we should preach that—but they expect us to establish a structure having heard what they have to say.

Clive Efford (Eltham): My right hon. Friend has not proposed a perfect solution today, but, sadly, we do not live in a perfect world. Does he agree that those who oppose the proposal deny the sheer scale of the problem of crack and heroin throughout the country? Does he accept that the appointment of Mr. Hellawell, with the ridiculous title of "drugs tsar", raised expectations, which were not met in the communities that we represent? Does he also accept that today is a watershed and that it will also raise expectations?

The success of my right hon. Friend's proposal will be determined by whether the police use the opportunity to target dealers in class A drugs. That is crucial. People know the houses and cars from which people deal. The proposal will be successful only when people see action against those individuals.

Mr. Blunkett: I agree. There will be change on the streets in the years ahead. Expectations are often raised and dashed, and democracy is thus damaged. I have tried to raise expectations not of immediate change but of long-term investment. I was pleased that my right hon. Friend the Secretary of State for Health and I were able to announce additional resources, and I hope that they will be complemented by further resources, consequent on next week's comprehensive spending review.

Points of Order

4.41 pm

Mr. Andrew Mitchell (Sutton Coldfield): On a point of order, Mr. Speaker. Have you received a request from a Work and Pensions Minister, or, indeed, from the Minister for Pensions to come to the House to correct a serious error on the record about the treatment of elderly and vulnerable pensioners? On 20 May, in answer to a question from the hon. Member for Motherwell and Wishaw (Mr. Roy), the Minister for Pensions said:

> "Older people will have the choice of doing their business through pension centres . . . or receiving home visits . . . By providing that choice, we will make improvements for the older pensioners who need to access such services from time to time."—[*Official Report*, 20 May 2002; Vol. 386, c. 4.]

It has become apparent since the Department produced a briefing in late June that pensioners will not have the choice of a home visit before using the service. Most of them will have to take themselves to pension centres, many of which are located in places that are inconvenient for them. That constitutes a serious deceit of many elderly and vulnerable people. Have the essential steps been taken for the Government to rectify the impression that they gave the House?

The Minister for Pensions (Mr. Ian McCartney): In normal circumstances, that would be treated as a partisan, political point. However, the hon. Member for Sutton Coldfield (Mr. Mitchell) has questioned my integrity and I have come to the House to set the matter straight; I have nothing to correct. I thank the hon. Gentleman for at least advising me that he intended to raise the matter in the Chamber.

I want to make it crystal clear that the process of developing the Pension Service and the pension credit has been open and transparent. I have kept hon. Members informed of progress and I shall continue to do that. The hon. Gentleman and his colleagues on the Select Committee on Work and Pensions took evidence from the Pension Service on 12 June. After that session, the Committee asked for additional information on a range of issues, including the scope of the local service. The chief executive provided that on 2 July.

Last Friday, the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), who chairs the Select Committee, wrote to me personally to ask for fuller clarification of the local service, especially the availability of home visits for Pension Service customers. He requested a response in seven working days. I provided a fuller explanation through the Clerk to the Committee. I sent it well within the deadline, which does not expire for a day or so. I believe that it will fully tackle any remaining queries that the Select Committee may have. I shall place all the correspondence in the Library.

I facilitated a visit to a Pension Service site for the hon. Gentleman and his colleagues on the Select Committee. I have extended a similar invitation to all hon. Members who participated in the debates on the State Pension Credit Act 2002. Furthermore, this week, my right hon. Friend the Secretary of State and I have written to all hon. Members to set out our plans for presentations to hon. Members and their staff on pension credit and the Pension Service. I intend to keep my promise. I did not mislead the House at any time.

Mr. Speaker: Order. It sounds as if the Speaker does not need to rule on that point of order.

Mr. Paul Goodman (Wycombe): Further to that point of order, Mr. Speaker.

Mr. Speaker: Order. We have gone too far down that road.

Mr. Goodman *rose—*

Mr. Speaker: Order.

Mr. Goodman: I simply seek your guidance, Mr. Speaker.

Mr. Speaker: Please sit down. Perhaps you will get my guidance if you come to the Chair at a later stage, but the matter was not really a point of order.

Mr. Andrew Mitchell *rose—*

Mr. Speaker: Order. The hon. Gentleman raised the case and the Minister replied. I do not want to hear any more about it at this stage.

Mr. Mitchell *rose—*

Mr. Speaker: Order.

BILLS PRESENTED

ANIMAL SANCTUARIES (LICENSING) (NO. 2)

Mrs. Cheryl Gillan, supported by Mr. John Randall, Mr. Stephen O'Brien, Dr. Julian Lewis, Mr. Desmond Swayne, Mr. Charles Hendry and Mr. David Wilshire, presented a Bill to make provision for the licensing and control of animal sanctuaries: And the same was read the First time; and ordered to be read a Second time on Friday 19 July, and to be printed [Bill 168].

ORGAN DONATION (PRESUMED CONSENT AND SAFEGUARDS) (NO. 2)

Mrs. Cheryl Gillan, supported by Mr. Stephen O'Brien, Dr. Julian Lewis and Mr. Desmond Swayne, presented a Bill to provide for the removal of organs for transplantation purposes, after death has been confirmed in a person aged 16 or over, except where a potential donor previously registered an objection or where a close relative objects; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 19 July, and to be printed [Bill 169].

LITTER AND FOULING OF LAND BY DOGS (NO. 2)

Mr. Desmond Swayne presented a Bill to make further provision relating to litter and the fouling of land by dogs and to allow a local authority to retain the revenue from fixed penalty notices for such offences issued in its area for the purposes of enforcement: And the same was read the First time; and ordered to be read a Second time on Friday 19 July, and to be printed [Bill 170].

Traveller Law Reform

4.46 pm

Mr. David Atkinson (Bournemouth, East): I beg to move,

That leave be given to bring in a Bill to reform the law in England and Wales as it applies to gypsies and travellers.

Last month, my local paper, the Bournemouth *Daily Echo*, reported the following story under the headline "Traveller Invasion":

> "Travellers continue their invasion of the conurbation"—

Bournemouth, Christchurch and Poole—

> "with the arrival over the weekend of 18 caravans and assorted vehicles on to Iford playing field. This is the latest incursion on to public open spaces and follows the arrival of 15 caravans at Redhill Common. These are in addition to the existing traveller encampments at Throop, Fleetsbridge and Castle Lane."

Although you will not have read such local news, Mr. Deputy Speaker, perhaps you will have read about what happened in Bournemouth last Christmas, when the national media gave widespread coverage to the occupation of a public park, King's park in my constituency, by a group of up to 200 caravans and 800 people of all ages. The travellers indicated that they intended to stay for the entire holiday period. The council sought a county court order for their eviction and the requisite notices were served on them, but to no avail. They left in their own time when they said they would: 12 days later, after new year's day.

The chief executive of Bournemouth council said in his letter to the Home Secretary that that experience resulted in costs to the council of £50,000 and to the police of £40,000, together with severe detrimental effects on local businesses and the community. He said that those effects included a huge increase in the fear of crime in the neighbourhood; businesses and voluntary organisations being forced to close because their entrances were blocked; the closure of public houses and other facilities due to intimidating behaviour from large groups of travellers; a reduction in the credibility of the police force; severe damage to community relations—for instance, a number of pubs and hotels attempted to exclude Irish visitors, many of whom had nothing to do with encampments—and health and safety risks associated with criminal damage caused by the travellers.

I shall not go into any further detail about what my local council's chief executive said in his extensive letter to the Home Secretary about our experience. Although the letter is entirely accurate, to continue to record these facts in the House would not be in keeping with the constructive spirit of the remedy for which I am seeking support today. The fact is that this was the largest such invasion of travellers experienced by our borough, it ended the year that had seen the largest number of such occupations of our parks and open spaces experienced by the borough and, as I have said, such occupations have now been happening almost every week this year.

Lest the House should conclude that travellers come only to Dorset, I point out that the columns of *Hansard* clearly indicate that such experiences are taking place throughout much of the country. More hon. Members than ever before are tabling questions about travellers, gypsies and unauthorised encampments, provoked, no doubt, by similar experiences in their constituencies. Indeed, some hon. Members have already gone further than that this year. My right hon. Friend the Member for Bracknell (Mr. MacKay) described in his Westminster Hall debate of 15 January on the law of trespass how the police had not acted against travellers who had invaded his constituency.

On 26 March, my hon. Friend the Member for Reigate (Mr. Blunt) described similar experiences in his constituency, when he successfully sought the leave of the House to bring in his Trespassers on Land (Liability for Damage and Eviction) Bill. On 11 June, the hon. Member for Harlow (Mr. Rammell) described his constituents' experience of travellers as a "living hell" in his Adjournment debate on unauthorised encampments.

The response of Ministers to these concerns continues to be that the Criminal Justice and Public Order Act 1994 provides remedies for local authorities to ask the police to use section 61, and for the police to ask local authorities to use section 77, whichever is most appropriate. As the House knows, last Friday the Home Office announced new powers for police and local authorities to deal with unauthorised encampments.

The reality is that, in many cases, not a lot of progress is made. When travellers eventually move off one unauthorised site, they move on to another. Councils are now deploying a variety of barriers and obstacles such as earth mounds, concrete boulders, locking posts and reinforced railings to keep travellers out of public parks and open spaces, at great cost both to the taxpayer and to the visual amenity. As the deputy chief constable of Dorset told me, in explaining why the use of available powers is not practical:

> "We need to work to identify more effective levers or incentives to persuade travellers to act responsibly."

That is the aim of the Bill for which I am seeking the support of the House today.

The Traveller Law Reform Bill would establish for the first time within a legal framework the rights of gypsies and travellers to live a nomadic way of life. It would also establish the obligations that they owe to others in exercising that right. The Bill would create a new body, the gypsy and traveller accommodation commission, whose principal task would be to ensure that there was adequate accommodation for gypsies and travellers in England and Wales. The commission would be representative of the communities concerned, as well as of interested public bodies and voluntary organisations. It would also be expected to respond to problems of antisocial behaviour and unauthorised encampments following the implementation of the Act.

The Bill would require local authorities to facilitate the provision of sites for gypsies and travellers. This responds to the repeated complaints of the police that there are insufficient sites to which to direct travellers who are intent on occupying public land. The Housing Corporation would be empowered to make grants to registered social landlords to enable them to provide and manage such sites.

The Bill would require local education authorities to develop strategic programmes to improve the educational attainment of gypsies and travellers and their children. It would also clarify the scope of the Race Relations Act 1976 by acknowledging that Irish travellers constitute a racial group, as do Scottish and Welsh gypsy and traveller communities. There would also be other appropriate provisions in the Bill.

The Bill is based on the work of the Cardiff law school and is the culmination of four years of consultation between gypsies' and other travellers' organisations, statutory and voluntary bodies such as the police and local authorities, and lawyers and planners who face the problems that arise. A schedule to the Bill would propose a code of conduct for travellers, based on best practice and on consultation with local authorities and travellers' groups.

I submit that my Bill represents a carefully considered approach that provides equality of opportunity and equal access to civic life and social services for travellers and gypsies. It acknowledges that the threat of continuous eviction does nothing for the health and welfare of families, or for the education of children; that only 2 per cent. of travellers live to see the age of 65; and that the traveller infant mortality rate is nearly three times the national average. It recognises that where local authorities have offered suitable land sites, good relations have developed and school attendance and health have improved. Telford and Wrekin council is an example of such good practice.

The Bill responds to the recommendation that the Parliamentary Assembly of the Council of Europe passed in April, for member states to resolve the legal status of gypsies and travellers. The alternative is to continue to rely on laws to prevent unauthorised encampments, which the police and local authorities are at their wits' end trying to enact.

I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Atkinson, Mr. Andrew MacKay, Mr. Terry Davis, Mrs. Annette L. Brooke, Julie Morgan, Mr. John Butterfill, Andrew Mackinlay, Michael Fabricant, Mr. Kevin McNamara, Nick Harvey, Mr. Henry Bellingham, Mr. Bill Rammell.

TRAVELLER LAW REFORM

Mr. David Atkinson accordingly presented a Bill to reform the law in England and Wales as it applies to gypsies and travellers: And the same was read the First time; and ordered to be read a Second time on Friday 19 July, and to be printed [Bill 171].

WELSH GRAND COMMITTEE

Motion made, and Question put forthwith, pursuant to Standing Order No. 107 (Welsh Grand Committee (matters relating exclusively to Wales)),

That—

1. The matter of the draft National Health Service (Wales) Bill be referred to the Welsh Grand Committee for its consideration;
2. The Committee shall meet on Tuesday 16th July at half-past Ten o'clock and between Four o'clock and Six o'clock at Westminster to consider the matter of the draft National Health Service (Wales) Bill, under Standing Order No. 107 (Welsh Grand Committee (matters relating exclusively to Wales))—*[Mr. Jim Murphy.]*

Question agreed to.

Police Reform Bill *[Lords]* (Programme) (No. 3)

4.56 pm

The Minister for Policing, Crime Reduction and Community Safety (Mr. John Denham): I beg to move,

> That the Order of 9th July 2002 (Police Reform Bill *[Lords]* (Programme) (No. 2)) shall be varied as follows—
>
> in the Table, in the entries in the second column relating to the second day, for the first 'Six o'clock' there shall be substituted 'Seven o'clock'.

Briefly, there was discussion yesterday on allowing flexibility because of today's statement. The motion will achieve that.

Mr. Douglas Hogg (Sleaford and North Hykeham): I rise, as I did yesterday, to speak to the timetable motion.

This is the third programme motion relating to the Bill. The previous one was discussed yesterday, when I set out my objections to timetable motions, both in general and in particular. Therefore, I do not intend to repeat my arguments at any great length. However, it would not be right to give the Government any credit for this timetable motion, notwithstanding the fact that it moves one of the knives from 6 to 7 o'clock.

The reason why it would not be right to give the Government any credit is as follows. If there were no timetable motion in the first place, we would not have needed the supplementary second and third motions. Owing to the intolerable habit of imposing timetable motions, the Government are obliged to come back and waste yet more time with a further such motion.

The first decision was wrong in principle and unnecessary in practice for the reasons that I set out yesterday. Furthermore, it showed incompetence on the Government's part, because they must have known full well yesterday, when we debated the No. 2 timetable motion, that the Home Secretary would make a statement today. I was in government for many years and I have been a Member of the House for even longer, so I know perfectly well that the Government knew yesterday that the Home Secretary would make a lengthy statement today. Why on earth did yesterday's timetable motion not make proper provision, if that be what this is, for today's debate? So, we are dealing with incompetence as well as wrongness in principle.

In any case, why should we assume that the time permitted under the No. 3 timetable motion is sufficient? On any view of the matter, the issues that we are debating are important, but we are being given just two hours in which to discuss significant constitutional measures involving a raft of amendments. Who has decided that such time is sufficient? Not us. Oh no, the Government have decided.

What we have here is the Government coming to the House to tell us how long we, the legislature, should spend scrutinising their activities. There is absolutely no point saying that hon. Members make those decisions, because having regard to the strength of the party whip in this place, we know full well that the Executive made this decision. So, we have the profoundly unattractive

[Mr. Douglas Hogg]

spectacle of an Executive telling the legislature how long it may spend on constitutional matters of some importance.

Mrs. Claire Curtis-Thomas (Crosby): Will the right hon. and learned Gentleman be kind enough to inform me whether he expressed any of his concerns to any member of the Standing Committee that considered the Bill?

Mr. Hogg: If the hon. Lady had heard my speech yesterday, she would appreciate that I was extremely concerned not just about the terms of the Bill but about the underlying legislation to which it refers. If she was not here yesterday, she would do well to read *Hansard*. If she had already done so, she would not have made an intervention that she thought would entertain the House.

The plain truth is that this is yet another case of an oppressive and incompetent Government coming here, demanding a bit of credit, and deserving none—and we should give them none.

5 pm

Mr. Graham Allen (Nottingham, North): Your predecessor in the Chair yesterday, Mr. Deputy Speaker, kindly directed me to *Hansard* for the purposes of calculating the amount of time the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) has wasted in complaining about programme motions. A very rough calculation suggested that it was 12 hours 56 minutes, but I think I should now amend that to 13 hours.

I congratulate the right hon. and learned Gentleman. He complains about the House's time being wasted, but he is the main culprit. I wish he would be quiet and let Members get on with the Bill.

5.2 pm

Norman Baker (Lewes): I thank the Minister for responding positively to suggestions made yesterday by both Conservative and Liberal Democrat Front Benchers. He moved the programme motion in just one sentence, but he has been accused of wasting yet more time, whereas the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) took three or four minutes to make a point he had already made on a number of occasions.

5.3 pm

Mr. John Gummer (Suffolk, Coastal): I would have had no intention of bothering the House but for the remarks of the hon. Member for Nottingham, North (Mr. Allen).

No job done by a Member of Parliament is more important than that of reminding the Executive that the House is supposed to scrutinise it. I understand that the hon. Gentleman has written a book—I have started reading it, but have not got very far—about how we need a House of Commons and a system more redolent of the needs of the people. He might start by asking the House to do its proper job, and provide enough time for us to talk about the issues that really matter. He should be ashamed of himself for attacking my right hon. and learned Friend for performing a public good and a public service.

Question put and agreed to.

Orders of the Day

Police Reform Bill *[Lords]*

[2ND ALLOTTED DAY]

As amended in the Committee, further considered.

New Clause 1

IMPROVEMENT ACTION PLANS

'After section 41 of the 1996 Act there shall be inserted—

"41A Improvement Action Plans

(1) This section applies where the Secretary of State, as a consequence of a report under section 54, is satisfied in relation to any police force maintained for any police area—

(a) that the whole or any part of the force is, whether generally or in particular respects, not efficient or not effective; or

(b) that the whole or part of the force will cease to be efficient or effective, whether generally or in particular respects, unless remedial measures are taken.

(2) The Secretary of State shall send a copy of the report prepared under section 54 to the police authority which maintains the force in question, together with his reasons for considering that the conditions of subsection (1) are satisfied.

(3) The police authority on receipt of the report, shall require the chief officer to prepare a plan ('an Improvement Action Plan') for taking remedial measures in relation to anything contained in the report.

(4) An Improvement Action Plan shall not relate to any matters other than those in relation to which functions fall to be discharged by the chief officer of the force in question.

(5) Any plan produced under subsection (3) shall include—

(a) provision for setting targets for addressing the issues raised in the report under section 54;

(b) provision for setting time limits in achieving those targets;

(c) provision for the making of progress reports to the police authority maintaining the force in question; and

(d) provision for the duration of the plan.

(6) The chief officer shall provide a copy of the plan to the police authority within twelve weeks of the issuing of the requirement by the authority under subsection (3).

(7) Within twelve weeks of the end of the duration of the plan the chief officer shall report to the police authority who shall provide a copy of the report to the Secretary of State.

(8) Any report under subsection (7) shall include—

(a) an assessment of the performance of the force, in whole or in part as appropriate, against the targets set in the plan; and

(b) an assessment of the impact of the plan on the efficiency or effectiveness of the force.".'.—*[Mr. Letwin.]*

Brought up, and read the First time.

5.3 pm

Mr. Oliver Letwin (West Dorset): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to discuss the following: amendment No. 6, in clause 5, page 5, line 35, leave out clause 5.

Government amendments Nos. 109 and 110.

Government amendment No. 111, in clause 5, page 6, line 1, leave out

"chief officer of police of"

and insert—

"police authority responsible for maintaining".

Amendment (a) to the amendment, in line 1, before "chief", insert "may direct the".

Amendment (b) to the amendment, in line 1, before "police", insert "shall inform the".

Amendment No. 173, in page 6, line 1, leave out from "force" to end of line 5 and insert—

'of the contents of the report and the reasons for the statements made under paragraphs (a) and (b) of subsection (1)'.

Government amendments Nos. 112 and 113.

Government amendment No. 114, page 6, line 8, at end insert—

'(3A) If a police authority is directed to submit an action plan, that authority shall direct the chief officer of police of the force in question to prepare a draft of it and to submit it to the police authority for that authority to consider.

(3B) The police authority, on considering a draft action plan submitted to it under subsection (3A) may submit the plan to the Secretary of State, with or without modifications.

(3C) If the police authority proposes to make modifications to the draft of the action plan submitted under subsection (3A), it must consult with the chief officer of police.'.

Amendment (a) to the amendment, in line 1, leave out from "(3A)" to "that" and insert—

'When a police authority is informed by the Secretary of State under subsection (2)'.

Amendment (b) to the amendment, in line 3, leave out "of it" and insert—

'a plan ("an action plan")'.

Amendment (c) to the amendment, in line 5, leave out subsection (3B).

Amendment No. 174, in page 6, line 9, leave out lines 9 to 16.

Government amendment No. 115.

Government amendment No. 116, in clause 5, page 6, line 17, leave out "chief officer of any" and insert—

"police authority responsible for maintaining a".

Amendment (a) to the amendment, in line 1, before "chief", insert—

'giving a direction under this section to the'.

Amendment (b) to the amendment, in line 1, before "police", insert "informing the".

Government amendment No. 117, in clause 5, page 6, line 18, leave out "police authority maintaining" and insert—

"chief officer of police of".

Amendment (a) to the amendment, in line 1, after "maintaining", insert—

'that force that he has given that direction.'.

Amendment (b) to the amendment, in line 2, after second "of", insert—

'that force that he has so informed the authority.'.

Government amendments Nos. 118 to 129.

Amendment No. 8, in schedule 1, page 106, line 1, leave out from beginning to end of line 33 on page 107 and insert—

31A NCIS Improvement Action Plans

(1) This section applies where the Secretary of State, as a consequence of an inspection report, is satisfied—

- (a) that the whole or any part of NCIS is, whether generally or in particular respects, not efficient or not effective; or
- (b) that the whole or part of NCIS will cease to be efficient or effective, whether generally or in particular respects, unless remedial measures are taken.

(2) The Secretary of State shall, after consultation with Scottish Ministers, send a copy of the report to the NCIS Service Authority together with his reasons for considering that the conditions of subsection (1) are satisfied.

(3) The Service Authority, on receipt of the report, shall require the Director General of NCIS to prepare a plan ("an Improvement Action Plan") for taking remedial measures in relation to anything contained in the report.

(4) An Improvement Action Plan shall not relate to any matters other than those in relation to which functions fall to be discharged by the Director General of NCIS.

(5) Any plan produced under subsection (3) shall include—

- (a) provision for setting targets for addressing the issues raised in the report under section 54;
- (b) provision for setting time limits in achieving those targets;
- (c) provision for the making of progress reports to the NCIS Service Authority; and
- (d) provision for the duration of the plan.

(6) The Director General shall provide a copy of the plan to the Service Authority within twelve weeks of the issuing of the requirement by the Service Authority under subsection (3).

(7) Within twelve weeks of the end of the duration of the plan the Director General shall report to the Service Authority who shall provide a copy of the report to the Secretary of State.

(8) Any report under subsection (6) shall include—

- (a) an assessment of the performance of the force, in whole or in part as appropriate, against the targets set in the plan; and
- (b) an assessment of the impact of the plan on the efficiency or effectiveness of the force.

(9) In this section 'an inspection report' means a report under section 54 of the Police Act 1996 (c. 16), section 33 of the Police (Scotland) Act 1967 (c. 77) or section 41 of the Police (Northern Ireland) Act 1998 (c. 32).".'.

Government amendments Nos. 131 to 149.

Amendment No. 9, page 107, line 35, leave out from beginning to end of line 16 on page 109 and insert—

'76A NCS Improvement Action Plans

(1) This section applies where the Secretary of State, as a consequence of a report under section 54 of the Police Act 1996, is satisfied—

- (a) that the whole or any part of the National Crime Squad is, whether generally or in particular respects, not efficient or not effective; or
- (b) that the whole or part of the National Crime Squad will cease to be efficient or effective, whether generally or in particular respects, unless remedial measures are taken.

(2) The Secretary of State shall send a copy of the report to the NCS Service Authority together with his reasons for considering that the conditions of subsection (1) are satisfied.

(3) The Service Authority shall require the Director General of the National Crime Squad to prepare a plan ("an Improvement Action Plan") for taking remedial measures in relation to anything contained in the report under section 54.

(4) An Improvement Action Plan shall not relate to any matters other than those in relation to which functions fall to be discharged by the Director General of the National Crime Squad.

(5) Any plan produced under subsection (3) shall include—

- (a) provision for setting targets for addressing the issues raised in the report under section 54;
- (b) provision for setting time limits in achieving those targets;
- (c) provision for the making of progress reports to the NCS Service Authority; and
- (d) provision for the duration of the plan.

(6) The Director General shall provide a copy of the plan to the Service Authority within twelve weeks of the issuing of the requirement by the Service Authority under subsection (3).

(7) Within twelve weeks of the end of the duration of the plan the Director General shall report to the Service Authority who shall send a copy of the report to the Secretary of State.

(8) Any report under subsection (7) shall include—

- (a) an assessment of the performance of the National Crime Squad, in whole or in part as appropriate, against the targets set in the plan; and
- (b) an assessment of the impact of the plan on the efficiency or effectiveness of the National Crime Squad.'.

Government amendments Nos. 150 to 168.

Amendment No. 10, in page 109, line 21, leave out "or 31A".

Amendment No. 11, in page 109, line 23, leave out—

'and the Director General of NCIS have each'

and insert "has".

Amendment No. 12, in page 109, line 29, leave out—

'and the Director General of NCIS have each'

and insert "has".

Government amendments Nos. 169 and 170.

Amendment No. 13, in page 109, leave out lines 36 to 40.

Amendment No. 14, in page 109, line 45, leave out "or 31A".

Amendment No. 15, in page 111, line 11, leave out "or 76A".

Amendment No. 16, in page 111, line 13, leave out from "Authority" to "been" in line 14 and insert "has".

Amendment No. 17, in page 111, line 19, leave out from "Authority" to "been" in line 20 and insert "has".

Government amendment No. 171.

Amendment No. 18, in page 111, leave out lines 26 to 30.

Government amendment No. 172.

Amendment No. 19, in page 111, line 35, leave out "or 76A".

Mr. Letwin: As that formidable list amply confirms, we are in the presence of a Government who have made considerable progress towards a position for which we have long argued in relation to the Home Secretary's efforts—originally in clause 5—to control the operations of police forces and parts of police forces.

We strongly welcome the Government's move; what we must ask now is whether it is sufficient, and I have to say that I do not think it is. I hope that the spirit in which we engage in today's discussion will be reflected in further consideration by the Government once the Bill returns to the House of Lords, whence it emanated. I also hope that we will reach a consensus in a very few days, and that it will achieve what both we and the Liberal Democrats have sought to achieve throughout. Indeed, that is consistent with the Government's explanation of their intentions. That fact alone gives me hope that we will reach a consensus.

I should make it clear at the outset that I do not wish to press new clause 1, which stands in my name and those of my hon. Friends, to a vote, given where we stand today. Rather, Mr. Deputy Speaker, I hope that you will find the means to allow the House to vote on amendment (a) to Government amendment No. 111, which can stand for the other amendments to the Government amendments.

We are talking about a matter that relates in part to practice and in part to principle. It is important to restate briefly the principle at the heart of the matter and to rehearse the reasons why, from the point of view of practice, the Government have not come quite close enough to establishing the principle in law. The fundamental principle that we are dealing with is the operational independence of chief constables. The Minister and the Home Secretary have repeatedly said that they have no intention of compromising the operational independence of chief constables. It is therefore important that we explain what we mean by such operational independence, and why it is important in the sense in which we mean it.

A chief constable holds an office the importance of which has been reiterated not in the past few years alone, but over decades and centuries. In fact, that office stretches back far beyond the beginnings of the formal police forces with which we now deal. The fundamental principle of the operational independence of a chief constable is that a subject of Her Majesty will always be subject to the attentions of those acting in pursuit of enforcing the law, and never to the attentions of those acting in pursuit of a political decree. That is the single most important principle of the rule of law in this country; indeed, it is common ground on which the Opposition, Ministers and Labour Members do not disagree.

Mr. Graham Allen (Nottingham, North): I thank the right hon. Gentleman for his usual courtesy in giving way. Will he address the very important question—he may well be coming to it—of the distinction between operational and non-operational? The concept of an operational requirement has been respected by politicians for many years, but is it respected by senior police officers? The boundary between what is and is not operational is increasingly being pushed back. It is not defined in the Bill or in any of the amendments, so perhaps the right hon. Gentleman will turn his mind to where that boundary should lie, and whether it should be defined in law.

Mr. Letwin: The hon. Gentleman is on to something deep and important. It is also very relevant to my discussion, but if I may, I shall make a slight excursion in order to discuss it. I recognise that there is a difference between issues of general strategy relating to a police force, and operational issues relating to, say, the arrest of, or surveillance of, a particular individual. That is an enormously important distinction. Of course, a police force's general strategy is not at the core of our rule of law; it is a practical matter, so to speak. However, the assertion of the right of every subject of Her Majesty not to be interfered with on the basis of a particular politically originated attack by the police is at the centre of our rule of law.

I recognise the distinction that the hon. Gentleman seeks to draw between operational and non-operational issues. However, we can see why Ministers have not attempted to define that difference, which is why, despite having considered the issue, we have not sought to do so either. If we could define a proper distinction, we could address at least part of the problem of principle in a way that might have achieved consensus at an earlier stage.

It is difficult to establish a proper definition because strategy melds into operation in a way that is difficult for legislation to disentangle in advance. Let us take the case of a particular frustration that a particular Home Secretary at some future date might have about the prevalence of a particular kind of crime in a particular place. That would be a reasonable preoccupation for a Home Secretary. Local Members of Parliament and others might be lobbying him to do something about the situation, and that situation might affect large numbers of people, which would require the local police force to have a strategy to address it.

A Home Secretary who felt that he could determine the strategies of that police force might reasonably take steps to ensure that those strategies were, in his view, appropriate. However, there might also be specific ringleaders of the disturbance that the locals were complaining about, and the Home Secretary might feel that as part of defining the strategy, he ought to define the targets of the strategy, because otherwise it might be almost impossible to assert that the strategy should be thus, rather than otherwise.

So we move almost invisibly from the strategic, or non-operational, to the operational. I dare not have confidence that we shall be able so to define it—*[Interruption.]* The Minister, from a sedentary position, seems to be suggesting that he has achieved that miracle. I, however, dare not imagine that we, sitting in this House this evening, are capable of envisaging all the circumstances that could make that definition so slippery.

I should therefore prefer to place my faith—and I hope that the House will do the same—in an effort to distance politicians from all the actions of police forces, both operational and non-operational. That is a sure way of achieving the goal of principle, which is to distance politicians, always and irrevocably, from operational matters.

Mr. Allen: I understand the point that the right hon. Gentleman is making, but will he forgive me for pursuing the matter a little further? Unless we put into the Bill a definition of at least part of what we all agree is operational and non-operational, the very thing that he fears will happen. Home Secretaries of all political colours will not only set targets, but will ensure that money is allocated to meeting them, so it is almost inevitable that chief constables and local police officers will have to pursue those targets. In that way there is interference, almost by stealth, in the operational

[Mr. Allen]

objectives of local police forces. If we were now to debate honestly what is operational and what is not, the difference would be clearer not only to us but to officers on the ground and senior officers in local constabularies.

Mr. Letwin: I take the force of the hon. Gentleman's argument, but perhaps we should continue that argument at another time. I certainly take his point about grants; indeed, it leads to the argument that I am about to advance. Because of their grant-making powers, Ministers, alas, almost inevitably have at their disposal the ability to exercise considerable direction over the activities—if I may use that neutral term—of the police forces of England and Wales.

I know that the Minister will say that this is merely a matter of offering a helping hand in co-ordination, or some such stuff, but even today we can see that in pursuit of the particular goal of fulfilling the Prime Minister's commitments about reducing street crime by September, a group of Ministers—a posse, if that is the appropriate collective noun—has been put on to the job of trying to ensure that specific bits of specific police forces live up to the standards that the Prime Minister has set them. That was not achieved by the use of statutory powers. Incidentally, it is an interesting question whether that was ultra vires, and that may be subject to review by the judges. However, it is clear that it was achieved by informal means. Things were said or implied that suggested to the police forces concerned that it would be to their benefit to co-operate, and co-operate they have. That could be extended more widely.

5.15 pm

The Minister for Policing, Crime Reduction and Community Safety (Mr. John Denham): The right hon. Gentleman is on the verge of making what I would regard as a very serious allegation—that in some way chief constables in the 10 forces have been intimidated or bullied into taking part in the street crime initiative. I am sure that the right hon. Gentleman would not wish to leave the House with that impression, but it is certainly the impression that he has created in my mind.

Mr. Letwin: I would not say "intimidated" or "bullied", because the Home Secretary and the Minister are much too charming for that. However, the fact is that Ministers have an enormous degree of power over police authorities and forces. Those authorities and forces are not naive. As the hon. Member for Nottingham, North (Mr. Allen) said, they know where the money comes from. Nothing can be done about that and I do not propose that we should suddenly remove the Chancellor of the Exchequer and other Ministers from their role in funding police forces. I recognise that that would require long debate and vast reorganisation.

Under current circumstances—and for many years, because present Ministers did not invent the system—Home Secretaries and their Ministers wield vast influence over police forces. That does not have to be a matter of intimidation. Subtle hints about direction from Home Secretaries over many years lead to significant responses by police forces. It is from that starting point that we need to examine the likely practical effect of measures in this Bill.

Mr. Kevan Jones (North Durham): I have listened carefully to the right hon. Gentleman's arguments, but is he actually saying that under no circumstances should the Home Secretary or Parliament have any control over a chief constable or a local police authority? If that is the case, how are chief constables or police authorities to be democratically accountable to Parliament?

Mr. Letwin: I fear that the hon. Gentleman and I have different views on the current arrangements. Indeed, I fear that his view differs from that of Ministers and, indeed, the progress of our history. It is not the case that police chief constables or their forces are democratically accountable to Parliament. They are not. Nor are they, and nor have they ever been accountable to Home Secretaries under the law or any constitutional theory. Police forces are accountable to police authorities, and that is why they are called police authorities. Those police authorities are accountable, to a degree—although not, in my view, to a sufficient degree—to their local communities.

The tripartite structure so carefully established gives the Home Secretary strictly circumscribed statutory roles, which I know he finds frustrating. However, because he is the de facto possessor of the purse strings, he has a wider degree of influence than his statutory role would suggest. The issue that we have been debating for some months is whether we should include in the Bill a statutory platform that will tend to increase what is the already great influence of the centre over the police forces of England and Wales.

Mr. Kevan Jones: Was not it the previous Conservative Government who put in place the current structure of police authorities, which previously had a larger democratic element in the numbers of local councillors who sat on them? Is the Conservative party now proposing directly elected police authorities and chief constables?

Mr. Letwin: It is perfectly true that the Conservative party is reviewing its policies on and attitudes to the local accountability of police forces. As we do so, we are conscious of the need to maintain the operational independence of chief constables from their authorities—that is another important point—because we are desperately keen for the professionals to be able to get on with the job.

We recognise that the degrees of decentralisation and local accountability need review. Although those questions are germane, we are, alas, considering a provision in the Bill that proposes the reverse: the establishment of a platform upon which the centre can do more to influence the police forces of the country. That is what we need to debate.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I am grateful to the right hon. Gentleman for giving way. As usual, he argues his case carefully and succinctly. He made a point about control and power from the centre, but I did not perceive that he was saying that any threat or undue influence was being imposed. He said, rightly, that it is a question of finance. Does he agree that the crime fighting fund is a good example of the way in which finance seems to control the issue, as police authorities will not be able to tap into it unless they maintain a few extra officers?

Mr. Letwin: I agree that that is a good example. I hope that the hon. Gentleman will accept, and that the Minister will take the point also, that I am not asserting that everything that the Home Secretary—either the present one or any of his predecessors—has sought to achieve as a result of using that influence is bad. Such an assertion would be false. In fact, I am rather in favour of some of the effects of the crime fighting fund. The problem is that good effects that are brought about by means that may be questionable can have long-term, unanticipated effects. That is my fear.

Mrs. Claire Curtis-Thomas (Crosby): I appreciate the right hon. Gentleman's arguments, but he is talking about structures and the relationship between the Home Office and police authorities and chief constables. However, people in my constituency and in many others throughout the country are primarily concerned with the efficiency of the police force that serves them. The most recent available performance indicators show that his police authority is doing remarkably well in comparison with mine. I wish that my constituents were as fortunate as his. Is not the aim of new clause 1 simply to improve the service that I get? Would not it challenge my police authority to provide services that are similar to those provided elsewhere—specifically in his constituency?

Mr. Letwin: I recognise that the motives that the hon. Lady ascribes to the Home Secretary and to the Minister are correct. Throughout this important debate, I have acknowledged that the sole desire of the Home Secretary and the Minister is to exert pressure for what will be, in their view, better and more efficient policing in parts of the country where it is less good than it should be. I accept that, and I have never asserted anything to the contrary.

I understand that Home Secretaries occupy a high office and feel frustrated when they pull levers and little appears to happen quickly at the other end. That frustrates them, not least because gadflies like me accuse them of failing to produce good results, and they do not understand why we should then deprive them of the means to achieve those results.

I understand that logic, but the problem is that that approach does not work in the long run. That is partly because it compromises the principle that politicians should be kept out of the process, which is more precious than anything else.

There are also practical reasons why the approach will not work, which I will address briefly. Our assertion—we may be wrong, but it is based on deep intuitions—is that the professionals will become progressively demoralised, and that policing in England and Wales will get worse as a result. That will happen if efforts, however well intentioned, are made by the central bureaucracy to control—through targets, monitoring and interference from the centre—how those police forces go about their work.

There is a charge sheet to be answered, not of disreputable motive but of effect. When the Home Secretary was Secretary of State for Education and Employment, he had a genuine passion to improve education. He sought to achieve that through subjecting the teaching profession to vastly increased targets, monitoring and interference from the centre. I do not doubt his motive, but the result has been catastrophic. Teachers the length and breadth of England and Wales are leaving the profession because they are worried about the level to which they are forced to become creatures of bureaucracy rather than independent professionals. I know that there is a disagreement, but it is genuine—this is our passionately held view. We believe that the same will happen to our police forces if the same attitude is taken to governing them. There is an issue of principle and of practice here.

Mr. Allen: Will the right hon. Gentleman give way?

Mr. Letwin: Before I give way, which I shall for the very last time, I should add that one has to ask how effective the Home Office will be in carrying out this task, even if one were to assume away the issue of principle and the question of whether the professionals will be demoralised.

There are many extremely intelligent and hard-working people in the Home Office. I know that they will do their best, but the record is not good. The Home Office has not proved good at administering matters, and until it improves I do not believe that there are grounds for putting our faith in that body to administer the police forces of England and Wales. Those are the three essentials of our argument.

Mr. Allen: The right hon. Gentleman is very generous in giving way. I wish to pursue the same point and ensure that he is as rigorous in his argument as he usually is. We all concede that politicians should not interfere in some operational matters. The right hon. Gentleman must surely concede that it is also just and proper for this House, its representatives and Ministers to have a hand in non-operational or strategic policing matters. To ensure that his argument is as coherent as he would like, it is incumbent upon him at some point, whether he is in opposition or even in government, to define the areas that are non-operational and strategic. Will he consider that issue, because Members on both sides of the House must confront it at some point, particularly when chief officers are consistently pressing back the boundary?

Mr. Letwin: I hope to satisfy the hon. Gentleman with this: we will consider that issue further. However, in the context of how far central control has already exceeded its limits, how far we need to rebuild local control and reassert independences already eroded, I accept that we need to think about the distinction between operational and non-operational issues.

I apologise to the House for taking so long, but I have tried to handle objections as they arise. Let me come briefly to why we remain dissatisfied with the admittedly beneficial moves that the Government have already made. We are concerned that the Bill creates a platform that will enable the Home Secretary of the day to establish greater and greater control over the police forces. The danger seems to lie not so much in the narrow interpretation of the wording, but in whether the process that is being established draws Ministers closer to the scene of the action and inevitably means that forces increasingly look to them as soon as the process is triggered.

[Mr. Letwin]

We have no problem with the principle of the Secretary of State triggering an action plan or a report. We have had some hesitations about that, but we have got over them. In our new clause and, more germanely, in our amendments to the Government amendments, we have accepted that the Home Secretary should be able to trigger an action plan for a force that is failing in the Home Secretary's reasoned opinion. That is common ground between ourselves and Liberal Democrat Members.

5.30 pm

The difficulties arise from the fact that the way in which the Government have constructed the provision, even in their new amendments, will give the initiative throughout to Ministers and will not give the police authority a separate statutory initiative. That is the critical difference between our constructions—whether in new clause 1, or in the amendments to the Government amendments—and those of the Minister. The Minister shakes his head. Perhaps we will be persuaded by his arguments, but the Secretary of State will remain at the centre of the web to a considerable degree given the way in which he has drafted his amendments.

In the Secretary of State's new version, proposed new section 41A of the Police Act 1996 will read:

> "The Secretary of State may direct the police authority responsible for maintaining the force to submit to the Secretary of State a plan for taking remedial measures."

What is going on here—the Minister has said this on the radio—is that he is using the concept of direction to make the police authority send something to him. The initiative will lie with the Secretary of State. The Secretary of State will continue to be a party with whom the authority—hence, indirectly, the police chief—will negotiate.

Subsection (7) will state:

> "On considering an action plan submitted to him in accordance with a direction under this section the Secretary of State may if he is of the opinion that the remedial measures contained in the action plan . . . are inadequate, notify the police authority and the chief officer of the force in question of that opinion and of his reasons".

Yet again, the Secretary of State will take the initiative. If he does not like what he gets, he will go back for more. I am not saying that any of that is malign. I am saying that the Government amendments will not quite distance Ministers from the preparation of the action plans, which is what we are trying to achieve, in contrast to the Government.

Mr. Douglas Hogg (Sleaford and North Hykeham): I am following my right hon. Friend's argument. I do not want to be unduly critical of him, but even if he considers new clause 1, does he not realise that, in fact, the initiative lies with the Home Secretary and that on receipt of a copy of the report from the Home Secretary, the police authority

> "shall require the chief officer"

to carry out remedial work of various kinds? Surely it would be better by far to give the police authority only an ability to direct the chief officer. In other words, the police authority should not be obliged to act on the Home Secretary's instructions.

Mr. Letwin: My right hon. and learned Friend usefully chides me. We have long and hard considered that issue. I have to admit, to my undying shame and before the conscience that my right hon. and learned Friend constitutes, that we have made concessions to the positions that Ministers have taken in pursuit of consensus. I accept that, but I am conscious that this is an important Bill and that ping-pong between the House and another place is to be avoided if at all possible.

We have consciously gone out of our way in drafting the new clause to make moves towards the Government's position, as they have tried to make moves towards ours in their amendments. I accept my right hon. and learned Friend's point that we have perhaps gone further than we would have wished as a result, but my point is that the Government amendment presses that issue further. It is more true in their amendments than in our new clause or than in the clause as amended by our amendments to the Government amendments that the Secretary of State is a player, an actor in the drama.

Our fear is that a Secretary of State, who is already endowed with great powers to influence by virtue of the powers of the purse string, will be able, if he is an actor in the drama, to be the playwright or the producer, too. Rather than merely being an actor, we fear that he will turn himself, by dint of his great financial powers, into—if I may adopt another metaphor—the puppeteer.

That danger takes us straight back to all three questions that we raised: the question of principle; the question of deprofessionalisation; and the question of whether the Home Office will be good at administering. We want to try to make sure that we do not let the Bill become a platform for the Secretary of State to become involved, as the puppeteer, in a vital dimension of policing. When Ministers consider the matter further, as we progress to the next stages of the Bill, I hope that they will go one step further and accept either our amendments to the Government amendments or something very similar.

Mr. Denham: As this is a substantial group of Government amendments, it may help—although I am never quite sure about the conduct of this type of debate—if I set out the Government's position, so that the parameters of the debate are clear. It is probably true that the level of personal respect between my right hon. Friend the Home Secretary and the right hon. Member for West Dorset (Mr. Letwin) is about as high as one gets between two different Front-Bench teams. This has not been one of the right hon. Gentleman's best afternoons so far, however, and I cannot say that he brought to these issues the clarity to which we have often been used in previous debates.

In summary, the right hon. Gentleman did two things. He spent about 20 minutes—albeit that he spent much of it answering interventions—dealing with a figment of his imagination: the fantasy that everything in the Bill, by implication, represents the Home Secretary's desire to run everything from Whitehall, nationalise the police force and so on. By and large, he avoided dealing with the issue of substance in the narrow circumstances that are covered by the Bill. I will return to that in a moment. Nothing in the issues that we are debating or in the Government amendments provides the platform that the right hon. Gentleman says that he wants to resist. They deal with a narrow set of circumstances, and do not enable a Home Secretary to build on that outside them.

The right hon. Gentleman was concerned about deprofessionalisation. One reason why there is such widespread support in the police service for the great thrust of the police reform White Paper and the Bill is that it will bring about the best and most widespread professionalisation—and further professionalisation—of the police force for many years. Everything in the reform programme—the support for the police service and for the national centre of policing excellence, which is part of Centrex, the agreement with the Association of Chief Police Officers about how it will chair the steering committee that oversees its work programme and professionally validates codes of practice, and our commitment to the development of professional skills in investigation, leadership development and training—points to a Government who admire the professionalism of our police service and who want to work with it to extend that professionalism. We need to be judged by what we are doing rather than by the right hon. Gentleman's fears, which I do not accept.

I want to address the specific issue, as the Opposition's position on it is still far from clear. The entire purpose of the intervention power is to cater for the exceptional circumstances in which a force or part of a force fails to provide the quality of service that local communities have the right to expect. It is common ground that the chief officer and the police authority are in the front line of addressing problems of poor performance. We would expect them to take the necessary remedial action. We have made it clear that the measures in clause 5 would be a last resort or long stop if existing mechanisms had failed to deliver the required improvements in service.

I suppose that the one thing that I can be pleased about after this long parliamentary deliberation is that, in the new clause, the Opposition have at last accepted, after months of denying it, that circumstances could exist in which local remedies had failed and further measures needed to be taken.

Mr. Llwyd: Although I do not expect the Minister to name names, will he tell us how many police forces in England and Wales he deems to be under-performing or not doing their work properly?

Mr. Denham: There is no list of under-performing police forces. Despite the travesty of a report in a national newspaper today, we are seeking with the police service to find a much more balanced way of assessing the performance of police forces. They frequently tell us that they are measured over only a narrow part of the wide range of activities and services that they are required to provide to the public. I will not stand here and say that I have a list of failing police forces; I do not.

When local remedies and other available mechanisms have failed, the basic principle is how we create an effective mechanism for intervention.

Mrs. Curtis-Thomas: Does my right hon. Friend agree that the Bill's purpose is to try to improve performance across all police authorities in a variety of areas? I have criticised my police authority on aspects of its operation but, in others, it is an exemplar and offers a beacon of excellence for other police authorities to follow.

Mr. Denham: I am grateful to my hon. Friend. The police service is committed to delivery and, in general, if a force recognises that its performance in a particular area is not as good as that of another force, its first instinct is to find out what the other force is doing and to go off and do it. The whole thrust behind the national centre of policing excellence and, if necessary, the codes of practice, is to have proper structures to enable a force to do that. We also want to construct something that we do not have at the moment, namely a robust system of enabling a police force or basic command unit to compare itself with another. That is lacking in the current performance indicators, and we are working on such a system.

The dilemma that we sought to address in clause 5 was what would happen in circumstances of the deep and persistent failure that I described. The Bill originally proposed a mechanism for the Home Secretary to direct a chief officer to prepare an action plan to address the identified failings. I did not, and do not, share the belief that that fundamentally challenged the tripartite structure, not least because the mechanism could come into play only when it was clear that the two local legs of the structure had failed to tackle the problems. Furthermore, given the safeguards in the original clause, which are repeated in the amendments, I do not think that the proposal was a fundamental threat to operational independence. It certainly does not—this is explicitly ruled out—involve the type of targeting of individuals that the shadow Home Secretary implied in his speech.

None the less, we need to find a way forward and we want to try to accommodate the concerns that have been raised. Provided that the House applies the following test, we can move forward: in the case of failure, will the Home Secretary have the capacity to take effective action and the ability to ensure that effective action is taken? The proposed changes, although quite radical in relation to some of our original proposals, ensure that such action can be taken. That is critical, because we must be fundamentally concerned about those members of the public who, by definition, do not receive the standard of service that they have a right to expect.

The amendments make significant changes. We accept that the trigger for intervention must be a report by Her Majesty's inspectorate of constabulary. It will sometimes delay action if adverse information has to be confirmed by the HMIC, but it is clearly a reassurance that none of the powers—the right hon. Gentleman did not mention this—can be used unless the seriousness of the situation is confirmed by the independent inspectorate. It is not a case of the Home Secretary taking open-ended powers to intervene in a force because he does not think that things are going well or he has read an adverse report in a newspaper. The independent inspectorate has to confirm the problem, and that is important.

5.45 pm

Mr. Letwin: I accept that that is an important safeguard, but can the right hon. Gentleman guarantee, in the light of the powers that we are discussing, that no informal arrangements would be made under which the Secretary of State could suggest to the police force in question that it would be a good idea to provide an informal action plan in advance of requesting the formal action plan, much as the acceptable behaviour contract is informal and the antisocial behaviour order lies behind it

[Mr. Letwin]

as a threat? Is he maintaining that the Home Office will never try to use such an apparatus to widen the scope of the powers?

Mr. Denham: I do not think that that could be done. Nothing can happen without confirmation of the problem by the inspectorate. If a Home Secretary went to a police force and said that the Department did not like what it was doing, any chief constable who was confident about the service that he was delivering and the competence of his force would know that the inspectorate would back him against the Home Secretary. We argued earlier for flexibility. The defence that has been built in is profound for a chief constable who thinks that he might be bullied, coerced or whatever—not that I think that that would happen. The chief constable knows that the Home Secretary has no power to act unless the inspectorate confirms the nature of a problem. That is important.

Mr. Allen: I hope that my right hon. Friend and hon. Members who served on the Committee will forgive me if I ask a simple question, which I am sure was covered in Committee. The action plan applies to failing police forces. It does not address the problem of forces that are failing not in an operational sense, but in a non-operational sense with regard to the strategic decisions that they take which fly in the face of the Home Secretary's responsibilities; hon. Members on both sides of the House agree that he can rightly say certain things.

My right hon. Friend will be aware that I am referring to community policing. That is a strategic, non-operational matter in its generality, yet a police force could decide not to do it. It may not be failing—operationally, it may be an effective force, and the one I have in mind is—but the chief constable of that force can happily cast community policing aside. Am I correct in saying that the Bill does not cover that problem?

Mr. Denham: My hon. Friend is not right to say that the issue is not covered in the Bill, although it is not addressed in clause 5. The clause is not intended to be used if there is genuine disagreement on how the chief constable chooses to police Nottingham. We are talking about failure arising from serious problems in the performance of a force.

The Bill allows for the development of evidence-based codes of practice. If they are given legal status, the chief officer would have to have regard to them. He would not have to follow them to the letter, however, and would have the discretion to ignore them if he felt that that was appropriate. The development of those codes of practice, agreed in the House, can take place only if evidence exists to support them. We would not want to codify the idea of having a lot of police beat officers unless there was evidence that a particular way of policing delivered that.

It is important to make it clear that our conception of intervention has always been based on the idea that a failure of outcomes by a force would concern us, and intervention is not, a priori, an attempt to regulate the inputs made by a police officer. In every part of the system in the Bill, the point at which attention will focus on how a police force operates is when there are concerns about what is being achieved for the public in reducing crime, tackling criminality and dealing with the fear of crime.

Mr. Allen: If I understand my right hon. Friend correctly, the matters that we all accept are the Home Secretary's responsibility because they are non-operational and strategic cannot be interfered with when a chief constable chooses to fly in the face of concerns, but the matters that many of us feel are operational may be interfered with, through a local action plan, if the outcomes are not those that we would like.

Mr. Denham: My hon. Friend is not following what I am saying. From its very inception, clause 5 has ruled out interference in operational matters concerning particular individuals or operations. It contains a reserve power—the power of last resort—to be used if a force, or part of it, persistently under-performs. We have to separate that in our minds from the question of whether Nottinghamshire, for example, chooses to adopt a particular pattern of community policing. The clause is not designed to enable the Home Secretary to interfere in that, nor does the Home Secretary aspire to make such decisions.

In future, where best practice is clearly set out on the basis of evidence, as would be the case with the ACPO firearms manual, for example, it will have the potential to become a code of practice, with a legal status, to which the chief constable will have to have regard. However, he will have discretion about the extent to which he wants to take it into account. I hope that I have made that point. It is important to understand the narrowness of this issue.

Simon Hughes (Southwark, North and Bermondsey): Ministers have always had informal contacts with ACPO, chairs of police authorities and senior police officers. Has any work been done that shows either that such dialogue has failed to deliver the changes in particular authorities that Home Secretaries have looked for—the hon. Member for Crosby (Mrs. Curtis-Thomas) cited one example—or that the intervention of the inspectorate has not, of itself, produced the improvements desired by the Home Secretary and the wider community? *[Interruption.]*

Mr. Denham: I am not going to follow the suggestion of the right hon. Member for West Dorset and name police forces. There is a recognition that circumstances can arise where, as a last resort, this type of intervention is necessary. I agree that one would expect intervention, the support of professional colleagues and the sharing of best practice to come into play in the vast majority of cases. Clearly, we should all rely on that process to be in the front line in improving performance. Indeed, the biggest drive towards improving performance will come from the sharing of best practice in the police force.

Mr. Llwyd: Will the Minister give way?

Mr. Denham: I have already given way to the hon. Gentleman, and I must make progress. I am taking even longer than the right hon. Member for West Dorset did. *[Interruption.]* He says that it is not possible, but we will see how long I continue. I may take more interventions later.

There is a narrow way into the power, and its use has to be confirmed by the inspectorate. That probably protects the Home Secretary, but it certainly protects the chief constable, and we have been happy to concede that change.

It is our view that the Home Secretary should be able to direct the police authority, which will in turn direct the chief officer to draft an action plan. As the right hon. Gentleman was good enough to recognise, the principle of the Home Secretary having the power to direct the police authority was established by the previous Conservative Government in section 40 of the Police and Magistrates' Courts Act 1994.

Mr. George Osborne (Tatton): Will the Minister give way?

Mr. Denham: I should like to make a little progress before we hear a quote from my right hon. Friend the Prime Minister. The hon. Gentleman is ready to go with that quote, and ultimately I will not disappoint him as he has taken the trouble to carry it around ever since the Bill was in Committee in case he got the opportunity to use it again.

As the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) has pointed out, the Opposition themselves have conceded that the police authority should have the right to direct the chief officer.

I confess to some confusion about the intent of new clause 1. It appears that the Opposition want to say that the Secretary of State should not direct the police authority, but that on receipt of a brown envelope containing an HMIC report from the Secretary of State, the police authority would have to direct the chief officer. I am not sure whether that is deliberate ambiguity or pure sophistry. Simply by cause and effect, the new clause would mean that the Home Secretary was directing the police authority. It would be better to say so, and that is what we have said in the Bill.

If the Opposition amendments are intended to create a situation where the Home Secretary can put the HMIC report in the post but the police authority can decide whether to require the chief officer to take action, that would be unsatisfactory in the narrow circumstances that we are talking about—those in which the police authority and the chief constable have, between them, failed to deal with the local problem of performance in the force. The right hon. Gentleman has got himself and his party into a tangle over the new clause.

Mr. Hogg: I rather share the Minister's criticism of the new clause. None the less, he will keep it in mind that the powers that we discussed yesterday included a power for the Home Secretary to suspend a chief officer or to cause his resignation or retirement. That, taken in conjunction with the power that we are discussing, gives the Home Secretary considerable powers to impose on the police authority an improvement plan or a change in regime.

Mr. Denham: As we discussed yesterday, I do not share that analysis because the power to seek to remove a chief officer has been in legislation since the 1960s, and suspension deals merely with the period before that process. I do not agree with the right hon. and learned Gentleman at all, although I recognise the concern as one that was raised by the Chief Police Officers Staff Association and that we need to try to address in discussions about the protocol. The measure does not achieve that fundamental shift in power to the Home Secretary which critics have identified.

Mr. Letwin: I have to say, regrettably, that the Minister's analysis of the logic begins to persuade me that we have gone too far towards his position in using the word "shall" in our amendments. Perhaps "may" would be the better word. We had hoped that we could go as far as "shall" and still preserve the idea that, because the direction from the Secretary of State would be absent, a whole series of sub-directions that could be contained in the direction would also be absent, and that we would at least have an independent police authority that was the sole source of direction.

If the Minister, on the advice that he has been able to receive, takes the view that if the police authority were given a statutory duty to direct, the Secretary of State would in effect have the same power to circumscribe the character of that direction as he would have if he had the power of direction itself, I fear that we may have gone too far. We may have to ask our colleagues in another place to move back from the position that we have established. I hope that the Minister will reflect on whether what he said was meant, or whether he was merely engaging in a playful piece of debate, because if that is the way that he reads the Bill, I will not rest content with the way in which we have tried to amend it.

Mr. Denham: This is an important exchange. It is important to clarify exactly what the Opposition are saying. I fear that if we had formulated our clause as the right hon. Gentleman has formulated his, we would have been attacked by him for attempting to take a power of direction without being clear about it.

It seems to follow logically from the right hon. Gentleman's position that, on receipt of the report, the police authority shall act. That is how we understand what he said. I do not take that to mean that the Secretary of State is dictating the content of the action plan.

I now come on to the nub of the issue. Clearly, it would be nonsense for the Home Secretary to be aware of a major problem in a police force, for that to be confirmed to him by HMIC, for HMIC to say, "I can't think of anything else to do about this force other than for us to intervene", for the Home Secretary to send all that off in an envelope to the police authority, and for the police authority to refuse to do anything about it. That would not be a tenable sequence of events.

6 pm

The issue, then—this is the third area in which we have made a significant change to our original proposal—is the content of the plan. It is clear in our proposals that the plan should be produced by the chief officer, and that it should undergo the normal consultation with the police authority that would be involved in producing, say, an annual plan, which is written by the chief officer in consultation with the police authority. If the authority wants to make changes, those must be discussed with the chief officer. That has been in the legislation for some time in respect of annual plans.

[Mr. Denham]

The amendments that we tabled remove any suggestion that the Home Secretary can dictate what is in the plan or rewrite it. They bring this part of the Bill into line with the legislation on the three-year policing plans that we discussed in Committee. The Home Secretary could comment, but could not rewrite the plan. That is extremely important. It means that the Home Secretary can make his position clear, although he could presumably always get his hands on a copy and comment. It would be much better if there were legislative provision for that. The police authority would have to consider the Home Secretary's comments, but there would be no binding instruction for the Home Secretary to specify the form in which the plan must be written.

Given that there is now common ground that, in the event of a problem being confirmed by HMIC, action must be taken, our proposals should be acceptable to the Opposition. Yes, the police authority will require an action plan, but it will have the same involvement with the action plan as it would with an annual plan. The Home Secretary will be able to comment—after all, he initiated the action—but not rewrite the plan.

That will achieve the purpose of making sure that something is done for the public. We hope that hon. Members will accept that that is a reasonable move away from the position in the original draft of the Bill, and that they will support it.

Mr. Letwin: Of course we accept that that was a major move, which we welcomed. May I draw the Minister's attention back to subsection (2) and ask him to clarify how, in his version, he imagines the original direction from the Secretary of State will be couched? As I read subsection (2), in stating that the "Secretary of State may direct" and that in that direction he may direct the force in question

"in relation to anything that the Secretary of State considers relevant to the matters as to which he is satisfied as mentioned in subsection (1)",

the subsection legitimises the Secretary of State giving a specific and detailed set of directions to the police authority about exactly what is to be contained in the action plan.

I accept the Minister's point that the action plan may not conform to that direction, and that he has removed the power that previously existed for the Secretary of State to force a revision, but he surely sees that, endowed with the powers that the Secretary of State otherwise has, a detailed and specific set of provisions about what is to be contained in the action plan is quite a different thing from circumstances in which the Secretary of State merely triggers the preparation of an action plan under the aegis of the authority.

Mr. Denham: The debate is proving useful. We have focused on a set of words that has not previously been the focus of particular attention. In drafting this part of clause 5, and in clause 4, which we discussed Upstairs, we were able to point out that we had significantly constrained the Secretary of State's powers to direct a police authority, compared with the powers given by the Conservative Government.

As we pointed out in Committee, those powers did not even require the Secretary of State to require action relevant to the problem identified by HMIC. HMIC could identify a problem relating to a collapsing drugs strategy, and the Secretary of State would be able to use the powers in the Police Act 1996 to direct the police authority to urge the chief constable to do more about road traffic. We have narrowed the remit of the Secretary of State to make sure that it is relevant to the problems identified by HMIC.

I envisage that the Home Secretary would be in receipt of a report from HMIC. It is always dangerous to speculate on such occasions, but, to help the discussion, let us assume that HMIC has concluded that a particular area is awash with class A drugs, that the chief constable refuses to devote any resources to tackling the problem, that all the interventions have failed to alter the situation, and that an effective response by the police force was therefore required. The report from HMIC would presumably analyse the problem, and probably indicate the areas in which action should be taken to address the problem.

It has been our assumption that that would be the basis of the Secretary of State's direction to the police authority. The right hon. Gentleman seems to be worried that the wording of the clause would allow the Secretary of State to add an eight-page codicil elaborating on the strategy that the police force should adopt. The right hon. Gentleman knows the evolution of the clause. Earlier drafts of this and other clauses contained explicit powers for the Secretary of State to do just such a thing. We have removed those.

We may not be able to resolve the matter sensibly on the Floor of the House tonight, but if we have narrowed that down as the area of concern, there should be a way forward that will enable the problem that has been identified to be conveyed with the power of direction to a police authority, and which enables the Secretary of State to look to the chief officer and the policy authority to respond to the report and the problems that have been identified, and subsequently allows the Secretary of State to comment, but not to rewrite the plan.

Mrs. Curtis-Thomas: On a matter of clarification regarding HMIC, can my right hon. Friend confirm that the Home Office meets members of HMIC to discuss possible audits or reviews that they might undertake?

Mr. Denham: There are now three or four elements to the inspection process carried out by HMIC. First, there are routine inspections of forces. Those seek to cover all forces over a period of time, but there is a professional process undertaken by HMIC based on what could be called risk analysis—a look at indicators to suggest where certain forces may not be performing as well as others. Secondly, there is the programme of basic command unit inspections, which are usually peer-led and carried out by another command unit's chief superintendent seconded to the inspectorate.

Thirdly, there are programmes of thematic inspections—for example, on diversity. Fourthly, there is the potential for the Home Secretary to ask for a specific inquiry into a particular area. It is fair to say that in each of those areas, there is discussion with Ministers, although in practice the basic command unit programme and the normal force programme are left to the professional discretion of HMIC. In the thematic area, there is generally some discussion. For example, discussion is currently taking place about the possible examination of domestic violence prosecutions, which would involve both the police and the Crown Prosecution Service inspectorate.

I hope that we have had a useful discussion so far. Before I sit down, I shall give way briefly to the right hon. Member for West Dorset.

Mr. Letwin: We have indeed had a useful discussion, which justifies the existence of such debates in the House. We believe that it would be extremely productive to discuss subsection (2). Perhaps we can find a route that will establish consensus by constraining the power of direction to being a power of triggering, not a power of specifying. Of course, we shall have to discuss that outside the present congregation, but I hope that we may be on the verge of a solution.

Mr. Denham: That would be helpful. We had understood subsection (2) simply to ensure that a plan leading to remedial measures would be prepared. Indeed, we removed from earlier drafts and clauses a whole set of provisions about targets, performance measures, time scales and so on, which were very much part of the power to direct what was in the plan. I will now sit down for fear of saying anything that could unravel the good progress that we have made in the past half an hour.

Norman Baker (Lewes): I have been happily listening to that interesting and useful exchange across the Floor of the House. From a neutral point of view—if one can call Members on the Liberal Democrat Benches neutral—I perceive the distinct possibility that there could be all-party agreement on how we go forward. The Minister responded thoughtfully. It was the second thoughtful statement by a home affairs Minister this afternoon. To be fair to the right hon. Member for West Dorset (Mr. Letwin), he also approached the matter thoughtfully, so plaudits all round. I am not sure whether the Government's change of heart is based on a conversion to the approach advocated by Opposition Members or on a calculation based on mathematics, a word that the Minister used yesterday in relation to the Henry VIII clause. That may be an academic point, but it is important because it underlies the Government's intentions, and those intentions will affect their legislation and their whole approach to the police reform package.

It seems a long time since we started talking in Committee about the tripartite structure. Hon. Members in all three parties agree that that is important and needs to be retained, but there is division between us on how much weight should be placed on each leg of the tripod. Under the proposed system, the tripartite structure will allow one piece—the Home Secretary—to conclude that two other pieces have failed, then to trigger action. I do not dissent from that, but it nevertheless shows that the tripod may not be evenly balanced.

As the right hon. Member for West Dorset said, when the Home Secretary moved from the Department for Education and Skills to his new post, his initial motivation was his identification of a number of problems that needed to be dealt with and his desire to deal with them in way that meant better policing and less crime. He also brought with him a sense of frustration that when matters went wrong he was the one who got it in the neck, but he did not always have the lever to pull—the phrase that he regularly uses—to correct the situation. That is a very human response. However, his subsequent logic has displayed a fundamental error—namely, that if there is a problem the answer is to take more power to the centre. That is not the answer. The hon. Member for Crosby (Mrs. Curtis-Thomas) also falls into that trap. There is no proof whatsoever that taking power to the centre will lead to better policing or a better criminal justice system. In fact, devolving power to police authorities, making them more accountable at a local level and involving communities more in the administration of the police and the criminal justice system in their area, might be far more effective in achieving the improvements that we all want.

Mrs. Curtis-Thomas: Just to clarify what I said, I am not a centralist at heart; I believe that people are best directed to run their own affairs. However, I have only to look at statistics for all the police authorities for it to be manifestly apparent that some are much more able to run their affairs than others. I fear that without external intervention that situation will continue, to the detriment of my constituents.

6.15 pm

Norman Baker: I understand the hon. Lady's position exactly, but in this case taking more power to the centre would not lead to a better situation. The fount of all knowledge does not lie in Whitehall with Home Office civil servants, no matter how elegant and elevated they may be, and nobody would suggest that they are necessarily the best-placed people to sort out the problems of Dorset, Sussex or anywhere else, which should be dealt with locally.

Ian Lucas (Wrexham): But is not the point that comparative information is held in Whitehall? It is not possible for police authorities in one part of the country to be aware of information that is held by police authorities in other parts of the country. There has to be some input from central Government to clarify comparative information.

Norman Baker: Of course it is important that best practice is shared—nobody disputes that—and that the Home Office has a role in collecting and disseminating information. It is a good idea for it to be able to say, for example, "Have you noticed what is happening in Derbyshire?"

Mr. Kevan Jones: That is not a very good example.

Norman Baker: I am not familiar with Derbyshire, so I shall instead say Sussex, which is my part of the world. There is nothing wrong with the Home Office doing that, but that is not what clause 5 proposes. The hon. Member for Crosby must recognise—

Mr. Jones *rose*—

Norman Baker: I am still answering the previous point, if I may. The hon. Lady must recognise that police statistics vary. There has not been consistency in the way in which information has been collected and collated, and the statistics may not be entirely reliable. To be fair to the Government, they are dealing with that, but we are not there yet. So it is a false premise to say that the divisions

[Norman Baker]

that the hon. Lady mentions are as wide as she says. Moreover, local policing in local areas throws up different problems. The problems of Brixton are very different from those of Sussex, so it is not fair to try to compare like with like. To return to the point made by the hon. Member for Nottingham, North (Mr. Allen), who is no longer in the Chamber, a chief constable may decide that the priority for his or her area is rather different from that for a chief constable in a different area. It is not for us as politicians to impose from the centre a blanket solution that may be inappropriate for certain parts of the country.

Mr. Jones: I asked the hon. Gentleman this question in Committee, and I shall do so again. Under what circumstances, in the Liberal Democrat wonderland in which he appears to live, would it be appropriate for the Home Secretary to intervene in a local police authority? Is he telling the House that a Home Secretary should never intervene in a police authority that was failing its local public? If so, I do not want to hear any more of his colleagues criticising the Home Secretary when local police authorities are failing.

Norman Baker: I am glad that the hon. Gentleman associates Liberal Democrats with wonderland, since wonder is something wonderful to be enjoyed. At least he recognises that. I have never said that the Home Secretary should not intervene—I would not use that word, but advise, certainly—in respect of police authority matters. Indeed, the Home Secretary can already intervene in a whole range of matters—the Police Act 1996, the Police Act 1964 and other legislation. We are not querying that—we are querying the projected extension of his powers in the Bill. That is the answer that I gave the hon. Member for North Durham (Mr. Jones) in Committee, and I give it again today. I am sorry if he does not like it, but that is the fact of the matter. It is not black and white—there is a middle road to tread, and we are arguing about how far it should go.

Simon Hughes: Further to the comments made by the hon. Member for Crosby (Mrs. Curtis-Thomas), does my hon. Friend agree that we need to consider whether police authorities are adequately responsive to their communities? Perhaps, rather than expecting the Government to solve every problem across every Department, we should look again at whether police authorities require an alteration to their structure. Already, greater influence is exerted at borough and local command unit level, which may be because people feel that the police authority structure is too remote for local community needs, which differ even within one police force area.

Norman Baker: I agree. I referred to police authorities earlier. We need to make them more accountable; that would lead to better local policing. To introduce a note of discord, a Conservative Government changed the constitution of police authorities to remove local councillors. That was a regressive step.

Local crime and disorder partnerships work well, and they have included the community. That means that local people own the agenda, and the partnerships have been successful. They constitute one of the Government's better initiatives on crime.

Let me consider the substance of the new clause and the amendment before I become too distracted and take up too much time. I have not taken as much time as the other two Front-Bench spokesmen, and I shall not try to match them. I genuinely welcome the Government's attempt to tackle the problem through the amendment; it would be churlish not to do that. Whether it constitutes tactics or a change of heart, they have proposed a solution that is better than the original proposal, and it would be wrong not to say that.

It is especially welcome that the Government have taken account of points that my hon. Friend the Member for Mid-Dorset and North Poole (Mrs. Brooke) and I made in Committee about triggering the intervention. That is important. As the Minister knows, I was worried that the police standards unit, which is an offshoot of the Home Office and therefore not independent, could trigger the mechanism. That was wrong, and the Government have limited the power to Her Majesty's inspectorate of constabulary, which is widely perceived as independent, responsible and serious. That is welcome and I thank the Minister.

Involving the police authority is also welcome. The train continues to go from London to Newcastle, but it now stops at York on the way. It did not do that previously. That is a welcome change.

The right hon. Member for West Dorset mentioned clause 2. It was not discussed extensively in Committee, but perhaps the value of Report is the opportunity that it grants to reflect on the progress of the measure up to a specific point. There is not much to sort out to make the provision acceptable, and I hope that the Minister will accept those comments as a positive sign.

I was about to say that the hon. Member for Nottingham, North made a speech that was punctuated by remarks from both Front-Bench spokesmen, but that would be unkind because he is not here. He knows that I have tremendous respect for him. He talked about operational measures, which, to some extent, go to the heart of the Bill. It is proper for the Home Secretary or any other Member of Parliament to try to influence the chief constable of a specific area and draw matters of public anxiety to his or her attention.

Any chief constable who has not taken note of exchanges on the Floor of the House on street crime, for example, in a recent Prime Minister's Question Time, is unwise. The public are worried about street crime and it is legitimate to expect the chief constable to respond to the agenda and take account of it operationally. However granting the Home Secretary power to require the chief constable to take action, especially action that the latter believes to be inappropriate for the area, is a different matter. It is a good move to remove that power.

I want others to have the opportunity to contribute and I have therefore kept my remarks brief. The new clause has merit and the issues should be considered further. One or two matters need to be ironed out before we are completely happy, but I welcome the steps that the Minister has taken through the amendments, which go a long way towards tackling our legitimate anxieties.

Mr. Kevan Jones: This afternoon and in Committee, we heard much from Conservative Members about political control of operational policing. The right hon. Member for West Dorset (Mr. Letwin) made the extraordinary statement that it was important to keep politics out of local policing. In Committee, the Opposition tried to suggest that the Bill was all about giving the Home Secretary more direct control over local policing and police authorities. It is not; the Bill's purpose is to improve standards and solve the problem that my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) highlighted earlier: the disparity between different police authorities. People are asking about the reasons for the disparities and why people are not acting locally to tackle the matters that worry them.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): I am interested in the hon. Gentleman's comments. He appears to lack confidence in the power of local opinion. Perhaps he has some ideas about ways in which to strengthen it. Throughout our proceedings, my hon. Friend the Member for Lewes (Norman Baker) and I have emphasised the need for more consultation. Through more effective consultation on all the strategic plans and empowering the local community more, we can strengthen local people's power to get the policing that they believe they need. Will the hon. Gentleman comment on that?

Mr. Jones: I am grateful for that intervention. I agree with the hon. Member for Southwark, North and Bermondsey (Simon Hughes) that we should discuss reform of local police authorities, but the Bill does not cover that. The Liberal Democrats try to present a utopian vision of local police authorities that are somehow in touch with what happens locally or are representative. I cannot accept that.

The hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) is a genuine person, who comes over as my favourite aunt Mabel because she views the world through rose-tinted spectacles. However, life is a little harsher. People disagree about the way in which areas should be policed.

Let us revert to political control of the police, which has constituted the main opposition to the Bill. We need to remind Conservative Members of their origins. I accept that they are on a long political journey in the wilderness and that they have to devise policies on a range of issues, but the right hon. Member for West Dorset talked about taking politics out of policing.

Like the hon. Member for Lewes, I remind Conservative Members that a Conservative Government interfered directly in police authorities in 1994, when they reduced the number of county councillors who served on them. They also provided that the Home Secretary had a direct influence on appointments to police authorities. We need look no further than 1994 and the Conservative Government for an example of introducing politics into local policing.

Mr. George Osborne: The hon. Gentleman referred to the Police and Magistrates' Courts Act 1994. He will recall that the Opposition spokesman was the right hon. Member for Sedgefield (Mr. Blair), now the Prime Minister, who said that

> "the Bill represents the most determined and least popular attempt ever made to centralise policing in Britain".—[*Official Report*, 26 April 1994; Vol. 242, c. 122.]

The powers that the Bill grants the Home Secretary go far beyond those in the 1994 Act. The hon. Gentleman talks about the origins of the Conservative party; what are those of the Labour party?

Mr. Jones: I am grateful for that intervention because the hon. Gentleman gave an example of a Conservative Government changing local operational methods and placing political appointees on police authorities to control the direction of local policing. Those provisions were far stronger than the measure that we are considering. We are discussing not political control, but improving standards. That will be popular with the public, certainly in my constituency.

We must accept the Government amendment and ensure that the Home Secretary rightly has the power to intervene to help local people when police authorities are failing. It is no good Opposition Members, including the right hon. Member for West Dorset, criticising the Home Secretary or any Minister when people complain about local policing.

Mr. Hogg: I shall comment briefly on new clause 1. Subject to an amendment, which I shall support and at which my right hon. Friend the Member for West Dorset (Mr. Letwin) hinted, new clause 1 offers a way forward.

I do not believe that it is right to grant the Home Secretary the right to impose an action plan on a police authority. Many years ago, I had an opportunity to perform the functions that the Minister now undertakes. For some 12 months, I was responsible for the police service. In any event, I worked at the Home Office for almost two years, or slightly longer. Much as I hold Home Office officials in my regard, I do not think that they are terribly well placed to determine local policing needs. They have a remoteness and, indeed, a lack of accountability that seems to me to constitute an objection both in practical terms and in principle. On the other hand, I have no objection at all to the Home Secretary responding to advice from the inspectorate and drawing to the attention of the police authority problems that have been highlighted in an inspector's report.

6.30 pm

I would therefore draw on new clause 1 to enable the Home Secretary to send the relevant papers to the police authority and perhaps make suggestions in a form of notice, but allow the authority the ability to determine whether an action plan should be introduced and the contents of such a plan. In other words, the essential decisions should be made by the police authority, albeit that its attention should be directed to the issue by the Home Secretary.

Mr. Kevan Jones: I accept the logic of the right hon. and learned Gentleman's argument, but what would happen if the police authority decided to do nothing and take no action?

Mr. Hogg: That is a perfectly fair point. Indeed, I was about to deal with it, but before I do so, I should like to back-track for a moment and draw attention to the fact that, as I told the Minister, we have given the Home Secretary power to require the resignation, retirement or suspension of the chief police officer. I would be rather

[Mr. Hogg]

surprised if the circumstances that we are contemplating as justifying the triggering report from the Home Secretary would not also justify serious consideration in terms of the desirability of causing the chief police officer to retire or resign. In other words, there will be a second sanction if the police authority simply refuses to act.

The hon. Member for North Durham (Mr. Jones) asked what would happen if the police authority decided to do nothing. I should like now to do something that I do not usually do and take up a point made from the Liberal Democrat Benches. I notice that he is making faces; I share his sense of distaste. However, the hon. Member for Lewes (Norman Baker), with whom I do not generally agree or associate myself, made a point of some substance in saying that the police authority's accountability to the local community should be reinforced. I agree with that view. I think that this House should seriously, but perhaps in slower measure, debate how the police authority can be made more accountable to the local community. It is increasingly my belief that in order to deal with such problems, we should not take more centralised powers, but try to devolve decision-making processes downwards.

I am not being dogmatic—at least, not on this occasion, you will be pleased to know, Madam Deputy Speaker—but I would have thought that some process of election should seriously be considered. Whether one would confine it to the chairmanship or membership of the police authority is a matter for debate. However, in answer to the question asked by the hon. Member for North Durham, I point out that, if the police authority did nothing, it would have to account to the local community for that decision. If it felt that its local community would support such a decision, the proper process of accountability and local government would be involved.

Mr. Jones: This would be a horrible moment in anyone's political career: I think that I agree with right hon. and learned Gentleman, about the need for local police authorities to be more accountable. I have argued previously for the introduction of direct elections, but he was a member of a Government who introduced measures to reduce the number of local councillors on the authorities. Did he argue against the policy at that time?

Mr. Hogg: I suspect that I was a Minister at the time and that I did not have any particular responsibility for that decision. The truth is that as a Minister or a party member, one is associated with many decisions that are made collectively and of which one does not wholly approve. I have argued many opinions in my party both now and in the past which have not accorded with the general view. I usually just get along with it. I do not spend my time resigning; I am a practical man. I do not know the answer to the hon. Gentleman's question, but I am not in the least embarrassed to say so.

I should like to wrap up my remarks, mainly because I want to hear the speech of my hon. Friend the Member for Tatton (Mr. Osborne) and, indeed, that of the hon. Member for Crosby (Mrs. Curtis-Thomas). New clause 1 provides the way forward, but the word "shall" should be removed from proposed subsection (3) and replaced by the word "may". I hope that, in due time, we will be in the business of making police authorities more accountable.

Mrs. Curtis-Thomas: I welcome the amendments that relate to directions to chief officers. I make my speech not only as the Member of Parliament for Crosby, but as chairman of the all-party group on abuse investigations.

In the past few years, I have lost count of the number of complaints that I have received about policing in my area. In the past four years, I have received hundreds of complaints about police practices and procedures in relation to abuse cases throughout the UK. As a consequence, I have made it my business to find out about the huge variation of police performance throughout the UK.

I should like to refer to a remark made by the right hon. Member for West Dorset (Mr. Letwin), who asserted that the Home Office was seeking to create a platform on which it would have greater control over police operations. I cannot accept that phraseology, as I regard the amendments related to chief officers as a development of section 40 of the Police Act 1996, which was, as he will be aware, introduced by the previous Conservative Administration. Indeed, that Act established the relationship between the Secretary of State and the inspection.

It has been suggested that the enhanced relationship that will flow from the provisions will not enable police authorities to resolve performance inefficiencies or ineffectiveness. I wish that I had found substantial evidence in every police authority to show that either the police, the chief constable or the authority had undertaken of their own volition significant process review or analysis, but I am afraid that that is not the case; otherwise, I believe that we would see year-on-year improvements in areas of operational effectiveness. We do not see such improvements, however, as the limited statistics available on police performance clearly indicate.

I accept the view of the hon. Member for Lewes (Norman Baker), who is not currently in his seat, that the statistics may not be accurate. Frankly, however, no other information is available to me at this time that I can use to compare and contrast what is happening in police authorities throughout the UK. Furthermore, I do not believe that the measures will undermine police authorities that are striving continuously to improve. The measures are being introduced to facilitate improvements in authorities that give cause for concern.

I regard the amendments as absolutely vital and as an important step towards ensuring that my constituents receive the very best of services, given that the police precept on Merseyside is one of the very highest in the UK.

Mr. Llwyd: I shall address the House very briefly, as I know that other hon. Members wish to speak.

I fully support what the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) said. I do not have any sense of shame in expressing my agreement with people who speak sense; perhaps I am not tribal enough for this place.

Mr. James Paice (South-East Cambridgeshire): But you are Welsh.

Mr. Llwyd: Perhaps I am different from the norm; my wife says so occasionally.

Much has been said about the Home Secretary's tenure of the education brief. Yes, there was a shake-up; league tables were introduced, heaven knows how many forms had to be filled in and so on. Last week, there was a huge lobby of Parliament by teachers who feel that they are doing far too much paperwork and far too little teaching. Parts of the Bill are good, but there is a tendency towards centralisation and allowing the centre to become too involved in policing.

I was interested in the Minister's response to a question that I asked, in which he said that there was no list of under-performing forces. The hon. Member for Wrexham (Ian Lucas) said in an intervention that we need some form of procedure to collect and collate information, but the Home Office can already do that. There is no doubt about it; it not only already does so, but it tries to compare like with like. It is not a perfect science, but the north Wales forces are linked with another eight or nine semi-rural forces. That is what currently happens.

A note of caution has to be sounded. Policing difficulties will vary from one area to another. It goes without saying that the problems of rural areas are quite different from those of populous areas. Strains occur when there is an unusually high incidence of violence or of class A drug use, for example. It is, therefore, difficult to compare like with like. As the right hon. and learned Member for Sleaford and North Hykeham said, we need to bring more pressure to bear to democratise police authorities. That is the way forward.

We heard from the Minister about codes of practice, but they can be ignored by a chief constable, using his or her "discretion". It seems bizarre that any code of practice can be ignored at someone's discretion. If a chief constable decides to employ that discretion and regularly ignore a code or codes of practice, who will decide whether that discretion is well founded and has been properly exercised? This proposal is a bizarre notion.

Although the Bill contains good parts that I fully support, I cannot do other than to say that, under its provisions, as Lord Carlisle of Bucklow said in the other place, we shall be

> "moving by stealth . . . unnoticeably and slowly towards a national police force".—[*Official Report, House of Lords*, 5 March 2002; Vol. 632, c. 156.]

That will be of no use to any of us. Different policing areas of the United Kingdom have different priorities. Those priorities vary widely within Wales and within England, and so it will be. It will not be possible to introduce any real uniformity. No hon. Member in any part of the House can possibly be against driving up standards. Common sense dictates that we need to maintain proper standards, that we need proper scrutiny of the processes, and that we have the highest possible standards, but bringing the dead hand of central Government to bear will do nothing to achieve that.

The right hon. Member for West Dorset (Mr. Letwin) referred to the historical perspective. I am not viewing this just from an historical perspective; the system seems to have worked fairly well up until now. Yes, some police forces do better than others, but the solution is more a question of people putting their heads together, of educating—in the proper sense; I do not want to be offensive in any way—and of ensuring best practice. That is the way forward. Allowing too many powers of intervention from the centre will achieve nothing at all. Indeed, it is a worrying tendency.

Mr. George Osborne: I have enjoyed this debate, and I can certainly testify to the fact that my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) often disagreed with other members of the Government when he was a Minister, and that they often disagreed with him, because I was his special adviser and sometimes had to pick up the pieces. As a new Member in this place, I have enjoyed watching the negotiations taking place across the Dispatch Box. It has been like watching a Fischer-Spassky chess game. I am not sure who has been checkmated at the end of it, but I have enough confidence in my right hon. Friend the Member for West Dorset (Mr. Letwin) to hope that it is not us.

The Government have introduced some significant and welcome concessions on issues that were the subject of lengthy discussions in Committee, particularly those involving the police authorities and, above all, those involving the trigger mechanism for the power of the Home Secretary to intervene and direct chief constables. The concessions significantly improve the relevant clause, and, indeed, the whole Bill, which would otherwise—according to virtually every organisation in the country—have given the Home Secretary sweeping powers to direct the police and undermine the now-famous tripartite relationship that guarantees the independence of the police from the politicians of the day.

To return to the point that I made earlier to the hon. Member for North Durham (Mr. Jones), the fact that the Government introduced the clause in the first place says much about the way in which the Labour party has changed. I have been reading the Second and Third Reading debates of what became the Police and Magistrates' Courts Act 1994—they have been close to my bed as I have gone to sleep each night—and it is remarkable to see how the Government have changed their tack. The Opposition spokesman at the time, the right hon. Member for Sedgefield (Mr. Blair), now the Prime Minister, said on Third Reading:

> "The difference between the two of us is that, while the Home Secretary wants objectives to be set centrally by central Government, the police, the Opposition and virtually everyone else believe that they should be set by local people."—[*Official Report*, 5 July 1994; Vol. 246, c. 272.]

He also said, on Second Reading:

> "The people of this country do not want a centralised police service, under a Conservative or any other Government."—[*Official Report*, 26 April 1994; Vol. 242, c. 130.]

He was right, at the time. He was a pretty good shadow Home Secretary, as Conservatives remember to our cost. The Labour party seems to have forgotten all that in the intervening years, amid the pressures of government.

6.45 pm

Mr. Kevan Jones: I know that, back in 1994, the hon. Gentleman was just a humble spin doctor, but, if he had been a Member of Parliament, would he have voted to reduce the number of councillors on police authorities and to allow the Home Secretary to have a direct input into the appointment of independent members of those authorities?

Mr. Osborne: I would probably have voted in the way that my Whips had instructed me to do—as, indeed,

[Mr. Osborne]

will the hon. Gentleman tonight. I remember—as I am sure he does, because he was a spin doctor for a trade union; there are different career paths for those in the Labour and Conservative parties—that, at the time, the Labour party was advocating wholly elected police authorities. I do not see a provision for that in the Bill, but times change and we move on.

I still fear that the Bill is a little too interventionist and centralist, but it is in the nature of politics to compromise and make concessions to make progress, so I shall wait to see the outcome of the negotiations. I have been interested to watch the chess game taking place across the Dispatch Box, and I shall await instructions from my pager.

Mr. Letwin: I should begin by repeating the statement that I made in response to the exchange that the Minister and I had a little while back, which was that these proceedings have justified the process that we go through in Parliament of gradually teasing out the issues. It is enormously welcome that the Minister has suggested the possibility of having at least a circumscribed discussion about alterations to his proposed amendments. I hope that, by those means, we can achieve some consensus—if not here tonight, at an early date in another place—that will enable the Bill to move forward.

The other feature of this evening's discussions that has been very interesting was highlighted by my hon. Friend the Member for Tatton (Mr. Osborne) a moment ago. There is no doubt that the underlying theory here—so far as both the principle and the practice are concerned—has reversed itself. There was a time when the Labour party believed that there was a real argument for localism—at least in the context of policing, if not of many other issues. There was also a time when the Conservative party believed that there was much to be gained—on this issue, if not on many others—by trying to bring about more effectiveness from the centre.

The present Labour Government have become more and more disenchanted with long-term strategies to create sustainable structural solutions that will bring about sustainable improvement through local pressure and professional independence. They have also become more and more enchanted by the idea of taking action from the centre. At the same time, as the Conservatives look back on the many difficulties that we experienced in achieving results from the centre, on the great advances that we made in the many areas that we liberated to operate more independently of the centre, and on the sustained failure of the Government over five years to achieve improvements in many domains—stretching from education to the Home Office—through increased intervention, we have become increasingly sceptical of the value of centralised intervention and increasingly attentive to the long-term sustainable advantages of localism. That is a most interesting shift in the character of politics. The only difference is, to my mind, that we were once mistaken in this area and generally right, although we are now right in this area, whereas the Government, having been generally wrong but right in this area, have added this area to their list of wrongness.

That is a pity, although it is interesting as a matter of reflection. The good news is that we may be able to reach a consensus on a position very far removed from that at which the Government began, as the Minister rightly and gallantly said. We may be able to achieve enough to prevent the Secretary of State from being what I described as the puppeteer, though one will have to consider the matter in practice. We shall know whether we have done enough to guard against that only when we see how the thing plays out, and we may have to return to the issue.

Mr. Hogg: I am grateful to my right hon. Friend for drawing the House's attention to the fact that both parties have changed their view and to the relative merits of centralism and localism. The truth is that all Governments find that it is difficult to delegate downwards because they get blamed for the mistakes made by the devolved authorities. Should not all Governments be ready to distance themselves from decisions made locally simply by saying that such is the nature of devolved administration? Governments should not seek to control the minutiae of policy where that is properly left to local authorities of one kind or another.

Mr. Letwin: I am persuaded by my right hon. and learned Friend's argument. That is a logic that we, in government, amply demonstrated and implemented in another sphere. There is no doubt that we leapt over how the Department of Trade and Industry could take responsibility for the performance of the whole of British industry, or a substantial part of it, without controlling or owning it by denying the validity of that question through privatisation and the removal of the Department's effort to take responsibility for the performance of any large part of British industry. In doing so, we admitted the long-term sustainable advantages of the marketplace compared with the long-term unsustainable disadvantages of centralised control. That is where we are now in relation to the new clause, in a quite different domain in terms of policing.

I might say, Madam Deputy Speaker, that you have been peculiarly forbearing in not stopping me during that excursion, which was a propos the precise details of the new clause, although it is relevant to understand the conceptual framework being discussed in this interesting and useful debate. I hope that you will permit us to press not new clause 1—much as I am attached to it, I recognise that it represents a position that the Minister is unlikely to accept, all the more so in respect of "shall" rather than "may"—but amendment (a) to Government amendment No. 111 to signify that, as it stands, we are not satisfied that the amendments go far enough.

However, we enter the proviso that we are more than willing to discuss with the Minister, in some detail and in the spirit of co-operation, and as he so generously suggested, how we could further amend the amendments to the amendments to reach the point at which there is consensus in another place.

Mr. Denham: I am grateful to the right hon. Gentleman for his comments, but I do not accept his description of the debate's conceptual framework. I do not accept that one political party started on a journey from Newcastle to London while the other started on a journey from London to Newcastle and that they are about to cross somewhere in the vicinity of Grantham.

One of the myths surrounding the Bill is that it is overbearing centralism from a party that used to believe in localism. Once the Bill is out of the way, once we see how the police reform process works in practice and as we develop a more effective performance assessment system—my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) mentioned that—and best professional practice in the police service, we shall see the virtue of the highest quality of local professional leadership supported by police authorities in a national framework that provides a clearer, more coherent approach to national policing priorities and the need for forces to work together. That is what we have set out to achieve, not overbearing centralism. In any case, the debate on the new clause is essentially about a much narrower set of circumstances.

Provided that the Secretary of State is able to direct a police authority to take action, there is room to discuss the wording of the direction, as we suggested earlier. That is helpful. It is important to remember that there is a real advantage in making progress on the Bill. People out there in local communities, local police forces and local authorities want to be able to implement many measures at the earliest possible opportunity, not least those on antisocial behaviour orders and on community support officers, which the Metropolitan police are already recruiting. The debate on such issues and on how we can proceed has been valuable, and we shall discuss those other measures in more detail in a few moments.

Interesting concepts have been introduced to the debate. The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) referred to the non-tribal nationalist, which is a new one on me, but we shall work on it. My hon. Friend the Member for Crosby referred to performance assessment in the police service, and she will follow events with interest as we develop the broader and more balanced approach to it that was flagged up in the White Paper and which is being discussed with the police service.

The hon. Member for Tatton (Mr. Osborne) tried to set out how the Government have changed their position since the Bill was introduced. I must say in return that when the Bill was introduced the Conservative party was denying the existence of any problems that might require the powers of intervention that we have discussed tonight, so there has been movement on both sides.

My hon. Friend the Member for North Durham (Mr. Jones), the hon. Member for Lewes (Norman Baker) and others took us into an area of debate that is not, strictly speaking, to do with the new clause, as it involves the nature of police authorities. That debate will continue, but it is the Government's view that this is not the time to change the composition of police authorities. However, let me say on the record once more that we recognise their important role in the tripartite structure. If the changes that we propose provide reassurance that there is no threat to that structure—undoubtedly, the Association of Police Authorities and police authorities themselves will see the matter that way—that is welcome.

We have had a useful debate on an important and controversial part of the Bill. It is good that we continue to make progress even at this late stage, and the powers that the public want to be available should be available in, I hope, the not too distant future. With that, I urge the House to resist the new clause. In turn, I hope that our amendments will be accepted, as we need them so that they can be reconsidered in another place. Otherwise, there will be no change to address. We recognise, however, that we need to examine some of the drafting.

Mr. Letwin: I hope that the Minister accepts that it has never been our intention to have the Bill jettisoned. We have always sought to achieve a consensus sufficient to allow the legislation, which is, in the main, beneficial, to proceed.

Mr. Denham: I accept that. Although the elected Government enjoy a considerable majority in the House of Commons, they do not enjoy a majority in the House of Lords, which gives the Lords majority real power and a real say. That should not be pushed to the point at which Bills are destroyed, however, so sensible discussion of these matters is very helpful indeed.

Mr. Letwin: I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

It being Seven o'clock, MADAM DEPUTY SPEAKER, *put forthwith the Questions necessary for the disposal of proceedings to be concluded at that hour, pursuant to Order [this day].*

Clause 5

DIRECTIONS TO CHIEF OFFICERS

Amendments made: No. 109, in page 5, line 38, leave out from "where" to first "the", in line 41, and insert—

'a report made to the Secretary of State on an inspection under section 54 states, in relation to a police force for a police area—

(a) that, in the opinion of the person making the report,'.

No. 110, in page 5, line 43, after "that" insert—

', in that person's opinion,'.—*[Mr. Heppell.]*

Amendment proposed: (a) to Government amendment No. 111, in line 1, before "chief", insert "may direct the".

The House divided: Ayes 190, Noes 305.

Division No. 303] **[7 pm**

AYES

Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Baron, John
Barrett, John
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L
Browning, Mrs Angela
Bruce, Malcolm
Burnside, David
Burt, Alistair
Butterfill, John
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Chope, Christopher
Clappison, James
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gillan, Mrs Cheryl

Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David
Hermon, Lady
Hoban, Mark
Hogg, Rt Hon Douglas
Holmes, Paul
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Laws, David
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury)*
Mawhinney, Rt Hon Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam
Prisk, Mark
Pugh, Dr John
Randall, John
Redwood, Rt Hon John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Weir, Michael
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim
Young, Rt Hon Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Charles Hendry and
Mr. David Wilshire.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Rt Hon Kevin
Battle, John
Begg, Miss Anne
Bell, Stuart
Bennett, Andrew
Benton, Joe
Berry, Roger
Blackman, Liz
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Burgon, Colin
Burnham, Andy
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hodge, Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David

Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John
(Glasgow Anniesland)
Robinson, Geoffrey *(Cov'try NW)*
Rooney, Terry
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Sutcliffe, Gerry
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Fraser Kemp and
Mr. Jim Murphy.

Question accordingly negatived.

Amendment made: No. 111, in page 6, line 1, leave out—

'chief officer of police of'

and insert—

'police authority responsible for maintaining'.—*[Mr. Heppell.]*

Amendments made: No. 112, in page 6, line 2, leave out "prepare and".

No. 113, in page 6, line 6, leave out from beginning to end of line 8.

No. 114, in page 6, line 8, at end insert—

'(3A) If a police authority is directed to submit an action plan, that authority shall direct the chief officer of police of the force in question to prepare a draft of it and to submit it to the police authority for that authority to consider.

(3B) The police authority, on considering a draft action plan submitted to it under subsection (3A) may submit the plan to the Secretary of State, with or without modifications.

(3C) If the police authority proposes to make modifications to the draft of the action plan submitted under subsection (3A), it must consult with the chief officer of police.'.

No. 115, in page 6, line 10, leave out from "may" to end of line 16 and insert—

', if he is of the opinion that the remedial measures contained in the action plan submitted to him are inadequate, notify the police authority and the chief officer of the force in question of that opinion and of his reasons for it.

(4A) If a police authority is notified under subsection (4)—

(a) it shall consider, after consultation with the chief officer of the police force in question about the matters notified, whether to revise the action plan in the light of those matters; and

(b) if it does revise that plan, it shall send a copy of the revised plan to the Secretary of State.'.

No. 116, in page 6, line 17, leave out "chief officer of any" and insert—

'police authority responsible for maintaining a'.

No. 116, As Amendments to Mr. Secretary Blunkett's proposed Amendment (No. 116) (Page 6, line 17 [*Clause 5*]):

No. 117, in page 6, line 18, leave out "police authority maintaining" and insert—

'chief officer of police of'.

No. 117, As Amendments to Mr. Secretary Blunkett's proposed Amendment (No. 117) (Page 6, line 18 [*Clause 5*]):

No. 118, in page 6, line 20, leave out from beginning to end of line 21 and insert—

'(6) The period within which a direction to submit an action plan must be complied with is such period of not less than four weeks and not more than twelve weeks after it is given as may be specified in the direction.'.

No. 119, in page 6, line 23, leave out "or resubmitted".

No. 120, in page 6, line 25, leave out from beginning to end of line 29 and insert—

'(a) provision setting out the steps that the police authority proposes should be taken in respect of the matters to which the direction relates and the performance targets the authority proposes should be met;

(b) provision setting out the authority's proposals as to the times within which those steps are to be taken and those standards to be met and the means by which the success of the plan's implementation is to be measured;'.

No. 121, in page 6, line 30, after "reports" insert—

'to the Secretary of State'.

No. 122, in page 6, line 31, leave out from "plan" to end of line 32.

No. 123, in page 6, line 37, leave out—

'to direct the inclusion in an'

and insert—

'or a police authority to direct the inclusion in an action plan or draft.'.

No. 124, in page 6, line 41, leave out from beginning to end of line 44.

No. 125, in page 6, line 46, leave out "or resubmission".

No. 126, in page 6, line 47, leave out "or resubmission".

No. 127, in page 7, line 2, at end insert—

'(10A) A police authority shall comply with any direction given to it under this section.'.

No. 128, in page 7, line 4, at end insert—

'(11A) Nothing in this section or in section 40 prevents the Secretary of State in the case of the same report under section 54 from exercising (whether in relation to the same matter or different matters or at the same time or at different times) both his powers under this section and his powers under section 40.'.

No. 129, in page 7, line 16, leave out "chief officer" and insert "police authority".—*[Mr. Heppell.]*

Schedule 1

POWERS OF THE SECRETARY OF STATE IN RELATION TO NCIS AND NCS

Amendments made: No. 131, in page 106, line 2, leave out from "where" to first "the", in line 4, and insert—

'an inspection report made to the Secretary of State states—

(a) that, in the opinion of the person making the report,'.

No. 132, in page 106, line 6, after "that" insert—

', in that person's opinion,'.

No. 133, in page 106, line 10, leave out—

'Director General of NCIS to prepare and'

and insert "NCIS Service Authority to".

No. 134, in page 106, line 15, leave out from beginning to end of line 18.

No. 135, in page 106, line 18, at end insert—

'(3A) If the NCIS Service Authority is directed to submit an action plan, that authority shall direct the Director General of NCIS to prepare a draft of it and to submit it to the NCIS Service Authority for that authority to consider.

(3B) The NCIS Service Authority, on considering a draft action plan submitted to it under subsection (3A) may submit the plan to the Secretary of State, with or without modifications.

(3C) If the NCIS Service Authority proposes to make modifications to the draft of the action plan submitted under subsection (3A), it must consult with the Director General of NCIS.'.

No. 136, in page 106, line 20, leave out from "may" to end of line 27 and insert—

', if he is of the opinion that the remedial measures contained in the action plan submitted to him are inadequate, notify the NCIS Service Authority and the Director General of NCIS of that opinion and of his reasons for it.

(4A) In forming an opinion for the purposes of subsection (4), the Secretary of State must consult with the Scottish Ministers.

(4B) If the NCIS Service Authority is notified under subsection (4)—

(a) it shall consider, after consultation with the Director General of NCIS about the matters notified, whether to revise the action plan in the light of those matters; and

(b) if it does revise that plan, it shall send a copy of the revised plan to the Secretary of State.'.

No. 137, in page 106, line 28, leave out "Director General of NCIS" and insert "NCIS Service Authority".

No. 138, in page 106, line 29, leave out "NCIS Service Authority" and insert "Director General of NCIS".

No. 139, in page 106, line 31, leave out from beginning to end of line 33 and insert—

'(6) The period within which a direction to submit an action plan must be complied with is such period of not less than four weeks and not more than twelve weeks after it is given as may be specified in the direction.'.

No. 140, in page 106, line 35, leave out "or resubmitted".

No. 141, in page 106, line 37, leave out from beginning to end of line 41 and insert—

'(a) provision setting out the steps that the NCIS Service Authority proposes should be taken in respect of the matters to which the direction relates and the performance targets the authority proposes should be met;

(b) provision setting out that Authority's proposals as to the times within which those steps are to be taken and those standards to be met and the means by which the success of the plan's implementation is to be measured;'.

No. 142, in page 106, line 42, after "reports" insert—

'to the Secretary of State'.

No. 143, in page 106, line 43, leave out from "plan" to end of line 44.

No. 144, in page 107, line 4, leave out—

'to direct the inclusion in an action of'

and insert—

'or the NCIS Service Authority to direct the inclusion in an action plan or draft action.'.

No. 145, in page 107, line 8, leave out from beginning to end of line 10.

No. 146, in page 107, line 12, leave out "or resubmission".

No. 147, in page 107, line 14, leave out "or resubmission".

No. 148, in page 107, line 15, at end insert—

'(10A) The NCIS Service Authority shall comply with any direction given to it under this section.'.

No. 149, in page 107, line 33, at end insert—

'(15A) Nothing in this section or in section 30 prevents the Secretary of State in the case of the same inspection report from exercising (whether in relation to the same matter or different matters or at the same time or at different times) both his powers under this section and his powers under that section.'.

No. 150, in page 107, line 36, leave out from "where" to first "the", in line 39, and insert—

'a report made to the Secretary of State on an inspection under section 54 of the Police Act 1996 states—

(a) that, in the opinion of the person making the report,'.

No. 151, in page 107, line 42, after "that" insert—

', in that person's opinion,'.

No. 152, in page 108, line 1, leave out—

'Director General of the National Crime Squad to prepare and'

and insert "NCS Service Authority to".

No. 153, in page 108, line 6, leave out from beginning to end of line 9.

No. 154, in page 108, line 9, at end insert—

'(3A) If the NCS Service Authority is directed to submit an action plan, that authority shall direct the Director General of the National Crime Squad to prepare a draft of it and to submit it to the NCS Service Authority for that authority to consider.

(3B) The NCS Service Authority, on considering a draft action plan submitted to it under subsection (3A) may submit the plan to the Secretary of State, with or without modifications.

(3C) If the NCS Service Authority proposes to make modifications to the draft of the action plan submitted under subsection (3A), it must consult with the Director General of the National Crime Squad.'.

No. 155, in page 108, line 11, leave out from "may" to end of line 17 and insert—

', if he is of the opinion that the remedial measures contained in the action plan submitted to him are inadequate, notify the NCS Service Authority and the Director General of the National Crime Squad of that opinion and of his reasons for it.

(4A) If the NCS Service Authority is notified under subsection (4)—

(a) it shall consider, after consultation with the Director General of the National Crime Squad about the matters notified, whether to revise the action plan in the light of those matters; and

(b) if it does revise that plan, it shall send a copy of the revised plan to the Secretary of State.'.

No. 156, in page 108, line 18, leave out—

'Director General of the National Crime Squad'

and insert "NCS Service Authority".

No. 157, in page 108, line 19, leave out "NCS Service Authority" and insert—

'Director General of the National Crime Squad'.

No. 158, in page 108, line 21, leave out from beginning to end of line 23 and insert—

'(6) The period within which a direction to submit an action plan must be complied with is such period of not less than four weeks and not more than twelve weeks after it is given as may be specified in the direction.'.

No. 159, in page 108, line 25, leave out "or resubmitted".

No. 160, in page 108, line 27, leave out from beginning to end of line 31 and insert—

'(a) provision setting out the steps that the NCS Service Authority proposes should be taken in respect of the matters to which the direction relates and the performance targets the authority proposes should be met;

(b) provision setting out that Authority's proposals as to the times within which those steps are to be taken and those standards to be met and the means by which the success of the plan's implementation is to be measured;'.

No. 161, in page 108, line 32, after "reports" insert—

'to the Secretary of State'.

No. 162, in page 108, line 33, leave out from "plan" to end of line 34.

No. 163, in page 108, line 40, leave out—

'to direct the inclusion in an action of '

and insert—

'or the NCS Service Authority to direct the inclusion in an action plan or draft action.'.

No. 164, in page 108, line 44, leave out from beginning to end of line 47.

No. 165, in page 109, line 2, leave out "or resubmission".

No. 166, in page 109, line 4, leave out "or resubmission".

No. 167, in page 109, line 5, at end insert—

'(10A) The NCS Service Authority shall comply with any direction given to it under this section.'.

No. 168, in page 109, line 16, at end insert—

'(13A) Nothing in this section or in section 75 prevents the Secretary of State in the case of the same report under section 54 of the Police Act 1996 from exercising (whether in relation to the same matter or different matters or at the same time or at different times) both his powers under this section and his powers under section 75.'.

No. 169, in page 109, line 32, leave out from "Authority" to "has" in line 33.

No. 170, in page 109, line 36, leave out from beginning to "; and" in line 40.

No. 171, in page 111, line 22, leave out from "Authority" to "has" in line 33.

No. 172, in page 111, line 26, leave out from beginning to "; and" in line 30.

No. 52, in page 112, line 5, leave out "of the 1997 Act".

No. 53, in page 113, line 5, leave out "of the 1997 Act".—*[Mr. Heppell.]*

New Clause 8

CONTINUED DEPLOYMENT OF TRAFFIC WARDENS

'Police authorities shall continue to appoint persons to discharge, in aid of the police, functions normally undertaken by the police in connection with the control and regulation of, or enforcement of the law relating to, traffic or stationary vehicles unless—

(a) notwithstanding regulations under Part VIII of the Road Traffic Regulations Act, the police authority passes a resolution by 1st January 2004 not to continue deploying traffic wardens; and

(b) that police authority informs the chief officer of police for that police force and the Secretary of State of its decision.'.—*[Norman Baker.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 52, Noes 308.

Division No. 304] **[7.15 pm**

AYES

Allan, Richard
Baker, Norman
Barrett, John
Beith, Rt Hon A J
Brooke, Mrs Annette L
Bruce, Malcolm
Cable, Dr Vincent
Calton, Mrs Patsy
Campbell, Rt Hon Menzies *(NE Fife)*
Carmichael, Alistair
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Doughty, Sue
Ewing, Annabelle
Foster, Don *(Bath)*

George, Andrew *(St Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Heath, David
Hogg, Rt Hon Douglas
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Kirkwood, Archy
Lamb, Norman
Laws, David
Llwyd, Elfyn
Marsden, Paul *(Shrewsbury)*
Moore, Michael
Oaten, Mark
Öpik, Lembit
Pugh, Dr John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tyler, Paul
Webb, Steve
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wishart, Pete
Younger-Ross, Richard

Tellers for the Ayes:
Tom Brake and
Bob Russell.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Allen, Graham
Anderson, Rt Hon Donald
(Swansea E)
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Rt Hon Kevin
Battle, John
Begg, Miss Anne
Beggs, Roy
Bell, Stuart
Bennett, Andrew
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas
(Newcastle E & Wallsend)
Brown, Russell *(Dumfries)*
Bryant, Chris
Burgon, Colin
Burnham, Andy
Burnside, David
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, Dr Lynda
(Edinburgh Pentlands)
Clarke, Rt Hon Charles
(Norwich S)
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Dodds, Nigel
Donaldson, Jeffrey M
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hall, Patrick (Bedford)
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hodge, Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Miliband, David
Miller, Andrew
Moffatt, Laura
[illegible]le, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Robertson, John
(Glasgow Anniesland)
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan

Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Gl[illegible]rgan)*
Smith, Llew *(Bl[illegible]u Gwent)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Southworth, [illegible]
Starkey, Dr [illegible]
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Sutcliffe, Gerry
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Fraser Kemp and
Mr. Jim Murphy.

Question accordingly negatived.

DEFERRED DIVISIONS

Madam Deputy Speaker (Sylvia Heal): Order. I now have to announce the results of the Divisions deferred from a previous day.

On the Question on the draft Regulation of Investigatory Powers (Covert Human Intelligence Sources: Code of Practice) Order 2002, the Ayes were 312, the Noes 195, so the Question was agreed to.

On the Question on the draft Regulation of Investigatory Powers (Covert Surveillance: Code of Practice) Order 2002, the Ayes were 312, the Noes 195, so the Question was agreed to.

[The Division Lists are published at the end of today's debates.]

Police Reform Bill *[Lords]*

As amended in the Committee, further considered.

New Clause 9

POLICE POWERS FOR LOCAL AUTHORITY EMPLOYEES

( ).—(1) The chief officer of police of any police force may designate any person who is a local authority employee as an community support officer, subject to the agreement of the local authority concerned.

(2) A chief officer of police shall not designate a person under this section unless he is satisfied that that person—

(a) is a suitable person to carry out the functions for the purposes of which he is designated;

(b) is capable of effectively carrying out those functions; and

(c) has received adequate training in the carrying out of those functions and in the exercise and performance of the powers and duties to be conferred on him by virtue of the designation.

(3) A person designated under this section shall have the powers and duties conferred or imposed on him by the designation.

(4) A designation under this section shall confer powers and impose duties on the designated person by means only of provisions specifying the provisions of Part 1 of Schedule 4.

(5) An employee of a local authority authorised or required to do anything by virtue of a designation under this section—

(a) shall not be authorised or required by virtue of that designation to engage in any conduct otherwise than in the course of that employment; and

(b) shall be so authorised or required subject to such restrictions and conditions (if any) as may be specified in his designation.

(6) Where any power exercisable by any person in reliance on his designation under this section is a power which, in the case of its exercise by a constable, includes or is supplemented by a power in reliance on that designation shall have the same entitlement as a constable to use reasonable force.

(7) Where any power exercisable by any person in reliance on his designation under this section includes power to use force to enter any premises, that power shall not be exercisable by that person except—

(a) in the company, and under the supervision, of a constable; or

(b) for the purpose of saving life or limb or preventing serious damage to property.

(8) In this section local authority means—

(a) in relation to England, a district council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly; and

(b) in relation to Wales, a county council or a county borough council.'.—*[Norman Baker.]*

Brought up, and read the First time.

7.27 pm

Norman Baker: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this we may take the following: Amendment No. 67, in clause 9, in page 10, line 34, leave out paragraph (d) and insert—

'(d) he is a person in relation to whom a designation under section (*police powers for local authority employees*) is in force.'

Amendment No. 64, in clause 38, in page 39, line 6, after "force", insert—

', after consulting the principal local authority for that area,'.

Amendment No. 63, in page 39, line 14, at end insert—

'(2A) At the end of the first year the police authority maintaining that police force shall give its approval for the continued designation of persons under section 38.

(2B) If a police authority maintaining that force does not give its approval, it shall inform—

(a) the Secretary of State; and

(b) the chief officer of police for that area who shall withdraw all designations under section 38 and make no further designations for a period of not less than one year.'.

Amendment No. 65, in page 41, line 37, leave out Clause 40.

Government amendments Nos. 27 to 29

Amendment No. 66, in page 42, leave out Clause 41.

Amendment No. 69, in clause 42, page 43, line 38, after second "or", insert—

'section (*police powers for local authority employees*).'.

[Madam Deputy Speaker]

Amendment No. 68, in page 43, line 38, leave out—

'his accreditation under section 41'.

Amendment No. 70, in page 43, line 39, leave out from "or accreditation".

Amendment No. 72, in page 43, line 42, after second "or", insert—

'section (*police powers for local authority employees*).'.

Amendment No. 71, in page 43, line 42, leave out—

'his accreditation under section 41'.

Amendment No. 73, in page 43, line 45, leave out "or accreditation".

Amendment No. 74, in page 43, line 46, leave out "or accreditation".

Amendment No. 75, in page 44, leave out lines 1 to 4.

Amendment No. 76, in page 44, line 5, leave out "or accreditation".

Amendment No. 78, in page 44, line 6, after "or", insert—

'section (*police powers for local authority employees*).'.

Amendment No. 77, in page 44, line 6, leave out "41".

Amendment No. 79, in page 44, line 7, leave out "or accredited person".

Amendment No. 80, in page 44, line 7, leave out "or accreditation".

Amendment No. 81, in page 44, line 15, leave out subsection (6).

Amendment No. 82, in line 37, leave out subsection (10).

Amendment No. 83, in page 44, line 44 leave out Clause 43.

Government amendment No. 33

Amendment No. 84, in clause 45, in page 46, line 17, leave out "or 5".

Amendment No. 85, in page 46, line 18, leave out from "in" to the end of line 19 and insert "that Schedule".

Amendment No. 86, in page 46, line 20, leave out from first "of" to end of line 21 and insert "that Schedule".

Amendment No. 88, in page 46, line 34, after "or", insert—

'section (*police powers for local authority employees*).'.

Amendment No. 87, in page 46, line 34, leave out "41".

Amendment No. 89, in page 46, line 35, leave out—

'or, as the case may be, 5'.

Government amendments Nos. 36 to 38

Amendment No. 90, in clause 47, in page 47, line 43, leave out paragraph (b).

Amendment No. 91, in page 48, line 1, leave out "or accredited".

Amendment No. 92, in page 48, line 8, leave out paragraph (b).

Amendment No. 93, in page 48, line 15, leave out "or an accredited person".

Amendment No. 94, in page 48, line 17, leave out—

'or that he is an accredited person'.

Amendment No. 95, in page 48, line 19, leave out "or accredited".

Amendment No. 96, in page 48, line 24, leave out "or accredited person".

Amendment No. 97, in page 48, line 26, leave out "or accreditation".

Amendment No. 98, in clause 48, page 48, leave out lines 29 to 33.

Amendment No. 99, in page 157, line 38, leave out Schedule 5.

Norman Baker: I promise not to address each amendment in this group; otherwise we would be here for some considerable time. Indeed, I shall be reasonably brief, as I am conscious of the hour, and also of the following groups of amendments, which we want to reach tonight. I do not want to repeat last night's debate, except to remind hon. Members that our vision for policing is not—unfortunately, from our point of view—the vision set out in the Bill.

Our vision is based on simplicity, accountability, efficiency and effectiveness, and having in post people who are properly trained. We are not convinced that the configuration proposed by the Government achieves those ends. Our vision is to have both police officers as we have at present, full-time, part-time or specials, and community support officers—an idea that, I might remind the Minister, we suggested in our manifesto and have always supported in principle.

We believe that for the purposes of simplicity and effectiveness, and of ensuring that as many people as possible are used to tackle the issues that we have been discussing under the Bill, the category of community support officers should include traffic wardens, and vice versa, because of their powers. That was the point that we were making when we voted on new clause 8.

That would provide a simplicity and an accountability that I believe are lacking in the Government proposals. Last night the Minister said he thought that we might get there in the long run, but that the question was whether we should try to create that structure from the start. There is a genuine disagreement across the Floor of the House on how we should approach that matter. We are clear that the Government proposals will provide not simplicity, but a plethora of different people with different powers, according to where they are in the country. Indeed, the powers could be different on different sides of the street when people crossed from one borough or district to another.

Accountability will be missing, especially from accredited officers who are not even employed by a public authority. There is also a question mark over whether they will be efficient and effective—two of the Government's key tests—if people do not even know what powers they have, and there is no clear relationship, in the public's mind at least, between the various bodies created and the people who staff them.

With that in mind, we have tried to address some of the issues. New clause 9 is an attempt to ensure that community support officers, as well as being employed by the police, could also be employed by local authorities. That would ensure accountability, because local authorities are democratically elected. It would also build on the Government's welcome initiative of crime and disorder partnerships, which are clearly working.

7.30 pm

The sorts of powers that we, and the Government, wish to give to CSOs would fit in well with those partnerships, and it is proper that local authorities should play a role in them. I speak as a former council leader, and I see another, the hon. Member for Hove (Mr. Caplin), in his place on the Treasury Bench. Such measures would be simpler and more understandable, not to mention closer to the community—to pick up the point made in the last debate about ensuring accountability and community involvement. We already have a precedent, because traffic warden powers have been exercised locally. That Government initiative is working well in those areas in which it has been deployed. The Government have conceded that principle: we seek to extend it to CSOs. That is the gist of new clause 9.

I hope that the Government will recognise the value of giving local authorities a clearer role in the sorts of powers that they wish to give to CSOs. That appears to me to be an uncontroversial suggestion. The CSOs would, of course, have to be approved by the local chief constable, and they would have to be properly trained. The chief constable would also need an input into what the CSOs were doing. I shall not discuss those caveats at length, but I do recognise the need for some police involvement.

It is impossible to address all these amendments, but I shall turn now to the other main issue of concern, which is the issue of accredited officers. It may not be widely known outside the House, but the Bill presages the suggestion that a whole range of people should be given police powers, without being accountable to the police or to local authorities. That strikes Liberal Democrats as a dangerous precedent. It would mean that companies—including those that are highly regarded, or otherwise—could have employees with police powers. The Government have introduced amendments to include the railway industry, so that could mean that employees of companies such as Jarvis or Tesco could have police powers. That would be dangerous. Without overstating my case, I suggest that it would amount to a part-privatisation of policing, and we would resist that. I am surprised that a Labour Government have made such a suggestion.

The measures would also open the door to policing for profit. Those companies who employ the accredited persons will clearly wish to have them act in the interests of that company rather than of the general public, and those interests are not necessarily the same.

As we discussed in Committee, to make matters worse, those employees of private companies would undertake public police functions without being subject to the Independent Police Complaints Commission, which the Bill will rightly set up and of which everybody approves. That body will deal with police officers and with CSOs, but it will not deal with those private sector accredited persons. Not only will they have dubious powers, but they will not even be accountable in the same way. We have tabled an amendment, which appears in the next group, on that point.

I am sorry if I am being hard on the Minister when I say that in Committee he at no stage gave a philosophical justification for giving private sector employees these powers. He explained why it was necessary to have some people who exercised low-level police powers—nobody disagrees with that—but he has not explained why it is acceptable that they will not be democratically accountable in the way that CSOs will be and police officers clearly are at present.

The Minister has also failed to address the point that members of the public may resent being confronted by a private sector employee who wishes to exercise police powers. That will cause further problems for policing at a time when we are trying to make it more acceptable and better rooted in the community. A member of the public who would be prepared to accept a ticket for littering or some other minor offence from a police officer, or even a CSO, may not be prepared to accept it in the same spirit from a Tesco employee. The Government must address the point that they will create problems in understanding the chain of accountability and the possibility that people will resist tickets and other enforcement measures that will form part of the powers that will be given to those accredited officers. The Minister is in danger of undermining respect for the law through allowing private sector employees to exercise those powers.

Simon Hughes: Connex, the railway company, has shown that it is possible to train staff to be police officers, because some of its staff have been sworn in as special constables. They have proper authority because they have had proper training. If the private sector wants to make a contribution, that is a much more legitimate, acceptable and effective way to do it. We have not heard much about that alternative, which, I suggest, the public would prefer.

Norman Baker: I am grateful for that intervention. The Connex experiment is an interesting one that perhaps the Government could build on, instead of seeking to create a new tier of accredited persons, who will not have that accountability.

Mr. Nick Hawkins (Surrey Heath): The hon. Gentleman will recall that I raised the same point in Committee. I said to the Minister that it was extraordinary that one Minister should suggest that the proposals in this Bill are the right way forward, at the same time as his colleague the Minister for Transport was doing lots of media work about the Connex experiment and claiming that specials were the way forward. I suggested that the Government were all over the shop on that point.

Norman Baker: I fear that that is so. In Committee, it also became clear that scant attention has been paid to the opportunity to increase the number of specials, when we should have concentrated on that approach. The number of specials has dropped dramatically in the past five years, and we now have only some 12,000. I put on record the fact that Ministers rejected attempts to improve conditions and provide a bounty payment for specials that my colleagues and I proposed in Committee. We made constructive suggestions in that area, and it is odd that the Government have rejected those suggestions while choosing to employ private sector employees in a quasi-policing role.

I will not develop my arguments further because of the time factor, but this issue is of key importance, both practically and philosophically. It is wrong for private sector employees to be given police powers. Apart from the principle of the issue, they will act in the interests of the private company, not of the public. The measure will

[Norman Baker]

not be conducive to good policing, and the fact that the accredited persons will be outside the complaints procedure only underlines our determination to oppose the proposal. I give notice of our intention to divide the House on amendment No. 65, which relates to that proposal.

Mr. Paice: The hon. Member for Lewes (Norman Baker) places my colleagues and myself in a slightly difficult position. While we agree with much of what he has said, we do not agree with the substantive content of his amendments. We have never made any secret of our concerns about the concept of accredited community support officers. That is not because—as Labour Members have suggested—we oppose the involvement of the voluntary sector. I have seen, as others have, countless examples of street wardens, neighbourhood wardens and ambassadors—there are many different names for them—voluntarily helping the police. Some of them wear uniforms, and some do not. I have spoken to many people who provide that service and, without exception, they are happy to do so, but they do not want the powers envisaged in schedule 5.

We strongly support those schemes, and I want them to be expanded and enlarged. I have no objection to the concept that there should be some form of accreditation to prove that the employees are worthwhile, that they meet certain minimum standards, and that the chief constable of their authority is happy with what they do.

We were very worried about the proposal to give those employees police powers. I shall not repeat the Committee debate, but I have some sympathy with the proposition from the hon. Member for Lewes that schedule 5 should be abolished. I have slightly less sympathy with the proposal that all ACSOs should therefore come under schedule 4, although there is a clear logic in suggesting that only one set of powers should be granted to civilians, regardless of whether they are employed in the police service or outside it.

However, we are concerned that the amendments would allow only local authority employees to become ACSOs. I suspect that, in that respect, I shall find that I am all square with the Minister. As he said in Committee, such a measure would place 35 per cent. of street warden schemes outside the requirements that have to be met by accredited community safety organisations. Ruling out such organisations seems a very short-sighted approach. I have therefore told the hon. Member for Lewes privately that the Opposition cannot support that proposal.

The problem goes deeper, as Conservative Members do not share the Liberal Democrats' philosophical objection to using people who are not employed by local authorities. We would obviously be pleased if social landlords and other charitable organisations were to be involved in the scheme, but we are also happy in principle with the idea that private-sector bodies—car park operators, or the operators of large shopping malls, for instance—should be involved. There is some logic in getting them involved, whether or not their operatives are given powers by the chief constable.

I entirely agree with the hon. Member for Lewes about special constables, however. When the Bill first appeared in the other place, we opposed the proposals on this matter, on the ground that using special constables would avoid all the problems about who had what powers. People know exactly who and what special constables are, and what powers they possess. Although we recognise the reality of the situation—as the Minister did in a different context last night—and accept ACSOs as a concept, I entirely share the concerns expressed by the hon. Gentleman that, as yet, little seems to have been done to revitalise the special constabulary. However, that is a debate for another time, and the Committee did consider the matter.

I am afraid that I must tell the hon. Member for Lewes that the Opposition will not support him if he presses the new clause to a Division. However, we have immense concerns about how ACSOs will settle down, not least because of the problem of accountability. The hon. Gentleman mentioned that in his speech earlier, and the matter arose in Committee.

There are also difficulties with regard to uniforms, and whether the officers will be readily recognisable. Other problems include training, and the way in which organisations that employ street or neighbourhood wardens become accredited. The Minister referred to that matter in Committee, but we are still worried about the transitional process involved before ACSOs can use the powers that their chief constable decides to allocate to them.

Most street wardens get only a day or two of training. They may have some experience, but that is no substitute for training if they are to start using police powers. We expressed our major concerns about ACSOs in Committee: the Minister is well aware of them, and I hope and trust that he will have taken them on board. Our concerns are serious, and they need to be dealt with under the regulatory aspects of this part of the Bill.

We accept that ACSOs will be introduced, and we welcome the concept of accrediting the many existing schemes. We retain reservations about the powers to be given to ACSOs, but we accept the situation in Parliament for what it is.

Therefore, although I have much sympathy with many of the points made by the hon. Member for Lewes in moving the amendments, I am afraid that we will not be able to support him in the Lobby.

7.45 pm

Mr. Llwyd: I am ad idem with the hon. Member for Lewes (Norman Baker) on this matter, and believe that he made some important points in his speech.

I do not know why the Government have not expanded the role of special constables over the past few years, or why they have not tried to recruit properly. The Police Federation, the Association of Chief Police Officers and other bodies fully support extending the recruitment of special constables, but I suspect that the Government have set their face against that idea because they do not want to pay for extra special constables, or accord them proper employment rights.

I am not holding my breath, therefore, that there will be an expansion in the numbers of special constables in the foreseeable future. I am not alone in that belief. I hope that I am wrong, for the sake of good policing in the future, but I suspect that I may be right.

I also agree that CSOs could cause resentment and confusion. Traffic wardens are very often subjected to abuse nowadays, even though they are not a recent innovation. They have been around a good many years, and are readily recognisable, but they are nevertheless abused constantly for carrying out their lawful duties.

Policing is a highly specialised occupation. It is a tall order just to expect someone to understand the Police and Criminal Evidence Act 1984, yet that legislation is a basic tenet of police practice.

I believe that the police service as a whole will be brought into disrepute when the ACSOs fail, as they unfortunately will. Police officers will be tarred with the same brush. The proposal smacks of policing on the cheap.

Police officers ask who will train these people. Who will be with them out on the beat, training them in the proper practice of policing? It is appalling that such people will not be subject to independent scrutiny. For the life of me, I cannot understand why that is so.

We do not ask police officers to treat injuries or diagnose illnesses, any more than we ask doctors to be police officers. Both careers are important, and deserve proper respect.

Finally, the notion of hobby bobbies is an awful one.

Angela Watkinson (Upminster): Will the hon. Member for Lewes (Norman Baker) clarify new clause 9(1), which states:

> "The chief officer of any police force may designate any person who is a local authority employee as a community support officer"?

It does not say that the employee should be designated as an ACSO. Is that intentional, or is it a drafting error? Is it the intention that the person involved should continue to be employed by the local authority? The Bill makes it clear that CSOs will be employed by the police.

Norman Baker: I am happy to clarify that we want CSOs to be employed either by local authorities or by the police. We are not in favour of the accredited scheme for the private sector, which is quite different, but I had to deal with both issues in one new clause.

Angela Watkinson: I thank the hon. Gentleman for that clarification. The reservations that I had before are even greater now.

My local authority is the London borough of Havering. It already employs community wardens, and the scheme is working well. The wardens have good relationships with the local police and with members of the community. Their red jackets make them instantly identifiable, and no one mistakes them for police officers. However, the introduction of another tier of officers employed by local authorities would cause a great deal of confusion.

Simon Hughes: I know, in general terms, the arrangements that exist in Havering, and other London boroughs have similar schemes. We do not want to undermine those arrangements. However, if a firm such as Sainsbury's wishes to have community support officers or neighbourhood wardens, for example, we propose that, instead of employing those officers itself, the firm should pay money to the police or the local authority. In that way, the police or the local authority would have a contract with the firm, but the officers would be police or local authority employees. We want to determine where the accountability lies, but we do not want to prevent bodies other than the local authority from helping with policing.

Angela Watkinson: That is several steps too far for me, and I regret that I will be unable to support the new clause.

Mrs. Brooke: I was rather hoping that more Members would share our vision, particularly as in the previous debate speakers on both sides of the House agreed with our basic premise about giving police authorities more accountability. This proposition is largely about accountability and effectiveness.

There is confusion over all the categories in the Bill. People frequently use the wrong terms—a CSO could mean community support officer in one context, with accreditation in another. Confusion is not the best way to support the police and give the public what they want. The different powers are very confusing. The Government's response to the report from the Select Committee on Home Affairs refers to the various uniforms and badges that might be worn and says:

> "Both designated and accredited people will be expected to carry with them details of any powers they have been given."

One is tempted to ask whether that is because they need to remember their powers.

I recall a fictitious example in Committee, which was very amusing at the time. A member of the Committee suggested that how he was treated would depend on which side of the road he stood, which would be confusing. If he were on one side, he might feel reassured that he could simply ask the appropriate officer to empty his or her pockets.

The main thing about deterrence is certainty, but these people will not be easily recognised because different uniforms could be worn. I do not think that the different layers will be immediately understood by the public. The resulting uncertainty will mean that the important deterrent effect is lost. If everybody is clear about the role of the people walking around, that will deter people from committing antisocial behaviour.

My local authority has just taken over the powers of traffic wardens from the police. The council wanted to widen the jobs that they might do. If a traffic warden who sees broken glass on the road picks up the phone and tells someone about it, that is sensible. However, there were difficulties with the transfer of powers. I do not think that it will be as easy as the Minister suggested last night to re-engage with a different title. Our amendments would improve matters, giving genuine support to the police and, fundamentally, giving the public the support that they want.

Mr. Adrian Bailey (West Bromwich, West): I welcome the Bill and oppose new clause 9. In common with most Members who represent urban constituencies, I have, over the years, seen the balance of complaints and concerns expressed at my advice bureau change from those of housing to those of quality of life, including neighbour nuisance, vandalism committed by young people and harassment. It has become obvious to me that

[Mr. Adrian Bailey]

even with the scheduled increase in police numbers, we need a force out there to deal with the low-level nuisance that can have such an effect on people.

Norman Baker: I agree.

Mr. Bailey: I welcome the hon. Gentleman's agreement. It is a question of how we set up the organisations to deal with that, and I will come to that shortly.

It has also been obvious to me that whatever we spend on education and health will count for nothing if we cannot address these specific quality of life issues.

Mr. Llwyd: Would the hon. Gentleman be opposed to expanding the special constabulary? Would that not deal with the problems that he describes?

Mr. Bailey: I welcome that intervention. The short answer is no, but I should like to deal with it in a little more detail later.

All other improvements in public services are meaningless if people are frightened to leave their home in case they are harassed or mugged. That is particularly true of elderly people. The irony is that, statistically, elderly people are far less likely to be involved in a mugging or a burglary than young people, but the fear of crime among them is far greater and has a far greater impact on their quality of life.

I am sure that other Members agree that when we knock on doors and see people at our advice surgeries, the overwhelming demand is for more bobbies on the beat. We have all heard the slogan. However, a highly trained policeman walking around an area is probably the least effective way of combating crime. Professional hardened criminals are hardly likely to carry out their activities within sight of a policeman and they have the means of moving on rather more quickly than a bobby on the beat.

What people really want is a person with authority, in a uniform, to offer reassurance, which is the key. I remember, as a child, playing on a football pitch in the local park when I should not have been. When I saw the park keeper approach in his uniform, I was off, to engage in more licit activities, as it were. That is the sort of reaction that we want from young people who may be engaged in activities that impair quality of life, that are not illegal but need to be countered. The prospect of a person in uniform having a presence in areas where that sort of activity takes place is immensely reassuring and, conversely, acts as a deterrent to antisocial behaviour.

We are recruiting more police, but it is questionable whether in urban areas such as mine, even with a huge increase in police numbers, we would have sufficient numbers to carry out that role or even whether it would be an effective use of officers.

Norman Baker: I do not disagree with anything that the hon. Gentleman has said so far. However, does he believe that the group of people whom we both want could be employed by local authorities as well as the police, as new clause 9 suggests? Secondly, does he believe that it is right for private sector companies to employ people with police powers?

Mr. Bailey: I will deal with those points very quickly. The various agencies involved in curbing the problem must work together. That involves local authorities, and I think that accreditation schemes are very worthy because they take partnership working, which has been built up at local level, another step forward. However, I cannot see why that should be confined to local authority employees. In different circumstances, it may be necessary to involve private sector employees. The example of a shopping mall has already been given. The more organisations that have an interest in social supervision, training people and working together with the police, the better it will be.

I shall briefly deal with the issue about the specials raised by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd). Yes, I do believe in the specials—they do a grand job—but the hon. Gentleman missed the essential point that most of them already have a full-time occupation and do the job because of their commitment to the community and the ideals of the force that they wish to serve. They do not necessarily want to do that job full-time. To suggest that such problems could be dealt with simply by expanding the special constabulary is to believe a myth.

Mr. Llwyd: That is exactly why I said that special constables should be paid. There would then be more recruitment and, although part-time, they would be fully trained They would also accrue employment rights, which is want the Government do not want.

Mr. Bailey: Whether they should be paid is part of a bigger debate, but the payment issue would not substantially alter the need for community support officers, the thrust of the Bill and our reasons for opposing the new clause.

8 pm

Simon Hughes: I want to make a brief point to support the case that my hon. Friends have put in Committee and in the Chamber. One of the reasons why I am disappointed that the Government do not understand the merit of our argument that such people should be accountable is that there will be no common standards and practices if different organisations and private companies employ security officers to do the police's support job in any local authority in the land.

In reality, there will be different codes of conduct and those involved will work in different ways. No one can possibly manage to get them all to work in a similar way. As my hon. Friend the Member for Mid-Dorset and North Poole (Mrs. Brooke) said, various organisations will have different powers, and those organisations will sometimes have to check which powers they have.

However, there is another civics and citizenship point. If we are trying to get youngsters—secondary school children and teenagers—to pay respect to authority, it is far better that they understand that authority resides in people who are publicly accountable and have status in society. I do not know what the experience of colleagues has been, but security guards in shopping centres and car parks are not shown that respect. They are seen not as the representatives of law and order in society, but as looking after the private interests of those with cars in the car parks or shops in the shopping centres.

If we want young people to respect authority, we will mitigate the chances of that by having all sorts of people sharing all sorts of self-defining authority. That will significantly reduce youngsters' respect for the law. I am sad that the Government do not believe that it would be better for the police to police and for them to be accountable only to police authorities or local authorities so that complaints can be raised with properly accountable citizens.

Mr. Denham: I shall try to reply briefly because many of the issues were aired in Committee. The hon. Member for Lewes (Norman Baker) asks for a philosophical argument. I think that a Victorian, Edward Whimper, when asked why he climbed mountains, was the first to answer, "Because they are there." That is part of the answer to this question. Neighbourhood wardens, street wardens, security guards and those responsible for co-ordinating security in major shopping centres are playing the role today.

The accreditation scheme is intended to enable those various people to be effectively co-ordinated by and with the police, but Liberal Democrat Members wish to pass up that opportunity. Indeed, they would go further than simply passing it up; they wish to exclude, as the hon. Member for South-East Cambridgeshire (Mr. Paice) said, a third of all the neighbourhood and street warden schemes because they are run by registered social landlords or other similar bodies. They would be taken out of accreditation. Ironically, the police would undoubtedly still wish to work with those organisations because they exist, but they would be outside any standards and accreditation framework. It is very difficult to understand how that is an advantage over the system that we propose.

The lines of accountability are clear. For example, chief officers will have responsibilities with regard to the accreditation scheme, including the responsibility to ensure that there are clear lines of accountability, complaint systems and so on. There clearly is flexibility about the powers that can be deployed. We discussed that issue last night, but I merely point out that we are discussing the power to make people give their names and addresses, to issue a fixed-penalty notice for riding on the pavement, or to do the same things as local authority dog wardens. In a sense, it is right to say that those are police powers. They certainly conjure up an image of normal policing powers, although they are pretty low-level, but important, public disorder issues.

The amendments would have a serious consequence: they would exclude a large number of very good schemes and make it quite impossible to co-ordinate effectively and properly with private sector providers. They would have the effect of ensuring that anyone from a local authority had to exercise the full powers of a community support officer. We have taken the view that the higher powers should be exercised only by those who work for the police service and are directly employed and accountable to the chief constable.

The hon. Member for Lewes wishes to give local authority employees—they may well be dog wardens or litter wardens—the full powers of CSOs. Even though they work for a local authority, there would not be the accountability to the chief officer that exists under our proposals. Finally, the hon. Gentleman wants the local authority to approve every single named individual appointed as a CSO by a chief officer. What a recipe for bureaucratic nonsense and disaster that would represent.

I refute the idea that we are not interested in the specials, but the point was well made by my hon. Friend the Member for West Bromwich, West (Mr. Bailey) that we cannot expect those in what is essentially a volunteer force working in their own time to fulfil the patrolling and reassurance duties carried out by full-time employees during their working week. It would be a mistake to do that.

In Committee, I clearly set out—I shall not do so again now—our commitment to reverse the decline in the number of specials and the measures that we are taking to encourage the further recruitment of specials. Those hon. Members who have sought to say that, somehow, the promotion of CSOs or accredited community safety officers represents an alternative in the Government's view to the promotion of specials are, frankly, wrong, and I say that quite genuinely. The advantage of specials has been undersold for many years and to some degree I regret the perhaps inevitable fact that all the focus on the new issue—CSOs and ACSOs—has overshadowed the importance that the Government give to specials as part of the police reform process.

I briefly want to say a couple of other things. This has not been the subject of debate, but I should point out that the Government amendments will involve the Mayor of London in a limited consultation role in relation to ACSOs. That is in line with the type of consultation powers with other local authority bodies that were introduced in another place. It is limited to ACSOs because that parallels other legislation.

Finally, I want make an important point, which has been only touched on, about police authorities and the appointment of CSOs. Police authorities have been concerned about their right to consultation on the appointment of CSOs. In common with other support staff, the right to engage and dismiss civilians lies with chief officers and has been considered as an operational matter. However, I want to make it clear that the Government will expect chief officers fully to consult police authorities before embarking on the employment and designation of CSOs. I cannot imagine that any chief officer would not wish to do so, but I would certainly cover that issue in the code of practice under clause 46 when it is issued if such problems become apparent.

Norman Baker: I certainly welcome the last point that the Minister makes, as the issue was raised in Committee. I also agree with him on consulting the Mayor of London, although I am not sure whether I agree on very much else in his contribution. I shall try to respond very briefly, given the time pressures that we are under.

First, there is nothing wrong with having street wardens. I continually said in Committee that they are a jolly good thing and that they do a very useful job. There is nothing wrong with treating them as we treat bouncers. They should have a code of practice to ensure that they behave in a certain way and that they meet common standards. There is nothing wrong with trying to pull them into the crime and disorder partnership. However, I disagree with the Government because they want to give police powers to such wardens. The essential difference is that we think that they should not have police powers.

[Norman Baker]

The Government view those people as a cheap to produce alternative arm of policing from the private sector. We do not accept that; it is a philosophical difference. Why should I be given a ticket for riding a bike on a pavement by an employee of Jarvis? That is what the Bill will specifically allow. I cited that example in Committee, and the Minister accepted that that will be the case. In fact, he said that it was a good idea that organisations such as Jarvis and those in the railway industry would have the power to issue tickets for cycling on pavements. That is what we face—the Government's proposals do not make sense. The Minister says that he did not say anything of the sort, but the *Hansard* report of the Committee will show that he did. Liberal Democrats tabled an amendment to try to remove those powers from railway accredited persons.

Mr. Boris Johnson (Henley): If ACSOs are not going to stop the hon. Gentleman from riding on a pavement, who is?

Norman Baker: Perhaps a community support officer with those powers who is an employee of the police or the local authority—someone who is democratically accountable and properly trained; not an employee of Jarvis or Tesco. That is the answer to that point.

The Minister is right that we want to give all CSOs full powers. We want them to be properly trained, and we want to ensure that a traffic warden, for instance—or someone else who has been properly trained—can deal with an incident on the street. They should not have to ring up someone else because they do not have that power. They should be able to deal with it there and then. We do not want a situation in which people have different powers in their pockets according to which side of the street or which borough they happen to be on or in. That is a recipe for confusion, and the Minister has not addressed that point.

As I am conscious of time, I shall not pursue this matter further. I am not satisfied with the Minister's response, however, and I shall want to divide the House on amendment No. 65 at the appropriate juncture. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 9

THE INDEPENDENT POLICE COMPLAINTS COMMISSION

Mr. Chris Mullin (Sunderland, South): I beg to move amendment No. 1, in page 10, line 23, after "Majesty", insert—

> 'on an address presented by the House of Commons and proposed by the Secretary of State with the agreement of the Chairman of the Home Affairs Committee.'.

Madam Deputy Speaker: With this it will be convenient to discuss amendment No. 3, in clause 12, page 15, line 29, at end insert—

> '(d) he is a person accredited under section 41.
>
> (e) he is a person accredited under section 43.'.

Mr. Mullin: The amendment was tabled by me and colleagues from all parties on the Select Committee. It is a modest little amendment that gives effect to one of the recommendations in our recent report on the Bill. It requires only the tiniest touch of the tiller in the direction of Parliament and away from the Executive.

Clause 9 currently provides for the chairman of the new Independent Police Complaints Commission to be appointed by Her Majesty, which, in effect, means the Secretary of State or on his recommendation. My amendment would make no difference to the selection process, which would continue to be carried out in line with the procedure set out by the Commissioner for Public Appointments, with the sole exception that once a candidate had been chosen, the Home Secretary would have to secure the agreement of the Chairman of the Home Affairs Committee.

We must bear it in mind that the Independent Police Complaints Commission is supposed to be independent—the word is in the title. One of the reasons the Police Complaints Authority has lacked credibility in the past is that in the eyes of many people it was not sufficiently independent of those whose activities it was supposed to scrutinise. With all due respect, it is no good the Minister saying, "We've always done it this way." The very reason we are having to revisit the subject is the widespread recognition—by both police and public—that the body suffered from a credibility problem in its previous incarnation. The purpose of the proposal is to draw a line under the past and to give the Independent Police Complaints Commission some street credibility. My little amendment seeks to enhance that credibility by giving Parliament a say in the final choice of chairman.

Lady Hermon (North Down): May I draw the hon. Gentleman's attention to the fact that, under legislation passed by the House—the Police (Northern Ireland) Act 1998—a police ombudsman was set up for Northern Ireland. The Act states:

> "The Ombudsman shall be appointed by Her Majesty."

I hope that the hon. Gentleman would not suggest that the independence of the police ombudsman, having been appointed by Her Majesty, is in any way belittled by that appointment procedure.

Mr. Mullin: No, I am not suggesting that, but there is always room for a little improvement here and there. As I said, I am making a modest suggestion, a tiny touch on the tiller in favour of Parliament and away from the Executive.

There are those who believe that Parliament should take a far closer interest in public appointments made by Ministers. Five years ago, the Treasury Committee went so far as to propose that it should be allowed to conduct confirmation hearings for members of the Monetary Policy Committee. One of those who pressed that view was the Minister without Portfolio, my right hon. Friend the Member for Norwich, South (Mr. Clarke), who was then a rising Back Bencher. I take comfort, therefore, from knowing that the idea that Parliament should have a say in some public appointments is not entirely without friends in the higher reaches of Government.

There will be those who say that there are no precedents. There is a precedent of sorts, however, although the parallel is not precise. Section 1 of the National Audit Act 1983 provides for the Comptroller and Auditor General to be appointed by the Queen on an address presented by the House of Commons and proposed by the Prime Minister with the agreement of the Chairman of the Public Accounts Committee. All I am suggesting is that an arrangement along those lines be devised for appointing the chairman of the Independent Police Complaints Commission.

8.15 pm

There will be those who see this as the thin end of a wedge. I hope that it is the thin end of at least a small wedge. Clearly, most of the appointments made by the Home Secretary are not suitable for this kind of treatment. When such posts involve executive functions on behalf of the Government, such as the head of the Prison Service or the chief executive of the Criminal Injuries Compensation Board, there is clearly no case for the involvement of Parliament. However, inspectors, regulators or ombudsmen depend for their credibility on being able to demonstrate their independence of Government. It is, therefore, in the interests of everyone, including the Home Secretary, that Parliament should have a role in their appointment. I am sure that, when the Minister reflects on the matter, he will be overwhelmed by my argument.

Mr. Hawkins: I can be brief in referring to the amendment tabled by the hon. Member for Sunderland, South (Mr. Mullin), the Chairman of the Select Committee, and, moving ahead, to amendment No. 3, to which I anticipate the hon. Member for Lewes (Norman Baker) will speak in a moment.

We understand the basis of both amendments. We have added our names to amendment No. 3, although the Liberal Democrat names appear first, and the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) has added his name. Three Opposition parties therefore support amendment No. 3.

We carefully considered the Select Committee's recommendation. We can see that there is merit in having parliamentary involvement in the appointment, and we will listen with interest to what the Minister has to say.

The hon. Member for Sunderland, South will be aware that we expressed the same kind of concerns in Committee about parliamentary scrutiny of the IPCC. I am sure that he has considered what was said then. We raised similar concerns about the House having a role in the way in which the IPCC should operate. We therefore see much merit in the Select Committee's suggestion of an advise and consent procedure for the appointment of the IPPC's chairman, which would be a further guarantee of the chairman's independence.

On amendment No. 3, we sought to support what the Liberal Democrats had to say. I do not wish to take up the time of the House, however, so I shall let the Liberal Democrat spokesman speak to it.

David Winnick (Walsall, North): I support the amendment moved by my hon. Friend the Member for Sunderland, South (Mr. Mullin), the Chairman of the Home Affairs Committee, of which I am a member. I have no doubt that the Minister will give reasons why the amendment should not be accepted. I am more than happy to be disappointed, but I would be most surprised were the answer affirmative, as I would wish.

As my hon. Friend said, there is a strong case for the chairman of the new Independent Police Complaints Commission to be seen as independent in every respect. The difficulty is not that the wrong person would be appointed as the chairman—the choice of chairman is likely to be a good one; I have no reason to believe otherwise. However, the suspicion would be—not necessarily among Members of Parliament but in the outside world—that the Government would choose a person who can be relied upon not to be too independent. In a sense, he would be perceived as the Government's nominee.

I am sure that such suspicions would have no foundation, but it is important that the chairman is seen as independent in every possible way. One way of doing that is to follow the suggestion in the amendment. The person would be appointed in the normal way, but confirmed by, among others, the Chairman of the Select Committee on Home Affairs.

An important factor should not be overlooked. The House of Commons or the Select Committee would not make the appointment. They would not put advertisements in the newspapers and would not be responsible for vetting the candidates and drawing up a shortlist. That power will remain with the Home Office. The only difference would be that the person appointed would go through a slightly different procedure. The amendment refers to

"agreement with the Chairman of the Home Affairs Committee."

In practice, that would mean that the person appointed would appear before the Select Committee, but it is not a question of its Chairman just saying yea or nay.

What is wrong with someone appointed by the Home Office appearing in front of the Select Committee before the appointment is confirmed? I find it difficult to believe that anyone of quality who wants to do the job and recognises its importance would be deterred by the fact that he would have to appear before the Committee. I accept that there is a theoretical possibility that the appointment would not be confirmed, but that is extremely unlikely.

The amendment is a step forward. I listened with interest to the hon. Member for Surrey Heath (Mr. Hawkins). I have no doubt that, if the positions were reversed and he were the Minister and not the shadow spokesperson, he would make exactly the same arguments as, I am afraid, my right hon. Friend the Minister will make.

We have yet to recognise the important role that Parliament could play in appointments to important jobs such as chairing the new complaints commission that will examine allegations against the police. Sometimes such allegations are serious, which is all the more reason that the person appointed to head the commission not only has integrity and authority to carry out the work, but is seen as independent. If that person is simply appointed by the Home Office in the usual way, the danger is that his independence will not be recognised outside the House. That would be most unfortunate.

Norman Baker: On amendment No. 1, I am always happy for the power of Parliament to be extended at the expense of the Executive. I am therefore content to support the hon. Member for Sunderland, South (Mr. Mullin). His amendment is a modest affair and, like him, I cannot imagine how the Government could find a reason to reject it. I await to hear the Minister's response.

[Norman Baker]

Equally, I cannot see how the Minister could possibly reject the very modest amendment in my name, those of my colleagues and of those on the Conservative Front Bench. It relates to the IPCC and the Minister will know that everyone has supported that aspect of the Bill. Everyone recognises that it is an important innovation. There have been problems with the public believing that investigations into the police have not been carried out properly or independently, and the Minister and his colleagues have acted to remedy such problems in a way that we all support. They have recognised the problem and have found the right solution, so it is difficult to understand why they have decided to exclude from the process the very people who are furthest from democratic accountability, namely those who are employed by the private sector. That makes no sense at all.

The Minister is in danger of re-creating the position that applies now. The Bill wishes to get rid of that by introducing an independent element into the process so that people have confidence in those exercising police powers. He is re-creating the problem in a very unfortunate manner.

The answer that the Minister gave in Committee and in response to the previous debate was, "Well, the chief officer of police sets up the complaints procedure or oversees it." He may set it up, but that is about the end of it. The Minister has said that, when there is a complaint against a person from Tesco, that person will be investigated by Tesco—not by anybody else. Is Mr. Tesco going to say to that person, "You've done something terribly wrong. You are a disgrace to the company. Yes, we'll tell the local newspapers that you've brought our name down in the public mind"? Or will Mr. Tesco say, "That was not very wise. We had better hush it up because it is not in our commercial interest to let people know what has happened"? In other words, those policing the complaints system in such circumstances are judge and jury of their employees and have a direct interest in concluding matters in a way that benefits their companies and not necessarily the public interest.

I honestly do not understand why the Minister resists that argument. Of course, the IPCC will not investigate every single complaint; we do not expect it to investigate every single complaint against a police officer. However, it must have the opportunity to call complaints in, examine processes that are not working and consider what needs to be done. It must have that option. If it does not, the message will go to Tesco, Jarvis and other employers that they can do what they like, because there will be nothing to control them or alter what they do when they consider complaints.

I hope that the Government will reconsider the matter either here or in another place. The Minister is simply wrong on this issue.

Mr. George Osborne: I shall briefly respond to the persuasive speech of the hon. Member for Sunderland, South (Mr. Mullin). I also want to take the opportunity to say how useful members of the Standing Committee found the Select Committee's report. It was an extremely useful guide, and it is a shame that only one member of the Select Committee served on the Standing Committee. Perhaps Parliament should consider that point.

The Executive's powers of patronage and appointment are among their least-scrutinised powers. Those, such as Lord Norton of Louth and the Hansard Society, who have considered reform of this place have drawn attention to way in which the House should scrutinise appointments. The hon. Gentleman's suggestion is a good one.

I am a member of the Public Accounts Committee and I am aware of the precedents that the hon. Gentleman mentioned. As he conceded, the amendment would create a slightly broader precedent. Indeed, it would be the thin end of a very good wedge.

Lady Hermon: Will the hon. Gentleman briefly explain what would happen if there were a disagreement between the Home Secretary and the Chairman of the Home Affairs Committee? Would not the Chairman, in effect, have a veto over an appointment?

Mr. Osborne: That probably would be the case. The Chairman of the Public Accounts Committee has a veto over the appointment of the Comptroller and Auditor General. Such a veto would be a good thing, but its use would be unusual. It would be a check of last resort.

I hope that the Minister will accept the amendment and will put himself in the great tradition of Cromwell and Simon de Montfort and expand the powers of the House of Commons. No one is paying any attention at the moment, so all he has to do is nod the amendment through and put himself in the annals of history.

Mr. Denham: I have some sympathy with the amendment, although not quite enough.

Leaving aside the constitutional issue, I share the fundamental aim of securing the reputation of the independence of the IPCC, but the case has not been made that an appointment by Her Majesty through Ministers undermines confidence in the independence of the system. By far the greater part of the credibility of the IPCC will come not from the appointment system for the chairman, but from the transparency of the system. Complainants will have many more rights and there will be fewer opportunities for their complaints to disappear out of the system without being addressed. That is the most important proposal in this part of the Bill.

8.30 pm

The issue is whether Parliament wants to embark on a wholesale change of the nature of accountability for a great many appointments. I accept that that argument is the thin end of the wedge. The appointment of the chairman of the IPCC cannot be dealt with as a one-off. I refer the Chairman of the Home Affairs Committee to the conclusions of the Nolan committee in 1995, which no doubt he knows well. It carefully considered whether Select Committees should be given a role and came down firmly against such an alternative concluding:

> "We did not feel that any of our witnesses or correspondents has presented a convincing proposal for providing public accountability other than through the established route of Ministerial accountability to Parliament."

The Home Secretary will, of course, have overall accountability to Parliament for all matters relating to the IPCC.

It could be argued that the committee's conclusion was not right or will not last for ever and that a profound change in the relationship between Select Committees and public appointments should take place. I am interested in debating that, but the chairmanship of the IPCC should not be picked out at random and used as the example on which we base that change.

On the complaints system, it is important that the IPCC can concentrate on the vast bulk of its work, which is to deal with complaints against police officers. It is worth remembering that people such as dog wardens, park keepers and environmental health officers have for years been exercising police powers, as described by the hon. Member for Lewes (Norman Baker). I am not aware of anyone arguing that they should be brought within the remit of the Police Complaints Authority or that there have been examples of abuses of those powers that have not been dealt with satisfactorily. The chief constable will have the important responsibility of ensuring that an adequate complaints procedure is in place for anyone who is an accredited organisation. That does not necessarily have to be the internal complaints procedure of the organisation concerned. However, that decision would have to be resolved at local level.

I fear that extending the IPCC's coverage at this stage to a range of new people in accredited organisations who operate low-level disorder and nuisance powers would divert the attention of the IPCC from the business that it has to do for the public to have confidence in the police service. Our measures will ensure that there is adequate public protection and an adequate system for dealing with complaints wherever there is an accredited community safety officer.

Mr. Mullin: I found the Minister's speech unsurprising and not entirely convincing. The Select Committee will take a close interest in the work of the IPCC when it is established and no doubt its chairman will visit us. I hope that Parliament will return from time to time to the general issue of the extent to which it should have a say in some public appointments of regulators. However, I do not intend to press the matter and I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 3

HANDLING OF COMPLAINTS AND CONDUCT MATTERS ETC.

Amendments made: No. 54, in page 138, line 28, leave out from "duty" to "a", in line 29 and insert—

'to give a person mentioned in sub-paragraph (9) notification of the findings of the report by sending that person'.

No. 55, in page 139, line 46, leave out from "duty" to "a", in line 29 and insert—

'to give a person mentioned in sub-paragraph (7) notification of the findings of the report by sending that person'.—*[Mr. Denham.]*

Clause 38

POLICE POWERS FOR POLICE AUTHORITY EMPLOYEES

Amendment made: No. 24, in page 39, line 29, leave out from beginning to second "the", in line 30, and insert—

'Powers and duties may be conferred or imposed on a designated person by means only of the application to him by his designation of provisions of'.—*[Mr. Denham.]*

Clause 39

POLICE POWERS FOR CONTRACTED-OUT STAFF

Amendment made: No. 25, in page 40, line 37, leave out from beginning to second "the", in line 38, and insert—

'Powers and duties may be conferred or imposed on a designated person by means only of the application to him by his designation of provisions of'.—*[Mr. Denham.]*

Clause 40

COMMUNITY SAFETY ACCREDITATION SCHEMES

Amendment proposed: No. 65, in page 41, line 37, leave out Clause 40.—*[Norman Baker.]*

Question put, That the amendment be made:—

The House divided: Ayes 52, Noes 287.

Division No. 305] [8.34 pm

AYES

Allan, Richard
Baker, Norman
Barrett, John
Beggs, Roy
Beith, Rt Hon A J
Brake, Tom
Breed, Colin
Bruce, Malcolm
Burnett, John
Calton, Mrs Patsy
Campbell, Rt Hon Menzies *(NE Fife)*
Carmichael, Alistair
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Donaldson, Jeffrey M
Doughty, Sue
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Heath, David
Hermon, Lady
Holmes, Paul
Hughes, Simon *(Southwark N)*
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kirkwood, Archy
Lamb, Norman
Laws, David
Llwyd, Elfyn
Moore, Michael
Öpik, Lembit
Price, Adam
Pugh, Dr John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Younger-Ross, Richard

Tellers for the Ayes:
Mrs. Annette L. Brooke and Bob Russell.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Rt Hon Kevin
Battle, John
Begg, Miss Anne
Bennett, Andrew
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Bryant, Chris
Burgon, Colin
Burnham, Andy
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin

Cawsey, Ian
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, Dr Lynda
 (Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Corston, Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry
 (B'ham Hodge H)
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Dodds, Nigel
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hall, Patrick (Bedford)
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Heyes, David
Hodge, Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie
 (Welwyn Hatfield)
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian
Luke, Iain
Lyons, John
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Rammell, Bill
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John
 (Glasgow Anniesland)
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rooney, Terry
Ross, Ernie
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan
 (Swansea W)
Williams, Mrs Betty *(Conwy)*
Winnick, David
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Joan Ryan and
Mr. Ian Pearson.

Question accordingly negatived.

Amendments made: No. 26, in clause 40, in page 41, line 40, leave out from "Scheme")" to "police" in line 41, and insert ".

(1A) A community safety accreditation scheme is a scheme for the exercise in the chief officer's'.

No. 27, in page 42, line 2, after "force", insert—

'(other than the Commissioner of Police of the Metropolis)'.

No. 28, in page 42, line 4, at end insert—

'(3A) Before establishing a community safety accreditation scheme for the metropolitan police district, the Commissioner of Police of the Metropolis must consult with—

(a) the Metropolitan Police Authority;

(b) the Mayor of London; and

(c) every local authority any part of whose area lies within the metropolitan police district.'.

No. 29, in page 42, line 5, leave out "subsection (3)(b)" and insert "subsections (3)(b) and (3A)(c)".—*[Mr. Denham.]*

Clause 43

RAILWAY SAFETY ACCREDITATION SCHEME

Amendments made: No. 30, in page 44, line 46, after "Police" insert "Force".

No. 31, in page 45, line 3, after "Police" insert "Force".

No. 32, in page 45, line 38, after "Police" insert "Force".

No. 33, in page 45, line 43, after "authorities;'insert—

'(ea) the Mayor of London;'.

No. 34, in page 45, line 46, leave out from beginning to end of line 47.—*[Mr. Denham.]*

Clause 44

REMOVAL OF RESTRICTION ON POWERS CONFERRED ON TRAFFIC WARDENS

Amendment made: No. 35, in page 46, line 7, leave out from beginning to end of line and insert—

'(1) Section 96 of the Road Traffic Regulation Act 1984 (c. 27) (additional powers of traffic wardens) shall be amended as follows.

(2) In subsection (2)(c) (powers under the Road Traffic Act 1988 (c. 52) which may be conferred on traffic wardens), after sub-paragraph (i) there shall be inserted—

"(ia) section 67(3) (which relates to the power of a constable in uniform to stop vehicles for testing);".

(3) In subsection (3)'.—*[Mr. Denham.]*

Clause 45

POWER TO AMEND CHAPTER 1

Amendment made: No. 2, in page 46, line 16, leave out Clause 45.—*[Mr. Denham.]*

Clause 46

CODE OF PRACTICE RELATING TO CHIEF OFFICERS' POWERS UNDER CHAPTER 1

Amendments made: No. 37, in page 47, line 33, after "police;" insert—

'(fa) persons whom he considers to represent the interests of local authorities;

(fb) the Mayor of London;'.

No. 38, in page 47, line 39, at end insert—

'(6) For the purposes of subsection (3)(fa), "local authorities" means district councils, London borough councils, county councils in Wales, county borough councils, the Common Council of the City of London and the Council of the Isles of Scilly.'.—*[Mr. Denham.]*

Schedule 4

POWERS EXERCISABLE BY POLICE CIVILIANS

Mr. Paice: I beg to move amendment No. 7, in page 145, line 15, leave out paragraph 2.

I do not intend to detain the House long. Those who have followed the proceedings of the Bill know that what the Minister says is more important than the amendment. The House knows that the power of detention to be given to civilians is highly controversial. The other place rejected it; it was re-inserted by the Government in Committee, and the amendment seeks to reverse that and restore the schedule to the state in which it returned to this place.

The heart of the matter is whether we should allow civilians to be so intrusive into civil rights as to detain somebody for 30 minutes. There are many practical issues, such as what happens if a police officer does not arrive within 30 minutes, and what happens if, when he does arrive, he does not agree with the decision to detain the individual. There are issues such as the principle of policing whereby after a person is detained or arrested, he is removed from the street as soon as possible, so that he does not become the focus of further agitation, disruption or disorder. All those are serious problems.

I shall not rehearse the arguments, as they have been thoroughly rehearsed before. When we debated the matter in Committee, I acknowledged that at least one sector of the police force—the Metropolitan police—wants to be able to give the power to some of its civilian officers. We have made a point of listening to the various voices of the police throughout the country. We recognise that there is a demand for the power of detention, but we remain immensely concerned.

I suggested that if the Minister were prepared to consider some sort of pilot arrangements, we would view them favourably. I am anxious to hear whether, after much deliberation, he intends to present such proposals. We remain of the view that the power of detention generally should not be available to civilians, but we are prepared to consider some form of test process.

Mr. Denham: I shall not speak long, as a number of Back-Bench Members wish to speak in the debate. It would be helpful to place on the record the intention—indeed, the commitment—of the Government with regard to the introduction of community support officers with the power to detain with reasonable force, and how we will approach the matter of piloting. I do not wish to rehearse the debate about the powers themselves other than to say that I fully recognise that concerns have been expressed about CSOs' power to detain with reasonable force.

In the light of those concerns, the Government have considered how we can ensure that the power is introduced in a controlled manner. We want to allow for it to be tested in practice in a sufficient number of varied forces to gain experience of its operation before it is made available to all police forces in England and Wales. First, we invited Sir Keith Povey, Her Majesty's chief inspector of constabulary—and he agreed—to monitor and to take responsibility for evaluating the use of the power in the first two years after the commencement of this part of the Act. Secondly, during the first two years after the commencement of the Act, the maximum number of

[Mr. Denham]

forces that will be allowed to deploy CSOs with the power to use detention with reasonable force will be six. We settled on that number following consultation with the chief inspector of constabulary. We will use the commencement powers in clause 103 to enforce that limit. Thirdly, no other forces will be allowed to deploy CSOs with the power of detention until the report of the chief inspector's evaluation has been published and laid before the House, allowing chief officers in particular—as well as others, of course—to consider its conclusions before deciding whether to deploy CSOs with those powers. I should make it clear that that approach would not preclude other police forces from employing CSOs, but without the power of detention with reasonable force.

One of the forces that wishes to deploy CSOs with that power is the Metropolitan police service, which in itself constitutes a significant part of the police service in England and Wales. I have discussed with the Commissioner of Police of the Metropolis how widely he expects to deploy CSOs with that power over the next two years. Understandably, he does not wish to impose an arbitrary limit, especially given the interest shown by a number of boroughs in working with the MPS to provide additional CSOs. To avoid confusion, the commissioner wishes all CSOs based in the community in London to have the same powers. With the exception of those employed on transport routes in conjunction with Transport for London, CSOs will normally be deployed in one particular borough by agreement with the local authority. It is difficult at the present time to estimate the level of take-up, but there is nothing to suggest that any more than half the boroughs—that is, 16—will take up the option within the next two years, and I believe that the figure may be somewhat lower than that. That is the best indication that I can give of the position in London.

I hope that in the light of such undertakings hon. Members will feel that rather than delete the power entirely from the Bill, this framework will allow the pilots to take place and to be evaluated independently of Ministers, and for the results of that evaluation to be released before the power is made more generally available across the police service, which would itself depend on the outcome of the evaluation.

Norman Baker: The Minister will know that there has been considerable disquiet about the suggestion that non-police officers should have the power to detain. That has been expressed not only by Liberal Democrat and Conservative Members, but by the Association of Chief Police Officers and by police officers around the country. It is therefore welcome that the Government have listened. It is welcome that they have removed detention powers from accredited officers. It is also sensible that they have decided not to go hell for leather in going as far as they can with CSOs in the initial stages. It may seem churlish to say that we cannot support what the Government have done because we would like them to go further. We are in favour of a pilot scheme, but one that tries out CSOs without the power of detention, and then allows police forces to say that they have not worked without the power of detention. That would be a safer route than trying them with the power of detention.

The hon. Member for South-East Cambridgeshire (Mr. Paice) rehearsed some of the arguments as to why there is significant opposition to giving the power of detention to people who are not police officers. There is insufficient time to go through those arguments again, as there is only five minutes to go before the guillotine comes down. However, the fact that neither the hon. Member for South-East Cambridgeshire nor I have rehearsed the objections does not undermine their validity because they are serious and widely held. By giving non-police officers the power to detain, we cross the rubicon, and we are unhappy about that.

The Minister said that there would be some safeguards. I welcome the involvement, as far as it goes, of the chief inspector of constabulary. That is a sensible move. I also welcome the fact that a maximum number of forces will be involved. However, I am bound to say that the opposition to CSOs generally, which chief constables throughout the country have expressed, means that it is unlikely that more than six forces will wish to have them, let alone those with the power to detain. The Minister scrabbles around, mentions the Met and Northamptonshire and subsequently runs out of places that have expressed a wish for CSOs without having their arms twisted. He will be hard pushed to find more than six forces to accept them; he has not therefore made that much of a concession.

The Minister has accepted some of the legitimate arguments against the power to detain. I acknowledge that he has tried to devise a compromise that allays anxieties. I welcome the distance that he has travelled, but I regret that he has not gone far enough for my Liberal Democrat colleagues and me. We cannot accept the principle of giving non-police officers the power to detain.

Mr. Llwyd: I agree with the comments of the hon. Member for Lewes (Norman Baker), although I welcome the pilot scheme and fact that it will be evaluated. However, the possible conflicts that CSOs with the power of detention will face may prove overwhelming. They will often have to deal with antisocial behaviour and drunkenness, from which aggression and violence can emanate. That is a mistake, and I believe that the pilot scheme will show that. However, I give the Government due credit.

Any practitioner in criminal law will say that reasonable force is a difficult concept. There are so many precedents and cases determined on the phrase that it will be difficult for a person with less training than an ordinary police officer to decide when to "balance it to a nicety", in the words of an established case. The power of detention will give rise to court cases, and I believe that it may fall into disrepute. It involves great dangers and I am therefore wary of it. It will not be widely used and it will ultimately die, but I am pleased that the Government are prepared to consider it in pilot form.

Mr. Paice: The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) said that he believed that the power of detention by non-police officers would prove a mistake, and he may be right. Like the hon. Member for Lewes (Norman Baker), we have always maintained that it is not necessary to give CSOs the power to detain. However, I acknowledge that there are those in the Met—and probably only in the Met—who want such powers, and I do not want to deny them the opportunity of at least trying them out.

I welcome the Minister's comments. However, I suspect that we have won what may prove to be a pyrrhic victory. The hon. Member for Lewes is probably right that the Government will not find more than six forces that want the powers. Nevertheless, I welcome the fact that the Minister has listened to the arguments and recognised the genuine anxieties that not only Conservative Members but the Police Federation and almost everyone in the police, apart from the Met, have expressed. I am now placed in something of a quandary, because in my view, the Minister has given me what I wanted to get out of this debate: a very clear pledge for pilot schemes. What he has said is all on record, and I welcome his comments. I also welcome the role of the chief inspector of constabulary.

Throughout our proceedings on the Bill, as the Minister knows, the Liberal Democrats and the official Opposition have taken the same view on the issue with which the amendment deals. I do not wish my colleagues to support the amendment, as I believe that the Minister has gone far enough; but in deference to its fellow signatories, I shall not ask leave to withdraw it, as I know that they wish to pursue the matter and I would rather not be put into the position of having my request for withdrawal opposed. That may sound pusillanimous, but I am trying to be fair to everybody, and I conclude by thanking the Minister, as I welcome the commitments that he has made.

Question put, That the amendment be made:—

The House divided: Ayes 54, Noes 294.

Division No. 306] **[9 pm**

AYES

Allan, Richard
Baker, Norman
Barrett, John
Beith, Rt Hon A J
Brake, Tom
Breed, Colin
Bruce, Malcolm
Burnett, John
Calton, Mrs Patsy
Campbell, Rt Hon Menzies *(NE Fife)*
Carmichael, Alistair
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Doughty, Sue
Ewing, Annabelle
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Heath, David
Hogg, Rt Hon Douglas
Holmes, Paul
Hughes, Simon *(Southwark N)*
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kirkwood, Archy
Lamb, Norman
Laws, David
Llwyd, Elfyn
Moore, Michael
Oaten, Mark
Öpik, Lembit
Price, Adam
Pugh, Dr John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Younger–Ross, Richard

Tellers for the Ayes:
Mrs. Annette L. Brooke and Sir Robert Smith.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Rt Hon Kevin
Battle, John
Begg, Miss Anne
Beggs, Roy
Bennett, Andrew
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Bryant, Chris
Burgon, Colin
Burnham, Andy
Burnside, David
Caborn, Rt Hon Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Corston, Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Dodds, Nigel
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Francis, Dr Hywel
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hermon, Lady
Heyes, David
Hodge, Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Irranca–Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony
Love, Andrew
Lucas, Ian

Luke, Iain
Lyons, John
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, Rt Hon Ian
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr Lewis
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Hara, Edward
Olner, Bill
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Rammell, Bill
Raynsford, Rt Hon Nick
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John
(Glasgow Anniesland)
Robinson, Geoffrey *(Cov'try NW)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Ross, Ernie
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Chris *(Islington S)*
Smith, Geraldine *(Morecambe)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Southworth, Helen
Squire, Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan
(Swansea W)
Williams, Mrs Betty *(Conwy)*
Winnick, David
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Ian Pearson and
Joan Ryan.

Question accordingly negatived.

It being after Nine o'clock, MR. DEPUTY SPEAKER *put the Questions necessary to dispose of the business at that hour, pursuant to Order [this day].*

Remaining Government amendments agreed to.

Order for Third Reading read.

9.11 pm

Mr. Denham: I beg to move, That the Bill be now read the Third time.

We are quite close to the end of a process that began for me about a year ago, just after the general election, when my right hon. Friend the Home Secretary and I picked up the mantle of police reform. I thank all Members who contributed to debates during the Bill's passage through the House—in particular, the members of the Home Affairs Committee, whose report was extremely useful. The Committee carried out a valuable inquiry, which was perhaps not entirely pre-legislative scrutiny because the Committee did not have the full legislation to scrutinise in the way that it might have liked. None the less, it was very helpful in drawing out the major issues.

From the Opposition Front Benches, the right hon. Member for West Dorset (Mr. Letwin) and the hon. Member for Southwark, North and Bermondsey (Simon Hughes) have contributed fully, particularly during discussions in the main Chamber. I especially want to acknowledge the work of the hon. Members for South-East Cambridgeshire (Mr. Paice), for Surrey Heath (Mr. Hawkins), for Lewes (Norman Baker) and for Mid-Dorset and North Poole (Mrs. Brooke), who carried the bulk of the debate in Committee—though not all of it, of course—for their respective parties. I am also grateful for the thoughtful and well-informed interventions from the hon. Member for North Down (Lady Hermon), who made a valuable contribution in Committee and, indeed, throughout proceedings.

Several of my colleagues on the Government Benches took part, including, among others, my hon. Friends the Members for Wellingborough (Mr. Stinchcombe), for North Durham (Mr. Jones) and for Lewisham, East (Ms Prentice) as well as my hon. and learned Friend the Member for Redcar (Vera Baird). I am particularly grateful to the Under-Secretary of State for the Home Department, my hon. Friend the Member for Coventry, North-East (Mr. Ainsworth), who ably took on part 2 of the Bill in Committee.

The Bill arrived in the House much amended from discussions in another place, and it has been further amended here. I have no embarrassment in saying—no Minister ever should—that the Bill is better today than when the Government published it. I am one of those who believes in the role of parliamentary scrutiny. While one or two things that have happened in the closing stages reflect other realities, much change results from careful scrutiny in the House and in another place.

As many Members have said, there is a great deal of agreement on the Bill. I shall outline briefly its main purposes and how we believe that it will work. It is worth acknowledging that, in addition to some initial aims, we have achieved significant changes that will help the police service and others to fight crime. In Committee there was a warm welcome for the provisions on sex offender orders, which will provide better protection for vulnerable people against convicted sex offenders. We have also brought police officers under the protection of the Public Interest Disclosure Act 1998, which was one of the recommendations of the Home Affairs Select Committee. I feel that the Bill now has much to commend it.

In his introduction to the police reform White Paper published before Christmas, my right hon. Friend the Home Secretary said of the police reform process in general:

> "Our task is clear. We want to prevent, detect, apprehend and convict the perpetrators of crime. We need and will have a process that enables those undertaking the basic task of protecting our homes, our streets, and our persons, to do the job more effectively. Whether in dramatically slimming down bureaucracy and reassigning tasks in a way that frees up police officers to do their real job more effectively, or in extending what we are calling the 'police family' to engage others in policing, or in adopting more modern techniques: we will bring about change."

My right hon. Friend concluded

> "In the end, it will not be the statistics on crime falling, or targets met for burglary or vehicle crime, but rather the difference felt in the neighbourhood and community itself which will be judge and jury of these reforms. It is time to focus on preventing crime and protecting the victims, and to place the weight of society behind this drive to reform the police."

I think the Home Secretary was right to be realistic and honest when identifying the "judge and jury" of the reforms, not all of which require legislation but some of which have been dealt with in the Bill.

We have set out to continue the reduction in crime, to tackle persistent offenders more effectively, to improve detection and conviction rates, to tackle antisocial behaviour, to reduce the fear of crime, to provide support for victims of crime, and to rebuild confidence in key aspects of the police service. The Bill contains a series of measures enabling us to do all that. It gives us a framework for the promotion of best practice through the introduction of a national policing plan setting out—after consultation—the Government's priorities for policing and how they are to be delivered. There is a three-tier approach to good practice with regulations, codes of practice and guidance to ensure that good operational and management policies for policing can be adopted throughout the service.

The Bill meets a long-standing demand from many quarters for an Independent Police Complaints Commission, not to harry the police but to ensure that there is public confidence in them, and to ensure that they themselves feel they are being fairly treated if complaints are made against them. That is another important piece of work.

We have modernised the system for the removal, suspension and disciplining of police officers. In a crucial part of the Bill that we have discussed at length, we have set a framework for the extended police family—not just through the creation of community support officers and accredited community safety officers, but by giving other civilians limited police powers so that police officers are free to perform wider duties. I think that in years to come the role of civilians properly designated to perform escort, detention and investigative work will be seen as an important innovation allowing much more flexibility in the deployment of police officers.

Mr. Allen: Those were wise words from the Home Secretary. The Bill, or the process, will indeed be judged on the basis of its impact on communities and neighbourhoods in terms of their experience of policing.

I hope my right hon. Friend will remember his political roots. I hope that not just the granting of more resources than ever before, and the presence of more police on duty than ever before, but the number of officers visible on the streets and estates of our communities will, at a general election, provide the judge and jury mentioned earlier.

Mr. Denham: My hon. Friend raises a significant point. Visibility is enormously important, but so is visibility with a clear purpose. Through the wider police reform programme, we are anxious to encourage the deployment across all police forces of the national intelligence model. Through that model officers can, in addition to being deployed in visible roles, bring method and focus to their work. Combining those two policing elements—good intelligence, information and deployment of officers, together with high visibility—is very important indeed.

Of course, part of the background to the Bill is our substantial investment in police resources. We have reversed the long-term decline in police numbers that was initiated under the previous Conservative Government, and we now have record police numbers, which will rise to 130,000 next spring. Through local authorities, we have also invested substantially in crime and disorder reduction. The work of crime and disorder reduction partnerships—through which local authorities and other agencies work alongside the police—is also essential if we are to prove successful in the fight against crime, antisocial behaviour and the fear of crime.

Party political views have been expressed throughout this debate, but in a constructive way, so I shall mention only in passing that crime doubled under the previous Conservative Government, and that police officer numbers fell steadily at the end of their time in office. That is an important consideration. We have committed ourselves to fighting crime in every way necessary. I am convinced that, by underpinning reform of the police service and ensuring that police officers have the support necessary to do the job, we are taking that fight forward in an effective way through the passage of this Bill.

9.22 pm

Mr. Paice: I am sorry that the Minister had to resort to party politics at the end of his otherwise well-thought-out and well-presented Third Reading speech, which, until that point, had followed many of the traditional patterns. I cannot but note that my right hon. Friend the Member for West Dorset (Mr. Letwin) is sitting on the Bench behind me—unlike the Home Secretary, who is doubtless touring every media studio, defending his drugs policy against the onslaught that he has unleashed from all those who, like us, recognise it as nonsense.

As the Minister said, the Bill has had a very long passage, which is nearly—but not quite—over. It must go to the other place, and it remains to be seen what the Lords will make of the considerable number of amendments to it. Although virtually all of them are non-controversial, they will none the less have to be considered, and we will see what happens.

I am pleased to say that, with a few notable exceptions, the debates on the Bill—at least, those in which I have participated—have been a good example of parliamentary scrutiny, through which we have discussed many issues. That contrasts with other, fairly torrid Bill proceedings in which I have participated in my time, both in opposition and in government. The Police Reform Bill has been much more enjoyable and constructive than many others.

[Mr. Paice]

It is certainly a very much better Bill now than the one that was introduced in the other place many months ago. It is much better because, to be fair, the Government have made several concessions in the light of arguments that we advanced in both Houses.

I was slightly let down by the Minister's admitting last night that, at least in respect of the Henry VIII clause, he was acknowledging the arithmetic—or mathematics, as he described it—of the other place. I am sorry that he resorted to that admission; we like to believe that he was influenced by our strength of argument on the issues. Nevertheless, in the spirit of good will, I recognise that the Government have made significant compromises on the Henry VIII clause in particular, and on clause 5, which we discussed earlier this evening.

Equally, as the Minister will accept, the Opposition have made significant concessions. It is no secret that had we started with a clean sheet of paper, we would not have invented community support officers. We would have preferred to adopt another route, using the special constabulary. However, we recognise the need for considerable assistance for the police through the civilian route, and we have supported CSOs throughout. The only issue has been what powers they should be given, and there, too, we accepted the inevitability that certain powers would be given. I again welcome the commitment that the Minister made on pilot schemes for detention.

Many of the measures in the Bill have gone through almost without debate. Some hon. Members, and some outsiders too, may say that that shows that Parliament is not working. My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) is not here today; otherwise he might have something to say on the subject. I contend, however, that the reason why so many issues went through almost, although not totally, undiscussed supports the contention of my hon. Friend the Member for West Dorset that we agreed with 98 per cent. of the Bill from the outset. I am sorry, I should not have called him my hon. Friend, because one of the things that has happened during the passage of the Bill is that he has become my right hon. Friend the Member for West Dorset.

Norman Baker: Entirely unconnected.

Mr. Paice: I like to believe that the two are connected; my job would not be worth doing if I did not.

I shall remind the House of some of the issues that have gone through almost unnoticed: the plans for regulations on common use of equipment, the codes of practice, the principle of the independent commission, and the measures supplementing police powers, especially in connection with antisocial behaviour orders. We welcome the improvements to ASBOs; so far they have not been the raging success that the Government initially said they would be. We also welcome the changes to the legislation on sex offenders, although, as my hon. Friend the Member for Surrey Heath (Mr. Hawkins) said when we discussed the matter last night, we look forward to the Government's further consideration of the whole panoply of issues relating to sex crime.

I notice that my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) is here tonight, and we also strongly welcome the changes to the law on blood tests for people who are unconscious and unable to give consent.

As the Bill has progressed, the negotiations with the Police Federation on pay and conditions have been going on. The changes were all part of the great reform package that the Home Secretary announced last year, but then he had to go to the Police Federation conference and apologise for the tensions that he had caused with his proposals for alterations to pay and conditions.

The Opposition have consistently accepted the need for, and wanted to see, improvements in police performance in many areas. The introduction to the White Paper that the Minister quoted in his speech was uncontentious. We entirely agree with the gist of it, about the need to detect and drive down crime, and improve police performance. We can never achieve the ultimate perfection; there is always room for improvement.

Yes, we have had differences of opinion about how that can be done. We remain of the view that the independence of individual constabularies and chief officers is paramount, and we have sought to protect that throughout the debates on the Bill. We also believe that we need to consider further ways of increasing that independence and enhancing local accountability—but that is a debate for another time.

Like the Minister, I want to thank those who have been so helpful and constructive during the passage of the Bill. I shall identify the outside organisations without which, as the Minister, having been in opposition, well knows, opposition would be even more difficult than it is. I thank the Association of Chief Police Officers, the Chief Police Officers Staff Association, the Police Superintendents Association, the Police Federation, the Association of Police Authorities and many individual police officers of all ranks for all the advice and assistance that they have given to the Opposition throughout the passage of the Bill.

I also wish to recognise the constructive approach that the Minister has taken. Despite his occasional lapses into political rhetoric—including the example of a few moments ago—he has addressed the issue with considerable responsibility and command of his subject. I have immense respect for the Minister's command of his subject, and I congratulate him on it. I also recognise and respect the huge contributions made by the hon. Members for Lewes (Norman Baker), for Mid-Dorset and North Poole (Mrs. Brooke) and for Southwark, North and Bermondsey (Simon Hughes), who have driven the issue forward for the Liberal Democrats.

I also endorse the Minister's comments about the Committee. On our side, we had my hon. Friends the Members for Tatton (Mr. Osborne), for Henley (Mr. Johnson) and for Newark (Patrick Mercer), as well as the hon. Member for North Down (Lady Hermon). All of them made significant contributions. I recall at one stage the Minister conjuring up the vision of a CSO attempting to apprehend my hon. Friend the Member for Henley when he was in a condition of disrepute, shall we say, after a good night out. It was one of the lighter moments in Committee.

Most of the Bill is welcomed by the Opposition. Inevitably, we would prefer that some bits were not in it, and the vexed issue of clause 5 remains. I strongly welcome the Minister's remarks this evening and the amendments that he has proposed to clause 5. We are much closer to solving the outstanding problems and I look forward to a full resolution in the near future. The Minister will understand that, as that resolution has not yet been achieved, I cannot undertake to support the Bill in the Lobby tonight, but I suspect that the opportunity will not arise. However, we would not dream of opposing the Bill, because it contains many measures that we wholly welcome and support. We hope that it will soon pass into legislation, and face the real test of whether all those hopes and expectations can be met by the police and the many civilians who will be brought into the police family. I thank the Minister and the House for the opportunity to consider the Bill. We look forward to seeing it in action.

9.32 pm

Mr. Kevan Jones: I concur with the sentiments expressed by my right hon. Friend the Home Secretary: the judge and jury on the success of the Bill will be the people in constituencies such as mine. One of the key issues is not the dry statistics—the public are now bored with politicians from all parties talking about those—but the effectiveness of the measures in local communities. Fear of crime is a major issue in my constituency, and many others. The CSOs will do much, judging by the experiment that has been carried out in my constituency, to allay that fear. The extension of powers and in the use of antisocial behaviour orders will make a real difference and will be very welcome.

I have enjoyed serving in Committee and contributing to debate. I will miss the interventions of the hon. Member for Tatton (Mr. Osborne) and his quotations from my right hon. Friend the Prime Minister, which the hon. Gentleman appears to have catalogued assiduously over the past few weeks.

Mr. George Osborne: I've got more.

Mr. Jones: As the hon. Gentleman's remark shows, the debate has been good-natured. If my questioning of the hon. Members for Lewes (Norman Baker) and for Mid-Dorset and North Poole (Mrs. Brooke) has seemed tough at times, I apologise, but I see it as my role to try to pin the Liberal Democrats down to a policy occasionally. I know that that is difficult for them.

Mr. Paice: Has the hon. Gentleman noticed that the Liberal Democrats have managed to have two policies on one issue during the consideration of the Bill? He will recall that on the last day in Committee they tabled an amendment to abolish the Riot (Damages) Act 1886. Last night, in the House of Lords, they voted against abolishing that Act.

Mr. Jones: I am grateful for that intervention. On one occasion, Liberal Democrat Members had three different policies on the same day. They argued that the Home Secretary should have more powers, and then that the local authority should have independence. However, we will not dwell on that.

This is a very good Bill, and it will make a difference in communities throughout the country. I hope that, when CSOs have proved to be electorally popular, they will be enthusiastically endorsed by Liberal Democrat Members.

9.35 pm

Norman Baker: I do not think that the Third Reading debate should be used to pick on Liberal Democrats. That is very unfair, although I must confess that I did not know about the Riot (Damages) Act 1886.

The Minister can sit easy on his Bench, as we have no intention of dividing the House on Third Reading. The Government Whip will be pleased to know that, too. Those hon. Members enjoying the all-party parliamentary beer group dinner can continue to do so, while those of us assiduously carrying out our parliamentary duties here will miss it this year.

I thank the Minister for his contribution to our debates, which has usually been good humoured. He has certainly been in command of his subject, as the hon. Member for South-East Cambridgeshire (Mr. Paice) said. I thank Conservative Front Benchers for their constructive approach. It has been useful to work with them and the Government team during the Bill's progress through the House. That shows that hon. Members can behave in a mature way to find common ground where possible, and yet not sacrifice the principles that they hold dear.

I want to thank the Clerks and the other Officers of the House who have been so helpful throughout our deliberations, and the pressure groups outside the House. I must also thank my hon. Friend the Member for Mid-Poole and North Dorset—I apologise, it is the other way around: she is my hon. Friend the Member for Mid-Dorset and North Poole (Mrs. Brooke). There may be two policies on her constituency, but she has been of great assistance on the Bill.

The Bill has been improved by the parliamentary process. That is a cliché, but in this case it is true. The Bill is markedly better as a result of the process, partly because of the force of the arguments deployed, and partly because of the arithmetic involved. Whatever the reason, the result shows that parliamentary scrutiny works. The House can take pride in the fact that the Bill has been improved, and hon. Members collectively can congratulate themselves that a Bill will reach the statute book that we all think will improve matters for policing and for law and order.

I do not agree with 98 per cent. of the Bill, as the right hon. Member for West Dorset (Mr. Letwin) appears to, but I am pleased that the Government have introduced it. My approval rating for it is certainly in the 90s now, which is higher than it was originally.

As has been said, the Bill contains many good things. I shall not go into detail now, but there is no doubt that much of the Bill will improve matters, nor that it commands support among hon. Members of all three main parties. The sex offenders orders were completely uncontroversial, and they will go along way towards dealing with a matter about which many hon. Members have had grave reservations. In addition, I am pleased with the introduction of the independent police complaints commission. Even if it does not cover Tesco-type police, it will deal with all other officers. It is a welcome innovation that will be support by the public at large. In the long term, it will go a long way towards improving public confidence in the police, as all hon. Members want.

Few issues remain unresolved for the House of Lords to deal with. I suspect that my colleagues and I will not be entirely satisfied with the proposals on CSOs when the

[Norman Baker]

Bill finally receives Royal Assent, but we can probably live with that. Overall, the Bill will improve policing and we are pleased to support it.

I thank all those hon. Members in the Select Committee on Home Affairs and in Standing Committee A who have helped with the Bill, and those people outside the House who also made a contribution. I am pleased to have played a small role, along with other hon. Members, in producing legislation that will benefit the country at large.

I have one small gripe with the ministerial team on this Bill, who were reasonably non-partisan in Committee and, to a lesser extent, on the Floor of the House. However, it is very rare that Opposition amendments are accepted, although those often tend to be produced by pressure groups that, equally, produce amendments that the Government are happy to accept. The Government would get more credit if they sometimes accepted Opposition amendments and showed more willingness to agree that the fount of all knowledge may not rest with them but that, occasionally, Opposition Members have good ideas that should be incorporated. If the Government say so, we should not exploit that by claiming massive victories but accept that we have gone forward in a spirit of compromise and good will.

Thank you, Mr. Deputy Speaker, for allowing me to make these comments. I wish the Bill well in the House of Lords.

9.40 pm

Mrs. Angela Browning (Tiverton and Honiton): I would like to use this opportunity to put on record my thanks and those of my constituents, Mr. and Mrs. Yeoman, the parents of a young nurse, Charis Yeoman, who was killed by a drunk driver while driving her car. On 6 June 2000, I secured an Adjournment debate in Westminster Hall, and the then Minister of State at the Home Office, the right hon. Member for Norwich, South (Mr. Clarke), said that he recognised that there was a loophole in the law, and pledged to close it. The Bill does just that.

I thank all Home Office Ministers and officials for bringing about the very difficult negotiations between the police force and those in the medical profession. Having met the BMA ethics committee before I brought the matter to the attention of the House, I know how difficult it has been for those two bodies to reach a compromise. However, that has been achieved, and it would be remiss of me not to say thank you. I believe that this will enable the police and the Crown Prosecution Service to bring to justice people who, through their wanton behaviour of drink-driving, kill innocent people such as Charis Yeoman. So, on my constituents' behalf, I thank the Minister that this provision is in the Bill.

Finally, I hope that when the Bill receives Royal Assent there will not be a long delay in implementing this part of it. Quite a long time can pass before certain parts of a Bill are implemented, and I hope that the Minister can reassure me on that matter.

Mr. Deputy Speaker (Sir Michael Lord): David Cameron. *[Interruption.]* I am sorry—George Osborne.

9.42 pm

Mr. George Osborne: Thank you, Mr. Deputy Speaker. My hon. Friend the Member for Witney (Mr. Cameron) and I are often confused for each other. Indeed, he has taken an active part in these debates.

I should like to take part in this mutual round of self-congratulation. It has been a great pleasure taking part in these debates. I pay tribute to my right hon. Friend the Member for West Dorset (Mr. Letwin) for the way in which he has achieved exactly what he set out to achieve. He is expert at filleting Home Office Bills and proves that opposition is sometimes more effective with a scalpel than a blunderbuss. Indeed, he is teaching that to the rest of my party.

I also pay tribute to the Minister for the intelligent and gracious way in which he has steered the Bill through its stages. He dealt with some tricky interventions—usually from the hon. and learned Member for Redcar (Vera Baird). She raised some tricky legal questions, which he dealt with pretty well.

I pay special tribute to my Front-Bench team. Being a junior Front-Bench spokesman in any Parliament, whoever is in government, is a pretty difficult and miserable job, and my hon. Friends the Members for Surrey Heath (Mr. Hawkins) and for South-East Cambridgeshire (Mr. Paice), as well as the Whip, who is not here at present, did it extremely well. Without them, there would be no proper parliamentary process.

I have enjoyed sparring with the hon. Member for North Durham (Mr. Jones). I will now throw away my copy of the Second Reading debate of the Police and Magistrates' Courts Act 1994 and the various quotes from the right hon. Member for Sedgefield (Mr. Blair) before he was Prime Minister. I note in passing that it was the right hon. Gentleman who came up with the innovation of the Opposition not voting against major criminal justice legislation, for which he got a lot of credit at the time. So we remember that Act.

As many hon. Members have said, the Bill is better than when it was first published. The best bits, such as the Independent Police Complaints Commission, have remained largely unaltered, although it is a shame that the chairman of the Home Affairs Committee could not do a bit of empire-building earlier this evening.

Some new good bits have been added during the debates on the Bill, particularly the provisions that will give social landlords the power to issue antisocial behaviour orders, which will make a difference in my constituency and, I imagine, most others. The worst bits of the Bill have been considerably improved, particularly clause 5 and the powers for CSOs.

All in all, good things have come from this process, which has been a pleasure to watch. The Bill is still more prescriptive and centralising than I would like, but there we go. I remain sceptical about CSOs, but as the hon. Member for North Durham said, the proof of the pudding will come later—on the streets of our country and we will all watch to see what happens.

9.45 pm

Lady Hermon: It is indeed a pleasure to follow the hon. Member for Tatton (Mr. Osborne).

On Second Reading, I warned the Minister that police reform is notoriously difficult to manage. I pay tribute to him for heeding the warning, as did the Home Secretary.

Our experience in Northern Ireland has been most unfortunate. When the Patten report was published, the issue was handled with great insensitivity. Reforms were necessary, but they were handled very badly, which resulted in widespread disillusionment among the police force.

Patten recommended that our regular police force should stand at 7,500 over 10 years, but it has dropped dramatically to below 6,900 in less than two and a half years. I urge the Minister and the Home Secretary to continue their consultations with the rank and file members and the Police Federation throughout the land. It is important to maintain the morale of rank and file members.

I pay tribute, as other hon. Members have done, to the Minister and his ministerial colleagues. They were very courteous, patient and efficient throughout the progress of the Bill, and I mean that most sincerely. In Committee on 20 June, I asked the Minister a question regarding the human rights training of community support officers. I should like to place on record the fact that he sent me a very full reply within days in which he explained:

> "The Metropolitan Police have confirmed that their CSO training will include training on the Human Rights Act."

He continued:

> "The Human Rights Act is important legislation. All CSOs will be required to understand and act within it at all times, in the same professional manner as police officers do."

I commend him on the speed with which he was able to follow up undertakings to write to hon. Members on that and subsequent occasions, and I am sure that I speak for other hon. Members who served on the Committee.

The theme of human rights was mentioned by many hon. Members in Committee. After the Minister has had a good night's sleep—he has worked very hard this evening—I should like him to reflect on another example from Northern Ireland: the Northern Ireland Human Rights Commission. The commission advises the Assembly on the adequacy and effectiveness of the laws and practice in relation to the protection of human rights. It staves off a lot of criticism and avoids problems before they end up in legislative form. I commend the good work of the Northern Ireland Human Rights Commission. Although there are differences about the appointment of its members, it need not be dreaded. Indeed, it could be very helpful in future.

It would be most remiss of me to omit paying tribute to all hon. Members who served on the Committee. I very much regretted the fact that I had to absent myself on various occasions because of commitments in North Down.

I am sorry that the hon. Member for Henley (Mr. Johnson) is not present. I did not agree with a word that he said on the vast majority of occasions, but we all found him exceedingly entertaining. I also pay tribute to the officials who were also involved in the Committee. They were exceedingly kind and helpful to me when I brought various drafting queries to their attention.

May I leave the Minister or his officials with a little query? I hope that he will answer a question, and I am sure that he will write to me by tomorrow. This evening, we voted through Government amendment No. 52, which amended paragraph 6(1) of schedule 1. I shall read, at this late hour, paragraph 6(1) as we have amended it:

> "Section 80 shall become subsection (1) of that section, and in that section, after that subsection, there shall be inserted—".

I look forward to the Minister's response to and interpretation of that little amendment that we have voted through this evening.

I commend the Bill to the House. There is much to be said for the police reforms that have been introduced. I repeat my plea that the Government carry the rank and file with them through consultation.

9.50 pm

Angela Watkinson: I am pleased to add my support to the broad cross-party support that the Bill has received. In a way, it is a shame that I am going to concentrate on the detention powers of community support officers, which has been the most controversial element of the Bill. As the Minister has said, however, the matter has been well rehearsed in Standing Committee but not on the Floor of the House.

The Metropolitan police is one of the few forces to have supported this move. In a briefing note to the Home Affairs Committee, it described a hypothetical situation in which a community support officer has detained someone who refuses to give their personal details:

> "He [illegible] the offender they must wait there with him until a police officer [illegible] and puts in a call on his radio for a police officer to join him".

I venture to [illegible] that that would be a very good moment for the [illegible] to make his escape. It continues:

> "The police dispatcher, knowing that having a person detained in a public place is a challenging situation with potential for disorder, gives the call priority and an officer arrives within a few minutes."

A miracle indeed. If there were enough police officers available to respond so quickly, CSOs would not be needed. It continues:

> "Perhaps the offender objects to being detained and tries to leave . . . The CSO uses his or her training in the minimum use of force to prevent this, while, at the same time, putting in a further radio call to emphasise the urgency."

That is pure fantasy. It would be funny if it were not so serious. I wonder whether the author of the briefing document has ever been on the streets.

The detention of an unco-operative person is a difficult and possibly dangerous task. Will CSOs be required to inform the person that their powers of detention are limited to 30 minutes? What will happen on the 31st minute if a real constable has not attended the scene in time to make an arrest? Will it be necessary to let the suspect go? If so, the credibility of CSOs will be undermined in no time. What will happen if the CSO is assaulted or injured, as seems highly probable?

The number of applications to the Metropolitan police from people wanting to be CSOs has been unexpectedly high, but the main reason given for not wanting to be a police officer is very worrying—they think that the job is too dangerous, and they do not want the responsibility. How, I wonder, will they cope?

There is also a serious issue of recognition. The uniformed constable is easily recognised and impersonation of a police officer is an offence. CSOs would, therefore, need a uniform that is easily

[Angela Watkinson]

distinguishable from that of a proper police officer. The public would need to know exactly what powers were invested in whom. I understand that the original plan for the Metropolitan police was to give them a uniform that was almost the same as, or barely distinguishable from, a police officer's uniform. I was reassured this week that they will wear a light blue uniform, and that they will therefore be easily distinguishable.

In some areas, however, including Upminster in the London borough of Havering, community wardens are already employed by the council. They work in co-operation with the police, providing local intelligence and information. They are easily recognisable and nobody confuses them with the police. The introduction of yet another type of warden would cause confusion among members of the public.

In evidence to the Select Committee, the Police Federation, the Police Superintendents Association of England and Wales, the Association of Chief Police Officers and the Association of Police Authorities all raised their concerns about CSOs. I share those concerns. The potential for problems with CSOs in dangerous and difficult situations is obvious, and the operational gain from four fully trained constables compared to six CSOs is enormous.

Mr. Kevan Jones: Will the hon. Lady give way?

Angela Watkinson: I am sorry, but I do not have time.

I have been assured by the Prime Minister at Question Time and by the Minister in Select Committee that CSOs will not be imposed. However, the enthusiasm that the Prime Minister has subsequently shown for CSOs has made me less sure about the proposed funding arrangements. If the adoption of CSOs is to be truly optional, no form of ring-fenced funding should be used to penalise those police authorities that choose not to adopt them. I hope that the Minister will be able to reassure me and police authorities on that particular point in his summing up. The Metropolitan police is already busy recruiting CSOs.

Mrs. Brooke: Will the hon. Lady give way?

Angela Watkinson: I am afraid that I do not have the time.

The alarming rise in street and gun crime has added yet more urgent priorities to the tasks of the Metropolitan police. It is unable to respond to calls from the public about the youth disturbances, vandalism and graffiti that are low-level crime in police terms, but affect very seriously the quality of life of law-abiding people. The answer is not CSOs—it is more police constables. I would like the status of community policing to be raised within police forces with the reintroduction of beat policing, which my constituents ask for continually.

The Metropolitan police in outer London boroughs also suffer from abstraction of their already inadequate numbers because of the need to help to police high-profile events in central London. That seriously affects the service to the public in constituencies, such as Upminster, where a visible uniformed presence cannot be sustained. Again, the answer is not CSOs—it is more police constables.

To stem the tide of rising crime, we need police forces that new recruits want to join and in which experienced officers want to stay. Morale was holed below the waterline by the accusation in the Macpherson report that the police were "institutionally racist"—an accusation that was deeply offensive to the vast majority of officers. If the police are to move forward and tackle the enormous increase in violent and drug-related crime, they need the confidence of the public and the backing of the criminal justice system and the Government. The Bill, in its amended form, will help them to do just that.

9.58 pm

Vernon Coaker (Gedling): I briefly wish to congratulate my right hon. Friend the Minister on the Bill. I have followed it from afar and listened to one or two of the debates over the past couple of days. As he knows, the particular problem that I always raise is antisocial behaviour. Will he therefore undertake to keep under review the measures in the Bill that deal with that problem and ensure that we enforce the new provisions so that they work properly?

9.59 pm

Mr. Denham: With the leave of the House, I am pleased to say that we want to ensure that the new antisocial behaviour order provisions work effectively. To coincide with the commencement of the measures, we will introduce new guidance. I hope that it will also simplify procedures.

I will not attempt to reply to the debate, but I am grateful to those hon. Members who thought that I was in command of my brief. This is the appropriate moment to thank my officials. As the hon. Member for South-East Cambridgeshire (Mr. Paice) will know, the difference between giving and not giving the impression that one is in control of one's brief depends largely on the work of the officials who keep us informed before our debates.

I also wish to thank and pay tribute to the men and women who work in the police service. The debate is about them. They do a fantastic job, and we must be judged on whether the measures that we have agreed will help them to do their vital work in communities throughout the country in the weeks and months to come.

Question put and agreed to.

Bill read the Third time, and passed, with amendments.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT AND AID FOR POVERTY DISEASES

That this House takes note of European Union Documents No. 7727/2/02, draft Council Conclusions for the preparation of the World Summit on Sustainable Development and No. 6863/02, draft Regulation of the European Parliament and of the Council on aid for poverty diseases (HIV/AIDS, malaria and tuberculosis) in developing countries; and welcomes the Government's approach to the World Summit and to discussions on differential pricing of medicines and other key issues.—*[Joan Ryan.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

GENETICALLY MODIFIED FOOD AND FEED

That this House takes note of European Union Documents No. 11576/01, draft Council Regulation on genetically modified food and feed and No. 11496/01, draft Council Regulation on the traceability and labelling of genetically modified organisms and traceability of food and feed products produced from genetically modified organisms; and supports the Government's aim of securing practical, proportionate and enforceable legislation that also recognises the external impact, including that on developing countries.—*[Joan Ryan.]*

Question agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation) and Order [3 July],

SECTION 5 OF THE EUROPEAN COMMUNITIES (AMENDMENT) ACT 1993

That this House takes note with approval of the Government's assessment as set out in the Financial Statement and Budget Report 2002–03 and the Economic and Fiscal Strategy Report 2002–03 for the purposes of section 5 of the European Communities (Amendment) Act 1993.—*[Joan Ryan.]*

Mr. Deputy Speaker (Sir Michael Lord): I think the Ayes have it.

Hon. Members: No.

Division deferred till Wednesday 17 July, pursuant to Order [28 June 2001].

Mr. Deputy Speaker: With permission, I shall put together the remaining motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

SOCIAL SECURITY

That the draft State Pension Credit Regulations 2002, which were laid before this House on 26th June, be approved.

NORTHERN IRELAND

That the draft Northern Ireland Assembly (Elections) (Amendment) Order 2002, which was laid before this House on 26th June, be approved.

INSOLVENCY

That the draft Insolvency Act 1986 (Amendment) (No. 3) Regulations 2002, which were laid before this House on 26th June, be approved.

TERMS AND CONDITIONS OF EMPLOYMENT

That the draft National Minimum Wage Regulations 1999 (Amendment) Regulations 2002, which were laid before this House on 25th June, be approved.

FAMILY LAW

That the draft Child Support Appeals (Jurisdiction of Courts) Order 2002, which was laid before this House on 24th June, be approved.

FAMILY LAW

That the draft Child Support (Temporary Compensation Payment Scheme) (Modification and Amendment) Regulations 2002, which were laid before this House on 24th June, be approved.—*[Joan Ryan.]*

Question agreed to.

Village Halls

Motion made, and Question proposed, That this House do now adjourn.—*[Joan Ryan.]*

10.1 pm

Matthew Taylor (Truro and St. Austell): I am delighted to have the opportunity to initiate this Adjournment debate. I have taken part in many such debates at two or three in the morning, but procedures have changed and tonight I cut short a dinner with my good friends, Martin and Miranda Thomas, because I was told that Third Reading would finish 45 minutes ago. Life never quite works out as planned.

The issue is important to Cornwall and other rural areas. Bugle village hall was built by volunteers at the end of world war one to commemorate those who died in the war. It is extremely well used. Everything from the panto, the Darby and Joan club, the toddlers group and bingo take place there, but all improvements are carried out by voluntary labour. It now needs a disabled toilet and disabled access, which alone will cost £20,000. The hall struggles to find even a small proportion of that in what is one of the poorest communities in Cornwall, which is itself one of the poorest communities in the country.

Penwithick has spent five or six years putting together fundraising events locally to get a community centre, but it cannot get the land because land prices have taken off in the past few years. The project has huge support. The community has held car boot sales, jumbles, sponsored swims and so on. It has the support of the local community council and St. Austell college, but the various funding organisations will not provide the funding for land so it is unable to proceed.

Village halls in Cornwall and across Britain are facing a crisis in funding that threatens their continued existence. Traditional sources of funding have gradually been eroded. Funding bodies that offered assistance have now withdrawn or changed the basis of their support in ways that create real difficulty for many vital institutions. I have primarily been alerted to the issues by Cornwall rural community council, which has done extensive work researching the situation in Cornwall. My concerns are also shared by Action with Communities in Rural England, the national body representing the rural community councils, which has done extensive research on the problem nationally.

I raised the problem with the former Secretary of State at the Department for Transport, Local Government and the Regions on 28 May. My concerns have been transferred to the Department for Environment, Food and Rural Affairs and I await a reply. However, I am sure that the Minister will respond to the issues tonight.

Mr. John Burnett (Torridge and West Devon): I congratulate my hon. Friend on securing this debate. It would be worth his knowing that in Devonshire some 60 halls are waiting, in vain it seems, for £11 million of assistance, which they are finding it impossible to get.

Matthew Taylor: I thank my hon. Friend. In a moment I will give the House some figures about Cornwall that will make a similar point.

I know that the Countryside Commission put out a press release today about some of its sources of funding, and I shall return to that later, but there is one issue that I want to pre-empt. The press release suggests that there has been a substantial increase in the number of village halls. That is purely a statistical change. It is not that there are more halls; it is only that the commission is including more buildings as halls. Sadly, we are not getting more halls. A great many are under threat of closure and some are in the process of closing.

To respond to my hon. Friend's point, the extensive village halls survey by the Cornwall rural community council shows that about £10 million of investment is required simply to bring village halls up to present day standards. We are talking not about expansion, great improvements or new services but about basics such as toilets that work, kitchens that meet current hygiene standards and, perhaps most fundamentally, roofs that do not leak. Approximately £6 million of that work is classed as urgent, and if the remaining £4 million of work does not take place, much of it will become urgent.

In addition to the rural community council research, we have the results of a similar survey conducted in 1998 by the Cornish millennium projects, which found that £13 million of investment was needed. Since then, £3 million of investment has come from that fund. That suggests that the more recent research is pretty accurate.

Norman Lamb (North Norfolk): I have received similar representations from the Norfolk rural community council and from ACRE. Is my hon. Friend aware that, as well as the costs that he has mentioned, village halls face the 2004 implementation of the Disability Discrimination Act 1995? Its provisions on access to public places are creating additional concern because they come with a substantial price tag that many village halls simply will not be able to meet.

Matthew Taylor: My hon. Friend is absolutely right. I know that hon. Members on both sides of the House want to raise similar concerns.

I do not want this debate to be only about Cornwall. If we take the figures for Cornwall and Devon and look at the ACRE research, we can extrapolate a figure of some £400 million of necessary capital investment. No one pretends that it is all needed overnight, and of course local fund-raising committees will run their jumble sales and bring-and-buy sales and access local funding. However, much of that funding cannot be put together without substantive Government support.

We should not forget that village halls are worth protecting as an asset. Their total value is estimated at over £1 billion. The average lifespan is already over 50 years and more than half are over 60 years old. As my hon. Friend suggested, current facilities are inadequate for modern use. Nationally, annual capital investment of roughly £20 million is required to cover replacement costs and another £20 million is needed to meet the rising demand for quality in facilities. That is on top of the figure of £400 million that I have already given for the backlog of urgent fundamental repairs to the structure of the buildings.

The problem, and the reason that I bring the matter to the House, is that the money available to village halls is being eroded just as their age is making the work far more urgent. That has not happened only under the present Government; it has been a process over many years. It reflects cuts in funding, some of which perhaps were necessary, but the overall effect has been to store up problems in an ageing asset. Many halls were built after the first and second world wars and now need that major capital investment, but there is no funding for it.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): Does my hon. Friend agree that there is a tremendous urgency about the situation? It affects the fabric of social life and the sustainability of village life. With the funds drying up at such a critical point, we need a package quickly, not in the next 10 years.

Matthew Taylor: For many village halls, the need is immediate. If communities cannot raise £50,000 or £100,000 to replace the roof, their only option is to allow the village hall to close. Once closed, it will not reopen. We all know the truth of that. The building will rapidly deteriorate and in most cases it will be sold.

I shall deal briefly with the sources of funding. Local authority funding to village halls in England has remained static at just over £5 million annually between 1981 and 2000. By definition, that is a significant decrease in the real value of that funding. At the same time, legislative requirements on health and safety and, as my hon. Friend the Member for North Norfolk (Mr. Lamb) mentioned, the Disability Discrimination Act 1995 must be met.

Almost half the county councils—16 of them—provide no funding at all. It is not and never has been a statutory duty, and as councils have had to focus on their statutory duties in respect of education, social services and so on, we all know that whichever parties have been running local authorities, many non-statutory duties have been drastically cut or have come to an end. The same is happening in the district and unitary authorities. The relevant figures are given in the ACRE "Status of Funding for Village Halls" report of January 2002.

Many local communities have sought national lottery funding. The millennium grants were a significant source of funding, but they have come to an end. The lottery's community fund national grant aid, which might have provided some funding, is coming down. Its grants strategy, as is the case generally, is focused on limited geographical areas or smaller amounts aimed at the delivery of specific functions or feasibility studies on expanding services. However, my concern is not the extension of services provided in village halls. I am worried about the existing structure or the loss of that structure, and the statutory requirements that must be met. Grants for that are no longer available from the community fund.

Alistair Burt (North-East Bedfordshire): I am grateful to the hon. Gentleman and the Minister for kindly agreeing to allow me to intervene.

The hon. Gentleman may be aware that I have been contacted by Bedfordshire Rural Communities Charity. We look after some 100 village hall committees in Bedfordshire. The charity tells me that some £31 million was available a few years ago, and now only £13 million is available. Is the hon. Gentleman reassured—I am not sure that I am—by a recent letter that I received from the Secretary of State for Culture, Media and Sport, which I have shown to the Minister? The letter tells me:

> "Distributors confirmed that they were now finalising details on a trial scheme for the funding of multi-purpose community facilities which would be applicant-friendly with a single front door application system."

Does the hon. Gentleman share my concern that that may mean that village halls have some priority in that funding, or is he confused by the possibility that that wonderful single front door application system might conceal the fact that funding for village halls is rather less than it used to be?

Matthew Taylor: It is undoubtedly true that funding for village halls is somewhat less than it used to be. If we can bring funding schemes together and have a single front door—there has been such a scheme in the west midlands—it may be easier for the village hall committee to access it. That would be good news. However, if the money is not available once one goes through the door, it will not get the building work done.

The national village halls grants scheme was operated by the old Rural Development Commission. I was one of those who regretted the loss of the Rural Development Commission, which had a targeted role that worked extremely well in support of rural communities. It was replaced by the Countryside Agency and the national village halls grants scheme was axed. It has been replaced by community service grants, but those limit funding improvements to facilities that allow new services to be introduced, which is great in its own right, but does nothing to keep the hall open if the roof is falling in. That fund is down to £600,000, which is a drop in the ocean, compared with the sum that is needed. There is also a loans fund, which is even smaller—just £250,000 has been given out—but it attracts an 8 per cent. interest rate. For an agency tasked with strengthening rural communities, that is not much of a solution for anybody.

Andrew George (St. Ives): On funding for the future of village halls, I can speak from experience, having worked in that area in the period immediately before I was elected. Does my hon. Friend agree that over a period of years a fad has developed among grant schemes that are supported by Government or have Government involvement whereby they support not established, much appreciated services that people know and love, but only new innovations—and that only on the basis of being the funding of last resort.

Matthew Taylor: I agree with my hon. Friend, who is extremely experienced in this area, having worked with Cornwall rural community council in the past. I know that he shares my concern that there has been a great move away from the fundamental capital funding that is needed to keep halls open when they are most in need of it.

I have let several hon. Members intervene, and I hope that they accept that I cannot let any more do so. I hope that the Minister will allow me an extra minute or two to make up for the time that I lost through interventions.

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Elliot Morley): Injury time.

Matthew Taylor: I thank the Minister for that.

[Matthew Taylor]

Another problem with the Countryside Agency is its rather rigid definition of services—it will fund only services, and that does not include the basic structure of the hall. I know of a community in Cornwall in the next-door constituency to mine. It has a population of 220. They have managed to secure the shell of the building, but the Countryside Commission will not allow them to get it into a state to operate as a village hall because that is not in itself a service. That is nonsense; it is juggling with words.

Very few other sources of grant are available. The South West of England regional development agency provides no funding for village halls unless they can illustrate economic outputs—so they could put in a suite of computers for training, but could not repair the roof to keep the computers in working order. That is despite the fact that, as the rural community council survey shows, village halls can demonstrate that there are genuine economic outputs as a result of their basic day-to-day work, not least through the staff who are employed in helping to run them. Yet the RDA is simply unwilling to recognise that contribution, and this form of support from the Countryside Agency does not exist. European funding and other economic development funding is extremely hard to access for such basic services. In Cornwall, funding is wrapped into objective 1, which has not made a single grant to village halls on the ground that they do not fall within the economic development criteria with which objective 1 is charged.

These halls have scores of fundamental uses within the local community. One hall picked at random from the Cornwall survey had 72 separate uses, including sports, arts, cultural events, community events and meetings, lunch clubs, post offices, polling stations, wedding receptions, school events, Women's Institute events, farmers' markets, conferences, doctors' surgeries, blood transfusion services, police liaison, religious services and private hire. The list goes on, but time does not allow. The fundamental fact is that for many rural communities village halls are not a luxury—they are essential to their well-being. The venues create a valuable sense of community and help to prevent rural communities from being isolated.

If the buildings are allowed to fall into ruin, there is little chance of their being replaced. Lottery funding has introduced a regime whereby capital is readily available for most things, but running costs are not. Yet in the case that we are considering, capital is needed but not available. That is ironic. The village hall's basic revenue costs are next to nothing because it is run by volunteers, but it finds it almost impossible to gain access to the capital funding that it needs.

The problem is not new and, in some ways, the Minister is in the difficult position of having to catch up and resolve a funding difficulty that has been allowed to grow for far too long, but is now urgent. The Action with Communities in Rural England report, the Cornwall rural community council report and the wide support from hon. Members show that the problem requires immediate action. Rural Members of any party from any part of the country express the same anxieties.

I do not want village halls in my constituency to close, but I cannot tell them where they can find the money that they need. I hope that the Minister can do that.

10.20 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Elliot Morley): I congratulate the hon. Member for Truro and St. Austell (Matthew Taylor) on securing the debate and making an important case about the role of village halls and community centres. The Government acknowledge that they are often the hubs of village life. We understand their importance and the hon. Gentleman's case.

I read the Cornwall village hall survey with interest. It contained much that is important for all rural Members to note. Although it confirms the importance of village halls, the survey also stated that many are not achieving their potential as community resources. For example, it mentioned that they are often under-utilised, especially during the day.

Matthew Taylor: Because of poor facilities.

Mr. Morley: There are several reasons that we need to consider. The report provides important lessons, and I have a great deal of respect for ACRE and its work. We give its submissions careful attention.

We have supported the development of active communities, and village halls provide a location for a range of community services and activities. They are generally eligible for some funding towards necessary improvements or modifications. The available evidence shows an increase in village halls and meeting places, as reported in the Countryside Agency's rural services survey in 2000. It shows that 85 per cent. of parishes had such a facility in 2000, compared with 72 per cent. in 1997. That shows the impact of lottery money. It also demonstrates that community centres and village halls have increased rapidly in the past few years.

Matthew Taylor: Will the Minister give way?

Mr. Morley: The hon. Gentleman has squeezed me, but as it is his Adjournment debate, I shall give way.

Matthew Taylor: I am sure that the Minister believes that the statistics that he cited show an increase in halls. I ask him to query that, because the definition has changed to include other community centres. If the Minister asks his officials after the debate, I am sure that they will confirm that. I do not want to make a political point, I simply want him to check afterwards.

Mr. Morley: I agree, but it is important that communities have a centre, whether it is a hall or a community centre. The facility rather than its exact definition is important. I am sure that the hon. Gentleman agrees. That does not detract from the fact that the survey shows that village halls and meeting places are increasing. That is due to a substantial increase in the money that has been made available.

We are discussing the problems. There is a need to improve data collection and consider the funding for village halls to establish need. I take the hon. Gentleman's point that we are considering a capital issue. In many cases, it is easier to support through capital rather than through running costs.

I live in a village, where support from the town council and the local council meant that it could buy a redundant school and convert it into a village hall. That was achieved mainly through activities in the community. I know that the hon. Gentleman is not suggesting that people should depend on outside funding. There is a role for active communities in raising money, but that is not to say that there should be no such support. In recent years, there has been a big increase because of the lottery. In the 1980s, about £10 million was spent, compared with about £50 million at the peak in the mid-1990s. There has been a slight fall, but the most recent figure that I have, which is for 2000, is £31.4 million.

Mr. Burnett: Will the Minister give way very quickly?

Mr. Morley: If the hon. Gentleman will forgive me, I am afraid that I cannot.

That is a significant increase. Indeed, ACRE's report on the financing of village halls, which I have in front of me, shows that the increase in the funds made available in the past few years has been dramatic.

Mr. Burnett: It has dried up.

Mr. Morley: It has fallen back, but the suggestion that it has dried up is misleading. The 2000 figures are six times greater than those for the beginning of the 1990s, which bumped along at a very low level. I commend the report to the hon. Member for Truro and St. Austell and suggest that he look at the situation that it describes. Although I am not saying that no issues are involved, anyone seeking to make a big case about the fact that there has been a gigantic increase in funding that has fallen back a bit in comparison with very low funding for very long periods should put the matter in perspective. Record sums have been going in in comparatively recent times and the number of facilities for villages has increased since 1997.

Those are the figures that we have. As the hon. Gentleman said, the village halls loans fund is available for use and is administered by ACRE on behalf of the Countryside Agency. The fund can provide loans towards capital improvements such as maintenance, extensions or rebuilding costs. The Countryside Agency can also offer assistance through the community service grants scheme, which he mentioned. That assistance is delivered through the vital villages programme and can help to fund an alteration or extension of a village hall or other community building where it will provide a new or extended service to the community.

The community fund, a lottery distribution body that distributes lottery funds on behalf of the Department for Culture, Media and Sport, is the main source of funding for village halls, and accounts for the significant increase in recent years. That funding alone accounts for about £18 million of the £31.4 million that was available in 2000. Other sources of public funding include local authorities, regional development agencies and the Sports Council.

I accept that there are caveats. Of course, the criteria must be met and the process depends very much on the nature of the application. However, that is all part of community activity and of local communities determining priorities and activities in the halls and centres where those activities are focused. None the less, considerable funds are still available. Even though there has been a decline in lottery money, the amount provided is still a considerable improvement on what was given in the past.

There has been a meeting with the DCMS. Indeed, it was dealt with in the letter cited by the hon. Member for North-East Bedfordshire (Alistair Burt); I accept that the use of language was interesting. The meeting was held to consider the detail of the analysis provided by ACRE in relation to the £50 million shortfall—or, rather, the amount that it has identified as being needed for modernisation and repairs. There is a feeling inside the DCMS and among lottery fund providers that, although they do not dispute the justification for funding, repairs and maintenance, especially on large capital programmes, the £50 million figure needs to be broken down. There needs to be some examination of how the figures have been arrived at, so that we can have a more accurate picture of the needs of village halls and communities.

In conclusion, there is no disagreement in the Government with the case made by hon. Members about the importance of village halls, community centres and community meeting places. Such places are a focus and hub for communities and we want to support them. With all respect to the hon. Gentleman, it is sometimes easy to overstate the case about a fall-back on what has been a very large increase in the funds available. A number of Government bodies and Departments are involved in relation to the lottery providers and distributors, and they include DEFRA in respect of its various rural action programmes. It is not unreasonable that they need to discuss with ACRE and other interested bodies the scale of the problem and decide what action can be taken to deal with the matter through a partnership approach that recognises that the strength of the facilities is measured by the strength of the support that they have in communities in making them work and ensuring that they are part of the community and a focus for community activities.

Question put and agreed to.

Adjourned accordingly at half-past Ten o'clock.

Deferred Divisions

INVESTIGATORY POWERS

That the draft Regulation of Investigatory Powers (Covert Human Intelligence Sources: Code of Practice) Order 2002, which was laid before this House on 10th June, be approved.

The House divided: Ayes 312, Noes 194.

Division No. 301]

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Barnes, Harry
Barron, Rt Hon Kevin
Begg, Miss Anne
Beggs, Roy
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Burnside, David
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Donaldson, Jeffrey M
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hill, Keith
Hodge, Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hume, John
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jowell, Rt Hon Tessa
Joyce, Eric
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian
Luke, Iain
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNamara, Kevin
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Southworth, Helen
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stoate, Dr Howard

Strang, Rt Hon Dr Gavin
Stringer, Graham
Sutcliffe, Gerry
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Trimble, Rt Hon David
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

NOES

Allan, Richard
Ancram, Rt Hon Michael
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John
Barrett, John
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L
Browning, Mrs Angela
Bruce, Malcolm
Burns, Simon
Burstow, Paul
Burt, Alistair
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Quentin *(Grantham)*
Djanogly, Jonathan
Dodds, Nigel
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flook, Adrian
Foster, Don *(Bath)*
Fox, Dr Liam
Francois, Mark
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David
Hendry, Charles
Hoban, Mark
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Marsden, Paul *(Shrewsbury)*
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Pickles, Eric
Price, Adam
Prisk, Mark
Pugh, Dr John
Randall, John
Redwood, Rt Hon John
Reid, Alan
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Young, Rt Hon Sir George

Question accordingly agreed to.

INVESTIGATORY POWERS

That the draft Regulation of Investigatory Powers (Covert Surveillance: Code of Practice) Order 2002, which was laid before this House on 10th June, be approved.

The House divided: Ayes 312, Noes 194.

Division No. 302]

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Barnes, Harry
Barron, Rt Hon Kevin
Begg, Miss Anne
Beggs, Roy
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Rt Hon Keith *(Withington)*
Bradshaw, Ben
Brennan, Kevin
Brown, Rt Hon Nicholas *(Newcastle E & Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Burnside, David
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*

Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim
Donaldson, Jeffrey M
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Francis, Dr Hywel
Gapes, Mike
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Rt Hon Peter
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hill, Keith
Hodge, Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hume, John
Hutton, Rt Hon John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jowell, Rt Hon Tessa
Joyce, Eric
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Knight, Jim *(S Dorset)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian
Luke, Iain
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNamara, Kevin
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John
Marris, Rob
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, Rt Hon Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andy *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Southworth, Helen
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Sutcliffe, Gerry
Tami, Mark
Taylor, Rt Hon Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Trimble, Rt Hon David
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

NOES

Allan, Richard
Ancram, Rt Hon Michael
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John
Barrett, John
Beith, Rt Hon A J
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Virginia
Brady, Graham
Brake, Tom
Brazier, Julian

Breed, Colin
Brooke, Mrs Annette L
Browning, Mrs Angela
Bruce, Malcolm
Burns, Simon
Burstow, Paul
Burt, Alistair
Cable, Dr Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, Gregory *(E Lond'y)*
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Quentin *(Grantham)*
Djanogly, Jonathan
Dodds, Nigel
Duncan, Alan *(Rutland & Melton)*
Duncan, Peter *(Galloway)*
Duncan Smith, Rt Hon Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London)*
Flook, Adrian
Foster, Don *(Bath)*
Fox, Dr Liam
Francois, Mark
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan *(Oxford W)*
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David
Hendry, Charles
Hoban, Mark
Holmes, Paul
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Knight, Rt Hon Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Marsden, Paul *(Shrewsbury)*
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr Andrew
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Pickles, Eric
Price, Adam
Prisk, Mark
Pugh, Dr John
Randall, John
Redwood, Rt Hon John
Reid, Alan
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, Rt Hon Mrs Gillian
Simmonds, Mark
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob
Spring, Richard
Stanley, Rt Hon Sir John
Stunell, Andrew
Swayne, Desmond
Swire, Hugo
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve
Weir, Michael
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Young, Rt Hon Sir George

Question accordingly agreed to.

House of Commons

Thursday 11 July 2002

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

BARCLAYS GROUP REORGANISATION *[Lords]*

Considered, to be read the Third time.

Oral Answers to Questions

TRADE AND INDUSTRY

The Secretary of State was asked—

Sub-post Office Network

1. **Tim Loughton** (East Worthing and Shoreham): What recent representations she has received regarding the future of the sub-post office network. [66366]

4. **Dr. Julian Lewis** (New Forest, East): What recent representations she has received regarding the future of the sub-post office network. [66369]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): I receive representations about the future of the sub-post office network from numerous sources, reflecting the valuable role that sub-post offices play in their local communities, particularly in rural areas and for the elderly and less mobile. The Government are committed to ensuring that the post office network has a thriving future.

Tim Loughton: Well, that did not tell us much. A recent letter from Consignia to Members of Parliament stated:

> "Our network of post office branches is too expensive to maintain . . . loss of traditional business, such as benefits being paid into bank accounts, will only make this situation worse."

How do the Government intend to deliver on the Prime Minister's pledge that all those who wish to continue to receive benefits in cash will be able to do so if more than half the sub-post office network is closed, especially in places such as Worthing in my constituency where there are a great many old people who simply will not be able to travel to the few post offices that are still open? Can the Secretary of State also guarantee that the post office-based universal bank will be open for business in April 2003, given both the recent resignation of Basil Larkins, the architect of the universal bank, and the fact that apparently no decision has even been taken on which software it will use?

Ms Hewitt: We have significantly reduced the number of post office closures, especially in rural areas—*[Interruption.]* We have significantly reduced the number of post office closures. Two years ago, we lost more than 500 sub-post offices across the country, most of them in rural areas; last year, we halved the rate of closure, and more than halved it in rural areas. We are already seeing the benefits of our decision to put a duty on the company to prevent avoidable closures in rural areas. That is already benefiting customers of the Post Office.

We have made it clear that all claimants will be able to go on collecting their benefits in cash from the post office, whether they are using network banking, a new basic bank account or a post office card account. The universal banking service is indeed on track for introduction by April next year. The important point, which I have stressed to the sub-postmasters and mistresses, is that whatever kind of bank account or post office card account the claimant is using, they will be able to do their banking and get their cash at the post office, and the sub-postmaster or mistress will be paid for that.

Dr. Julian Lewis: That answer sounded rather like Stalin claiming credit for the fact that he was running out of victims in the great purge. Is it not a fact that, up and down the country, hundreds if not thousands of communities fear the loss of their sub-post office, and hundreds if not thousands of people who invested their life savings in building up the business of the sub-post office network are wondering what is going to happen to their careers? When those post offices close—as they will continue to do—what compensation will the Government offer those people who have invested their life savings in building up businesses that are about to be destroyed?

Ms Hewitt: The previous Conservative Government did nothing to reduce the rate of post office closures, nor did they do anything to compensate sub-postmasters and mistresses who needed and wanted to close their businesses. What we have done is to agree with the National Federation of Sub-Postmasters a compensation package that will include not only compensation for sub-postmasters and mistresses in urban areas whose post offices are closing, but investment grants for sub-postmasters and mistresses to improve the remaining offices so that we can deliver a much better service.

The fact is that there are too many underused post offices in some of our towns and cities. Indeed, a sub-postmaster in a part of my city—Leicester—said that there were 10 sub-post offices within a square mile. They were all competing against each other and none was able to make a sensible living or deliver a good service. That is why, under urban reinvention, the Post Office will be making proposals for a reinvention of that network, which will mean a better service for customers and a much better future for the sub-postmasters and mistresses.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that it is not all black over Bill's mothers? In Bolsover, where there are more than 20 post offices in a constituency 30 miles long and where we have miners' welfare, there is an imaginative scheme to save the post offices—although we have hardly lost any over the years; I spend my time trying to keep them open instead of yapping in here. The latest scheme is to make sure that we get the miners' welfare at Palterton to take on the post office because we could not find anyone to look after it. That looks like being a rip-roaring success. Cheques from the DTI will be gladly received.

Ms Hewitt: My hon. Friend is absolutely right. In many parts of the country, we are getting partnerships between community organisations and the Post Office so that we can keep post office services open, but not simply as part of free-standing post offices because half of the rural post offices that closed last year were part-time and had only 70 customers or fewer a week. By combining them with miners' welfare or other community organisations, we can substantially increase access to post office services. That is what we want to do, and I would encourage my hon. Friend's constituents to apply for a grant from our community fund, which is designed to support exactly that kind of initiative.

Mr. Lindsay Hoyle (Chorley): Is my right hon. Friend aware that while Post Office bosses chatter, we see the network continuing to close? Will she use her good offices to ensure, as the sole shareholder, that the Post Office will remain a universal service but a sustainable one so that it will continue into the future? We need a good input from her good self.

Ms Hewitt: One of the most important things that my hon. Friend the Minister for E-Commerce and Competitiveness and I have done is to ensure that we have a new chief executive for the post office network—David Mills, who comes from a retail banking background. He is already considering ways in which we can make the post office network much more commercially successful, with products such as household and travel insurance and so on, which are already proving hugely successful. As I have said in the House previously, I am expecting David Mills and Allan Leighton to produce a new strategy for the future of the network in September, and we will do everything to support them in ensuring that our post offices are not only as commercially successful as possible, but continue to play their absolutely vital role in local communities.

Brian Cotter (Weston-super-Mare): May I point out to the Secretary of State that there is a great lack of confidence in the Government among sub-postmasters? That has not been helped by the fact that in my part of the country claimants are saying that they have received letters from the Department for Work and Pensions asking for their bank details with a view to the payment of benefits in the future. Will the right hon. Lady investigate that urgently with that Department? Irrespective of whether that is the case, may I urge her to ensure that letters are sent to claimants clearly saying that they can carry on receiving their payments over the counter?

Ms Hewitt: We have already stated publicly and clearly that all claimants who want to get their benefit in cash at post offices will be able to do so. I want to stress a point that I have made both in the House and directly to the National Federation of Sub-Postmasters: the decision about what kind of account to use for benefit payments in future will be one for the claimant, but irrespective of whether claimants use their own existing bank accounts, new bank accounts, basic bank accounts, or the new post office card account, they will continue to be able to get their cash over the counter at post offices. They will also be able to gain access to a much wider range of banking services thanks to the universal bank, and the postmaster and postmistress will continue to be paid for those services. That will be hugely beneficial to sub-post offices in ensuring that they not only keep their existing customers but get new ones as well.

Mr. Russell Brown (Dumfries): May I tell my right hon. Friend that I met representatives of Consignia last week, and one of the issues that we discussed was the whole concept of the one-stop shop pilot project in Leicestershire and Rutland? They have assured me that that has been a significant success and that the footfall that they required has been achieved. What plans are there to roll out that programme UK-wide?

Ms Hewitt: We have now received the evaluation of the results of the pilot project, and we have been considering the response of members of the public, who in many ways have welcomed the very useful access to Government information and services that "Your Guide" has provided. We have considered whether "Your Guide" has brought in new customers to the post offices in those pilot areas, as that was part of the intention. Of course we are considering whether a national roll-out of the scheme would provide value for money to Departments. We will publish the evaluation report shortly, and then discuss it with all the interested partners before making a decision on a national roll-out.

Mr. John Whittingdale (Maldon and East Chelmsford): But the Postcomm report advising the Secretary of State how to provide financial support for the rural network has been sitting on her desk for six months. Four weeks ago she said that an announcement was imminent. The performance and innovation unit's report said that the full roll-out of the "Your Guide" electronic information system should be achieved by mid-2002, yet today the Secretary of State is unable even to say whether the Government have decided to go ahead with it. We have had no details of the universal bank, despite calls that it should be up and running well before the April deadline. There is less than nine months to go before the changes to the system take place, but all we have had are words. Time is running out. When will the Government start delivering?

Ms Hewitt: The Government are already delivering, as the hon. Gentleman knows because we have discussed this matter on many occasions in the House. We have already radically restructured the management and leadership of the Royal Mail Group and of the Post Office. We have a new chief executive in place and we will soon have a new chairman for the Post Office network itself in place. The universal banking service, on which an enormous amount of work has been done, is on track, just as we said it would be. Sub-postmasters and mistresses will benefit enormously from the creation of the universal banking service. We will meet the commitment that the Prime Minister gave that benefit claimants will continue to be able to obtain their benefits in cash at the post office. We have significantly reduced the rate of post office closures, particularly in rural areas, and we are considering how best to put in a payment for the community service provided by rural post offices without in any way reducing the incentive to sub-postmasters and mistresses to maximise their commercial income as well.

As I have just explained, we will publish the evaluation report on "Your Guide" shortly, and we shall consider value for money for the Government and, crucially, for the post offices. I should be astonished if the hon. Gentleman expected us to make a decision without taking value for money into account. We have, as I have said, a new chief executive who will come forward in the autumn so that we can put in place a comprehensive strategy to guarantee the future of our crucial post office services.

Mr. Whittingdale: All that the Secretary of State seems able to say is that it will be all right on the night. Is she aware that this morning the National Federation of Sub-Postmasters, the Village Retail Services Association, the Federation of Small Businesses, the Forum of Private Business, as well as Help the Aged, the National Association of Citizens Advice Bureaux and Postwatch, the Government's own consumer body, have all joined us in expressing concern about the deafening silence from the Government on these vital issues? If she is not willing to listen to Conservative Members, perhaps she will start listening to those organisations.

Ms Hewitt: We have been listening all the way through to all the organisations to which the hon. Gentleman referred and we have worked closely with them. The National Federation of Sub-Postmasters has warmly welcomed the compensation and investment package that we have put in place—some £210 million—for the urban reinvention programme. We discuss regularly with the federation and other partners who have an interest in the issue how best we can deliver on the strategy that was set out in the PIU report, and we shall continue to do that so that we have the action, not the words, that will deliver the post office services that everybody wants to see.

Automotive Industry

2. **Lynne Jones** (Birmingham, Selly Oak): What action she is taking to support the automotive industry. [66367]

The Minister for Employment Relations, Industry and the Regions (Alan Johnson): Recently my right hon. Friend the Secretary of State announced a package of £45 million for the automotive sector to include an automotive academy, two centres of automotive excellence, and support for cross-regional supply chains as a first step to implementing the recommendations of the automotive innovation and growth team. In 2001 the Department delivered regional selective assistance and training grant offers totalling £35 million. The Department also spent about £2 million last year on various other projects to promote competitiveness and productivity improvements in the sector. The Department is continuing to support process improvements through the Society of Motor Manufacturers and Traders industry forum and research and development through the foresight vehicle programme, with commitments to date exceeding £13 million.

Lynne Jones: My hon. Friend is aware that the livelihoods of many families in the west midlands depend on the success of the automotive industry. I welcome the setting up of the innovation and growth team and its report. My hon. Friend has given us some details of the action taken by the Government. What is he doing specifically to assist the components sector, which faces difficulties as a result of increased outsourcing from the eurozone?

Alan Johnson: My hon. Friend raises an important point. We have 17 of the world's top 20 tier 1 component manufacturers located in the UK. The recommendation of the innovation and growth team specifically dealt with that in its work on the supply chain. My hon. Friend knows that we had a project in the west midlands called "Accelerate", which we are spreading across the country, in accordance with the recommendation from Sir Ian Gibson and his team. That focuses on the supply chain, and component manufacturers in particular.

Malcolm Bruce (Gordon): How does the Minister think it will help the automotive industry for the DTI's recommendation that in the end-of-life vehicle directive, responsibility for the final disposal will rest with the final owner? Does he think that people who have bought a cheap car will accept that responsibility at the end of its life, or does he anticipate that we will have an increasing number of abandoned cars, which already cost us £400 million a year? Does he not believe that that will reflect badly on the automotive industry? We need a system that will ensure that vehicles are disposed of safely and quickly.

Alan Johnson: The issue to which the hon. Gentleman refers is still under consideration in Europe. As regards helping the industry, we have been instrumental in removing the block exemption scheme and in particular the location ban clause, which will allow retailers in this country to offer consumers better value in terms of new car sales. That, in turn, will help the automotive industry.

Small Business

3. **David Hamilton** (Midlothian): What steps she is taking to increase investment in basic skills among small firms. [66368]

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): The Government are committed to raising the level of adult literacy and numeracy in the work force and aim to provide free high-quality training and advice on basic skills for all small businesses. We have already trained 447 workplace basic skills brokers and we are recruiting employer champions, all with a proven basic skills track record in their sector, to help guide other businesses.

David Hamilton: When I started in the coal industry in Midlothian at the age of 15, there were 12 companies employing more than 1,000 people. In Midlothian now, there are 1,000 companies employing fewer than

12 people. It is therefore critical that people acquire not just the basic skills, but the trade skills that are needed throughout the area. In the past, it was easy to get plumbers, electricians and so on, but now it costs an arm and a leg to get them, and they come when they choose to come, because there are so few in the area. How can the Government assess those micro-industries, which in most cases are family companies, to see how best they can deliver, so that we remain the fourth state in the world in economic terms?

Nigel Griffiths: My hon. Friend is right. The Government already support training in small businesses through the small firms training loans scheme. We strongly support modern apprenticeships. My hon. Friend will share my pleasure at the fact that 728 young people resident in Midlothian are working towards vocational qualifications through skill seekers' training programmes. We are committed to training and we welcome all the support that we are getting from small businesses, as well as from all hon. Members.

Mr. Richard Page (South-West Hertfordshire): The Minister will be aware that small firms have a limited time horizon, and their employees have great difficulty in getting away from work for any sort of training. As we are speaking of hundreds of thousands, if not millions, of small businesses, what are the Government doing to support Learndirect on the internet? What targets are they hoping to achieve for the hundreds of thousands of businesses that will qualify for such support, and how many people have indicated an interest so far?

Nigel Griffiths: I am grateful to the hon. Gentleman for highlighting Learndirect. I had the pleasure of visiting J. and K. Ross in Warrington on 29 March this year to see the firm's pilot Learndirect pod. It is a worthwhile and valued project. We aim to roll it out as quickly as possible. We will learn from the pilots and then, I hope, apply them nationally.

Mr. Tony McWalter (Hemel Hempstead): Does my hon. Friend agree that one way of improving basic accountancy and engineering skills is for workers in small firms to form that firm as a co-operative? Will he ensure that the Small Business Service is mindful of the virtues of co-operative forms of organisation when it gives advice to small firms about their training needs?

Nigel Griffiths: I am grateful to my hon. Friend for highlighting that aspect. When I was in Plymouth I was able to visit a social enterprise and to learn from my hon. Friend the Member for Plymouth, Sutton (Linda Gilroy) the great value of co-operatives there. I also know of co-operatives elsewhere in the country.

I join my hon. Friend the Member for Hemel Hempstead (Mr. McWalter) in stressing the importance of co-operatives, the contribution that they make to the economy and the contribution that they make, which he asked me to highlight, to uprating the skills of the work force. Their commitment is second to none.

Mr. Jonathan Djanogly (Huntingdon): Basic skills, including reading and writing, are grossly inadequate in this country and rapidly falling behind those of our European competitors, and yet the Government consistently fail both to support the further education sector in the way that they should and to put in place initiatives to encourage businesses to work productively with the FE sector to the benefit of all concerned. Would the Minister care to comment?

Nigel Griffiths: I was shocked to learn that as many as 7 million people in the work force are functionally illiterate; that is the case, according to Digby Jones of the CBI. I believe that that figure is an indictment and an indicator of the sad decline in education in the 18 years from 1979. We are doing a great deal, as I have highlighted in earlier answers, to reverse functional illiteracy in the work force, and my right hon. Friend the Secretary of State for Education and Skills is doing a great deal to ensure that before people reach the work force we eliminate that sort of functional illiteracy—a shameful legacy of a previous Government.

Jim Sheridan (West Renfrewshire): Will my right hon. Friend recognise, as many of the more progressive employers throughout Britain do, the valuable work that the trade union learning reps do at the workplace? Will he use his good offices to work with the trade union movement in rolling out that programme, particularly among small businesses?

Nigel Griffiths: My hon. Friend is quite right, and I am very pleased that in the Employment Act 2002 we have extended those facilities. Indeed, it is one of the great benefits of employers working with and recognising trade unions that they can ensure that the work force embrace that learning experience and upgrade their skills. That is vital for the modern economy and, as my hon. Friend the Member for Midlothian (David Hamilton) pointed out, as more and more small businesses become the driving forces in the economy, it is vital that they too have the skills to allow us to compete in the modern world.

Agricultural Produce

5. **Mr. George Osborne** (Tatton): What action her Department is taking to reduce barriers to trade in agricultural produce. [66371]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): We are working with our partners in the European Union and the World Trade Organisation to deliver the Doha development agendas, which commits us to substantial improvements in market access; reductions of, with a view to phasing out, all forms of export subsidies; and substantial reductions in trade-distorting domestic support.

In parallel, of course, we are pressing within the European Union for significant reform of the common agricultural policy.

Mr. Osborne: I thank the Secretary of State for that answer. She will be aware that while the developed world spends £50 billion on aid to developing countries, we also spend £250 billion on agricultural subsidies and on tariff barriers which shut the poorest countries of the world out of our markets. I would agree with the right hon. Lady that we should practise what we preach when it comes to free trade and open markets. Will she assure me that the British Government will do all that they can not to let other European Governments—particularly the French Government at the moment—stop proper reform of the CAP and to pursue that agenda through the WTO?

Ms Hewitt: I am entirely in agreement with the hon. Gentleman. We welcome the publication earlier this week of the European Commission's mid-term review document on agricultural support. It will certainly form a good basis for discussion within the European Union, which reflects United Kingdom thinking on many topics but does not go as far as we would like. However, we will continue to argue very strongly within the European Union for a shift away from subsidies that are linked to production, to income support for farmers that is linked directly to environmental maintenance, and to a slashing—indeed, elimination—of the appalling export subsidies that do so much damage to farmers in developing countries. I am very glad that we shall have the support of at least the hon. Gentleman, and I hope his party, in pursuing those very important reforms.

Mr. Andy Reed (Loughborough): In discussions between the all-party third world debt group this week and high commissioners from west Africa and other countries in the region, it was clear that, despite all the efforts that we are making on debt relief and on aid, the crucial difference that will be made for these countries will be by our giving them free access to western European markets, particularly for goods that are both produced and have value added in those countries. I understand that the negotiations will take some time, but will my right hon. Friend ensure that real urgency will be put into them? The situation facing Africa as a whole is so urgent that, unless things are done in months rather than years, many will suffer as a consequence.

Ms Hewitt: I entirely agree with my hon. Friend's points. He will know that my right hon. Friend the Prime Minister has been pushing and working immensely hard for a new partnership for Africa that will include not only access for African producers to markets in the west—following the example of the European Union's everything but arms initiative—but will also encourage Governments in those developing countries to pull down the tariff and trade barriers that they apply against other developing countries. There is huge scope there for greater trade. I also agree that there is an enormous responsibility on the European Union, as we are the biggest provider of agricultural subsidies in the world, and we must stop that.

Mr. Roy Beggs (East Antrim): What action have the Government taken to promote fair trade in agricultural produce within the United Kingdom, which would provide the primary producers of agricultural products with cost of production and some fair reward for their investment in labour, which wholesalers and retailers can achieve with much less risk than primary producers?

Ms Hewitt: The hon. Gentleman raises an extremely important point. As he will be aware, the whole issue of the relationship between the supermarkets in particular and the producers in the farming community has been considered extensively by the Office of Fair Trading and the Competition Commission. We now have a code of practice agreed by the retailers with the Office of Fair Trading that is designed to give the producers of our food a much fairer deal in that marketplace.

Mr. Ian Davidson (Glasgow, Pollok): Can I urge the Secretary of State to do as much as she can to abolish the common agricultural policy, not only to ensure that imports are allowed from the developing world and to cut the costs of living for families in this country—each of whom pay more than £20 a week in additional food costs—but to try to reduce the dependency culture that we have built up among farmers?

Ms Hewitt: I agree entirely with my hon. Friend that radical reform of the common agricultural policy will deliver enormous benefits to our consumers, benefits to farmers and rural communities, and, as we have been saying, real benefits to farmers and communities in some of the poorest countries of the world.

Accounting Standards

6. **Mr. Desmond Swayne** (New Forest, West): If she will make a statement about the findings of the review of accounting standards. [66372]

The Parliamentary Under-Secretary of State for Trade and Industry (Miss Melanie Johnson): The group set up in February to co-ordinate the responses of the key regulators to issues for audit and accounting raised in the aftermath of Enron—and now WorldCom—will produce an interim report by the end of this month. The Government have made it clear that it is important to restore confidence in the independence of auditors.

Mr. Swayne: Does the hon. Lady agree that our procedures are more robust, largely as a consequence of the lessons learned from the Mirror Group Maxwell affair? If so, will she say why the reaction of the stock market in this country has been more alarming even than that in the United States?

Miss Johnson: I agree with the hon. Gentleman that our systems appear to be more robust than those of the United States. Indeed, the UK's principles-based regime is a more effective basis for accounting than the rules-based system of the United States. Clearly, consideration is now being given to what changes might be made across the Atlantic. The response of the markets is unsurprising, because no one suffers more than business if the legitimacy of business is called into question. We believe that trust and confidence are key, which is why it is so important that confidence must be restored.

Mr. Andrew Love (Edmonton): Does my hon. Friend agree that accounting standards cannot be entirely divorced from corporate governance and, in particular, the role of non-executive directors? Does she also agree that such directors should be more independent, take responsibility for the audit function and report directly to the annual meeting?

Miss Johnson: I certainly agree with my hon. Friend about the importance of non-executive directors. That is why the Government have commissioned the review that is being conducted by Derek Higgs into their role and effectiveness. The review was conceived before the events at Enron and WorldCom, but it is highly relevant to them. There is a question about the composition, duties and effectiveness of audit committees, and the review will look into it. We will consider the review and any other issues that arise post-Enron.

Dr. Vincent Cable (Twickenham): Does the Minister accept that investor confidence in accounting standards has been seriously undermined as a result of the involvement of leading accounting companies in a succession of audit failures? If British standards are superior, as she said, why does she propose to abolish them in 2005 and replace them with an American-dominated global standard that will be significantly weaker?

Miss Johnson: We certainly do not propose to abolish those standards and to replace them with any weaker ones. It is clear from current discussions in the USA that there may be significant changes in approach. Negotiations are currently under way to modernise EU accounting directives and international dimensions are also under discussion. Like the hon. Gentleman, we are keen, whatever happens, to examine ways to regain confidence in the independence of the auditor on both sides of the Atlantic, and we look forward to seeing regulatory activity and reform to support that aim.

Mr. Colin Challen (Morley and Rothwell): Does my hon. Friend agree that we would have higher accountancy standards if there were a complete separation of accountancy services from consultancy services? How can accountancy firms advise the Government on PFI, but participate at the same time in consortiums that are making bids for those projects? We then get advice from other firms, such as Arthur Andersen, which seems to be the only advice yet available on the value for money of those bids. Does she agree that there should be complete separation?

Miss Johnson: I agree with my hon. Friend that the relationships between auditors and clients can be too cosy and that there is a need to demonstrate independence. As my right hon. Friend the Secretary of State said in her recent speech to the Cambridge university faculty of law, there is a risk of having too many conflicts of interest. We are currently exploring questions in relation to audit firm rotation, more frequent rotation of partners and the supply of non-audit services to audit clients.

Mr. Nigel Waterson (Eastbourne): In the wake of the problems faced by companies such as Enron, WorldCom and now Qwest, it is clear that the overwhelming priority is to reassure investors and markets. The Opposition welcome the review of accounting standards. However, does the Minister agree that when all the evidence is collected, many of the problems may turn out to have been caused by simple fraud rather than audit failures? Is not a calm, measured response required, rather than a rush to place unnecessary extra burdens on business?

Miss Johnson: I entirely agree with the hon. Gentleman that in some of those instances outright fraud has clearly been perpetrated. We believe that it is important that regulators identify the changes that they think are needed, including any that involve accounting standards, audit firm rotation or the other issues that I mentioned. The co-ordinating group, which I lead with my hon. Friend the Financial Secretary, is ensuring that those issues are well thought through and properly co-ordinated, and the Government will make any further changes that they believe are necessary. I agree that a considered response is needed.

Broadband

7. **Jim Knight** (South Dorset): What steps she is taking to encourage the take-up of broadband in rural areas. [66373]

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): On 26 June, we announced a new broadband network of dedicated broadband advisers to help to boost roll-out and take-up of broadband across the UK. The Government have also made available £30 million as a broadband fund to help the regional development agencies and the devolved Administrations to develop schemes to extend broadband access.

Jim Knight: I thank the Minister for that reply. I agree that we are making some progress in the roll-out of broadband to rural areas. Indeed, this week BT Group wrote to inform me that it is upgrading the exchanges at Portland and at Swanage for its asymmetric digital subscriber line—ADSL—broadband service. However, I remain concerned about more sparsely populated areas that are not as commercially attractive. I am particularly interested to know what the Department is doing to ensure that cross-Department initiatives, such as the regional broadband consortiums from the Department for Education and Skills, are co-ordinated so that there is no duplication, so that opportunities for piggybacking are maximised, and so that the roll-out of broadband, especially in rural areas, is accelerated.

Nigel Griffiths: It is very important that no one is left behind in the roll-out of broadband, and my hon. Friend the Minister for E-Commerce and Competitiveness is taking three steps to ensure that it reaches rural areas more effectively: first, facilitating satellite broadband deployment through a fast-track online licensing regime and a review of planning regulations for satellite terminals; secondly, encouraging infrastructure sharing by industry to reduce the costs of roll-out; and thirdly, using more effective procurement of the public sector's broadband requirements to improve value for money and, in particular, to drive broadband into rural areas. I hope that those three measures will enable my hon. Friend's constituents to benefit from broadband through both private sector suppliers and the public services on which we all depend.

Michael Fabricant (Lichfield): The Minister is right to mention satellite, but he knows as well as I do that that is very expensive. He may like to read a report about that in last month's "IEE Review". Given that the Government are very much concerned with joined-up government, has he read the report by the Select Committee on Culture, Media and Sport, entitled "Communications", which includes a chart showing the penetration of broadband in this country? I am not talking about low band, but middle and high band broadband. In South Korea, penetration is 32 per cent., in Sweden it is four times that in Britain, in Italy it is twice that in Britain—indeed, the United Kingdom is right at the bottom of the table.

Although I am pleased to hear that the Government are trying to expand broadband, will the Minister admit that we have a long way to go? Will he ensure that middle and high broadband are expanded, rather than the very low rates of transmission which are not much better than a telephone line?

Nigel Griffiths: The hon. Gentleman is using out-of-date figures, and using them very selectively. I think that hon. Members will accept the straightforward fact that the need to drive forward the UK on broadband has been fostered partly by the success of narrowband and the fact that so many households—10 million—are connected to the internet. I gather that that is more than in any other country. In addition, more people are connected. The majority of the population use narrowband internet services. That slowed down some of the demand for broadband—*[Interruption.]* Many people can grasp that, even if the hon. Gentleman cannot, Mr. Speaker, but since his figures were wrong in the first place, it is good of you to be tolerant of him.

The straightforward fact is that having made a tremendous success of internet access using narrowband, we are now extending that to broadband. We intend to honour our commitment to ensure that at the end of this year, and at the end of three years, we are in the lead in broadband in terms of Government procurement and Government services.

Mr. Martin O'Neill (Ochil): Does my hon. Friend appreciate the fact that much of the work on expanding broadband will involve digging up roads, and that concerns are being expressed about road charging for that purpose, which could inhibit some of the important work that he identified? I know that a scheme that operates in Camden and in Middlesbrough is under review, but does my hon. Friend agree that the current position could represent a serious expense to the companies that are trying to follow the Government's lead by making broadband available all over the country?

Nigel Griffiths: As the Minister with responsibility for small businesses, I hear the other side of the story about the disruption caused by too many people digging up roads too often. My hon. Friend is right to let me highlight the need to co-ordinate that. I gather that his suggestion is under consideration, and I hope that on behalf of all our constituents we can reach agreement that intrusion into roads should be minimal, that the disruption in our high streets should be minimised, and that those who cause unnecessary disruption should pay—but where it is co-ordinated, obviously those costs can be absorbed.

Adam Price (East Carmarthen and Dinefwr): The Minister referred to outdated statistics. I wonder whether he has seen the latest Federation of Small Businesses survey, which shows that just 2 per cent. of businesses in Wales have broadband connection, compared with 11 per cent. in London. Not one business in my constituency is connected because we do not have a single ADSL-enabled exchange. Does he not agree that the only sure-fire way of ensuring parity of access in rural areas is to make broadband part of the universal service obligation?

Nigel Griffiths: The hon. Gentleman rightly highlights the fact that we need to ensure that every part of the country has access to broadband. My hon. Friend the Minister for E-Commerce and Competitiveness and his predecessor stressed that and, indeed, developed a strategy which has seen us accelerate the deployment of broadband. I am confident that we shall be able to report to the hon. Gentleman, so that he can report to his constituents, that the figures will be considerably improved in the short and medium term.

Mr. Philip Hammond (Runnymede and Weybridge): Local loop unbundling was one of the key elements in the Government's programme for broadband roll-out, especially in rural areas. When that initiative was announced, the expectation was that by now a substantial number of local loops would have been unbundled. Will the Minister confirm that the number of loops that have been unbundled is measured in hundreds? In view of that, do the Government acknowledge that they were wrong, that the initiative has failed, and that local loop unbundling will not be a significant factor in achieving broadband roll-out?

Nigel Griffiths: The hon. Gentleman should acknowledge that we are making considerable progress—with more than 400 unbundled lines and rising. More than 40 service providers—the competition that was once much lauded by the Conservative party now seems to be disparaged by it—are offering services over BT's DSL-enabled network. I am pleased to inform the House that the legal and regulatory framework for local loop unbundling is now in place. Good advances are being made.

Free and Fair Trade

8. **Helen Jackson** (Sheffield, Hillsborough): What action she is taking to promote *(a)* free and *(b)* fair trade. [66374]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): We played a very important role in securing agreement last November on the Doha development round. It is through the World Trade Organisation that we can create a framework of rules for free and fair world trade. We are working closely in the European Union and with other Governments across the world to ensure that we deliver on those Doha commitments.

Helen Jackson: I thank my right hon. Friend. She will be aware that the campaign for fair and free trade attracts people across social classes and ages, and gives the lie to the belief that there is political apathy in this country. I am now in contact with more than 150 constituents, more than 20 of whom took the time and trouble to travel down from Sheffield to attend the lobby on free and fair trade a couple of weeks ago. In that context, will she ensure that, in her discussions with her EU counterparts as part of the CAP mid-term review, she helps to establish a firm timetable for the elimination of export subsidies, to which the EU will make every effort to stick?

Ms Hewitt: I entirely agree with my hon. Friend and, of course, we will continue to press for a firm timetable for reducing agricultural subsidies and then for eliminating them. I also agree strongly with the points that she made about the Trade Justice Movement, and I very much hope that the faith groups and other voluntary organisations involved in that movement will now spread their wings and make connections in other European countries and, perhaps most importantly, in the United States of America, so that we can spread throughout the rich countries of the world the understanding that we need free and fair trade, in the interests, above all, of the developing countries.

MINISTER FOR WOMEN

The Minister was asked—

Affordable Child Care

29. **Mr. Gareth Thomas** (Harrow, West): What steps she is taking to promote access to affordable child care. [66401]

30. **Mr. Anthony Steen** (Totnes): What steps she is taking to assist working mothers to obtain affordable child care. [66403]

The Minister for Women (Ms Patricia Hewitt): The Government are committed, through their national child care strategy, to ensuring that accessible, affordable and good quality child care is available in every neighbourhood. I am glad to say that, in the last five years, we have already created nearly 500,000, new child care places, which are benefiting nearly 1 million children, and that we are on track to meet our target of creating new places for 1.6 million children by 2004.

Mr. Thomas: Does my right hon. Friend accept that after-school clubs—such as those provided at Vaughan first and middle schools, Pinner Wood first and middle schools, and Earlsmead first and middle schools in my constituency—are a key form of affordable child care? Does she understand the frustration of head teachers and school governing bodies that they are technically, in law, unable to provide the after-school clubs directly themselves, and that they have to set up separate organisations to do so, with all the extra work load that that creates? What are the Government's plans to tackle that issue? If we have not solved the problem, will she undertake to discuss it as a matter of urgency with colleagues in the Department for Education and Skills?

Ms Hewitt: I congratulate the schools in my hon. Friend's constituency that are already providing after-school clubs, which are hugely useful for children and their parents. In the Education Bill, we are already giving further powers to head teachers to deal with some of the problems that my hon. Friend has rightly identified. I will certainly ensure that we consider that matter in the review being led by the performance and innovation unit, in which we are looking at our child care strategy right across government to ensure that we are doing everything possible to ensure that parents and children get the child care that they need.

Mr. Steen: The Minister will know that I am a great fan of hers. I hope, therefore, that she will understand why I wonder whether it is discriminatory that she is the Minister for Women rather than the Minister for Parenting. Does she agree that we need to change the business culture in this country so that businesses provide creches for parents—whether they are men or women—with young children? Should we not give them some kind of tax break to encourage this?

Ms Hewitt: I entirely agree with the hon. Gentleman that balancing work and family, and meeting the needs of children, are issues for fathers just as much as for mothers. He will be aware that from next April, under the Employment Act 2002, two weeks paid paternity leave will be available to fathers for the first time. Indeed, Fathers Direct has announced that tomorrow night is the key date for would-be parents if they want to be among the first to take advantage of the new provisions.

I have to tell the hon. Gentleman that workplace creches are not always the preferred choice of parents, particularly those who work in cities and do not want to take small children to work on what might be a crowded commuting journey. We are, however, examining all those issues in the PIU review, to ensure that, with the support of employers, education authorities, the voluntary sector and so on, we get the range of child care services that will meet different parents' needs.

Glenda Jackson (Hampstead and Highgate): My right hon. Friend will be aware that there are huge discrepancies with regard to affordable child care, particularly in London. One of the issues that is causing difficulty for some of my constituents who wish to expand the physical premises on which a nursery is held has to do with the planning system. Will my right hon. Friend please speak to her colleagues in the relevant Department to see whether there is a way of speeding up this process, if not of reducing the relevant requirements?

Ms Hewitt: My hon. Friend raises an immensely important point. Like her, I know of several nurseries and child care centres that are unable to expand because they simply cannot get the premises or the planning permission that they need. The Government have already embarked on a radical reform of planning law to ensure that businesses are not held back from desirable expansion, whether in this or any other sector. That reform will go ahead as quickly as possible.

Sandra Gidley (Romsey): Many organisations now require flexible working, but child care provision generally does not reflect that. Does the Minister agree that employers are best placed to make such provision? Is she happy with the fact that only 5 per cent. of employers provide creches, and if not, what will she do to remedy the situation?

Ms Hewitt: There is no doubt that child care in the workplace can be useful in some circumstances. My Department provides several places at a Westminster nursery, which are very popular with some of my officials. As I said earlier, however, most parents say that they do not want to take young children to work, and would prefer other forms of support from their employers. Many employers do provide other forms of support, by subsidising the cost of child care elsewhere or simply by ensuring that parents whom they employ obtain adequate information about all the choices available to them. We will, however, examine the issue further in the PIU study.

Caroline Flint (Don Valley): As I have said before, it worries me that those responsible for driving our economic agenda in the regional development agencies and the Small Business Service do not seem to consider child care an important part of the infrastructure to help families combine work and family life. Will my right hon. Friend, wearing her hat as Secretary of State for Trade and Industry, seek reports from all the regional development agencies and, in particular, from the Small Business Service on what they contribute? Such provision is vital if we are to make work meaningful for people with families, and help others to get out of poverty and into work.

Ms Hewitt: Following an earlier question from my hon. Friend, I raised the matter directly with the chairs of all the regional development agencies. I stressed that child care was as important a part of our economic and social infrastructure as roads, railways, broadband telecommunication networks and so forth. Increasingly, agencies are working with the Department for Education and Skills and other Departments involved in the child care strategy, and considering how they can help to expand child care facilities. That will depend on the particular needs of regions and on investment programmes.

Mrs. Caroline Spelman (Meriden): Along with, I am sure, most working parents, I am bracing myself for the six-week summer holiday. I am sure that I am not alone in being dismayed by a survey published in *The Times* last week, which revealed that nearly 50 per cent. of all working parents have no relatives or friends on whom they can rely to look after their children during the holiday.

How would the Minister respond to the criticism expressed by Stephen Burke of the Daycare Trust, a leading child care charity, who said that parents were forced to spend huge sums on child care during the summer holidays because of the shortage of play schemes? He added

> "Even where schemes do exist, they are beyond the reach of many parents".

I hope that the Minister agrees that this is an area in which affordable child care provision is woefully inadequate.

Ms Hewitt: We have been considering the whole issue and are looking at ways to expand provision of holiday play schemes for children of all ages throughout the country, but particularly in the most disadvantaged communities. Such schemes are hugely important, not just in ensuring that children are safe and properly cared for during the summer holidays while their parents are at work, but in preventing young people from being tempted into criminal activities because they have nothing better to do.

Provision is indeed being expanded as a result of our early years partnership, but of course more needs to be done. That is why we are increasing investment in child care. We will soon have the PIU report, which will help us to do even more in this important area.

Mr. Frank Roy (Motherwell and Wishaw): The Minister will know that the school holidays have already begun in Scotland. Thousands of working mothers are taking their children abroad. May I quote from the Civil Aviation Authority's cabin safety procedure bulletin?

> "Emergency situations have shown that the separation of family groups, especially children, may lead to problems in emergency situations. Of particular concern is that during emergency evacuations, group members . . . might seek each other out during the evacuation process. Such actions could have an adverse effect on passenger flow rates towards emergency exits, and might seriously"—

Mr. Speaker: Order. The hon. Gentleman cannot do that. I call the Minister to reply.

Ms Hewitt: My hon. Friend raises an extremely important point. I understand that some package holiday companies charge extra for a family who want to be seated together, even though, as he rightly says, the cabin safety guidelines say that that is desirable. I shall ask the Under-Secretary, my hon. Friend the Member for Welwyn Hatfield (Miss Johnson), who has responsibility for consumer affairs, to look into the problem and give my hon. Friend a more detailed reply.

Business of the House

12.30 pm

Mr. Eric Forth (Bromley and Chislehurst): May I ask the Leader of the House to give the business for next week?

The President of the Council and Leader of the House of Commons (Mr. Robin Cook): The business for next week will be as follows:

MONDAY 15 JULY—Consideration of Lords amendments to the Education Bill. Followed by proceedings on the European Parliamentary Elections Bill *[Lords]*, which is a consolidation measure.

TUESDAY 16 JULY—Consideration of Lords amendments to the Justice (Northern Ireland) Bill. Followed by Opposition Day [17th Allotted Day, 2nd Half]. There will be a debate on the peace process in Northern Ireland on an Opposition motion.

WEDNESDAY 17 JULY—Debate on defence procurement on a motion for the Adjournment of the House.

THURSDAY 18 JULY—Motion to approve a money resolution on the Proceeds of Crime Bill. Followed by consideration of Lords amendments to the Proceeds of Crime Bill.

FRIDAY 19 JULY—Private Members' Bills.

The provisional business for the following week will include:

MONDAY 22 JULY—Second Reading of the Mobile Telephones (Re-programming) Bill *[Lords]*.

TUESDAY 23 JULY—Debate on public expenditure on a motion for the Adjournment of the House.

WEDNESDAY 24 JULY—The House may be asked to consider any Lords messages that may be received.

Motion on the summer recess Adjournment.

The House will wish to know that on Tuesday 16 July 2002, there will be a debate relating to 2003 Preliminary draft EC Budget in European Standing Committee B.

The House will also wish to know that on Tuesday 16 July 2002, the first meeting of the Committee on the convention on the future of Europe will take place to consider the First and Second Report of the United Kingdom representatives to the convention.

Details of the relevant documents will be given in the *Official Report.*

[Wednesday 15 July 2002:

European Standing Committee B—Relevant European Union document: Unnumbered EM, dated 5 July 2002, submitted by HMT; Preliminary draft budget 2003. Relevant European Scrutiny Committee Report: HC 152-xxxvi (2001–02)].

Mr. Forth: I thank the Leader of the House for giving us the business. I have no doubt that he will be aware of the publication today of the report by the Select Committee on Education and Skills, HC 445, on post-16 student support. As he always does his homework assiduously, I suspect that he will be aware that the conclusions and recommendations of the report of a Select Committee dominated, as they all are, by Government supporters and Labour Members include the following:

> "It is our view that many of the problems encountered in the present system of student finance originate from a failure by the Government clearly in public to debate the essential elements of the Dearing proposals".

It goes on to say in paragraph 17:

> "We believe that the current system of student support has failed in three important respects . . . The funding of institutions is a matter of grave concern . . . We have been disappointed in the Government's dismissal of the Barr and Crawford proposals."

I am sure that the Leader of the House, being a fair man, will want to make sure that the House has an opportunity fully to debate the conclusions of the Labour-dominated Education and Skills Committee. I hope that he will be able to give us an early date for that debate—he would not want to give us any impression that the Government wanted to avoid debating such an important Select Committee report.

On 4 July, the Leader of the House said in reference to the rather cloudy subject of the RMT union and hon. Members:

> "I personally have no objection to putting in the Library exchanges with the RMT."

I stress that he referred to exchanges with the RMT. He went on to say, helpfully:

> "For the avoidance of any doubt, I should perhaps say that we as a group acted collectively in responding to the letter from Mr. Crow the general secretary of the RMT. The collective response was given by my hon. Friend the Member for Streatham (Keith Hill), who is with me on the Front Bench and has given me permission to say that his letter may indeed be placed in the Library."—[*Official Report*, 4 July 2002; Vol. 388, c. 397.]

I have just checked with the Library and, indeed, the letter from the hon. Member for Streatham (Keith Hill) is there, but surprise, surprise, the letter from Mr. Crow has not yet reached the Library.

I wonder why we have only part of this story. There cannot possibly be anything to hide, can there? I believe that you got involved in this issue, Mr. Speaker, and I am sure that you would not want to be in possession of only partial information. The Leader of the House said that "exchanges with the RMT" would be placed in the Library, but I have seen only one exchange, not plural exchanges. I ask him again a very simple question: may we please have in the Library the letter from that nice Mr. Crow, of the RMT, to Labour Members of Parliament? That perfectly simple request is completely in accord with the undertaking that the Leader of the House gave.

I want to refer again to PMPs. In the exchange of 3 July, the Prime Minister said:

> "Care homes have expressed worries about regulations on wheelchair access, room size, lifts and so on. I simply point out that those do not come into force until 2007".—[*Official Report*, 3 July 2002; Vol. 388, c. 220.]

On 10 July, my right hon. Friend the Leader of the Opposition took issue with that. He asked the Prime Minister:

> "Of the 246 new rules that the Government are imposing, how many will take effect by 2007?"

The Prime Minister said:

> "From memory, I said that provisions for matters such as widening rooms and bathing would take effect in 2007, and that those were the regulations about which people were complaining."

My right hon. Friend pressed the Prime Minister on this point. He said that

> "only four provisions do not come into effect until 2007. Almost all the others—some 240—came into effect on 1 April this year."

The Prime Minister replied:

> "First, I said that the provisions that related to matters about which people were complaining, such as widening rooms, would not take effect until 2007."—[*Official Report*, 10 July 2002; Vol. 388, c. 879-80.]

Will the Leader of the House tell us who is right: the Prime Minister, or my right hon. Friend the Leader of the Opposition? It seems that, yet again, the Prime Minister changes his stories with great facility, shifts his ground and says the first thing that comes into his mind. May we have an explanation or an apology from the Prime Minister, or will the Leader of the House help to cure him of his apparent addiction to whoppers?

Mr. Cook: In a spirit of amity, I begin by recalling that, last week, the right hon. Gentleman celebrated Independence day with an appropriate tie, which resulted in exchanges in the House. May I take this opportunity to wish him a very happy forthcoming Bastille weekend? I am sure that he will wish to celebrate his enormous contribution to European equality, democracy and fraternity.

The right hon. Gentleman was good enough to describe me as a fair man, and as such I shall of course wish to consider the Education and Skills Committee's report fully and thoroughly. On the question of debating the report, I should point out that this Government have a good record in providing time for debating Select Committee reports. Of course, in the first instance the matter is one for the Liaison Committee, but there are a number of ways in which such a report can be debated. I am sure that many Members will want that report to be debated, and when it is, Labour Members will want to put it on the record that we are now spending a quarter more on education than did the previous Government. That has contributed to our having one of the highest rates of entry into higher education of any OECD country, and the second highest completion rate among students. A review of student finances is of course under way, and we can certainly consider the Select Committee report as part of it.

On the correspondence with the RMT, I am ashamed to say that it appears that I did not treasure, file and safeguard the letter that I received from the nice Mr. Crow as well as I perhaps should have done. However, I am now in a position to state that tomorrow the letter will be laid in the Library. Frankly, I doubt whether it will provide particular illumination for Members, or that they will wish to treasure it any more than I did, but it will be there for them to read when the Library receives it.

On the other matter that the right hon. Gentleman raises, he will not be surprised to hear me say that the Prime Minister was of course right. Indeed, the Prime Minister made it specifically clear on 3 July that he was referring to room sizes, and the provisions relating to them do not come into force until 2007—the year that he quoted. As the right hon. Gentleman asks, since yesterday I have checked with the authorities and I can confirm that the Prime Minister was also absolutely right to say that some 43,000 more households are now receiving intensive home care compared with when we took power. That is an increase of more than a third and is a tribute to our increased spending on social services.

Mr. Paul Tyler (North Cornwall): We all recognise that there is great pressure before the summer recess for many statements to be made to the House, but why have we had no statement whatever on the very damaging announcements by Royal Mail about its reduction in service, especially for smaller businesses? The Leader of the House will have already seen what the Federation of Small Businesses has said, but the changes will also have a dramatic effect on the self-employed and other organisations. Although there was a brief exchange in Trade and Industry questions earlier, the Royal Mail is still a public service—thank goodness—and surely the Secretary of State should have made a statement to the House.

I shall take this opportunity to apologise to Royal Mail. The House may recall that on a previous occasion I drew attention to a letter that we had received addressed to Mr. David Lloyd George. Because the date stamp on it was indistinct, it looked as though it might have been delayed in the post since 1902. We have now had another letter, correctly addressed and with a date stamp for 2002, and I congratulate the Royal Mail on it having arrived at the correct address, despite the fact that the words "freepost" and "second class" have been written on it: there is, of course, no freepost to the House of Commons.

The other issue on which the Secretary of State for Trade and Industry should have made a statement is industrial relations and the Government's future relationship with the unions. The right hon. Lady was reported in *The Independent* this morning as saying that she

> "will announce a government review of industrial relations legislation today."

Where will she make that announcement? It will clearly not be in the House, although she was here earlier. It is extraordinary that she should announce such an important issue in the columns of the press, and not in the House.

In the interview, the Secretary of State also said that the communication from the RMT, which was mentioned by the right hon. Member for Bromley and Chislehurst (Mr. Forth)—his support is late, but welcome—placed "unacceptable demands upon MPs". The Leader of the House told me in response to my questions on 27 June that he had declined to sign up to the oath of loyalty, and I congratulate him on that. I am grateful for the assurance that he has given that the letter will be placed in the Library tomorrow, but will he confirm that a full inquiry will be held into what is happening to those Members of Parliament who have apparently accepted the terms of the letter that he and the Deputy Prime Minister found so unacceptable?

Mr. Cook: The hon. Gentleman does not know how true it is to say that we will have a large number of statements between now and the rising of the House for the summer recess. The House will already be aware that we have the statement on the comprehensive spending review on Monday and statements thereafter on aspects of that review. In that context, it will unavoidably be the case that we will have to decide what we can bring before the House in an oral statement and what regard we must at the same time have to the very important business of the House, as we have much legislative business to complete before we rise for the recess.

[Mr. Cook]

On the specific point that the hon. Gentleman makes about the pilot scheme for charging for early delivery by Royal Mail, I would stress that the schemes are being introduced only after discussion and agreement with Postwatch, the consumer organisation, and the Communication Workers Union. Any individual or business who receives 20 letters a day will be guaranteed early delivery without any additional charge, which should take account of all Members of Parliament. I am sure that the hon. Gentleman will be relieved to know that his constituency correspondence will arrive early and on time.

The scheme is only a pilot. I understand the concerns that have been expressed by small businesses and the self-employed, who perhaps do not get 20 letters a day. Their concerns and experiences must clearly be part of the overall evaluation of the pilot study before any further decision is taken.

On the question of the RMT, I am happy to repeat the assurance that I have already given the House that the letter from Mr. Crow will be deposited tomorrow. I anticipate that we will have a full textual analysis of it when we meet again next Thursday.

On the hon. Gentleman's other question, to my knowledge—and I am reasonably certain of this point—no Member who was previously sponsored or had a constituency agreement with the RMT accepted the terms of that letter. The decision to reject the terms of the letter was a unanimous decision by all Members who previously had a connection with the RMT. I cannot speak for what further discussions may have taken place with other Members; I am not yet aware of any decision having been taken by any of them and, as far as I am aware, there is no basis at present to believe that the privileges of the House have been infringed by any offence.

Mr. Tam Dalyell (Linlithgow): When, on Monday and Tuesday, my hon. Friends the Members for Cynon Valley (Ann Clwyd), for Halifax (Mrs. Mahon) and I expressed unease about the circumstances of the sale of spare parts for F-16s, we were advised to wait until Trade and Industry questions on Thursday. Since Question 8 was barely reached, there was no opportunity to raise this issue. Will my right hon. Friend ask the Secretary of State for Trade and Industry if she will make a statement on Monday?

Secondly, will my right hon. Friend pursue the matter of the Marine Wildlife Conservation Bill, proposed by the hon. Member for Uxbridge (Mr. Randall)? It is an all-party Bill, and many of us stayed behind for it on Fridays. A great deal of work has been done by the Department for Environment, Food and Rural Affairs. It has passed all its Commons stages and is now, by late skulduggery, being scuppered in the House of Lords. I have given my right hon. Friend the letter from Lord Williams of Mostyn, and I should be grateful if he could look at it. It is intolerable that this private Member's Bill, which has gone through all its Commons stages, should simply evaporate in the other place.

Mr. Cook: On my hon. Friend's first point, I cannot provide time for a statement on Monday—and I give notice that I will say the same to anybody else who asks for one—because, as the House will know, we will be having a statement on the comprehensive spending review, for which I anticipate Members will want an extensive period of scrutiny. The statement on F-16s was made by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs in his written answer, and my hon. Friend may wish to pursue the matter with him.

On my hon. Friend's second point, I was heavily involved in discussions to ensure that the Marine Wildlife Conservation Bill got through its stages in this House. I took a full part in discussions with my right hon. Friend the Minister for the Environment and the Bill's sponsors, and I am pleased that we managed to secure its passage through the House. I fully understand the strong feeling behind it and the wide constituency of support from the country, particularly from the Royal Society for the Protection of Birds.

As Leader of the House, I have no responsibility for the actions of Members of another place. I regret that so many amendments were tabled by the Bill's opponents that it would require two and a half days of debate to clear the other place, and I am afraid that there is no realistic prospect of securing that before our last private Member's Bill day on 19 July. I am very sorry that this should have happened; I believe that it was a worthwhile Bill and regret that there are some in the other House who have chosen to stop it.

Sir Patrick Cormack (South Staffordshire): Is the right hon. Gentleman aware that earlier this week the Government produced a massive document, "Local Government Finance Formula Grant Distribution"; that they have given all of three months for consultation; that that period will have elapsed before the House returns in October; and that, as the business stands at present, this House will have no chance to debate a document that affects every English Member? Will the right hon. Gentleman therefore alter the business of the House so that we can discuss this most revolutionary change to local government finance and, if not, will he keep us here for an extra day to do so?

Mr. Cook: I am always open to representations to postpone the summer recess, and I am sure that the hon. Gentleman will be the first of many to find reasons why we should do so. Perhaps I should warn the House that I might be open to receiving some of those representations and accepting them.

On the hon. Gentleman's specific point, the local government finance document is out for consultation for three months—the standard period of consultation. Indeed, our guidelines provide for a minimum of 12 weeks of consultation. Many of those who will be producing results are in local government and will not be taking a three-month recess. However, I have just announced that there will be a debate on the spending review in the last week that the House sits, and it will be entirely appropriate for right hon. and hon. Members to refer to local government finance then.

Jane Griffiths (Reading, East): My right hon. Friend will know that the Tour de France is on and is being enjoyed by millions, although, sadly, in this country only viewers of ITV2 can watch it. Does he agree that a tour of Britain would be a wonderful opportunity not only to inspire our future cycling stars but to regenerate rural areas that suffered so badly from foot and mouth last year? Will he be able to find time for a debate on the future of cycling as a sport?

Mr. Cook: My hon. Friend is right. The Tour de France is followed closely by many residents of Britain. She made an interesting proposal, which I note was received favourably on both sides of the Chamber. For myself, as long as I do not have to take part, I am willing to give a fair wind to her tour of Britain.

Mr. John Wilkinson (Ruislip-Northwood): The Leader of the House will be aware of reports of an increasing incidence of air misses in United Kingdom airspace, as well as flight delays, following the institution of the new air traffic control centre at Swanwick. Our constituents are also worried about press reports of new runways being planned around London and the south-east generally. When will we have a Government statement on civil air transport, and the long-awaited White Paper on the industry?

Mr. Cook: I am very much aware of that last point, and I assure the hon. Gentleman that the matter is very much in Ministers' minds.

The reports that have been around today on near misses are very much exaggerated. Some hon. Members may have had the good fortune, as I did, to hear Mr. Chisholm of NATS on the radio this morning being quite categoric that the reports are false and exaggerated and that safety has not been compromised by Swanwick or any other development.

John Mann (Bassetlaw): When the United States introduced legislation restricting donations to political parties in 1995–96, money from corporations and wealthy individuals went to think tanks instead. I note, through *Hansard*, that there has been no debate on the issue in the past 30 years, although there have been plenty of debates on state funding of political parties. Will my right hon. Friend find time for a debate on donations to think tanks such as the IPPR, which seems particularly keen on restricting donations to political parties?

Mr. Cook: My hon. Friend forcefully makes a very combative point that will not be lost on the IPPR. Political debate is enriched by those who may not necessarily be professional politicians and so perhaps have more leisure than we do to think deeply about such matters and stimulate future debate.

Mr. Patrick McLoughlin (West Derbyshire): I want to press the Leader of the House on the document that was published earlier this week. It says right at the beginning that local authorities spend 25 per cent. of all Government expenditure. For the past 18 years, I have been reminded many times by him and his colleagues that Derbyshire had a rough deal, supposedly, from the last Conservative Government.

Mr. Tom Levitt (High Peak): Hear, hear.

Mr. McLoughlin: I welcome the hon. Gentleman's endorsement.

Can the Leader of the House explain why Derbyshire will lose between £5 million and £2 million under the Government's proposals?

Mr. Cook: I regret the fact that the hon. Gentleman thinks that one can reach a conclusion about the amount going to any individual local authority on the basis of a range of different options proposed in a consultation paper. The Government have been explicit: we do not favour any one of the options. *[Laughter.]* The position is quite explicit: only when we have listened to local government and heard the responses to the consultation process will we put before the House the option that we have selected. Until then, no local authority can possibly pretend to know what the consequences will be for its finances.

Dr. Alan Whitehead (Southampton, Test): Will my right hon. Friend find time for a debate on the Government's proposals on changing the law on double jeopardy? I ask that on behalf of my constituent, Caroline Maddick, whose husband, Eddie Maddick, was murdered last year. Barry Whittle, a man clearly deeply implicated in the events surrounding the murder, was tried but, to general astonishment, acquitted, and the police are not pursuing any further inquiries. Mrs. Maddick is raising funds to pursue a civil case against Mr. Whittle, but is in a difficult position that could be eased if the Government implemented changes on double jeopardy.

Mr. Cook: My hon. Friend will be aware that this matter has been under consideration by my right hon. Friend the Home Secretary for some time, and there may shortly be a further development. My hon. Friend makes a powerful case as to why it is necessary for us to re-examine this rule. I hope that when we introduce any changes to the rule, they will get support from both sides of the House, especially from the party that poses as the party of law and order.

Pete Wishart (North Tayside): May I inform the Leader of the House of an historic event that took place this morning on College Green? The event in question was the all-party egg-and-spoon race for Sport Relief, which was won by my hon. Friend the Member for Ceredigion (Mr. Thomas). Out of the five Members who took part in the race, two were from minority parties. If anything, we were over-represented in that race. Is it easier for minority parties to have access to charity sports events than it is for them to get representation on Select Committees?

Mr. Cook: I congratulate the hon. Gentleman on the success of his political family. However, I offer him some avuncular advice: I would be careful how often I boasted about that success.

Glenda Jackson (Hampstead and Highgate): My right hon. Friend will be aware of the almost daily press reports averring that the American Government have taken the decision to make, and are preparing for, a pre-emptive strike against Iraq. In addition to a statement on the Government's sale of spare parts for Israeli aircraft, may we have a full-scale debate on precisely what the British Government's approach is to any such pre-emptive strike in Iraq and to the worsening situation in the middle east?

Mr. Cook: I read with close attention the reports that have appeared in the press in the past few days. I have not

[Mr. Cook]

seen any reports that a decision has been taken, although I have seen articles purporting that plans have been made by some in the US Administration. As I have said to the House repeatedly, and I say again, no decision has been taken by the British Government on this matter. No decision may ever be taken, but should we arrive at that point I am clear that the House will want to debate it thoroughly. In fairness, we have had several debates on our intervention in Afghanistan, and the Government's record on that is good.

Sir Michael Spicer (West Worcestershire): Is the Leader of the House able to give a definite date for the amendment to the data protection legislation, so that MPs can go about their business properly?

Mr. Cook: As the House will know from previous exchanges, I attach great importance to the ability of Members to fulfil their representational functions without being defeated by the provisions of the Data Protection Act 1998. I repeat that I am confident that, before the House rises, we will lay before Parliament a statutory instrument to exempt elected representatives—councillors, MPs, MEPs and Members of devolved Administrations—from the requirements of the 1998 Act when they are pursuing cases of constituents who have sought their assistance. I regret that it may not be possible for us to debate and approve it until we return from the summer recess, but the process is well under way.

Mr. Ian Cawsey (Brigg and Goole): My right hon. Friend will be aware that in the past few days the American Government have failed to meet their own deadline for announcing all the exemptions from the steel tariffs. That has made an already worrying situation much worse, not least because I now understand that no deadline is being given for when the work will be carried out. In the short time we have left between now and the beginning of the summer recess, will there be an opportunity to debate this issue or have a statement, so that we can find out what the British Government are doing about telling the Americans to get their finger out?

Mr. Cook: I do not see the opportunity for a debate or a further statement, but I assure my hon. Friend and the House that the Government continue vigorously to follow this matter and to work in close co-operation with our allies and partners in the European Union to ensure that we take every possible opportunity, bilaterally in Washington and multilaterally through the World Trade Organisation, to get that decision changed, because it is damaging to our industry. We should not lose sight of the fact that it is also damaging to American consumers of steel.

Mr. Andrew Mitchell (Sutton Coldfield): The Leader of the House is very much aware of the widespread interest across the House in the future of British policy on Gibraltar. May we have an undertaking that there will be a statement on the Government's policy on Gibraltar before the House rises for the summer recess, and that it will not be smuggled in on a Friday when many of us will be in our constituencies, but will be made on another day of the week when the House is sitting?

Mr. Cook: We are well aware of the interest in the issue of Gibraltar, and we are conscious of the importance of keeping the House informed. If I recall rightly, my right hon. Friend the Foreign Secretary has already given an undertaking that he will report to the House before the recess. Without committing myself to an announcement of a specific date, which is not something that we do during business questions—

Mr. Dennis Skinner (Bolsover): Friday is a working day.

Mr. Cook: My hon. Friend makes a reasonable point. From time to time the House sits on a Friday, and I am confident that the hon. Gentleman will be in his place and will not let anything get passed that he believes should be challenged. I commend his diligence and assiduity to his hon. Friends on the Back Benches.

Mr. Gordon Prentice (Pendle): Next Tuesday will be a big day for the House because the Prime Minister will submit himself to parliamentary scrutiny by appearing before the Liaison Committee for three hours. My right hon. Friend will have read my early-day motion 1505, signed by a small but influential group of Members.

[That this House enthusiastically welcomes the Prime Minister's decision to appear before the Liaison Committee in July and thereafter on a regular basis as one way of enhancing the accountability of his Office to Parliament; believes that the Committee with 34 members is far too large and unwieldy to perform the scrutiny function effectively in a three hour session; further believes that the chairmen of all domestic committees should be excluded from sessions involving the Prime Minister, hopes that the remaining members agree to divide into three groups, each one in turn quizzing the Prime Minister at length and in detail over the forthcoming three sessions; and further believes that no serious purpose would be served if the Liaison Committee is unable to put the Prime Minister under sustained and rigorous questioning, testing to the limit his views and the Government's policies.]

I wonder what will happen on Tuesday if every single one of the 34 Members insists on firing a question at the Prime Minister. Perhaps my right hon. Friend will tell the House what the arrangements are.

Mr. Cook: I commend my hon. Friend for his initiative in tabling the early-day motion. I see that it was signed by 18 Members, which may be small, although I cannot comment with confidence on the degree of influence as the names are not listed yet—

Mr. Prentice: There are 26.

Mr. Cook: My hon. Friend makes the sum even bigger—36 is a significant number of Members.

The point raised by my hon. Friend is well understood in the Liaison Committee and I know that its members have held a number of discussions to ensure that they make a success of that first hearing. The matter is primarily for members of the Committee, not for me as Leader of the House; they have taken it on board and they understand that next Tuesday they will be as much on show as the Prime Minister. In the meantime, I remind the House that this is a substantial new step in the scrutiny of Government by Parliament. No previous Prime

Minister has ever come before an investigative Select Committee for questioning, and it is to the credit of the Prime Minister that he is willing to do so.

Sir George Young (North-West Hampshire): A few weeks ago, the Leader of the House asserted that in his view there had been too much spinning by the Government. Against that background, may we have an assurance that on Monday we shall hear the outcome of the comprehensive spending review from the lips of the Chancellor and that we shall not read about it in the weekend press?

Mr. Cook: I can certainly assure the House and the right hon. Gentleman that it will be my right hon. Friend the Chancellor who makes the statement on Monday, and I can also assure the House that my right hon. Friend will of course want to be the first to break the news to anybody. Let us be realistic, however: our friends in the Gallery will spend the whole weekend trying to break a story, and will break legs to get it. In the meantime, I can only suggest to Members that they do not necessarily believe everything that they read in the papers between now and Monday afternoon.

Mr. Colin Challen (Morley and Rothwell): May I ask for an early statement on the steps the Government are taking to co-operate with the Irish Government in the wake of the publication this week of their report into the Ansbacher offshore banking scandal? The report named a significant number of British nationals who were clearly using that bank to avoid paying tax. Are we co-operating closely, and may we have a statement?

Mr. Cook: I assure my hon. Friend that the British regulatory authorities co-operate very closely with their counterparts in other countries, especially in the European Union, where some special arrangements apply. It is very much in our interests to do so, because we depend on that co-operation being reciprocated when we pursue issues of concern in our country. If the Irish Government want to take further follow-up action, we stand ready to help them.

Mr. Andrew MacKay (Bracknell): Is the Leader of the House aware that after last week's Hillsborough talks, when the Prime Minister promised to introduce moves to sustain the peace process and to report to the House by 24 July, it was widely reported and believed that that would actually give an amnesty for paramilitaries on the run, which would be unacceptable to many people on both sides of the House? May I have a categoric assurance from the Leader of the House that there will be a full statement from the Dispatch Box if that does occur and that such an amnesty will not be announced after we go into recess, as is so often the practice of the Government?

Mr. Cook: The right hon. Gentleman will be aware that there have been a number of exchanges on that subject and that the Government's position on it has not changed. I fully understand the point that he makes—that if any such steps are taken, the House should be kept fully informed—and I know that it will be shared by Members from Northern Ireland. We are well aware of the undertaking that we would try to seek a way forward on the wider question by 24 July.

David Hamilton (Midlothian): Is the Leader of the House aware of the *Daily Record* campaign, which started—rather belatedly—on Monday, on behalf of the hundreds of thousands of miners with chronic bronchitis? I belong to an ex-mining area. As I have been attempting to resolve the problem and speed up the process, I am well aware that the Department of Trade and Industry has done everything that it can. However, in thousands of cases it is possible, simply by looking at the medical evidence and without forcing the miner to come in for a medical, to see clearly that their circumstances are such that they would be entitled to an award. If that is the case, there is a regulation or a legal issue that must be overcome. If it was overcome, the process would be speeded up so much that it would help all those people, many of whom are dying before their award is made.

Mr. Cook: My hon. Friend will not be surprised to hear that the *Daily Record* is delivered daily to my office, and I have indeed noticed the very extensive and forceful publicity that the newspaper has been giving to the issue in the course of this week. I also know my hon. Friend's constituency and know that there will be many former miners there who suffer from respiratory diseases, which are only too common in mining communities.

I will draw my hon. Friend's remarks to the attention of the Minister for Energy and Construction, who, as he knows, has been very active in pursuing justice for miners and in dialogue with representatives of the mining communities. In so far as it is possible for us to respond to these concerns, I am sure that he will be willing to look sympathetically at how to do so.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): May I again draw the attention of the Leader of the House to the question of CAP reform? We now have the Fischler proposals, which were published earlier in the week. If the right hon. Gentleman cannot arrange a debate in Government time before the recess or next week, will he arrange for the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Scunthorpe (Mr. Morley), to appear before European Standing Committee A or B to set out the Government's reaction to these important proposals, in an attempt to allay some of the uncertainties that they have occasioned in the farming community throughout the United Kingdom?

Mr. Cook: I am certainly well aware of the importance of the proposals and I also fully understand the controversy that surrounds them. There is a limit to what I can offer the House in the remaining eight sitting days before we rise, but I can assure the hon. Gentleman that this will be a high priority for the Government and that I am under no illusions that the House will not wish to discuss this before any final decision is taken, which is some time away.

In conclusion, I add, as I have on previous occasions, that we cannot have it both ways. We cannot constantly demand reform of the common agricultural policy and then complain about the specific proposals that are put to us. If we want reform, we have to face up to some very difficult and painful choices.

Mr. Malcolm Savidge (Aberdeen, North): May I also request that we have an opportunity to consider the F-16s? Helping to supply arms to increase the spiralling

[Mr. Malcolm Savidge]

bloodshed in the illegally occupied Palestinian territories, does not seem a very ethical dimension to our foreign policy. Surely there must be political principles and moral values that we are not prepared to sacrifice to ingratiate an increasingly right-wing, hawkish and unilateralist United States Administration.

Mr. Cook: I entirely understand the concern of many hon. Members and the genuine deep worry, particularly given the very recent use of the F-16s in the occupied territories. These are matters that both the British and United States Governments have raised with the Israeli Government, and I am sure that my right hon. Friend the Foreign Secretary will be very interested in any point that my hon. Friend wishes to put to him.

Gregory Barker (Bexhill and Battle): Further to the point raised by my hon. Friend the Member for South Staffordshire (Sir Patrick Cormack), is the Leader of the House aware of the widespread anger and disgust in my constituency at the Government announcement that they are going to muck about with local government finance? Is he aware that that is seen as a blatant attempt to channel money from the south-east and into Labour heartlands? Furthermore, is he aware that the leader of East Sussex county council, the poorest county council in England, has calculated that if this plan goes ahead, council tax will have to rise by between 25 and 33 per cent.? Which would he prefer—that council tax goes up that much, or that the council slashes public services to the vulnerable?

Mr. Cook: I do not know where the hon. Gentleman has been for the last two general elections but, as it happens, we now have Labour heartlands in every region of Britain and it is simply not possible for us to be politically biased against any one region. I repeat what I have said before: the consultation document contains a series of different options—options for which we have expressed no preferences. It is therefore totally meaningless for any chief executive to try to pretend that he can produce a financial consequence for his local authority until the end of that consultation period. I should have thought that even the hon. Gentleman and his local authority's chief executive might recognise that there is merit in a local government grant distribution system that reflects changes in population, changes in the number of school pupils and degrees of deprivation.

Mr. David Kidney (Stafford): I welcome all that my right hon. Friend has just said, as well as the consultation on local government finance, but may I point out to him that for 10 of the 12 weeks of the consultation period the House will be in recess and that for six of the 12 weeks schools, which are crucially affected by the proposals to change education funding, will be closed for their holidays? May I also impress on him that literally hundreds of right hon. and hon. Members who represent English constituencies have a very keen interest in how that debate will unfold? So may I make a plea that, as soon as we return in October, there will be time to debate that subject before the Government start to settle the provisional settlement for next year? May I make a helpful suggestion that, if there is no time in the Chamber for that debate, a full debate in Westminster Hall might be sufficient?

Mr. Cook: May I remind the House that we have put out for consultation the draft local government finance Bill, which is currently being considered by the appropriate Select Committee, and that this Government's record in trying to seek consultation on such drafts and proposals for change is very good. The House may well be in recess for the next 10 weeks; I personally think that is at the root of the problem. I have made proposals that we should return in September and should not have such long periods of absence from the British political scene. I very much hope that those proposals will be approved by the House. If they are, it will meet my hon. Friend's and other hon. Members' concern by ensuring that we are not absent for such a long period.

Sir Nicholas Winterton (Macclesfield): May I pick up the request made by my hon. Friends the Members for South Staffordshire (Sir Patrick Cormack) and for West Derbyshire (Mr. McLoughlin) and the hon. Member for Stafford (Mr. Kidney) in respect of the Government's consultation document on the resourcing of local government, not least because my own county, Cheshire, has been short-changed under successive Governments, so I do not seek to score a political point? That has a huge impact on education and social service provision, not least on the ability of social services to fund care homes, which are currently in crisis. The Leader of the House, who is a most reasonable man, has said that he wishes to introduce reforms, which many hon. Members support. Will he say whether the consultation period on that proposal, which I agree contains options, can be extended to enable hon. Members to express a view before the Government put any firm proposals to the House?

Mr. Cook: The hon. Gentleman makes his point very diplomatically and temptingly, and I will certainly discuss with my right hon. Friend the Minister for Local Government and the Regions how best we can ensure that the House has an opportunity fully to express its view. The hon. Gentleman was quite frank and blunt in expressing his concerns on behalf of his local authority when he sat on the Government Benches, so, given the honourable role that he played, I exempt him from any criticism, but we should not lose sight of the fact that, of course, the Government have very substantially increased spending on education, social services and all the other aspects of local government spending. As a result, all the local authorities that have been mentioned are doing substantially better than they ever did under the previous Conservative Government.

Kevin Brennan (Cardiff, West): May we have a debate on the volume of parliamentary questions?

Mr. Forth: Nice tie.

Kevin Brennan: The Leader of the House will be aware from a parliamentary answer that he gave yesterday to my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) that the hon. Member for Buckingham (Mr. Bercow) has now officially become the half-million-pound man, having asked 4,382 questions at a cost of £565,278 in this Session alone. Although in no way do I wish to fetter the right of hon. Members to hold the Government properly to account, is not there a difference between proper parliamentary scrutiny and the obsessive compulsive exegesis of the hon. Gentleman?

Mr. Cook: First, may I congratulate my hon. Friend on his tie, and particularly on its admirable politically correct tone? On the point that he raises, it is not for the Leader of the House to discourage Members who believe that they have a bona fide concern from pursuing it through the Order Paper and parliamentary questions. I have answered many questions from the hon. Member for Buckingham (Mr. Bercow)—I think that I have answered more questions from him than from the rest of the House added together—and I am relaxed about the fact that he chooses to table so many. It is perhaps time, however, that he reflected on whether the product, in terms of what he can do with those answers, has justified all the effort that he has put in. Perhaps the time has come for a redirection of his admirable energy into a more productive channel.

Mr. Roy Beggs (East Antrim): Will the Leader of the House arrange for a statement by the Foreign Secretary on United Kingdom-Iran relations? Many hon. Members on both sides of the House wish to know what recent representation has been made to the Iranian Government about the continuing abuse of human rights by that regime of repressive, fundamentalist Islamic mullahs, which brutalises its people and uses torture and execution to terrorise its political opponents.

Mr. Cook: I assure the hon. Gentleman that the respect for human rights—or the absence of it—in Iran is a matter of high priority in the Foreign Office, on which representations are frequently made. It is also fair to note, however, that there have been movements in the politics of Iran that have resulted in a return to a democratic parliament, and the great majority of the public of Iran have voted for people who want to take Iran forward into the modern era and put behind them the rule of the mullahs to which he referred, which was the product of the revolution. It is in all our interests that we handle our relations with Iran so that we strengthen the role of, and support for, those who want to take Iran forward and enter into a responsible relationship with the rest of the world, and that we marginalise those who would rather take Iran back into the middle ages.

Mr. John Taylor (Solihull): Can we have a debate on town and country planning, and particularly on the Government's planning policy guidance, which is elegantly known as PPG3? In my constituency, the planning department is under siege as developers put in application after application—followed by appeal after appeal—in respect of the same site, which causes considerable distress to long-suffering neighbours of the site who are objectors to the proposals. Is there an end in sight to these repeated, excessive and sequential planning applications and appeals?

Mr. Cook: The hon. Gentleman will be aware that changes to planning law and guidelines are very much at the forefront of the Government's mind at present, and I am sure that, in the forthcoming Session, there will be opportunities to explore some of those issues. As I have mentioned to him, I am familiar with his vicinity, which has some admirable country that is well worth preserving, and it is very important that we make sure that our planning laws strike the right balance between ensuring that development can proceed, and, at the same time, protecting the rich heritage of our countryside. I am proud that, under this Government, the green belt has been expanded by a substantial volume of territory, and we do not want that put at risk.

Mr. Mike Hancock (Portsmouth, South): Can the Leader of the House find time for a statement or debate on the future of the Millennium Commission, and on the way in which it has dealt with the 24 Landmark projects around the country? In particular, the debate should include discussion of the fiasco relating to the millennium tower in Portsmouth.

Mr. Cook: I sense that this is an important constituency issue, on which I regret that I am not briefed. The hon. Gentleman has made his point, and I am sure that he will find other ways to pursue it in the House.

Mr. Henry Bellingham (North-West Norfolk): Is the Leader of the House aware that my constituent, Tony Martin, is back in the news again because he is being sued by one of the burglars who broke into his house? Does he agree that we ought to have a new legal principle whereby criminals who break and enter into properties leave their civil rights outside? Would he also agree that it is monstrous that someone should get legal aid in a case in which their solicitor has already agreed to act on a contingency—no win, no fee—basis? I am trying to table an early-day motion on this matter, but I am told that it may be sub judice because the case may be brought in the future. How would the right hon. Gentleman advise me to bring this protest forward?

Mr. Cook: As Leader of the House, I must strongly defend our convention on sub judice, however frustrating it may be from time to time. On the particular point that the hon. Gentleman raises, it would plainly be proper for the courts to take into account the way in which the event took place, and the fact that the people in question had broken into property, in making any judgment about whether they were entitled to compensation. The Government have no control over the Legal Aid Board, to which, quite properly, we have devolved decision making. As a constituency Member, I frequently find its decisions baffling.

Hugh Robertson (Faversham and Mid-Kent): The Leader of the House is aware that many hon. Members in all parts of the House represent constituencies where agriculture is a sizeable contributor to the local economy or shapes the pace of rural life and the environment. It is increasingly difficult to ask questions on particular aspects of farming in Department for Environment, Food and Rural Affairs questions, so will he make time available in the next Session for a proper debate on the future of farming?

Mr. Cook: I am conscious of the demand from both sides of the House for a proper discussion on the countryside, perhaps going wider than the agricultural

[Mr. Cook]

economy. That is a matter that we will bear in mind. The matter of DEFRA questions was raised at the start of the Session, when DEFRA brought together the previously separate Question Times on farming and the environment. We considered the request from some hon. Members to separate out the time, but, on balance, we took a decision that the point of DEFRA was to ensure that we had a seamless approach to the countryside that embraced all other aspects of the countryside economy, and therefore that it was important to retain a single DEFRA Question Time, rather than suggesting that farming could be subdivided from it.

Mr. Paul Goodman (Wycombe): Since the Minister for Pensions told the House:

> "Older people will have the choice of doing their business through pension centres . . . or receiving home visits"—[*Official Report*, 20 May 2002; Vol. 386, c. 4.],

and since his account was directly contradicted in public evidence given to the Select Committee on Work and Pensions by a senior civil servant in his Department, Ms Alexis Cleveland, who said:

> "We are not building a model which is actually showing that anyone can just choose to have a home visit",

will the Leader of the House, notwithstanding what the Minister told the House yesterday, arrange for the Minister to come to the House and correct a serious error?

Mr. Cook: My right hon. Friend the Minister for Pensions informs me that he dealt with the matter at points of order yesterday, that he was absolutely correct and that the hon. Gentleman is in error. I shall happily discuss the matter further with the hon. Gentleman and write to him. I have the fullest confidence in my right hon. Friend, and if I am obliged on the spur of the moment to choose which advice to accept, I shall certainly take the advice of my right hon. Friend.

Mr. Christopher Chope (Christchurch): On Wednesday and Thursday next week, the gentleman described by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) as "the nice Mr. Crow"—most other people think that he is pretty nasty—is turning his bully-boy tactics against 3 million Londoners and is determined to disrupt the underground services. Does the Leader of the House accept that that is a political strike and, in that sense, an unusual strike, because the supposed justification for it—safety—has been removed by the approval of the safety case? Does he further accept that, because of its significance as a political strike and the disruption that it will cause, it would reasonable for the Secretary of State for Transport to come to the House early next week and explain what he intends to do to prevent similar strikes, and how he will alleviate the suffering that Londoners will otherwise undergo?

Mr. Cook: I agree with the hon. Gentleman that the safety case relating to the public-private partnership project for the tube has been thoroughly examined. We have given clear assurances on that, and we have made it plain that the Health and Safety Executive will have the final lock on whether the proposals are safe. There is therefore no valid ground of safety for an industrial dispute or for any other form of concern. I do not see any merit in the industrial action to which he refers, and I very much hope that those who work on the London underground will reflect on whether they are really assisting their own cause by taking part in it.

Mr. Mark Francois (Rayleigh): On an entirely non-partisan point, as the proposer of a ten-minute Bill seeking to amend the Data Protection Act 1998 to remove the impediments to hon. Members going about their duties on behalf of their constituents, I welcome the confirmation by the Leader of the House this afternoon that he intends to produce, by the Summer recess, a draft statutory instrument to resolve the problem. I and other hon. Members look forward to reading the detail of that statutory instrument and, hopefully, returning after the summer recess to vote it into law to solve the problem once and for all.

Mr. Cook: It would be less than gracious of me to do other than accept what the hon. Gentleman said and I am grateful for his support. I should clarify that it is not I who will lay the statutory instrument but my colleagues in the Lord Chancellor's Department. However, I shall make a point this afternoon of telephoning them as soon as I leave the Chamber to draw the hon. Gentleman's comments to their attention.

Michael Fabricant (Lichfield): Further to the point made by the hon. Member for Stafford (Mr. Kidney) and other hon. Members, can the Leader of the House understand the frustration felt by teachers, head teachers and parents in Staffordshire when the formula grant distribution document offers four alternative options for the funding of schools in England that would leave Staffordshire worse off? One would leave us marginally better off but still with a greater distance than now between the richest and poorest counties. To put that in context, Staffordshire receives the lowest funding per pupil bar one other English county, and that is just not fair. Can we have a debate on the issue? In 1997, the Government promised to put the matter to rights. In this document, all four options make Staffordshire worse off, not better off.

Mr. Cook: As the hon. Gentleman fairly said—I congratulate him on his candidness—there are a number of different options in the consultative document. It is open to his local authority and to others to object to any or all of those four options if they believe that they do not make the correct division. That is why we had a consultation period. I hope that when he corresponds with his local authority and his teachers, he will point out that spending on education is now one quarter higher than it was when the Conservative party was in office and, under the forthcoming spending review, there will be a further increase. There is no local authority in England that does not now have substantially more to spend on its schools and teachers than was the case before 1997. If he would care to admit that publicly, I shall listen sympathetically to what he says about distribution.

Pickering Review

1.27 pm

The Secretary of State for Work and Pensions (Mr. Andrew Smith): With permission, Mr. Speaker, I should like to make a statement on the Pickering report that was published this morning.

The report is the culmination of nine months of hard work by Alan Pickering and his team. I should like to thank him and also everyone who took the time and effort to submit their views—some of whom are here today.

In his report, Alan Pickering acknowledges the encouragement that he received not only from my right hon. Friends the Secretary of State for Transport and the Minister for Pensions, but also from the right hon. Member for Hitchin and Harpenden (Mr. Lilley) and the hon. Members for Havant (Mr. Willetts) and for Northavon (Mr. Webb).

Pensions simplification has to be at the heart of any strategy to encourage greater pension provision. We need to deal with the complexities built up over the years by successive Governments.

Alan's report makes 52 recommendations. The key ones include: a new pensions Act to consolidate all existing pensions legislation; a new more proactive regulator; a better, more targeted approach for communicating with pension scheme members; more flexibility to modify schemes; allowing employers to make membership of their occupational pension scheme a condition of employment; and the ending of compulsory indexation for defined benefit pensions, and compulsory survivors benefits.

The report, together with Ron Sandler's proposals, announced by my hon. Friend the Financial Secretary on Tuesday, represents the first stage of a comprehensive review of occupational and personal pension provision.

The Government will take a radical look at the issues, together with the results of the Inland Revenue review of tax simplification, when that is completed. In the autumn we will come forward with our proposals in a Green Paper.

That will initiate a wide-ranging consultation. It will look at private pensions policy in the round, including the opportunities open to people around retirement, and will set out the Government's proposals to enable people to build up more pension savings.

Alan Pickering's report covers complex issues and includes some tough choices—the inevitable dilemmas faced by all simplifiers. The report presents challenges to us all: employees and their unions, employers and commercial pension providers, the Government and the Opposition. I believe that we will need to be guided by the following principles and objectives, grounded in a long-term approach: fairness; security in retirement; informed choice for consumers; simple and proportionate regulation; ensuring that incentives are effective and well understood; promoting employment among older workers; and flexibility to give individuals more choice about the pace at which they retire from the labour market. I hope that we can secure all-party agreement on those matters.

The Government believe that pension provision should be based on partnership, which can secure lasting buy-in from all key players. We must strike the right balances between sometimes competing goals. We want the simplicity that enables people to make informed choices without stifling product innovation and competition. We want a proportionate regulatory framework that provides sufficient security for savers while making it worth while for employers and commercial providers to make available good pension products. We need to ensure that we remove unnecessary barriers to employer provision and employer contributions. We also need to make it easier for people to save and make it easier to sell pension products, as Ron Sandler's report proposed on Tuesday. We need to achieve all that and more against the remorseless arithmetic that tells us that, because we are living longer and want to maintain a good standard of living in retirement, we need to save more or work longer, or a combination of both.

We wanted Alan Pickering to present a strong challenge to the degree of regulation around private pensions. He has done that—he has made some valuable proposals for simplifying pensions legislation and reducing administrative burdens on both schemes and employers, cutting costs and simplifying choices for individuals. His recommendations also present some tough choices. Take, for example, his recommendation that employers should have the choice to make joining a company pension a condition of employment. Some 16 per cent. of people who could benefit from a company pension scheme currently choose not to do so. Compelling people to join would restrict their choice, but against that consideration, we need to balance the beneficial effects for schemes and the overall effect on extending pension coverage.

Alan has also made a number of specific recommendations on easements of legislation—in particular, repeal of section 67 of the Pensions Act 1995. Again, that throws up a tough choice. The recommendation would mean that, if employers faced funding constraints on their scheme, they could have an option to reduce future funding costs rather than close the scheme. Of course, that would remove an absolute guarantee against the consequences of change, but might well secure a better outcome for members and the future of the scheme, set against the alternative of its closure.

Alan also recommends an end to compulsory indexation of pensions and removal of compulsory survivors' benefits as a condition of contracting out. On first reading, those proposals are not attractive. They go against the drive of the past 30 years to price protect pensions and to enhance survivors' benefits, but again, in the light of the report, we will need to look carefully at all the consequences.

As well as the big themes and recommendations to which I have referred, a number of more modest issues are addressed to my Department and others. For example, they include improving the way in which contracting out is administered; streamlining procedures and reducing general administrative burdens; looking at ways better to provide advice through the workplace; and improving information going to pension scheme members. Those recommendations have considerable merit, and subject to the responses that we receive to the report, I intend to take them forward.

In conclusion, I believe that Alan Pickering's report offers clear options for simplification and makes a valuable contribution to the debate that we need to have on the next stage of pension reform. We need to face up to the tough choices that he sets out. In seeking to simplify

[Mr. Andrew Smith]

the future we must also face up to the—in many ways harder—challenge of simplifying the past, in that we need to simplify the different regulations that have built up over the years. Otherwise, we will end up adding yet another layer to the existing layer cake of regulation and complexity.

Alan Pickering's proposals are radical, ambitious and pragmatic. I urge hon. Members, the public, employers, trade unions and pension providers—all those whose partnership is essential for effective pension reform—to give them full and constructive consideration. The Government certainly will. The acid tests for the Green Paper must be increasing the level of savings for retirement and making a secure occupational pension accessible to as many people as possible.

1.35 pm

Mr. David Willetts (Havant): I declare my interests that appear in the Register of Members' Interests and thank the Secretary of State for an advance copy of this very important report.

Let me make it clear that we welcome the report, just as we welcomed Alan Pickering's review when it was established. I join the Secretary of State in expressing our respect for the expertise and wisdom that Alan Pickering brought to the exercise. He has produced a valuable report.

Conservative Members respond to the Secretary of State's comments by saying that we understand that the regulatory regime for pensions must be stable to ensure long-term planning, and we will contribute constructively to the debate about the best ways of cutting the burden of regulations on pension funds. That is an obligation on all hon. Members on both sides of the House.

The starting point of the debate has to be a frank recognition of the scale of the problem that faces funded pensions. For years, Ministers have been shockingly complacent, saying that everything was all right when it clearly was not, and citing statistics that they have since admitted were seriously misleading. The Secretary of State should accept the stark warning in Alan Pickering's report that

> "without change, the current trajectory suggests less private pension provision in the future."

That warning lies at the heart of his report.

We shall obviously want to study the proposals in the Pickering report very carefully, but I can tell the Secretary of State that we welcome the themes that are expounded in it. For example, we support the call for a proportionate regulatory environment, and we welcome Alan Pickering's vivid expression that a pension is a pension is a pension. There are too many different forms of pension, and it is right to try to simplify them. It is also true that too much pension provision has become a form of archaeology, with pension providers delving deep into the past to identify the date on which a pension was first set up in order to understand the tax and regulatory regime around it. That needs to be tackled.

Can I press the Secretary of State for more information about the timetable to which he is working? The recommendations will be pointless unless the Government act quickly. As Alan Pickering said in his report

> "Time is not on our side."

Yet the Secretary of State offered us a second Green Paper on pensions. I have here the Government's previous pensions Green Paper, which was published nearly four years ago. That contained the Prime Minister's promise that his Government would increase the proportion of pensioners' incomes that comes from private savings from 40 to 60 per cent. Since then, the Government have made no progress whatsoever towards achieving that objective. Instead, they introduced stakeholder pensions that were supposed to go to the 5 million people in their target group, although they reached only about 100,000, and scheme after scheme has closed. Why should the second Green Paper make any progress, given the comprehensive failure of the first?

If we do not get legislation until 2004, as has been suggested, the changes will not be implemented until 2005 at the earliest. Yet, if pension scheme closures carry on at their current rate, there will not be any pension schemes open to new members by the time that the Government finally get round to implementing the proposals in Alan Pickering's report. Will the Secretary of State take this opportunity to inform the House of the likely timetable of any legislation to implement proposals for reform?

May I also press the Secretary of State for more information about the burden of regulation, which is still increasing? Since the Pickering review was established in September 2001, we have had 251 pages of new regulations. We are still waiting for the final results of the Myners review. It is good to see a Treasury Minister on the Front Bench because the Treasury, in its commitment to implementing Myners, has been threatening pension schemes with yet more regulation. There is a useful warning in Mr. Pickering's report: he hopes that the people taking forward Myners—he might be thinking of the Financial Secretary—will

> "keep in mind our arguments for simplification."

Can we have an assurance from the Secretary of State, as the minimum to show his good will on this exercise, that more regulation will not be imposed on pension schemes while we wait for his supposedly deregulatory legislation? Without such an assurance, it will be difficult to take the Government's commitment to deregulation seriously.

The terms of reference for Alan Pickering's report were very narrow and excluded some of the main factors that have been driving the crisis in funded pension provision. Why was Alan Pickering unable to comment on the structure of state pensions, including the state second pension, which left-wing think tanks such as the IPPR are now saying should be abolished before it has even begun?

What about the burden of ever more means-testing of pensioners? Why could not Pickering comment on the spread of means-testing, which will soon result in more than 50 per cent. of all pensioners finding themselves on a means test? If so many pensioners are to face means tests, which will mean that they are not fully rewarded for their saving, does the Secretary of State recognise the serious danger that the main beneficiaries of the review could be the richer half of the population? They will not be trapped by the means test that he is imposing on the less affluent 50 per cent. of pensioners.

What about the financial burdens that the Government have placed on pension funds which are their direct responsibility? What about the £5 billion a year tax on pension funds, and the £1.5 billion a year cost of the insufficient value for the contracted-out rebate? Does the Secretary of State recognise that that adds up to £6.5 billion a year being taken from our pension funds? That is the real reason why our pension funds are closing, and nothing that he said today showed any willingness to recognise the scale of that problem and what needs to be done to tackle it.

Mr. Smith: I thank the hon. Gentleman for his comments. He was considerably more constructive at the beginning than at the end. Indeed, his tone at the beginning is the one more likely to lead to a productive outcome for this House, the country and pensioners at large. I appreciate his welcome for the report and echo his praise for Alan Pickering's expertise and everything that he and his team have brought to the recommendations.

I welcome the hon. Gentleman's commitment to constructive engagement on these matters because pension policy is by definition for the long term. As Alan Pickering points out in his report, it does not coincide with the electoral cycle. All of us in this House have an interest in doing—indeed we have a duty to do—our very best to pull together to lay some foundations for occupational and private pensions that can stand the test of time. Therefore, as far as possible, constructive all-party engagement on these issues is very much to be welcomed.

The hon. Gentleman raised the issue of complacency. We are certainly not complacent on these matters. Indeed, the very reason that my predecessor, my right hon. Friend the Member for Edinburgh, Central (Mr. Darling), and the Chancellor commissioned not only the Pickering report but the Sandler review as well as the Inland Revenue tax simplification report before the recent events that have caused additional concern is that we were seized of the importance of getting the framework for occupational and personal pensions right.

There is a tendency for the debate to oscillate between hysteria at one extreme and complacency at the other. As a recent *Financial Times* editorial pointed out, the right thing to do is to take a hard-headed, realistic look at the challenge that we face—the challenge is certainly there, which is why we are producing a Green Paper—and not to be distracted from the seriousness of that purpose.

On the timetable, of course we want to move as quickly as is sensible on a matter such as this, but, to get a considered reaction to these complex and, in some areas, contentious, proposals, it would not be right to proceed without hearing what the public, the other parties in the House, and the providers—the essential partners to successful future pension provision—have to say about them. We also have to await the tax simplification review, and any tax implications from these proposals would, in any event, be considered on a Budget timetable.

The hon. Gentleman referred to the burden of regulations, which we are countering here. As I said in my statement, we are tackling regulations that have been put in place by successive Governments. I do not want to turn this into a partisan ding-dong—

Mr. Andrew Love (Edmonton): Why not?

Mr. Smith: Tempting though my hon. Friend's suggestion is, the truth is that we have only to read the Pickering report to see the number of measures that he suggests need to be tackled that were actually the product of legislation passed by the previous Conservative Administration, albeit often with the best of intentions. One of our problems is that layer upon layer of complexity and regulation has been built up in response to short-term events, and that has left us all with a huge long-term problem.

On Myners, I am sure that we and the Treasury will bear in mind the need for simplification that Alan Pickering points to. On the hon. Gentleman's reference to means-testing, I have to say that the Conservatives seem deliberately and consistently to overlook the enormous benefit that the pension credit brings. It cannot be stated too often that, for those saving above the basic pension, the pension credit will, for the first time, reward that saving rather than penalising it as the Conservatives did.

I welcome the hon. Gentleman's constructive response to the report, and I look forward to our working with colleagues on both sides of the House to carry this forward in an all-party spirit.

Mr. Steve Webb (Northavon): I thank the Secretary of State for advance sight of this detailed report. I welcome the fact that Alan Pickering is seeking to create an all-party consensus on pensions structures, and I can confirm to the Secretary of State that, if he decides to approach prospective legislation in that way, the Liberal Democrats will certainly play a full and constructive part.

I want to raise two areas of concern, however. One involves issues that were in the report, the other matters that should have been in it. It terms of what was in it, I disagree with Alan Pickering in that I do not believe that benefits for widows, or the post-retirement raising of pensions, are bells and whistles. In our view—and, I sense, in the Secretary of State's view—they are an integral part of what pensions should be. Given that many old pensioners—the poorest pensioners in the land—are often elderly widows, can it be right to undermine provision for widows or to have more pensions frozen for 20 years of retirement? I do not believe so, and I hope that the Secretary of State will confirm his intention to look very sceptically at that proposal.

In terms of what the report perhaps should have said, will the Secretary of State accept that, given the tens of billions of pounds shortfall—whatever the figure is—in the amount of saving that should be going on, these proposals, although many are welcome, are not up to tackling that scale of problem? With the best will in the world, the Green Paper, and subsequent legislation a few years down the line that will probably take effect decades down the line, will not tackle the crisis now, though they are part of the overall strategy. Is it not time to require all employers to put money into their employees' pensions, and to give good employers and their employees the incentive to go further and to build on that? Without such provisions, we shall see a continued haemorrhaging of money from pension funds.

Mr. Smith: I thank the hon. Gentleman for his constructive response, and for his commitment to resolving the matter with as much cross-party agreement as possible.

[Mr. Smith]

The hon. Gentleman mentioned a description of survivors' benefits as bells and whistles. It is certainly not a description that I would use—such benefits are valued features of current schemes—but we cannot escape the tough choice, and the tough question, posed by Alan Pickering. He says that, in the event of a choice between maintaining those benefits and the closure of schemes—resulting in lower contribution rates—people might end up substantially worse off. I do not find that proposition attractive, but at this stage I am not ruling anything in or out. I want to examine all the proposals and all the responses.

As for the scale of the problem and the extent to which the report addresses it, the terms of reference can be found in the appendix. They refer specifically to simplification of regulation, and Alan Pickering rightly focused on that. Of course this report will have to be judged alongside our response to the Sandler report and the Inland Revenue's work on tax simplification. As I have said, the Green Paper will be a substantial and wide-ranging document that will meet what is a considerable challenge.

We must think carefully about the implications of compulsory employers' contributions. Again, I am ruling nothing in or out at this stage; but if employers withheld wage increases or even cut wages to pay for those contributions, as some might be tempted to do, the cost would be effectively transferred from employer to employee. Furthermore, if employers were tempted or indeed forced to cut jobs, people might lose not just their occupational pensions but their wages.

Those attracted by the Australian example would do well to remember not just the differences in basic state provision in that country, but the fact that compulsion was introduced there as part of an historic compromise with the trade unions. There was a deliberate drive to hold down wages to help pay for pensions. We need to think carefully before embarking on such action.

Mr. Frank Field (Birkenhead): The Secretary of State told us more about what he hopes to do in six minutes than most of his colleagues tell us in five times as long. I thank him for his statement, and join him in thanking Alan Pickering for producing a report on how best we might protect the one obvious welfare success of the last 100 years—and, in so doing, serving up to the Secretary of State not just the soft options but some of the hard options that we may have to take in preserving that great welfare success.

When the Secretary of State drafts his Green Paper in the autumn, taking a radical look at what needs to be done, will he take account of the economic cost to taxpayers of past failures to ensure that everyone has an adequate, decent minimum pension in the first place? The current cost of those welfare failures to each standard-rate taxpayer is 5p in the pound, and according to the Government's own calculations it is expected to rise to 13p. Are there not better ways of spending taxpayers' money than paying the cost of a failure to guarantee adequate pensions for all in the first place?

Mr. Smith: I thank my right hon. Friend for his kind remarks. The whole House greatly admires and respects his expertise, even if we do not always agree with every detail of his proposals.

My right hon. Friend makes a fair point about the importance of fully assessing economic costs, and I shall examine them closely. When considering the proper use of taxpayers' money, however, we must recognise the need for decisions about how thinly to spread resources for pension enhancement across the pensioner population, and about how much sense it makes to concentrate at least some additional state resources on the poorest pensioners. I make no apology for the fact that an important strand of the Government's policy has been concentrating a proportion of the available resources on the poorest pensioners, thus helping many out of poverty.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Does the Secretary of State agree that Alan Pickering is a wise man and that the report will repay careful study? First, may I tempt the Financial Secretary to whisper in the Minister's ear the possible outcome of the Inland Revenue negotiations. Those in the industry to whom I have spoken are encouraged by the discussions so far and have been led to expect a fruitful outcome. However, it must be an early outcome, so can he say a word about that? Secondly, if he is being sceptical about some of these things—and I hope that he is—may I refer him to some of the advice that he may have been getting from the Government Actuary Department about the loss of cover to ill-health retirement as that would merely increase the number of people who would be passported straight on to incapacity benefit, which is already a huge problem for the Government?

Mr. Smith: I thank the hon. Gentleman for his constructive remarks. He tempts me to say what the outcome of the Inland Revenue tax simplification review will be before it is completed. Sadly, I am not in a position to do that. However, it is important that every dimension of the review is approached in a radical spirit and that we entertain the bold action that is necessary as a consequence properly to secure the future for occupational and personal pensions. I also take his point about incapacity benefit.

Mr. James Arbuthnot (North-East Hampshire): Is the Secretary of State aware that I am one of the culprits in introducing some of the previous legislation? As he rightly says, it was for good reason at the time, whether it was Robert Maxwell or pensions mis-selling or whatever. I thank the Secretary of State not only for what he said but for the tone in which he said it. In the interests of increasing the cross-party support that I am sure that this report will garner over the months, will he consider referring the pensions Bill which the Pickering report mentions to a Special Standing Committee rather than to an ordinary Standing Committee, so that evidence can be taken from pensions experts during the Bill's passage through the House and we can get the detail right on difficult issues such as pensions on divorce?

Mr. Smith: I thank the right hon. Gentleman for his kind remarks on tone and reciprocate by thanking him for the way in which he made his remarks. I have noticed the spirit in which he has contributed to previous debates on this matter. It is good of him to own up as a culprit, having introduced some of the legislation that we are dealing with. I hope that I do not have to do the same at some point in future. He invites me to consider referring a future pensions Bill to a Special Standing Committee. I shall certainly consider it, but as he will understand, I cannot commit to that at this stage.

Mr. Peter Pike (Burnley): Is it not important that all of us interested in occupational pensions, not only in the House, but in the country, study carefully the proposals in the Pickering report? It is also important that we do not allow a knee-jerk reaction because of the two headline-grabbing proposals that we may not like on index linking and pensions for surviving spouses.

My right hon. Friend referred to important matters to be included in the Green Paper that will be published later in the year. I remind him that pension security is crucial. In my constituency, so many pensioners in different schemes have lost out over the years, including those affected by the Bellings pension fraud, that we should make sure that all workers get what they expect from their pensions when they retire.

Mr. Smith: Yes, indeed. My hon. Friend makes some wise comments. On his second point on security, it is worth highlighting what Alan Pickering says in the foreword to the report:

> "Our proposals will lift the regulatory burden on employers, but it remains incumbent on those employers to keep their side of the bargain with employees and meet their pension promises."

It is timely to have a reminder that rights and responsibilities in these matters cut both ways. My hon. Friend was wise to rule out knee-jerk reactions to the report.

The more one reads the report and sees its careful structure and inbuilt balances, the more one realises that it pays to reflect carefully on it before reaching conclusions.

Mr. Tam Dalyell (Linlithgow): The sobering if joyous fact is that, in the year that I was elected to this House, the Queen sent 200 telegrams to those who had reached their 100th birthday, but last year, she sent 3,900 such telegrams. Does that not reflect the size of the problem? Will my right hon. Friend consider the difficult issue of whether equivalent pension benefits are to be commuted at the discretion of trustees, unless a member objects? That is an urgent problem.

Mr. Smith: On the first point, which my hon. Friend puts characteristically graphically, greater longevity is of course one of the challenges that we are addressing. It is great news that so many people are living much longer, and that many are receiving telegrams from Her Majesty, but as I said in my statement, that presents us with some remorseless arithmetic. Given that we are living longer, and that we want to maintain a high standard of living in retirement, we must either work more, save more, or a combination of both. I have noted my hon. Friend's concern about equivalence, and I shall certainly reflect further on it.

Mrs. Cheryl Gillan (Chesham and Amersham): The Secretary of State is doubtless fully aware of the problems with which my local Buckinghamshire authority must deal in respect of pension funds, and of the fact that local council tax payers face the prospect of having to make up the shortfalls out of their diminishing pension income. Does he plan to review local authority pensions, will the forthcoming Green Paper deal with that issue, and does he consider that the Pickering report has any implications for such pensions?

Mr. Smith: As the hon. Lady should be aware, the system of allocation to local authorities through standard spending assessments is under review, and where relevant, the pensions aspect will doubtless be factored in. However, we are talking about a matter for which public authorities have to pay from their allocated budgets. As with other public bodies, it behoves local authorities properly to meet their responsibilities in this regard.

Mr. Andrew Dismore (Hendon): So far, we have heard nothing about the self-employed, 54 per cent. of whom have no additional pension provision. Does my right hon. Friend see anything in the Pickering report to encourage the self-employed to take out pension policies? Can he confirm that the consultation will address this issue in particular, and will perhaps consider the question of compulsion?

Mr. Smith: My hon. Friend points to an aspect of the current pattern of provision that warrants re-examination. In the past, the general assumption has been that the self-employed are responsible for making their own provision. However, as he says, many do not—at least, not through pension products—although they might be building up other assets. As we draw up the Green Paper, I shall look closely at the position of the self-employed, along with other categories of workers.

Mr. David Ruffley (Bury St. Edmunds): Has the Secretary of State ruled out making a second pension compulsory for everybody?

Mr. Smith: The statement is about Pickering, pensions and regulation. As I said in relation to the forthcoming autumn Green Paper, I am not ruling matters in or out, being just a few weeks into the job. However, I am not setting hares running on extending compulsory state second pensions.

Mr. Andrew Miller (Ellesmere Port and Neston): As someone who, in a previous life, negotiated with large companies on pension matters, I know that many people will welcome simplification and better information in the workplace; indeed, that is mission critical to the success of future schemes. However, like my hon. Friend the Member for Burnley (Mr. Pike), I have had to deal with the sad case of a scheme that was abused by an employer, H. H. Robertson. *[Interruption.]* The Minister for Pensions, my right hon. Friend the Member for Makerfield (Mr. McCartney) nods—he is obviously familiar with the background. When my right hon. Friend removes the parts of the legislation that he proposes to remove, may I caution him to ensure that he does not diminish the protection provided to workers under the Pensions Act 1995? Does he recognise the need for greater transparency so that employees can see problems arising earlier than they can at present?

Mr. Smith: I am not proposing to remove any parts of anything, because we are at present considering the recommendations that Alan Pickering has made. However, my hon. Friend makes an important point. It is

[Mr. Smith]

appalling when workers who have placed confidence in the conduct of their employers have that shattered by the sort of behaviour that he mentions. I agree that workers will welcome simplification and better information in the workplace, and that is one of Alan Pickering's recommendations that we will wish to take forward, in conjunction with the Financial Services Authority, in terms of education and information. I agree that more transparency is important and, as we prepare the Green Paper, we must also keep a close eye on the security dimension.

Mr. Jonathan Sayeed (Mid-Bedfordshire): I thank the Secretary of State for the balanced tone in which he presented his statement and for responding so positively to the attempt—often made from this side of the House—at a constructive engagement with the long-term problem of pensions. Does he accept that if company pension schemes are freed from some of the performance indicators, it is likely to mean that final pay-outs will be lower? I was pleased to hear that the Secretary of State did not sound too keen on the proposal to ditch the obligation to pay benefits to the widows of pensioners. That would be an anti-family proposal that would hit middle-aged women who have spent their life bringing up their family.

Mr. Smith: I welcome the tone in which the hon. Gentleman poses his question. He is right to say that if company schemes were given greater flexibility, that might result in lower final pay-outs, but the tough choice that the Pickering report invites us to consider—and which we would be wise to consider—is how far some modification, within certain limits, is preferable to the closure of schemes on the likely pretext of greatly reduced contributions, or is an essential element in making schemes simpler to administer so that we can overcome the layer cake of complexity to which I have already referred. Without ruling anything in or out, I have already given a clear signal of how I feel about the important question of survivors and widows. It is also important that when we prepare the Green Paper in the autumn—and I have already briefed my officials on this point—we have a comprehensive analysis of the implications for women of present private and occupational pension provision and the reforms we might entertain.

Miss Anne Begg (Aberdeen, South): If the Government are to achieve their stated aim of a ratio of 60 per cent. private and 40 per cent. state provision of pensions, the issue of public confidence and trust is important. There is no doubt that the best way to provide for one's old age is through an occupational pension with employer contributions. However, does my right hon. Friend agree that at the end of this long process—and it will be long—if people of working age are to invest their hard-earned cash in occupational pensions, they will have to have a guarantee that the money will be there for them when they reach retirement age?

Mr. Smith: Yes, that is why I have said that security in retirement is one of the objectives against which our preparation of the Green Paper will be judged.

Miss Julie Kirkbride (Bromsgrove): It is a sad fact that in my constituency, the issue of pensions is fast becoming the biggest in my postbag. People are concerned about the collapse of occupational schemes, as the Minister for Pensions will know, as well as their closure to new entrants, so speed is of the essence.

On a more specific point, can the Secretary of State promise my elderly constituents that the forthcoming Green Paper will contain plans from the Government about the reform of annuities?

Mr. Smith: Yes, that is our intention. The hon. Lady will be aware of the consultation that we have already undertaken on the future of annuities, and we are considering the responses. We shall be making a further statement on this as part of the Green Paper. However, I do not want to raise the hon. Lady's expectations as she might subsequently be disappointed, and we would do well to remember that an annuity is still the only way of guaranteeing an income throughout retirement. That said, there are important changes in terms of encouraging a better, more competitive and responsive market in the sorts of annuities that are available, so that they suit individual preference. We will respond to that matter in the Green Paper.

Mr. Tom Levitt (High Peak): It has always struck me as odd that those people who are for ever telling us that they are so valuable to the economy—the entrepreneurs, the innovators, the movers and shakers—tend to retire early on very generous pension packages, whereas those who have not been so fortunate have to work right up until state retirement age to get a modest income from their pensions. When reviewing his response to the Pickering report, will my right hon. Friend consider not only the interests of those on low pay and those entering or re-entering the labour market late in life but the pension rights of people who, after a lifetime of employment, seek to go to a step-down employment position for a few years before they retire which can, at present, jeopardise their pension rights?

Mr. Smith: Yes, I referred in my statement to the importance of the Green Paper looking at the wider opportunities around retirement, and this is precisely the sort of thing I meant. Instead of facing a cliff edge, many people would like to move into retirement more gradually. My hon. Friend is quite right that their options are artificially constrained. Indeed, there are perverse incentives on far too many people to pack in work sooner than they would like. I want the outcome of our further work and the Green Paper to bring forward some truly radical proposals that will open up new choices and opportunities for these most valuable members of the population.

Hugh Robertson (Faversham and Mid-Kent): May I draw the House's attention to my entry in the Register of Members' Interests?

I welcome the Secretary of State's commitment to take a radical look at this issue in the near future and, as part of that review, will he give an undertaking to look at the diversification of investment asset classes, particularly the cost of trading in and out of those alternative asset classes? For example, if people could have had greater exposure to the commercial property market in their pensions in recent years, the returns on them would have been significantly boosted. They are currently prevented from doing so by the level of stamp duty. Will the Secretary of State look at that?

Mr. Smith: I will look at these matters, but when investment in any form of asset is urged on me, in the House or elsewhere, it is wise to remember the adage about not putting all one's eggs in a single basket.

Mr. Barry Gardiner (Brent, North): I welcome the report and the commitment to a Green Paper in the autumn. Does my right hon. Friend accept that there is a tension contained in the report? Pickering argues that in the workplace, the pension is part of the remuneration package, yet one of the recommendations in the report is that section 67 of the Pensions Act 1995 should be repealed, which would allow employers facing funding constraints to change their funding contribution to the scheme. It refers to an overall replacement of benefits, so although the overall benefits package from those employers may remain the same, unilateral change in the individual remuneration of workers might be possible. Will my right hon. Friend look extremely carefully at that recommendation before allowing it to go ahead?

Mr. Smith: My hon. Friend makes a very good point. I agree that it makes sense to consider that recommendation extremely carefully, not least because of its implications for the rights of individuals. One possible approach would be to put limits on any detriment that might be involved. We should not underestimate the importance of getting to grips with these issues if we are really to have the far-reaching simplification that we need. That is true not only for the ease of schemes' administration but to allow us to have some actuarial equivalence for all the different pots under different schemes for different periods that people have built up. There are great prizes in the efficiency and overall benefit of pension provision if we can crack that, which is why it would be unwise to rule out any change in this area.

Mr. Mark Hoban (Fareham): What assessment has the Secretary of State made of the cost to the Treasury of ending compulsory indexation and compulsory survivor benefits? It strikes me that the proposals will end up transferring costs from pension schemes to the Exchequer, so it is right to be wary of them.

Mr. Smith: I am sure that my colleagues in the Treasury are keeping a close eye on that aspect of the proposals.

Mr. Jim Cousins (Newcastle upon Tyne, Central): National insurance payers are a substantial collective investor in occupational pension schemes, so I urge my right hon. Friend not to accept the recommendations relating to survivor benefits and the provision of cost of living increases in pensions. Down that path lies not consensus but a great deal of hidden misery for people in occupational pension schemes and their relatives, when old. Many survivor benefits will go not to women but to men, and that should be borne in mind. Inevitably, following that hidden misery, there will be more means-testing and more cost to the Exchequer.

Mr. Smith: Those points are forcefully and well made and I shall certainly bear them closely in mind. I appreciate the arguments about the impact on individuals and families in the future, as well as the logic of the position concerning how far it is justified, when the national insurance system provides particular benefits, for schemes that are funded in part by contracting out from those benefits not to provide them in turn.

Sandra Osborne (Ayr): I share the concerns of other hon. Members who have seen constituents paying into pension schemes all their lives only to find that they do not get the benefits when the time comes. I welcome the proposals for increasing scheme membership on the boards of trustees, but does my right hon. Friend agree that it is absolutely vital that such trustees have the proper training, so that they have the necessary skills and knowledge to make sound judgments about pension schemes?

Mr. Smith: Yes. That is a very important part of the Myners agenda. Given the importance of the role that such trustees are fulfilling, it is crucial that they understand it and are well equipped to fulfil it.

Mr. Andrew Love (Edmonton): Like my right hon. Friend, I used to work for the retail Co-operative movement, which had a very good final salary scheme. In 1988, it was not allowed to continue to include all employees in the scheme, so many lower-paid employees left. They did not take up any of the alternative pension provision that was available, so they are now retiring on inadequate pensions. I commend the recommendation that employers should be allowed to have all employees included in their scheme.

I also welcome the emphasis in the report on simplification, and especially on education and advice for consumers. Does my right hon. Friend agree that a system that people can fully understand will gain their trust and confidence, ensuring that we can fill the pensions gap?

Mr. Smith: I welcome my hon. Friend's comments. He is right about the importance of education, so that people can have a better understanding of the pensions situation. One of the tragedies is that it is an impenetrable maze for many people. Tragically, workers have lost out because they did not understand what was happening to them or the choices that were open to them.

I hear what my hon. Friend says, and we will think carefully about the question of compulsory membership of schemes, which may not be to some people's advantage. Instead, they should have a good, defined contribution alternative. That depends on the level of contributions, which is the acid test against which proposals should be judged. It is the end result that is important—the level of contributions and thereby the security and standard of living people will have in retirement. I shall bear all my hon. Friend's points closely in mind.

BILLS PRESENTED

CONTROL OF FIREWORKS (No. 2)

Mrs. Cheryl Gillan, supported by Mr. Laurence Robertson, presented a Bill to make provision with respect to the sale and use of fireworks; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 19 July 2002, and to be printed [Bill 172].

ENVIRONMENTAL AUDIT (No. 2)

Mr. Laurence Robertson presented a Bill to require the Comptroller and Auditor General to examine and report on the environmental impact of public expenditure, and the environmental performance of government departments and certain other public bodies against targets set by Ministers; to provide for the establishment of an Environmental Auditor General to carry out such functions and report thereon to the House of Commons; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 19 July 2002, and to be printed [Bill 173].

HOME ENERGY CONSERVATION (No. 2)

Mr. Jonathan Sayeed presented a Bill to make further provision about energy conservation in relation to residential accommodation; to make further provision about the eradication of fuel poverty; to amend the definition of house in multiple occupation in Part 11 of the Housing Act 1985; to amend the law relating to registration schemes for houses in multiple occupation; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 19 July 2002, and to be printed [Bill 174].

Intelligence Agencies

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ainger.]*

2.22 pm

The Secretary of State for the Home Department (Mr. David Blunkett): After the heat of yesterday, we have the cool of today. First, I want to thank my right hon. Friend the Foreign Secretary for sharing these annual debates. I will lead today and, God willing that we are still in present posts, he will lead the debate this time next year. I am not making any predictions, so hon. Members should not get hot under the collar.

It is appropriate that my right hon. Friend and I share these debates, because much of the work on internal security was undertaken by him when he had my present post, and his understanding has made a big difference in the past year when we have worked together with the Secretary of State for Northern Ireland on these important issues. Given the debates in the House in the past year—the Foreign Secretary has led on a number of them—hon. Members are familiar with the issues that have arisen following the tragic events of 11 September.

Hon. Members are also familiar with the debates that have taken place on the terrorist threat that has emanated from Ireland, and we pay tribute to members of the three major intelligence services, to whom we owe a great debt of gratitude for the conduct of their work. That also applies to the anti-terrorist branch of the law enforcement agencies and those who work with them. There is now greater collaboration than ever before between the services and other agencies, including Customs and Excise and the immigration service.

I also pay tribute to the work of my right hon. Friend the Member for Dewsbury (Ann Taylor), as the new Chair of the Intelligence and Security Committee. I welcome the considerable contribution that she and the members of that Committee, with their range of experience, have made to its excellent report. It deals with the important issues in depth, but because of its nature much of it must remain private. I commend the way in which they have handled that. It has enabled those of us who have regular briefings from the services to be open and transparent. My right hon. Friend and I greatly appreciate the report that they have produced.

I am also pleased to acknowledge that we and the Prime Minister were in agreement with the direction of the report and the powerful points that were made in it. That has enabled us to come to Parliament with confidence for today's debate, and for debates such as that on the Anti-Terrorism, Crime and Security Act 2001.

Hon. Members would not forgive me if I did not pay tribute to the intelligence service, the interception commissioners and the president and members of the investigatory powers tribunal. They deserve our thanks, because they are unseen and do a tremendous job both at my elbow and for my right hon. Friends the Foreign Secretary and the Secretary of State for Northern Ireland. They also provide reassurance to the House and to the public.

Strange things have been written in recent weeks, and I heard at least one strange interview, which was rigorously taken up privately. It implied that some of us delegate our task, and that we nod things through. My right hon. Friend the Foreign Secretary and I can affirm that many hours are spent not nodding things through and not delegating the task entrusted to us. We take that task seriously: it is a matter of honour. We are responsible to the House and to the British people for getting it right. I mention that because there is a feeling outside the House that arbitrary action is taken and that there is no surveillance of our surveillance, but there is, although understandably little is known about it. The work that is undertaken makes a big difference.

I also want to thank John Warne, the director of the international and organised crime division, who is retiring. We wish him well and thank him for the work that he has done. We also thank Sir Stephen Lander, who is head of the Security Service and is also retiring. I do not think that their retiring has anything to do with me: they have come naturally to the point of retirement. Sir Stephen Lander has had a difficult task, which in recent years has become more transparent and visible to the world compared with the days when no one would mention the building they worked in, never mind the name of the director general of the service. We welcome Eliza Manningham-Buller, who is taking over from him and who I know will do an excellent job.

Mr. Tam Dalyell (Linlithgow): This may be an improper question that my right hon. Friend is not prepared to answer, but we read in the public press that Eliza Manningham-Buller led the investigation into Lockerbie from the intelligence point of view. Is there anything more he can say about that?

Mr. Blunkett: My hon. Friend answered the question before he asked it, for which I was grateful, because regrettably the answer is no. I admire his persistence.

The debate over the past 10 months has obviously been dominated by the tragic events of 11 September. It has thrown into sharp relief the importance of putting into perspective the question of how we deal not only with terrorism, but with the global nature of organised crime and terrorism and the methods used.

As I mentioned earlier, we have become tragically familiar over a long time with acts of terrorism both in Northern Ireland and on the mainland. That has developed expertise and skills in the security and intelligence services and the anti-terrorism branch of the Metropolitan police that have stood us in good stead. However, the current terrorist threat is perceived very differently by the public, as it is too—as my right hon. Friend the Foreign Secretary will explain in greater detail—from the point of view of the security and intelligence services in respect of our liaison with other countries.

It is worth noting that our links with Europe and with the FBI, the CIA and the NSA in the United States have been strengthened since 11 September, although they were already growing strongly. The will across our continent to link with others to counter threats of terrorism is standing us in good stead. We are co-operating not only to combat terrorism but, as we debated at great length in the autumn, on the directly related issue of organised crime. That co-operation assists us in combating non-violent but underpinning threats in respect of finance and other measures.

In the aftermath of 11 September, actions were taken globally some of which we all regret because we would have preferred not to implement such measures in a free society. Part 4 of the Anti-Terrorism, Crime and Security Act, which is emblazoned on my heart, is one such area of that debate and we shall return to it. Obviously, we have already agreed about the debate after 15 months. There will be a review of part 4 and we are grateful to Lord Carlile for undertaking it. Privy Councillors, chaired by Lord Newton, will review the whole Act. I am grateful to Lord Newton and the members of that committee for the work that they will be undertaking. There is also the sunset clause, so there are several safeguards and opportunities for review.

It is worth noting that all of us who deal with such decisions do so with regard to the sensitivity and proportionality that was promised before Christmas, and with regard to the real concerns expressed then and since by Members on both sides of the House. The role of Parliament, of a free society and of a free press is to give reminders and place restraints on Ministers—both those who see the internal advice and those who reflect on the nature of the threat—so that we are not allowed to let the task and the measures that have to be implemented get out of proportion.

We all understand that in the cut and thrust of debate it can be suggested that we take people's liberty lightly. That is not true. In a free and democratic society, it behoves Parliament and a free press to remind people in our position of that fact, and to see such reminders and checks not as detrimental but as an advantage. It is only because we have a free society that we can debate the protection of those freedoms as we do; otherwise we should not be holding this debate. Nor could those of us who are responsible for recent legislation be recalled. My right hon. Friend the Foreign Secretary oversaw the passage of some difficult measures when he was at the Home Office. I am glad that he did so, because I should otherwise have had an even more difficult time during our debates in the autumn.

Mr. A. J. Beith (Berwick-upon-Tweed): Does the Home Secretary also agree that, in the heat of debate, there can be a failure to recognise that those who want to draw attention to important civil liberties are also concerned about the safety and security of the people of this country? To pursue the civil liberties aspect, especially as Departments are notorious for inserting in legislation provisions that they have wanted to implement for a long time, is not to be unconscious of the security needs of the country, but rather to want to be certain that statutory measures that go beyond the normal powers of the state are wholly justified.

Mr. Blunkett: There is no dispute between us. In the heat of the moment, we may sometimes be a sword's length apart—it is probably a good job that the line was drawn. In the debates in which I was involved, we have always acknowledged that those who are questioning or opposing have an equal commitment to those safeguards and to securing our liberty and freedom. I am sure that was also true for my right hon. Friend during the debates on the Terrorism Act 2000 and the Regulation of Investigatory Powers Act 2000. We attempt to achieve that by debating the right ends. I accept that we need to be vigilant about the propensity for people to seek, with the best intentions, wider powers than are needed, while ensuring that at a moment of crisis they are not held to account for having failed to see what might be coming.

[Mr. Blunkett]

I think my right hon. Friend will have something to say about hindsight. One does not need a guide dog for hindsight—one of the things that strikes me most—but people always hold to account the current holder of the office, whether Foreign Secretary, Northern Ireland Secretary or Home Secretary, for things that they might have done, perceived or legislated on if only they had seen them coming. We are all in that boat, whatever our political persuasion.

Some parts of the measures that we passed and some of our debates are not only right in the context of the legislation; they have an impact on the culture and on the way other people can contribute to safeguarding our liberty by being more vigilant. Such provisions can put those who would too easily take their liberty for granted on to another road; above all, they act as a deterrent.

Like the security and intelligence services, I am convinced that our actions during recent years have been a deterrent to those who would use our country as a base for terrorism, to set up cells and develop the support services and finance for terrorism. That rebuts newspaper reports in this country and elsewhere that suggest that we are a soft touch, and that prior to 11 September London was an easy base. People cannot have it both ways. They cannot claim that our actions are on the very edge of disproportionality while countenancing the view that we host those who should be ejected from our country or incarcerated. We have to get the balance right; the fact that we have been well and truly taken to task by holders of both those points of view offers us reasonable grounds for believing that we have done so.

Simon Hughes (Southwark, North and Bermondsey): The Home Secretary has spoken in extremely measured tones, as one would expect him to do on this subject. In the light of his comments about the safeguards built into recent legislation, does he agree that those safeguards were the result of parliamentary intervention, which corrected, amended and improved the original measures? I hope that we would all agree about that.

There is however another safeguard that people outside this place regard as important: the independent judicial overview of any decisions that affect or take away someone's liberty, or give excessive power to the state. Does the right hon. Gentleman accept the principle that if, for example, we take away the normal rights of defendants, there should always be independent judicial scrutiny—as provided by the commissioners to whom he has paid tribute—in addition to any scrutiny undertaken by Parliament?

Mr. Blunkett: I agree entirely with the hon. Gentleman's first point. That is why, although for obvious reasons I have not gone through every detail of the proceedings on the Terrorism Act that my right hon. Friend piloted through the House, on Second Reading of the Anti-Terrorism, Crime and Security Act I deliberately made it clear that we would listen and respond and that we would remove provisions from the Bill, or amend it, in the light of the arguments made by the House, the Joint Committee on Human Rights and the Select Committee on Home Affairs. That is exactly what we did. Sometimes since then, I have been accused of making proposals and backing off; I should rather be accused of backing off and finding a different way forward than of blind stubbornness for the sake of it.

Parliament is at its best when hon. Members are prepared to listen to one another and respond; the press is at its worst when it misinterprets that as muddle, confusion, weakness or something else. We need to stick with that process if we believe in democracy. As we do not have the whole fount of wisdom in our heads and hands, we are prepared to do so, and I will carry on doing so whatever the consequences. We did not always agree, but amendments were made to improve the Anti-Terrorism, Crime and Security Act 2001, and that is why the reviews are important in discovering whether any further change would enhance it.

Of course I agree on the second point. In fact, in the next few days, the Special Immigration Appeals Commission and judges will hear major challenges in relation to the decisions that the House and Parliament as a whole have taken on derogations and the rights of the individual. That is how it should be, and it is proper that that should take place.

Measures were taken in part 4 of the 2001 Act to recognise that al-Qaeda was not finished and that there were networks abroad, as there had been in preparing to attack the World Trade Centre. That has since been proved true very recently in Germany and Milan, as well as in my right hon. Friend's bailiwick, given what has been taking place in Morocco and the attacks in Pakistan. Clearly, we receive evidence from time to time that risks are foiled by the early action that is now taken and the vigilance that exists. That is right, and it is true internally as well, with the security measures that we have been able to put in place, with the collaboration of Departments, with the work of the security and intelligence services and with the Civil Contingencies Committee and the committee established by the Prime Minister to develop internal security measures. All that has made a real difference to what we believe to be a safer Britain and United Kingdom since the events of 11 September.

Cash has been seized and assets have been frozen, under United Nations auspices in the latter case. Ministry of Defence police have been involved in such work on 19 occasions, including the use of armed patrols, as Parliament has granted them the ability to act outside their jurisdiction. Between the beginning of April and June, British transport police have been engaged in 375 arrests in interventions outside their former jurisdiction. That has been extremely helpful, and 16 separate bank accounts have been identified in relation to money laundering. So substantial change has been possible already because of the 2001 Act and the way in which it has been implemented.

Mr. Menzies Campbell (North-East Fife): The Home Secretary is being characteristically generous in giving way. I hope that I have not anticipated his dealing with another matter, but it is widely reported that, when the new Cabinet Secretary takes up his post, responsibilities that might otherwise have been his will be discharged by Sir David Omand. Sir Andrew Turnbull and Sir David Omand are men of the highest integrity and reputation. Can the right hon. Gentleman explain to the House—

indeed, is it in his bailiwick to do so—precisely what advantages are thought to be derived from that departure from the previous arrangement?

Mr. Blunkett: My right hon. Friend the Foreign Secretary will deal with that in a whole section in his speech, which I shall not presume to duplicate. Suffice it to say that Sir David Omand is assisting with civil contingencies in a very helpful way. He is leading that work, as has been reported to the Select Committee on Defence in its recent investigations. I am very pleased that he had agreed to do that because it will help us enormously. So there is a new role, and my right hon. Friend will expand on it very shortly.

I mentioned Irish terrorism, and it is very important that we do not allow the debate to pass without saying that the work of the security and intelligence services has made a difference to our safety, with the changing situation in the past year and the development of the peace process, but also with the continuing threat from the so-called Real IRA and the continuity group.

Co-operation has also developed in related areas. It would be remiss to allow the debate to pass without saying how important I believe such work has been in dealing with people smugglers and drug runners and in facing down organised criminals, and work has been done with Customs and Excise. That is a very important part of the security and intelligence services' role, and we should not underestimate the importance of maintaining of what we and the Intelligence and Security Committee described as the necessary back filling to ensure that that work can continue, while the reshaping of the focus on global terrorism has to be carried out.

I shall keep my speech short because other hon. Members will want to contribute and to allow time for proper debate, but it is important to recognise the enormity of the change that has taken place in the past 10 months. My role, as well as that of my right hon. Friend, has changed not only in terms of the time and energy devoted to such issues, but in terms of perspective, in linking that role with our wider roles and in trying to ensure that we do justice to it while not losing our focus on the other issues that are so important to the people of this country.

I want to thank those hon. Members who serve on the Intelligence and Security Committee, as well as those who serve on the Joint Committee on Human Rights and the Select Committee on Home Affairs, particularly in relation to my responsibilities. We have not always agreed with them—sometimes the language used has been interesting to say the least—but when I take the first view of the morning newspapers, I reflect on the fact that, without them, it is likely that some of us would forget that we are accountable to Parliament and the people. If we forget that, we do so at our peril.

2.47 pm

Mr. Oliver Letwin (West Dorset): I share the Home Secretary's pleasure in moving to a calmer moment in our proceedings. I have to begin by saying that I shall be brief because I do not believe that the major contributions to this debate can be made from the Dispatch Box, but rather by those who are members of the Intelligence and Security Committee, who have much to tell us and who know and understand things that, at least on this side of the House at the moment, we quite properly do not and cannot know or understand.

I did, indeed, reflect when I realised that it was one of my tasks to speak in this debate on whether it needed to exist in the first place or whether it served any useful purpose, given the sublime level of ignorance that inevitably exists among Opposition Members, apart from my right hon. Friend the Member for North-East Hampshire (Mr. Arbuthnot), who serves on the Committee, but then I thought that it probably does make sense for this debate to occur.

I hope that it may be possible for the members of the Committee to play a more formal role in such a debate in future. However, this debate is useful, as it allows the Committee's role in relation to the security and intelligence services to be played more widely by the House in relation to the Committee. Each level of check and each level of limited transparency probably helps to reinforce the image of the security and intelligence services as bodies that are ultimately answerable to the electorate, not as items that spin off into a world of their own and engage in their own activities. That is a useful phenomenon.

I want to raise a specific issue and then to reflect a little further on the general question of balance, on which the Home Secretary also reflected. The specific issue relates to serious crime. The Committee tells us in paragraph 87 of its report:

> "The Agencies, when engaged in fighting serious and organised crime . . . make a real and valuable impact".

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): Which paragraph?

Mr. Letwin: Paragraph 87. But the Committee goes on to say:

> "However, due to limited resources, their contribution is less than it might be. The Committee has commented on this twice before, making the point that providing extra resources to combat serious crime has been shown to bring a demonstrable return to society. Drug, tobacco and people smuggling could be further combated and curtailed."

I very well know that I shall incur the righteous indignation of the Home Secretary if I call for more resources without specifying how on earth they should be paid for.

Mr. Straw: Especially you.

Mr. Letwin: Especially, as the Foreign Secretary so rightly says, me. However, very conscious of the likelihood of these jolly jibes, I have investigated, to the limited extent open to a Member of the House who is not a member of the Committee, the distribution of expenditures within the security and intelligence services, and the Security Service in particular, because in relation to serious crime it is the Security Service that is most relevant, and most relevant to my brief.

I think that I am right in discerning that of the total of about £1 billion that is spent on the security and intelligence agencies, about £140 million is spent on the Security Service, and that of that, about 7 per cent. is spent on serious crime. I think that means that about £9 million a year is spent on what is classed here as combating serious crime, out of the total of £1 billion; or, by comparison with the police budget, out of the total of about £11 billion a year, including police and security and

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intelligence agencies, that is spent on protecting us in one way or another. In that context, £9 million is a fairly small sum. I think that I am beginning to understand the comments that the Committee has made in paragraph 87 of its report.

I do not know, am not in a position to know, and do not want to be in a position to know, to what extent it is possible for the proportion of the effort and money that is spent within the Security Service on terrorism to be distinguished from that which is spent on serious crime. The Home Secretary said in his remarks, and my right hon. Friend the Leader of the Opposition has said in public speeches, that terrorism and organised crime are deeply linked, so I have no doubt that in combating the financial aspects of terrorism, for example, the Security Service is also combating organised crime to a considerable extent. Therefore I do not allege that the £9 million is the full extent of that which is spent on something that is, or is connected with, serious crime.

Nevertheless, when that small sum appears as the figure specifically quoted for serious crime and when the Committee—which the House has established specifically to look at these questions—comments, on the basis of what I take to be knowledge vastly greater than can be gained from public sources, that the resources devoted to serious crime are too limited, that does seem to me to call into question whether Ministers need to look at the distribution within the available resources to see whether more should be devoted to serious crime. *[Interruption.]* I want to make one more observation on that, but first I give way.

Adam Price (East Carmarthen and Dinefwr): I was wondering whether the right hon. Gentleman would tell the House the source of these figures, because they do not seem to appear in the report.

Mr. Letwin: The total expenditure figures, which I quoted, appear towards the end of the report, under the heading, "Expenditure"—unsurprisingly—but the distributional figures are from the very secret source of the websites of these organisations, which the hon. Gentleman may consult. I do not have any special knowledge and, as I have repeatedly mentioned, I do not wish to have any special knowledge of these matters. It is the lucky case that it is the Home Secretary and the Foreign Secretary who have to deal with these on a day-by-day basis and I daily bless the fact that that is not something that I need to do.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Denis MacShane): For a long time.

Mr. Letwin: Although I hope that it may not be as long as the hon. Gentleman hopes, I think that we can guarantee at least three years.

Having said that it seems important to focus more attention on the implications of paragraph 87 of the report, I want to add one further point on that specific issue. It seems clear that NCIS and the National Crime Squad are doing very serious and effective work, which has a long trajectory, beginning in many cases with the activities of the then Home Secretary, my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), and carrying on through the previous Home Secretary—now the Foreign Secretary—and into the aegis of the present Home Secretary. They are doing very serious and useful work in beginning to apply the most rigorous forms of high-level intelligence activity to unearthing the intricate connections that exist within serious crime.

Mr. Blunkett *indicated assent.*

Mr. Letwin: I am glad to see the Home Secretary nodding, not least because I much prefer to agree with him than to disagree with him; I have been doing a bit of disagreeing with him.

Sir David Phillips has personally developed a huge amount of international respect for the British model of high-level intelligence gathering and putting together. He and the Association of Chief Police Officers have done really sterling work in that respect.

It seems likely to me that if we are particularly good, given the scale of our own overall resources, at establishing those connections and at the work of criminal intelligence, the further integration—I take the points that are made elsewhere in the report about the degree of integration that already exists—of the Security Service with the work of NCIS and of the National Crime Squad may yield very considerable dividends. I tread warily here because I do not know whether it is true, as I suspect, that the Security Service has available to it talents and experience that are not normally available even to the most refined reaches of the police forces, but if it is true I suspect that the further integration of those people's expertise and abilities with NCIS and the NCS may yield surprising benefits.

If that were the case, it seems to me that we would see the effects very directly on our streets. I certainly do not want to re-enter yesterday's arguments about our drug policy but there is a point on which the Home Secretary and I would agree, which is that the heights of the pyramids that distribute the hard drugs in our country are intimately linked with the most serious types of financial crime and with street violence, which both he and I, in our different ways, seek to combat.

If we could find the means of disrupting those activities more effectively than at present, and if that were to involve spending some multiples of the £9 million—if I have the right figure—currently spent within the £1 billion, out of this budget, on serious crime, it might save 10 times that amount in policing at a lower level, if we were to achieve the same bang for the buck. Getting rid of people higher up those pyramids, doing better at disentangling the webs that join them to street crime, could have huge benefits. I take it that that is what the Committee, in its elegant and coded language, was trying to say when it said that there could be

"a demonstrable return to society."

It might also be a demonstrable return to the Exchequer, so I hope that that might recommend itself to the Chancellor of the Exchequer.

Mr. Beith: The right hon. Gentleman, given the severe injunction that he is under not to increase public expenditure, is in danger of misinterpreting the Committee's report, because what the Committee said was that resources added to this area could yield dividends, but nowhere in the report will he find an indication that there is other work being done by the agencies from which money could be diverted into this activity. It is a choice that is open to us to spend more money through the agencies using their talents, but the Committee has never indicated anywhere in its report that there is slack or spare in other key tasks, and indeed the political attractiveness of getting some work done on drugs and serious crime can be slightly dangerous if it reduces work on terrorism or other dangerous threats to the United Kingdom.

Mr. Letwin: I am grateful to the right hon. Gentleman for that clarification. If—and to the extent that—that is true, it may make sense, from within the totality of Home Office resources, to find such an addition. The Chancellor of the Exchequer may even have other sources to apply. I do not want to enter that argument in detail, not least because of the profound ignorance under which I suffer about the coming comprehensive spending review announcements. What I am clear about, however, is that a tiny sum is currently being spent in this area, in which there might be great dividends. On that, I suspect that the right hon. Gentleman and I might find ourselves in agreement.

On the balance between the activities that necessarily go on in secret, the statutory support that they receive, and our civil liberties, I want to put on the record, in the calm of these proceedings, a general position, which the Home Secretary sometimes finds inconsistent, but which, in fact, is consistent. He mentioned that we sometimes accused him of disproportionality, of going too far in invading civil liberties and of taking liberty too lightly. At the same time, however, he mentioned that we seemed to demand of him the protection of society against very dangerous and obnoxious elements. He displayed a little anxiety or irritation that we might be demanding of him things that were inconsistent. I recognise that sentiment, and I might even feel it were I sitting in his position—*[Interruption.]* The Foreign Secretary is chuntering happily from a sedentary position that these are the musings of a tortured liberal, and they are. The position of a tortured liberal is the only respectable position to adopt.

Mr. Straw *rose—*

Mr. Blunkett *rose—*

Mr. Letwin: I shall continue in a moment, but I shall give way to the Foreign Secretary first.

Mr. Straw: My right hon. Friend the Home Secretary, who, as the House knows, can speak very well for himself, said from a sedentary position that there were several of those whom he would like to torture himself—

Mr. Blunkett: With due trial.

Mr. Straw: With due trial, as my right hon. Friend says. I add for the record that what I was saying from a sedentary position to the right hon. Member for Berwick-upon-Tweed (Mr. Beith) was that I was encapsulating his remarks as those of the tortures of a Liberal by St. Oliver.

Mr. Letwin: This badinage is getting very rude, and I shall not continue it. All of us are tortured liberals in the sense that we all, to varying degrees, wish to protect civil liberties. I have to admit, in my better moments, that even the Home Secretary has that desire. We all wish to protect society against the dangerous elements against which it needs to be protected—in particular, the terrorist. It is a question of proportionality. I want to put on record a critical distinction, which I think is the foundation of the difference between us and the Government on a series of issues. By exposing it, the need for further such discussion may be prevented.

There is a difference between those agencies of the state whose primary function, and, in some cases, whose whole function is to protect us against people who want to blow us up, rob us or murder us, and other agencies of the state, whose primary and, in some cases, whole function is devoted to other ends. I draw a very clear distinction—clearer than Whitehall, under any Administration, is often inclined to draw—between those two kinds of agencies. I accept the need for the security and intelligence services to engage in activities that are necessarily intrusive and that are impediments to our liberty. Because I am worried about those impediments and intrusions, as Ministers in every Government for a long while have been, I welcome the intricate apparatus that has been devised, over a long period, to control those activities and to subject them to the kinds of scrutiny to which they can be subjected, consistent with their remaining secret as they need to so remain.

The Home Secretary is the principal locus of just that kind of scrutiny and control, but the Committee and other bodies, including, for some purposes, the courts—acting, in some cases, in special ways—are also part of that apparatus of control. Under the circumstances in which those controls are in place, I accept the need for that level of intrusion and that level of impediment to our liberties. I distinguish between that and the cases of those other agencies that are not involved in such activities.

The Food Standards Agency, the Environment Agency, the Post Office or any other such body will often find that their activities would be materially easier to carry out—or they imagine that, in some future world, they will find that their activities are materially easier to carry out—if they also have the ability to engage in activities that are intrusive and an impediment to our liberties. I understand that motivation, and were I working in those bodies, or were I an official charged with the question of how to make the work of those bodies easier, I would constantly be tempted to engage in enlarging the scope of their ability to intrude.

Parliament should not, however, accept the same kind of logic in relation to those kinds of bodies that it accepts in relation to the bodies that we are discussing today. That distinction is critical. If we could agree on that as a permanent feature of our political discussions, a good deal of the difficulties that we have had in the past nine months or so would evaporate. I am not saying that the disputes would not continue—they would at the margin—and I accept that, in relation to some of part 4 of the Anti-terrorism, Crime and Security Act 2001, for example, we would continue to have real debates, as is proper. A large part of the difference between us, however, is related not to the scope of bodies that we are

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discussing today but to the scope of action of other bodies. In future, I hope that we make that distinction more clearly, and more as a matter of consensus.

Mr. Blunkett: It is a fair point, and we need to make clear what is new intrusion and what is an endeavour—including under the Regulation of Investigatory Powers Act 2000, for which my right hon. Friend the Foreign Secretary was responsible—to codify and pull in those things taking place around us. If we can do that—I respect those who believe that we were on the wrong trajectory, although, in fact, we were trying to do something that was totally misinterpreted and that looked, to the world outside, as if we were going the other way—we might get it right. I do not have a fundamental principled disagreement with that, as Parliament's role is to pull in, and to make sure that others do not have the right that the security and intelligence services have—under the kind of surveillance and review that they have—to intrude in other people's information or their lives. Getting that right will be important in future.

Mr. Letwin: That is welcome. As we move forward in the next few months and debate several of these issues, I hope that we can refer back to this discussion of general principle. It may frequently turn out to be the case that, as more transparency is given through the operation of the orders under the RIPA, we shall collectively discover what I must admit that I have been discovering—in some cases, agencies that are outside the sphere that we are discussing today are engaging in activities, and have been doing so for a long time, that are worrying in the degree to which they have not been properly controlled and made transparent. I see Ministers nodding. That is highly constructive. I hope that we can achieve a clearer basis on which to operate, and a clearer distinction between other agencies and those that are the subject of today's debate.

Mr. Dalyell: On a point of order, Madam Deputy Speaker. The shadow Home Secretary promised us a short speech. He has now been going for 22 minutes, ad-libbing in a rather unfocused way for the past 20 minutes. Is there some way in which Back Benchers can get a look-in, in what will be a truncated debate?

Madam Deputy Speaker (Sylvia Heal): That is not a point of order for the Chair.

Mr Letwin *rose—*

Mr. Mark Prisk (Hertford and Stortford): My right hon. Friend the Member for West Dorset (Mr. Letwin) speaks of the need for greater transparency. Does he agree that one way in which we might achieve that would be for every piece of legislation, whether primary or secondary, to be tested, so to speak, in terms of the specific impact that it would have on individual liberties?

Mr. Letwin: My answer to my hon. Friend is, as he knows, yes. I hope that that suggestion will be adopted; it is one that I made in the public prints.

I am acutely conscious of the observations of the hon. Member for Linlithgow (Mr. Dalyell) and I shall desist from engaging in further discussion, having made both the specific point and the general point that I wanted to make. I hope that the hon. Member for Linlithgow and others will have a chance to say what they wish to say to the House.

3.11 pm

Ann Taylor (Dewsbury): I shall return to some of the points made by the right hon. Member for West Dorset (Mr. Letwin), particularly in respect of serious crime.

I start by thanking my right hon. Friend the Home Secretary for his words about the report published recently by the Intelligence and Security Committee. We welcome the fact that Ministers responded speedily to our report this year; we also welcome the early debate.

The Committee, as the Home Secretary said, is a new Committee. Some of its members are new to the field, but several of its members have served on it for many years. As Chair of the Committee, I take this opportunity to thank my colleagues for their work over the past nine months or so. Many of them have found that it requires a greater time commitment than they anticipated, but I think that many of them have found it interesting and worth while.

I agree with the Home Secretary about the work and the quality of the agencies that serve us in the security and intelligence field. He said that we owe a debt of gratitude to them, and the Committee would agree. We state in paragraph 7 that although our report highlights areas about which the Committee has concerns, our concerns must not overshadow the tremendous work of the agencies and the quality of the staff therein. All members of the Committee share the Home Secretary's admiration for the level of co-operation between the agencies in the UK and between our agencies and those in other countries, particularly—but not exclusively—those in the United States.

As Chair of the Committee, I shall say a word at the outset about the Committee's work, especially our relationship with the agencies. I am sure that some colleagues in the House feel frustrated at times by the circumspect nature of the reports of the Intelligence and Security Committee, especially by such things as asterisks in our report. I see the hon. Member for Hertford and Stortford (Mr. Prisk) nodding. We share that frustration at times. It is difficult sometimes to know things that one would like to say to colleagues, but cannot say.

As a new member of the Committee, as well as the new Chair of the Committee, I have been extremely impressed by the amount of information given to us by the agencies, the nature of the information available, the frankness of those who have given evidence before us and the documentary evidence that we have been able to see on some occasions, including some Joint Intelligence Committee assessments, known as JIC papers, which the Committee has found especially useful.

Our report covers all the issues that we are tasked to examine—the policy, administration and expenditure of all the agencies. I am sure that my hon. Friend the Member for Linlithgow (Mr. Dalyell) will be pleased to hear that I do not intend to cover in detail every issue that we raise in our report; some of my colleagues on the Committee will raise others.

Since the Committee was appointed last August, its work has obviously been dominated by the events of 11 September—but not to the exclusion of everything else. Every one of us—members of the Committee, hon. Members and members of the public—was incredibly shocked by those events, the scale of the tragedy, which was the biggest loss of life through any terrorist attack, the fact that such an attack could take place in the heart of the United States, and the fact that those who committed the atrocities had no regard for their own lives or the lives of thousands of other people of many different nationalities and religions.

In Britain, as the Home Secretary said, because of the threats that we have faced over many years from Northern Ireland-related terrorist groups, we have, unfortunately, had a great deal of experience of the shock of terrorist outrages. As a result, terrorism has always been a high priority of our intelligence agencies; it has, indeed, been the first order of priority for many years. We must recognise that, by their nature, it is very hard to penetrate terrorist organisations or get a real insight into them.

Experience over many years has shown us that that difficulty can too often lead to tragic loss of life. That is why a high priority has been given not just to terrorism from Ireland, but to international terrorism. The UK agencies have worked hard on that priority over many years, both internally and by monitoring people in various parts of the world, co-operating with agencies elsewhere, exchanging intelligence and comparing assessments. That has been going on for some time.

As the Home Secretary said, although it cannot always be publicised, there have been successes in countering the activities of terrorist organisations, including those related to Irish terrorism and those related to Osama bin Laden and al-Qaeda. In view of that, and because we are led to expect successes from our intelligence agencies, it was not surprising that after 11 September one of the first questions for the intelligence community was, "Was there an intelligence failure?" Perhaps that is the first question for the United States agencies. Congressional committees are looking into US agencies, what happened and what warnings were given. That dimension is not an issue for our Committee.

Perhaps the fact that the question is asked and that many people regard it as a genuine question is a symbol of what we expect from our agencies. In some respects, because we know that they are good, and because we know that they have intervened and prevented events from happening, some people assume that our agencies should know 100 per cent. of all that there is to know about everybody all the time, while, as the shadow Home Secretary suggested, protecting civil liberties at the same time.

Our expectations of the agencies must be realistic. It is clearly not possible for them to know everything all the time. The kind of question that we have to ask is whether the priorities set by the agencies are the right ones, whether enough attention has been paid to international terrorism, whether their levels of expertise are sufficient, whether there is sufficient co-operation, whether there is joined-up working, and whether information and assessment are adequate.

We say in our report that Osama bin Laden was a "notably hard target", and was recognised as such. We also say, and in some cases we quote papers that we have seen as well as evidence that we have been given, that there was

> "an acute awareness in the period before 11 September that UBL and his associates represented a very serious threat".

We report that

> "the level of concern in June 2001"—

just a couple of months before the attack—

> "was such that discussions about UBL and his organisation occupied a considerable time during a joint summit"—

between the United Kingdom and the United States. The Committee, in its report, also quotes a Joint Intelligence Committee assessment paper of July 2001 that concluded that

> "plans for attacks were in their final stages but that the timings, targets and methods of attack were not known."

Dr. Julian Lewis (New Forest, East): In view of the right hon. Lady's explanation of the difficulties that were faced by the intelligence services, does she agree that one unnecessary difficulty was that, after an earlier attack, it was disclosed that intelligence services in the United States had had some success in listening in on Osama bin Laden's satellite phone, but that thereafter they were never able to do it again? Does not that confirm exactly what the right hon. Lady has been saying about the balance that has to be struck between oversight and the maintenance of security on desperately secret information?

Ann Taylor: Yes, when I heard that information I was struck by exactly that kind of difficulty, although I am afraid that these days we have to expect that terrorists will be sophisticated and will have some idea of the attempts that are being made to monitor what they are doing. The hon. Gentleman makes a valid point, and it was partly because of the openness of other people's systems that that information got out as early as it did; perhaps it would have been better if the information had not got into the public domain so quickly.

In looking back, the Committee asked itself whether the agencies had missed anything that they were in a position to know or whether assessments made at the time were wrong. That was not an easy question and our conclusion was that

> "with hindsight"—

mention has already been made of that today because it is a wonderful thing—

> "the scale of the threat and the vulnerability of Western states to terrorists with this degree of sophistication and a total disregard for their own lives was not understood."

I am pleased that in paragraph 6 of the Government response, which was published shortly after our report, Ministers indicate their agreement with our assessment.

We did not conclude—I want to make this point directly, and I am glad that the Chairman of the Foreign Affairs Committee is in the Chamber this afternoon—that

> "important indications in Summer 2001 that an attack might be imminent were not acted upon."

We did not conclude that, but I use those words because they come from the press release issued by the Foreign Affairs Committee when it published its report on foreign policy aspects of the war against terrorism on 19 June. My Committee takes issue with the Chairman of that Committee when the press release goes on to say:

> "I note with interest that our Parliamentary colleagues on the Intelligence and Security Committee, who enjoy a degree of access to the security agencies which is denied to the rest of us, have concluded likewise."

[Ann Taylor]

We have not concluded likewise and we think it important to put that on the record.

Donald Anderson (Swansea, East): We await the results of the inquiries in the United States, but my right hon. Friend will be aware that we in the Foreign Affairs Committee made our conclusions on the basis of the information that was available to us. She and the members of her Committee have a certain degree of privileged access. She will recall that when the Intelligence Services Act 1994, which set up her Committee, received its Second Reading on 22 February 1994, the then Foreign Secretary, Lord Hurd, gave a pledge to the House that the new Committee would not truncate in any way the existing responsibilities of Select Committees. In the light of her experience, not least in an area such as this, does she in any way feel that that pledge has not been kept, and that perhaps Committees such as the Foreign Affairs Committee could be better focused if they had better access?

Ann Taylor: No, is the simple answer to that. All I would say is that the Foreign Affairs Committee did not have access to this kind of information before the Intelligence and Security Committee was established, so I do not think that that has made any difference to the work that his Committee can do. I take his point about the United States, but as I said earlier, we have not been looking at the agencies there, and it is important that parliamentarians here stick to their own ground rather than second-guess conclusions over there. I did think it important that we should not have any misinterpretation about what the Intelligence and Security Committee believes and that is why I sought to put it on the record, not to attack the Committee, as I believe an Opposition Member sought to suggest.

Mr. Alan Duncan (Rutland and Melton): I do not want to throw the right hon. Lady off her stride, but in congratulating her and her Committee on their work, may I invite her to say, if she is able, whether she thinks that the two main intelligence agencies in Britain—the distinction between domestic and overseas intelligence having been rendered somewhat artificial by the modern nature of the terrorist threat—are now working well together to counter that threat, or does she harbour concerns that the separation remains?

Ann Taylor: I think that I can speak for every member of the Committee when I say that we are very impressed by the levels of co-operation between British agencies. We have all read discussions in the public domain about the situation in the United States. It is not for us to comment on that, but we are impressed by the level of co-operation that we have seen and know to exist between the agencies that we oversee.

That is not to say that we have no concerns at all. We do have some concerns, and, even following the point that I just made to my right hon. Friend the Member for Swansea, East (Donald Anderson) about 11 September and the build-up, we highlight some in our report. For example, we point out that the reduction in funding of the agencies in the 1990s meant that they were resource limited and operating under financial pressures, and that while there were improvements in the late 1990s, there were shortfalls that probably impinged on the work of the agencies in that longer-term context.

We were also concerned—one of my colleagues may wish to talk about this later—whether the agencies had sufficient flexibility to cover all the languages that were needed, and so respond quickly enough. Perhaps the most significant concern that we have post-11 September is the fact that the concentration of effort in that area of work means that gaps are developing that could lead to unacceptable risks in the future, although not necessarily at the moment. We believe that the agencies responded rapidly and well post-11 September. The staff worked long hours and were flexible and responsive to all the requests about what they should be doing. There was a great deal of co-operation and collaborative working.

The Committee also recognises that the Treasury responded very quickly and well to the agencies' extra needs, but even with those resources it will take time to recruit and train new staff, as they will be inexperienced and will have a lot to learn. We therefore believe—and perhaps it is timely for us to say so—that the agencies must have secure funding to allow them to fulfil the new demands that have been placed on them. We are worried about the gaps that are developing and believe that it is important that funding and planning are got right now to prevent the gaps from getting out of hand and creating serious dangers. To prevent that from happening, we need some very significant decisions now. That is why the Committee will consider with interest the statement on spending that the Treasury will make in the very near future.

I should like to turn briefly to one of the other matters raised by the shadow Home Secretary, which again is linked to funding: serious organised crime. We all recognise that such crime is an increasingly challenging problem for all law enforcement agencies and that the intelligence agencies can contribute in that regard. Class A drugs, organised immigration crime, serious financial crime and the funding of terrorist activity are all first-order priorities for the agencies. I hope that that will reassure him and others.

Of course, work in that area can make a tremendous difference. We cite one example in our report involving money laundering in the north-west, where fantastic amounts were channelled through bureaux de change over a very short period. The unique role and skills of the agencies, which the right hon. Gentleman mentioned, meant that they could assist law enforcement agencies in achieving a satisfactory result. We believe that such assistance shows its own worth.

The right hon. Gentleman was wrong to say that the money was so limited. Ministers may want to put him right about that. The Committee mentions some of the ring-fenced money for drugs-related work that is in the public domain and which also goes to the agencies. None the less, he was right that the work was good value for money—I am not sure whether he is a good ally on that point—and that more should be available.

As the right hon. Member for Berwick-upon-Tweed (Mr. Beith), a colleague on the Committee, mentioned, it cannot be right simply to transfer money from another aspect of the agencies' work. If extra work is to be done, it will have to be done with new resources and new money. The right hon. Member for West Dorset will have to square that politically with his colleagues, although in political terms it is not a matter that the Committee even started to discuss. We regard such expenditure as an investment and make a very strong recommendation in our report that more resources are required in this area and that there will be a very good return for the Treasury as well as for society if we increase our activities in tackling drugs, money laundering and people smuggling. There is a very significant payback to the Treasury and, perhaps more importantly, to society.

I should like to say one or two more words about expenditure, although I do not want to continue for too long. The Committee was very pleased in conducting its investigations that the then Chief Secretary to the Treasury gave evidence to it for the first time. We were slightly alarmed that he was moved from his position almost immediately afterwards, but we trust that the two events were completely unrelated and hope that the new Chief Secretary will give evidence in due course. The Committee made all those points about expenditure to the Chief Secretary, as one of its responsibilities is to examine the agencies' expenditure.

It is important to mention on the Floor of the House a couple of the Committee's concerns about GCHQ. First, for 2000-01, the Comptroller and Auditor General was

"unable to determine whether proper accounting records had been maintained",

so the validity of the GCHQ accounts was qualified. We regard that as a serious matter, not least because this is not the first time that it has happened. The Committee acknowledges that some action is being taken and recognises that GCHQ is getting help from the National Audit Office, but it believes that the director of GCHQ, the Cabinet Secretary and the Foreign Secretary must ensure as a matter of priority that appropriate management processes and procedures are in place.

Secondly, and perhaps even more important, the Committee has been watching with great interest the progress of the new accommodation project for GCHQ. In particular, we are concerned about the changes to the projected cost of relocating to the new building. Of course, the situation has changed since 11 September, because of the need for additional staff, which we know will result in extra costs, but we are worried that the agreed relocation budget may be too low. We do not want GCHQ to be forced to reduce its operational effectiveness in order to keep within the relocation budget. The Government say in their response to our report that they are confident that that will not be a problem, but we will watch the matter very closely indeed, as we think that it could be another difficulty that looms up in future.

Finally, I should like to say a word about the national intelligence machinery. As has been mentioned, recent changes have been announced by the Prime Minister, with the appointment of Sir David Omand as security and intelligence co-ordinator. The Committee has had the opportunity to discuss the changes that will take place with Sir Andrew Turnbull, who is to be the new Cabinet Secretary, as well as with Sir David. We have been able to discuss with them some of the thinking behind the change and the reasons for it. However, the system will be new and it is not yet in place. The Committee has already made it clear in its future work programme that we will consider the role and function of the national intelligence machinery. The Home Secretary indicated that my right hon. Friend the Foreign Secretary might say a little more about that later. We look forward to finding out about how the system will work and to hearing anything else that he has to say.

I must make one more point about the machinery before I conclude. I know that other colleagues will want to mention the same issue, on which the Committee of the previous Parliament also homed in: the fact that the ministerial committee on the intelligence services—the CSI—has not yet met. Obviously, since 11 September, there have been a lot of ministerial meetings on intelligence, but the whole Committee believes that it would be in everybody's interests for Ministers to have proper and formal meetings to discuss the overall performance, priorities and funding of all our agencies. I cannot understand why the CSI has not met. I think that it will be a great help to Ministers to discuss priorities collectively and that that will add an important dimension that is not available under the current system. I hope that they will consider that issue carefully and move in that direction.

As a newcomer to the process of oversight, I am pleased by the way in which the situation has evolved. This is still a relatively young Committee, and the access that has been given to it and the roles that it has taken on have evolved since it was first established. It represents a good basis for oversight of the agencies, but the situation is not static, and I am sure that oversight involving the Committee, as well as other aspects that have been mentioned, will evolve further over time. It is useful to have that oversight, and I thank my colleagues for their help and co-operation in my chairing of the Committee.

3.40 pm

Simon Hughes (Southwark, North and Bermondsey): I am conscious that many hon. Members wish to speak, so I shall limit myself to 10 minutes. I hope that that will be helpful.

In following the right hon. Member for Dewsbury (Ann Taylor), who chairs the Intelligence and Security Committee, I begin by saying that all those to whom I have spoken share the view that although it is good that we are having the debate—I hope that it becomes an annual, instead of an irregular, event in the parliamentary calendar—there should be a corresponding meeting of the ministerial group to which the right hon. Lady referred. I hope that between this year and next year the calendar for our discussion of these matters will be confirmed and Ministers will be able to find time in their diaries to come together under the chairmanship of the Prime Minister to review across all the relevant Departments the way in which our intelligence and related agencies do their jobs. We are all grateful to, and pay tribute to, those who work in those agencies, as well as to those who do similar work in the police and in the defence services, not least in the past year.

I do not come to this debate as an expert. In that respect, I defer to my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith), who preceded me in speaking on home affairs for the Liberal Democrats and has for several years served with distinction on the Committee, and to my right hon. and learned Friend the Member for North-East Fife (Mr. Campbell), who has surveyed such matters from a foreign affairs perspective over many years. However, after two and a half years of

[Simon Hughes]

dealing with home affairs, I am already a veteran of many pieces of legislation concerning such issues. The Home Secretary and his predecessor may have been trying to make us tortured liberals simply by giving us so much relevant legislation. We have survived, and I do not feel tortured yet.

I hope that the record will show that we have seen it as a fundamentally important part of our job to scrutinise legislation on increasing the general powers of the state or the specific powers of part of the state. Given that on one occasion last year such a piece of legislation was put through Parliament on an emergency timetable, we have had a particularly important job to do in ensuring that citizens' liberties are properly looked after and defended and that the legislation that we pass is subject to the same level of scrutiny as we would wish for were we on the receiving end of the activities of the intelligence services or other agencies of the state.

Until recently, intelligence issues were the interest of the few, but the events of 11 September have made them much more the interest of the many. The press—tabloid as well as broadsheet—report much more of what we and other countries do as regards such matters. It is fair to say not only that intelligence is as essential to our national security as it has ever been, but that our defence now depends as much on intelligence as on anything else. If one surveys what happens around the world, it is clear that the activities of enemies of the state, which used to be principally overt, have become increasingly covert, so we depend much more on intelligence activities to know what other countries and people are doing. At home, we have intelligence-led policing; in foreign affairs, we have intelligence-led foreign policy. That is right, and we need to ensure that the people who do that job are up to it.

Mention has been made of one balance that needs to be struck, but it seems to me that we need to strike two balances. There is the balance between the level of information and accountability that the intelligence services need to have to Parliament and the balance between the level of liberty and entitlement that the citizen has vis-a-vis the security and intelligence services.

Since 11 September, particularly in recent days, a huge debate has raged in the United States about whether everything was done properly as regards intelligence gathering and understanding. As a result, no less a person than the President has decided that there should be an entire review of the working of the traditional intelligence agencies—the FBI and the CIA—and effectively a new start through the creation of a new organisation. I think that my right hon. Friends share the view that because defining the boundaries between work at home and work abroad by people seeking to undermine the state is increasingly problematic, merely to collaborate and work well together—to pick up the point made by the hon. Member for Rutland and Melton (Mr. Duncan)—may not be sufficient. I should like both the Committee and the Government to look afresh at whether the old division between MI5 and MI6—the two principal services—and the link between them and the National Criminal Intelligence Service should be reviewed, because they often undertake overlapping and interconnected tasks in a way that may not be the most helpful, let alone the most efficient from a budgetary point of view.

We have no reason to doubt that our services do a world-class job, and we pay tribute to them for that. Given that, Parliament perhaps needs to have more ability to direct, and Ministers to co-ordinate, what they do and how they do it. Four questions follow from that. First, one of the lessons of the past 12 months has been that we have benefited hugely from our intelligence-sharing links with the United States. That will remain fundamentally important, irrespective of our position in Europe and our Commonwealth obligations. However, if the US is now calling for much greater intelligence co-operation, and expects and needs that to happen, we must ensure that we are in a position to participate appropriately. That begs several questions. Are we sharing enough information? Are we sharing the right information? Are we sharing it with all the people who need it? If so, how do we regulate and manage the process to ensure that we do it properly and accountably?

Secondly, we are having this debate a matter of days before the announcement of the comprehensive spending review. As my right hon. Friend the Member for Berwick-upon-Tweed said, if more work is to be done in relation to internationally organised crime, such as drugs crime, the report does not suggest that there is any current capacity to secure additional resources for that, and there may be a case for providing more resources. If so, that should happen. Two areas leap out as being ones in which we cannot afford to have resources that are not up to the job.

The first is information technology. We have not been the best country in the world for public services with the most up-to-date and well-functioning information technology, and the report makes it clear that deficits in that respect need to be addressed.

The second area is secure communications equipment. Hon. Members will remember that that issue cropped up a few weeks ago in the context of somebody who had been intercepting domestic communications between special branch personnel guarding royalty and the diplomatic service. I happen to know from an incidental personal experience that the police have been very troubled by the inadequacy of their communications equipment. The report tells us that the same applies in relation to our intelligence agencies, so that, too, is a budgetary priority.

Thirdly, if terrorist organisations are increasingly involved with international criminality—if that is how they get their money and resource themselves—we need to consider with greater urgency the arrangements for co-operation between the intelligence services and domestic and other police services. I pay tribute here to the Metropolitan police, who, I know, do a lot of international anti-terrorist work, as do others. I have been privileged to understand, share and be briefed on a considerable amount of that work. The Met must be in the loop and part of the planning and decision making.

I want to take further the exchange between the Home Secretary and the shadow Home Secretary. There have been four major pieces of legislation over the past two years: the Terrorism Act 2000, the Anti-terrorism, Crime and Security Act 2001, the Regulation of Investigatory Powers Act 2000 and the Freedom of Information Act 2000. In addition, we are about to have a proceeds of crime Act. In each, we have looked afresh at the definitions of national security, and there have been different justifications for when agencies can intervene.

For example, under the proposed extension of the RIPA to other agencies such as local government—a controversial issue on which the Home Secretary had to withdraw a Government proposal—there were eight grounds on which access to data could be justified. Some were to do with the economic well-being of the UK, public safety, national security, and the prevention or detection of crime. For the sake of everybody involved, there must be a common definition of when agencies working on behalf of the state can acquire information. I would welcome a debate across Departments and parties to ensure that we do not have to row about wording, which in the end produces different ad hoc solutions to very important and tightly defined areas of power and responsibility.

Lastly, now that we have dealt as well as we can with the events following last September, I suspect that citizens in this country think that the biggest threat facing the world—it certainly appears to be the view in the United States—is that posed by Saddam Hussein and his chemical, biological and nuclear weapons potential. Although my party, like others, has been appropriately briefed on the best information that there is about the weapons that he has and his capacity, it strikes me that if we are to make intelligent decisions on policies that have public confidence, they need to be informed by our own intelligence gathering and assessment. We must not rely on second-hand intelligence. If we are to be party to a responsive action with allies to deal with a threat from Iraq, we need to know of that threat from our own sources. The history of intelligence, perhaps as recently as last year, shows that one weakness is that although there may not have been a shortage of information, there has been a shortage of analysis and of understanding of the conclusions drawn from the information. If we do not analyse and interpret it properly, it is often not much use.

The report notes that we are deficient in people who speak all the languages that may be needed in the intelligence services. If the BBC World Service, to its great credit, can manage to recruit people to communicate across the world, especially in areas of tension and conflict, it is a great failing when the intelligence services cannot do the same.

The recruitment policies of intelligence agencies are much more open than they used to be. It is no longer exclusively the tap on the shoulder at university. Much more frequently, adverts appear in the weekly jobs column of the national press. We should be careful not to discriminate inadvertently against those whom we might need most. We need more people who come from the Arab world and from Muslim backgrounds in our intelligence services. I therefore hope that our deficiency in the spread of people doing the job can be urgently corrected.

Mr. Prisk: Although I understand the hon. Gentleman's wish to see a more positive approach to recruitment, I am sure that he recognises that the employment criteria and vetting for the intelligence services are somewhat different from that of the BBC World Service.

Simon Hughes: Absolutely; I mentioned the World Service only as an example.

There has been a terrible growth in gun crime in this country; we are not stopping guns coming across the borders. The Home Affairs Committee recommended a common border force. I would be interested to know whether the intelligence agencies and the Government have considered whether we would do far better on all our external border issues if we reduced the number of different agencies that have different objectives—the police, the immigration service, Customs and Excise—to achieve more efficient management of people, goods and traffic reaching our shores.

The Liberal Democrats have always argued that there should be greater accountability of the intelligence services to the House. We keep to that case: there ought to be and could be more openness, and it would be good if, in this Parliament, the Committee became a proper Select Committee like the Defence Committee. I hope that that can be achieved, and that we can therefore continue to support the intelligence services while exercising greater but appropriate scrutiny of them both on the Floor of the House and in Committee.

3.55 pm

Joyce Quin (Gateshead, East and Washington, West): I too speak as a new member of the Intelligence and Security Committee, and as someone who has found its work during the past year fascinating and worth while. I pay tribute to my right hon. Friend—and good friend—the Member for Dewsbury (Ann Taylor), who as a new Chairman has chaired it with skill and total fairness.

None of us who serves or who has served on the Committee could have expected that the issues with which we deal would suddenly become so pressing or topical as they certainly have been since the tragic events of 11 September. Indeed, it is remarkable that, in the debate in the House on intelligence services slightly more than a year ago, there was little mention of Afghanistan and no mention of al-Qaeda. However, it is also true that my right hon. Friend the Member for Livingston (Mr. Cook), the then Foreign Secretary, struck a telling note when he said:

> "The threats to our national security do not come only from other Governments. The danger to the life and safety of British citizens is more likely, in practice, to come from terrorist groups."—[*Official Report*, 29 March 2001; Vol. 365, c. 1124.]

All members of the Committee are interested in and sometimes concerned about the perception of it. I well remember the recent press conference at which we presented our report. Members of the press were uncertain about which breed of dog we were—tame poodles or Rottweilers leaping from our kennels. I agree with my right hon. Friend the Home Secretary that people are sometimes inconsistent in criticising our work or that of the agencies as either threatening liberties or not going far enough in protecting our citizens and taking effective action against those who pose a threat.

I certainly did not join the Committee simply to listen meekly and accept what I was told unquestioningly. There would be little point in that and little job satisfaction in not using the opportunity of Committee membership to ask searching questions to probe the workings of the agencies. I therefore believe that all of us on the Committee approach that role very seriously.

From reading our debates in Parliament on the subject, I know that colleagues take a much more measured and realistic view of the Committee's role, although I note that interesting comments have been made about how it might evolve. As members of the Committee, we are always thinking about that. Occasions such as this allow

[Joyce Quin]

opportunities for an exchange of views between those of us who happen to be members of the Committee and those of us who are not but who none the less are tremendously concerned about and interested in the issues with which we deal. My right hon. Friend the Chairman of the Committee recently sent hon. Members a booklet about its work, in which I hope all hon. Members, whether or not present today, will take an interest and use as a way to foster dialogue with those of us who serve on it.

I agree with the comments that have been made about the valuable nature of the work of the agencies. I also endorse what has been said about the fact that some of the targets that the agencies are attempting to find out about are, by their very nature, hard and elusive ones. Unfortunately, the price of failure by any intelligence agency anywhere in the world is high. It is often said that terrorists have to be successful only once to cause havoc and have a huge impact.

I shall refer briefly to one or two items in the report about which I feel particularly strongly. One involves resources, which a number of right hon. and hon. Members have already mentioned. We believe strongly that the services should be able to access the resources that they require, although it is always true that they could always do more with more money. That is self-evident, but, at the same time, we have to ensure as far as we can that they have the resources to carry out the necessary range of tasks.

Language training has been mentioned, most recently by the hon. Member for Southwark, North and Bermondsey (Simon Hughes). That is an important issue, although it must be recognised that there is a long lead-in time involved in such training, which is why assessments, and their analysis, are important in ensuring that action taken to recruit and train can, if possible, be taken at the right time to ensure the availability of those language abilities to the services.

I also feel strongly about the issue of co-ordination. My right hon. Friend the Member for Dewsbury mentioned the fact that the ministerial Committee had not met, and that is something that I, too, feel strongly about. Obviously, we know that the relevant Ministers meet during a crisis, and that has been happening with great regularity and frequency since 11 September. We all feel, however, that if hindsight is a wonderful thing, so are lateral thinking and the sharing of information. Having Ministers across the relevant Departments looking at the issues, evaluating trends, and asking questions of the services in a joined-up way is an important task that should be undertaken. I do not believe that there should be self-contained ministerial bailiwicks in this field. Having been a Minister myself, both in the Home Office and the Foreign Office, I am aware of the usefulness of co-ordination. If the Home Office is examining drugs policy, for example, the fact that some of the states that supply drugs might also—from a foreign policy point of view—present real dangers and threats to the rest of us should be considered jointly, and we would like to urge Ministers to adopt such a joint approach.

International co-operation is also important, as a number of hon. Members have mentioned. Obviously, our co-operation with the United States is very close, and very welcome, as is our co-operation with other countries such as Canada, Australia and New Zealand, and, increasingly, with the European Union. We must also examine opportunities for working with other countries, as they appear. The situation with Russia, for example, is very different from what it used to be, and Russia and other countries could well have intelligence information that it would be extremely useful to share.

There are difficulties involved in such international co-operation. Building up sufficient trust presents a challenge, as does the fact that countries work in different conditions and geographical contexts, and have different legal systems and priorities. The gains from effective international co-operation are, none the less, important, and can benefit us all. One striking feature of the events of 11 September—and the preparations that had gone into them—was the fact that the terrorists concerned had passed through and stayed in several different countries, and shown themselves to be highly internationally mobile. International co-operation is, therefore, the key to an effective response to such operations.

A number of challenges have arisen specifically from the experience of 11 September. The disruption to terrorist networks is certainly welcome, but it may also mean that many well-known terrorist networks could now disappear or go underground, and that terrorists themselves could move on to different countries from the ones in which they have most recently been operating. That provides a real challenge for the intelligence services.

As the hon. Member for Southwark, North and Bermondsey mentioned, it is important that new technologies provide effective communications systems that can withstand electronic attack from outside, as well as systems that are capable of penetrating terrorist networks. That, too, is a continuing challenge.

New technologies must continue to be combined with traditional approaches. If we think of the threats to the communications and transport systems here in the capital, for example, vigilance by travellers and the public is also an important, but basic, need. The ways in which the Government and the police alert people to the action that they should take if they perceive a threat will continue to be important, and I urge Ministers seriously to consider that dimension.

Reference has been made to the new machinery of government that has been set up, along with the appointment of Sir David Omand as security and intelligence co-ordinator as well as permanent secretary to the Cabinet Office. I would like to take this opportunity to pay personal tribute to Sir David, with whom I had the pleasure of working when I was a Minister in the Home Office along with my hon. Friend the Member for North Warwickshire (Mr. O'Brien), now the Under-Secretary of State for Foreign and Commonwealth Affairs, who was a Minister with me at that time. My hon. Friend and I, and other hon. Friends, will be delighted that Sir David, after battling courageously with illness, has been able to take up such a key role, and it would be impossible to find a better qualified candidate to do this work. I hope that he will ensure that some of the points about co-ordination that we have raised in this debate will be properly addressed.

I conclude by reiterating my thanks to the staff of the services, who deserve respect for the work that they do in protecting and defending us in the sometimes dangerous and always complex world in which we live.

4.8 pm

Sir John Stanley (Tonbridge and Malling): I wish to devote my remarks largely to the intelligence dimension prior to 11 September and, even more importantly, subsequent to that date. First, I wish to make a point about the status of the Intelligence and Security Committee. The Chairman of the Committee, the right hon. Member for Dewsbury (Ann Taylor), made a helpful and informative speech, in which she said that her views on the evolution of the Committee were not static. I would like to offer her a proposal relating to evolution.

When the Committee was established under the previous Conservative Government, it was established not as a Committee of the House but under statute, reporting not to the House but to the Prime Minister. Those special arrangements were made as a reflection of the sensitive work of the Committee and were, by implication, coupled with a degree of anxiety at that time about the security reliability of a Committee of Members of Parliament. I am not a member of the Committee, but on the basis of many years' experience of its work I can say that, as far as I am aware, there has not been a single leak from it.

Some of us serve on Select Committees that deal with classified material from time to time—*[Interruption.]*

Mr. Deputy Speaker (Sir Michael Lord): Order. Members must control electronic devices.

Sir John Stanley: I am a member of the Select Committee on Foreign Affairs, which does indeed deal with classified material from time to time. I know of no occasion on which a Select Committee has not reached an agreement with the Government of the day on what material should be excised from its report on security grounds.

Against that background, I think it right in constitutional terms for the Intelligence and Security Committee to become a Select Committee of the House. That does not imply that there should be any change in its membership, or that it should cease to meet in private and at its chosen location. The intelligence services, however, are an extremely important element of the Executive of the day, and I believe that, like all parts of the Executive, they should be accountable to this sovereign legislature, the House of Commons.

Let me now return to 11 September, which was by definition an intelligence failure. Whether that failure was entirely forgivable and understandable in the circumstances or whether it was preventable remains to be seen. As the right hon. Member for Dewsbury said, the relevant congressional committees are subjecting the matter to detailed investigation; we await their reports and such evidence as they can place in the public domain. What is undeniable, however, is that the appalling and tragic events of 11 September were the logical continuation of a clearly established pattern of terrorism in which United States personnel were the principal targets and in which modes of transport were steered, directed or driven by those who were prepared to take their own lives in a suicide attack.

The use of suicide attacks by truck drivers began most intensively in Beirut in 1983. Members will recall that more than 200 US marines were murdered in that way. The mid-1990s saw the uncovering of a plot for the multiple takeover of US civil airliners, and the crashing of those airliners, with passengers, into the Pacific ocean. Less than a year before 11 September, al-Qaeda had adopted a new, seaborne mode of transport and had killed 17 US sailors on USS Cole. That was a demonstrable pattern of terrorist attack. It was observed and documented, and its logical progression was at least seen by a limited number of people.

In paragraph 18 of our latest report, we on the Foreign Affairs Committee refer to the report of the US National Intelligence Council, which was placed in the library of Congress in 1999. It stated:

> "Suicide bombers belonging to al-Qaeda's Martyrdom Battalion could crash-land an aircraft packed with high explosives (C4 and Semtex) into the Pentagon, the headquarters of the CIA or the White House".

That was an extraordinarily perceptive and prescient warning—given, as I said, in 1999.

As the right hon. Member for Dewsbury observed, these issues are principally for the American intelligence agencies. The Committee rightly pointed out, however, that 11 September saw a greater loss of life among United Kingdom citizens than any other single terrorist attack. I feel that there are key questions for the British intelligence agencies, and therefore for the Committee.

First, is the Committee satisfied that our own intelligence agencies did all they could before 11 September to identify al-Qaeda operatives who were either living in or passing through this country? Details of a number of them have at least appeared in the press and in court proceedings since 11 September. Secondly, is the Committee satisfied that our agencies did all that they reasonably could in the circumstances to try to identify the target of the next al-Qaeda attack, of which there were clearly considerable, at least generalised, warnings?

Dr. Julian Lewis: May I ask a question in that context, relating particularly to the first point? Is my right hon. Friend aware that the assassination of General Masoud appears to have been orchestrated by a man called Yassir el-Sirri—who provided the assassins with press credentials which they used to get into Masoud's presence—that this man had been sheltered in London for a long time, and that we had refused Egypt's request for his extradition for past terrorist offences?

Sir John Stanley: I depend on open sources, as does my hon. Friend, but I am well aware of the extensive press comment about various individuals alleged to be associated or connected with al-Qaeda who have been resident in and have passed through this country.

I welcomed what the right hon. Member for Dewsbury said about the way in which 11 September issues had dominated the Committee's work. I was not sure whether that was so on the basis of the report, but the right hon. Lady made it very clear today. Looking at the paragraph about the future programme of work, I was somewhat surprised that it did not include—explicitly and clearly—scrutiny of the agencies' work to counter terrorist threats to the UK. Perhaps that is implicit, but the House and indeed the wider public might have been reassured had it been stated more explicitly.

Let me now deal with the situation post-11 September. Our intelligence agencies are now more important to the country's security than they have ever been in peacetime.

[Sir John Stanley]

Until the advent of al-Qaeda and 11 September, security in major defence terms depended essentially on deterrence, and on possession of military capability to ensure that deterrence was credible. Today, we must deal with a security threat to this country involving people to whom deterrence must be more or less meaningless.

I cannot believe that someone who is prepared to commit suicide as part of a terrorist attack will be influenced in the least by the prospect of retaliation. Nor can I believe that someone with nothing to lose—who is not head of a state organisation, and has no massive personal power as such—will be deterred by any prospect of retaliatory action.

Therefore, although for the whole period since the second world war we have relied on deterrence to protect the security of this country, and indeed it has done so, we are now confronted by a terrorist enemy for whom deterrence is no deterrent at all in terms of this country's military capability. In my view, that means that the intelligence agencies are now our first and possibly our last line of defence for the civilian population. Coupled with that is the clear evidence that this terrorist enemy is bent on moving from conventional attack to attack using weapons of mass destruction. That was made clear as early as 14 September last year by the Prime Minister. Three days after the terrorist attack on New York, he said to the House:

> "We know that they would if they could go further and use chemical, biological or even nuclear weapons of mass destruction."—[*Official Report*, 14 September 2001; Vol. 372, c.606.]

The Prime Minister's statement on 14 September has subsequently been amply confirmed, certainly by what has appeared in the press, by the discoveries made by our forces in Afghanistan in al-Qaeda safe houses and buildings of documents clearly pointing to al-Qaeda's determination to try to move towards weapons of mass destruction.

The implications for the civil population of this country are potentially horrendous. Conventional attack can lead to the death of thousands as happened in New York. Attack using weapons of mass destruction could lead to the possible loss of lives in the hundreds of thousands or conceivably a million or more.

The Brooking Institution, in a detailed paper published in April, put the possible fatalities from a terrorist attack using a nuclear bomb detonated in a major US city at 100,000 and the possible fatalities of an

> "Efficient biological attack (for example, clandestine wide dispersal of a contagious agent such as ebola, smallpox or anthrax)"

at 1 million.

The Foreign and Commonwealth Office, in the paper that it placed in the Library of the House of Commons on 4 February 1998, stated:

> "One hundred kilograms of anthrax released from the top of a tall building in a densely populated area could kill up to three million people."

I now move on to the probability or possibility of such a threat materialising and I refer to the House what was publicised by the European security chiefs just a few weeks ago. The article reporting what they said was published in a number of papers. On 20 June, the *International Herald Tribune* said:

> "Top European security chiefs said Wednesday that a terror assault on Europe was almost inevitable, and that the next attack on the West could be nuclear.
>
> David Veness, the head of Britain's anti-terrorist police, said that a nuclear or biological attack was 'sadly, the next logical step' while the director of the European Union's police agency, Europol, said that it was a question of 'when and where,' not 'if' an attack would occur in Europe."

Against the grim realities that deterrence cannot begin to be relied upon against this particular threat, that intelligence is now our first and possibly last line of defence, that al-Qaeda is moving towards acquiring weapons of mass destruction and that the top European security chiefs are saying that it is not a matter of if, but when and where, I believe that only one policy conclusion can be adopted. Nothing must be spared to give our British intelligence agencies the financial resources that they need, the skilled personnel resources that they need and the technology and equipment that they need in order to try to identify and prevent such an attack. I repeat: nothing must be spared—absolutely nothing.

4.25 pm

Mr. Tam Dalyell (Linlithgow): I was a friend from 1967 until he died in March 1981 of the late Sir Maurice Oldfield, head of MI6 from 1973 to 1978. During my national service with the Scots Greys in the Rhine Army in 1951–52, I had a good deal to do with field intelligence. As Richard Crossman's Parliamentary Private Secretary from 1964 to 1970, on account of his wartime background in intelligence dealing with the Americans on General Bedell Smith's staff in Algiers from 1943 onwards, I got to know well George Wigg, Solly Zuckerman, Harry Chapman Pincher, Hugh Carlton Green and other members of the intelligence community.

I say this simply to establish that I am neither silly about nor antagonistic to the intelligence community, Many fine people have worked for it to the advantage of us all.

I want succinctly to raise one aspect of intelligence and it refers to Lockerbie. The Lockerbie relative, Martin Cadman, who lost his son in the Pan Am disaster, tells me that relatives of air victims including Dr. and Mrs. Jim Swire, Barrie Berkley, Mrs. Elizabeth Delude-Dix and himself met the US President's Commission on Aviation Security and Terrorism in the US embassy in London on Friday 16 February 1990 from 18.10 to 19.10. Much of that important meeting was taken up with the treatment of relatives by the US authorities after the disaster.

After the meeting was over, Mr. Cadman, who is highly credible and well known to a number of hon. Members, said that one commissioner, whose name he did not know said to him:

> "Your government and our government know exactly what happened at Lockerbie. But they are not going to tell."

That statement has been published in a letter to *The Guardian*, in the film "The Maltese Double Cross" and in the special report from *Private Eye* "Lockerbie, The Flight from Justice May/June 2001". It has never been denied.

The commission was set up on 4 August 1989. It began its work in November 1989 and reported on 15 May 1990. The seven commissioners comprised two members from the US Senate, two from the House of Representatives, representing both parties equally, and three other members from the private sector with expertise in aviation transportation, aviation security or counter-terrorism. Their names were as follows: the chairman was Ann McLaughlin, former Secretary of Labour; Representative John Paul Hammerschmidt from Arkansas; Senator Frank Lautenburg from New Jersey; General Thomas Richards, deputy commander of US forces in western Germany; Senator Alfonse D'Amato of New York; Edward Hidalgo, the former US Navy Secretary and James Oberstar, Representative from Minnesota. They were serious people.

Against this background I ask the following questions. First, do the British security and intelligence services have any knowledge of an $11 million payment having been received by the PFLP-GC, the Palestinian Front for the Liberation of Palestine—General Command, on or about 23 December 1988 evidenced by a credit to a bank in Lausanne and a credit to the Degussa bank in Frankfurt and moved from there to an account at the Banque National de Paris and thence to one at the Hungarian Development bank?

Secondly, does British intelligence have knowledge of a payment of $500,000 on or about 25 April 1989 to Mohammed Abu Talb, a convicted murderer, who was an incriminee at the Lockerbie trial, and a long-term suspect in the Pan-Am 103 bombing? Incidentally, I was at Camp Zeist when Talb was questioned.

If the security and intelligence services had any knowledge of either payments, did they communicate it—in whole or in part—to any police force in the UK, and/or to the Crown Office, Edinburgh? If such knowledge was imparted, when was it imparted?

What was the relationship between British intelligence and two officials—Mr. Dana Biehl and Mr. Brian Murtaugh—from an office that forms part of the US Department of Justice, who sat beside the prosecution in a supposedly independent Scottish court throughout the Lockerbie trial?

These questions are well known to Ministers through the work of the distinguished Austrian jurist Hans Koechler, who was asked to attend the trial at Camp Zeist by Kofi Annan.

When Mr. Alan Turnbull and Mr. Norman McFadyen went to the US embassy in The Hague on the Lord Advocate's behalf on or about 1 June 2000 to view unredacted CIA cables—recording meetings with the prosecution witness, Jiacha—was an assurance or undertaking given by them, whether written or verbal, to British intelligence or to the US authorities that they would not disclose what they had been shown? If any such assurance or undertaking was given, to whom was it given, and in what words?

It is a matter of public record that the new head of MI5, Miss Eliza Manningham-Buller, has been greatly involved in Lockerbie. I do not know Miss Manningham-Buller, but I should recall that her father—the late Lord Dilhorne, as Sir Reginald Manningham-Buller—was the first Attorney-General in this House with whom I had dealings when I was a very young MP. He was extremely kind, painstaking and nice on the one occasion that I had to speak to him in his capacity as Attorney-General, and subsequently as Lord Chancellor. I can say nothing other than that I think extremely well of him.

Ministers should have a very frank discussion about what Miss Manningham-Buller and her colleagues know about the public record in relation to Lockerbie. We are not talking about simply a few who share my view. President Mandela has visited Abdel Bassett al Megrahi in Barlinnie prison. I spent two and a half hours visiting him, and in my view this is the most spectacular miscarriage of justice in not only Scottish, but British legal history. There ought to be a public inquiry, because in this instance, adversarial court procedures were wholly inappropriate to the objective of finding the truth. In keeping with his promise to the relatives, I hope that, before the summer recess, the Foreign Secretary will announce the setting up of a public inquiry into the international aspects of the crime that was Lockerbie.

4.34 pm

Mr. James Arbuthnot (North-East Hampshire): I echo the remarks of the right hon. Member for Gateshead, East and Washington, West (Joyce Quin) by congratulating the Chairman of the Intelligence and Security Committee on the way in which she has taken on her role. She has had the difficult task of keeping us effective and focused, and she has carried it off with style.

I should begin by declaring an interest. I am an underwriting member of Lloyd's, and as such I, along with other members, suffered in a financial way on 11 September. However, I should count my blessings. Many people lost much more than their money—they lost their lives or members of their family. On 11 September, the world came to recognise that not everyone shares the same values, and that if we want liberal democracies to continue to exist, we will have to fight for them. Indeed, that is what our intelligence and security services do, day in, day out. Although the Committee's report has criticised certain aspects of what they do, those criticisms must be seen in the light of the fact that this country is extremely well served by those services.

Take, for example, our criticism of the accounts of GCHQ, which was mentioned by the Committee's Chairman. It is a matter of serious concern to the Committee that GCHQ has yet to get to grips with the consequences of resource accounting. For GCHQ to have its accounts qualified two years running is not at all impressive, and the Committee is concerned that that might happen for a third year running. GCHQ really must begin to take this issue seriously. It says that it is doing so, and I hope that we shall discover next year that it has.

On the other hand, GCHQ's communications work is extraordinarily impressive, and after all, that is what it is there for. It makes an internationally and rightly acclaimed major contribution to the fight against terrorism, drugs and serious crime. So when we criticise the bean counting, let that not overshadow our views on the war fighting.

The same goes for the Secret Intelligence Service and the Security Service. They work energetically and effectively, and sometimes in circumstances of considerable danger, in defence of this country. I shall not discuss our report in detail because the House has read it and would rapidly lose patience, but in general, the intelligence machinery in this country works as well as we allow it to. It is clear that we put checks on the activities of the intelligence and security services, and for good reason—we were all brought up on the book

[Mr. James Arbuthnot]

"Nineteen Eighty-Four." However, in the Committee's opinion there is one respect in which the system simply does not work. Ministerial meetings to discuss the policy and direction of the intelligence and security services are, in the Committee's opinion, essential to scrutiny of the services, and to giving them genuine and informed political direction. Provision is made for such meetings, but for reasons which are not sinister, they simply have not happened.

As a result, although there is political direction from relevant individual Ministers—including the Prime Minister—no opportunity exists for Ministers to spark off each other, to cross-fertilise ideas, to fire the imagination of other Ministers, and to create a view that is perhaps anarchic but none the worse for that. Because of 11 September, the need now exists in this field for a sparky imagination—a point to which I shall return.

Inevitably, the Joint Intelligence Committee comes up with a pooled assessment of intelligence—that is what it is there for. In that respect, it avoids the communication problems—sometimes experienced in the United States—to which the existence of numerous different organisations leads. That is the advantage of our system, but the pooling process inevitably knocks some raw edges off the intelligence that passes through it. It may be unfair to call the product bland, but it would be fair to call it homogenised. In those circumstances, it is not at all a good thing that the ministerial committee for overseeing the intelligence machinery has not met, other than in the extraordinary circumstances of the War Cabinet. I do not believe that there is anything sinister about that, but only one person can put it right—the Prime Minister. It is possible that he may feel that the system works well enough. He sees the papers, receives the advice and gives the political direction, and he may feel that further ministerial involvement would be more of a nuisance and a waste of time than a benefit. If he does feel that, he is wrong. Collective discussion by Ministers about the general direction of the intelligence and security services might throw up ideas that people were not expecting, and the fact that Ministers might have an overwhelming number of issues to discuss should not be reason for failing to discuss any of them. The Prime Minister should perhaps remember that he leads the Government rather than is the Government.

I said that I would return to the issue of imagination, and I shall do so in the context of 11 September. How easy it is to say, with the torchlight of hindsight shining full on those dreadful events, that there was a failure of intelligence. In various respects, that can be said, but the agencies both here and in the United States received masses of bits of information—sometimes hundreds of different strands a week, some of it conflicting and almost all of it inaccurate. For us, with the benefit of hindsight, to expect them to know which bits were true and which were not, and to be able to add all those together in the right order and with the right emphasis and then to deduce some method of stopping what was about to happen, would not—on the basis of what I currently know—be either fair or realistic.

My right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley) said that there was an intelligence failure, and he was right in some respects. However, for the intelligence services to know what was going to happen would have depended on a security lapse in the al-Qaeda organisation. That security lapse did not happen in a way that meant that the security services could take advantage of it.

Dr. Julian Lewis: If what my right hon. Friend is saying is correct, surely the implication is that the intelligence services have to be proactive. If we cannot rely on a terrorist cell to leak, we need to acquire enough intelligence to disrupt it so that it cannot proceed with its plans, even if we do not know what those plans are.

Mr. Arbuthnot: My hon. Friend is right to say that the intelligence services must be proactive. However, we should not give the impression that this country's intelligence services—or for that matter, those of the US—are not proactive, because they are highly so. However, they cannot know everything that is thought, done or planned. If they could, I suspect that the House would be extremely concerned.

In one respect, I agree with the remarks on the failure of intelligence by my right hon. Friend the Member for Tonbridge and Malling. The security of the western world has been predicated on the idea that those who would attack us would wish to survive themselves. We had not paid enough attention to suicide as a weapon. That charge cannot be laid solely at the door of the security services or those in charge of them in this country, because the western world as a whole had failed to follow through the implications of what had begun in Beirut, been taken up by Hamas and been pursued in the attack on the USS Cole. For example, the normal procedure in dealing with hijacking was that those in charge of the aircraft should go along with whatever it was that the hijackers asked. That was a weakness that Osama bin Laden recognised and acted on with ruthless imagination.

Osama bin Laden was capable of using imagination, and we knew that. He had done so in many different aspects of his life and the western world did not have the imagination to predict how far he would take it. So it was a failure of imagination more than a failure of intelligence. Our imagination could fail us again. If we spend the next few months trying to stop people flying aeroplanes into buildings, we will miss the point. We need to do that, but we also need to think more like those who threaten us think, instead of how we have thought in the past. The issue is not what al-Qaeda, or similar groups, did last but what they might do next.

Where are we vulnerable? We used to need to protect strong points, such as power stations, water supplies and critical manufacturers. Now that our society has become so complicated and interdependent, the key to our survival is not so much strong points as systems. Those systems are often in the control of the private sector. Public confidence in our computer systems, for example, is as important as public confidence in the World Trade Centre. Therefore, we need to use our imaginations to build up a picture of how those computer systems could be vulnerable. I know that much thought is going into that and it is essential that it should.

We also need to consider not only the spectacular results of terrorism, but what gives birth to terror in the first place. That is not an issue that we consider in our report, perhaps because we think that it would be more the province of the Foreign Affairs Committee.

Nevertheless, the question came up at a conference that we hosted in May, in London, of international intelligence review agencies. It was suggested that one cause of terrorism was the widening global socio-economic divide. It is possible that the western world has drastically underestimated the effect of global climate change. As water becomes scarcer, or poor hot countries become less amenable to growing food for us, the seeds of conflict will grow. Those are essential questions and the country will need to be reassured that they are being considered by someone, whether in government, the agencies or the academic world, on the basis of proper intelligence and with the ability to take the necessary policy decisions that will flow from the answers. I should be most grateful for assurances on that issue from the Foreign Secretary when he winds up.

4.48 pm

Dr. Gavin Strang (Edinburgh, East and Musselburgh): I am pleased to follow the right hon. Member for North-East Hampshire (Mr. Arbuthnot), who is a conscientious and highly effective member of the Committee. I fully endorse the tribute that he paid to my right hon. Friend the Member for Dewsbury (Ann Taylor) for the excellent leadership that she has provided in the past year.

Four years ago I was pleased to have the opportunity to speak in what was the first parliamentary debate on an Intelligence and Security Committee annual report. It was the first speech I had made in the House since rejoining the Back Benches. I sought that opportunity to speak because of the importance I attached to the work of the intelligence and security services and the Committee. Having had a year as a member of the Committee, I am now very pleased to be able to participate in this debate. I feel that I have secured a better understanding of the state's security apparatus, and also believe that the Committee is well served by its staff.

I have never been under any illusion as to the necessity of deploying adequate resources in this area. It has been a pleasure to meet many of the dedicated public servants who work for the agencies. I do not intend to spend much time on the role of the Committee in relation to the agencies. It is a fascinating question, which I am still in the process of trying to answer for myself. However, I am convinced that there is a legitimate function for the Committee. I also believe that the senior people in our security and intelligence services recognise the Committee's value to the democratic process. One reason for that recognition is that, to my knowledge, no secret information shared with the Committee has leaked into the public domain, a point that a number of right hon. and hon. Members have made this afternoon. It goes without saying that the value of the work of the Committee depends on the extent to which senior Ministers and senior staff in the intelligence community are fully open with the Committee.

On the day my hon. Friends and I were appointed to the Committee last summer, no one could have guessed that before we would hold our first formal meeting, the landscape that the Committee surveyed would be drastically altered. It is worth mentioning that all four members of the Committee who have spoken so far this afternoon, including me, are relatively new and were appointed a year ago.

I am in no doubt that the atrocities of 11 September changed the world because of the scale of the civilian slaughter, which left 3,000 people dead, the spectacular nature of the attacks—images of which were brought straight into our living rooms by television—and the level of organisation required to co-ordinate the strikes throughout the United States. Moreover, the United States had not previously seen its homeland as a target for international terrorism. It is my view that if the terrorists responsible for the atrocities on 11 September could have killed more people, they would have done so. We should be concerned that terrorists in the future will try to do just that.

In its second report published in December, the Select Committee on Defence concluded:

> "There seems little doubt that terrorist organisations could obtain the necessary materials for chemical, biological or radiological weapons . . . Although we have seen no evidence that either al Qaeda or other terrorist groups are actively planning to use chemical, biological and radiological weapons, we can see no reason to believe that people who are prepared to fly passenger planes into tower blocks would balk at using such weapons. The risk that they will do so cannot be ignored".

The Select Committee is right. We ignore the risks of terrorism and weapons of mass destruction at our peril.

In its annual report, the Intelligence and Security Committee sets out a future programme of work. The threat from international terrorism is one reason why I am very pleased that the Committee has included in its future programme an item on the work of the agencies to counter the proliferation of weapons of mass destruction. The Committee looked at the issue and reported on it in its annual report of 1998-99, but matters have moved on in the three years since then, and we need to do more.

Until recently, terrorist leaders apparently did not consider that mass civilian slaughter on the scale that we have now witnessed would further their aims. Perhaps the Tokyo sarin gas attack in 1995 marked the watershed. The concern is that to achieve the desired effect—terror—terrorists need continually to increase the levels of violence to secure the necessary impact on the target population and in the media. We have to ask ourselves what they will try next. There is surely a real and increasing threat that terrorists will obtain and use weapons of mass destruction.

I should like to concentrate on the orthodox categories of chemical, biological and radiological or nuclear weapons of mass destruction, although the House will be all too well aware that terrorists have already proved capable of turning a jet plane into a weapon of large-scale destruction.

Acquiring chemical weapons is relatively easy. There is access to ingredients for nerve agents, and so on, on the open market, and the science is not difficult. As I have mentioned, the Aum group in Japan successfully prepared and released sarin gas in the Tokyo underground in 1995. Terrorists may not need to bother preparing chemical weapons—there are great stockpiles world wide. As the Defence Committee stated, there is concern that these weapons may find their way into the hands of terrorist groups.

Getting hold of biological agents can also be straightforward. Many agents can be bought from legitimate suppliers or acquired from laboratories by theft or through a laboratory worker. There have been a number

[Dr. Gavin Strang]

of incidents in which terrorists have been found in possession of biological agents. Professor Graham Pearson, former director of the chemical defence establishment at Porton Down and visiting professor at the university of Bradford, told the Defence Committee that, of the three types of weapons of mass destruction,

> "it is clear that biological weapons present the greatest danger today . . . as they are the easiest to acquire, have the weakest regime and yet have effects comparable to nuclear weapons."

The availability of the ingredients necessary to construct a nuclear device is increasing. With plutonium and highly enriched uranium becoming more available, it will be increasingly possible to get the fissile material necessary to make a nuclear explosive device. The increasing trade in mixed oxide fuel is of particular concern. The assessment of Dr. Frank Barnaby of the Oxford Research Group is that it would be relatively easy to remove plutonium oxide from mixed oxide fuel and use it to fabricate a nuclear weapon.

Opinions vary as to whether terrorists could use nuclear material to manufacture and successfully detonate a nuclear bomb. Mr. El Baradei, director general of the International Atomic Energy Agency, said last November that such a development is "highly unlikely" but that "no scenario is impossible". However, Dr. Frank Barnaby believes that the construction of a crude nuclear weapon need not be beyond the capabilities of a sophisticated and well resourced terrorist group.

There is a flourishing black market in fissile materials. The International Atomic Energy Agency recorded 175 cases of trafficking in nuclear material between 1993 and 2000, 18 of which involved highly enriched uranium or plutonium.

We should not overlook the risk that nuclear warheads in the countries of the former Soviet Union could fall into the wrong hands. The International Atomic Energy Agency observed:

> "another legacy of the Cold War are the disturbing reports, albeit unsubstantiated, of missing nuclear weapons."

There are rumours of missing suitcase bombs. David Kyd of the IAEA told *The Guardian* in November that when he was in the Russian army, General Alexander Lebed claimed that a number of them had gone missing.

Finally, I should like to mention radiological weaponry. There has been a fair amount of press coverage recently of "dirty bombs"—that is, radioactive material distributed by a conventional explosion. Some radioactive isotopes suitable for constructing a dirty bomb have been smuggled on to the black market. Indeed, Chechen rebels placed a container of caesium-137 in a Moscow park in 1996.

IAEA experts are concerned that terrorists will develop a crude radiological dispersal device. The agency database includes 284 confirmed incidents of unauthorised movements of radioactive material other than nuclear material. Just two weeks ago, the agency warned that safeguards on powerful radioactive sources are inadequate, and called for cradle-to-grave control.

The security and intelligence services will be vital in countering the threat from terrorism and weapons of mass destruction. Human intelligence—infiltrating and recruiting—and signal intelligence in intercepting communications will be of huge importance. Because the wherewithal to create some weapons of mass destruction is available perfectly legally, intelligence will be our only defence against them.

Dr. Frank Barnaby warns:

> "The intelligence and security communities should take the threat of the acquisition and use of weapons of mass destruction much more seriously than they do at the moment."

I do not consider myself in a position to assess whether that is the case. It is a crucial question, and I am glad that the Committee will address it in the coming months.

Organised crime and terrorism have long been closely linked, and with the increase in global transport, trade and communications, organised crime and terrorism are spreading and strengthening their links. As terrorism and international crime endeavour to globalise, we must ensure that intelligence and security services are not hindered by national boundaries. I was pleased to see that at the recent summit in Canada the leaders of the G8 countries agreed to launch a new global partnership against the spread of weapons of mass destruction to help prevent such weapons from falling into the hands of terrorist groups. I should be interested to learn what effect that programme may have on the work of our security and intelligence agencies in this field.

I said at the outset that I valued the opportunity to consider these matters, along with my colleagues on the Intelligence and Security Committee. The world did change on 11 September. The Government have already recognised that by providing extra resources for the agencies. I agree with colleagues who have said that further investment will be needed in the medium to long term. I look forward to an important announcement on that next week.

Of course, international terrorism is not the only challenge that the agencies face—far from it. Indeed, we were only recently reminded that we still have a significant domestic terrorist threat. It is hard to think of anything more degrading to civilisation than the wanton slaughter of innocent people. There is all the difference in the world between the loss of life on the battlefield, among combatants, and the killing of men, women and children who just want to go about their daily lives in peace.

Of course, we must not be blind to the underlying historical or social causes of terrorism, but at the same time the House and the Government should give the highest priority to thwarting terrorists from wherever they come.

5 pm

Mr. A. J. Beith (Berwick-upon-Tweed): The right hon. Member for Edinburgh, East and Musselburgh (Dr. Strang) is a conscientious new member of the Committee. In concentrating his remarks on traffic in weapons of mass destruction, he helps to underline the point that there are areas in which the agencies are currently actively involved from which it would be very wrong to divert funds. If we impose additional tasks on them, we must provide additional resources. We must maintain a high level of effort, but it does not come cheap: it is expensive and demanding work.

I echo the appreciation that has been expressed of the work of the agencies and their staff, and especially those who face real danger in going about that work. I also pay tribute to Sir Stephen Lander, who is about to retire and move into an interesting new field—I am glad that he is doing that rather than writing books. He has been an effective head of his organisation. He understood what it needed to do and what it was not appropriate for it to do. He knew where to concentrate the effort and where to draw the boundary lines.

I want to discuss the judgment on the forewarning, or lack of forewarning, of 11 September, and to underline what the Committee Chairman said: that we were talking about the United Kingdom, not about the United States. We have been in close contact with our US counterparts and observed their work, and clearly they have judgments to make about how the American system functioned or failed to function and about the movement of intelligence through that system. Information that could have been useful seems, to a layman, not to have been in the right place at the right time.

Our job was to consider the United Kingdom agencies, how they co-operated with the US agencies and the role that they played—especially in assessing the threat to the United Kingdom. We made a judgment on the basis of the information that was gathered and presented to Ministers in the Joint Intelligence Committee's assessment papers. We refined and worked over our judgment, modifying our conclusions to some extent, as we looked at the various documents. Our conclusion was not a snap judgment. It was reached very carefully.

We said:

> "The July 2001 JIC paper concluded that plans for attacks were in their final stages but that the timings, targets and methods of attack were not known. This assessment was not a stark warning of immediate danger to the UK. The shortage of specific intelligence and UBL's record could have warned all concerned that more urgent action was needed to counter this threat. Whether this could have forestalled any of UBL's actions can only be a matter for conjecture."

Even if we had rushed additional resources into intelligence and prevention at that point, the information before Ministers was not sufficiently specific to enable our efforts to be directed in such a way as to prevent the attacks. The Committee concluded that,

> "with hindsight, the scale of the threat and the vulnerability of Western states to terrorists with this degree of sophistication and a total disregard for their own lives was not understood."

We should be a bit careful about using the expression "intelligence failure", because it might be taken to imply that there is such a thing as total intelligence—knowing everything. The expression is more usually used in circumstances in which intelligence could freely have been obtained, processed and used, but was not. That was not the position with 11 September.

We reached a different conclusion from that of the Foreign Affairs Committee, which quite properly pointed out that it was not in possession of the same information. It said:

> "It would appear that before 11 September both the US and the United Kingdom failed to gather or share good intelligence, or they failed to interpret it correctly, or they failed to act on it. We are not in a position to judge which was the case."

That implies that at least one of those alternatives was the case, but I am not convinced that any of them was. We did not fail to gather or share good intelligence. The UK gathering effort was significant, and the sharing effort considerable. I am not convinced that there was a failure to interpret it correctly, so it follows logically that there was not a failure to act on it, because it did not point clearly to a particular course of action.

I disagree with the Foreign Affairs Committee's conclusions in that respect, although the report as a whole is extremely valuable and useful, and I hope that hon. Members will take note of the many interesting points in it.

There may be a broader criticism to make of the west as a whole in its approach to Afghanistan. The Foreign Secretary reflected that when he said that the west had virtually walked away from Afghanistan, allowing problems to mount. It is conceivable that the west could have made a greater effort to stop a failed state falling under the total control of a terrorist organisation—for that is what happened. Along with the drugs trade, Al-Qaeda terrorists were the paymasters of the Taliban. With a great deal of hindsight, it is conceivable that we could have denied them that opportunity. It would have been no easy task, but not to have done it is perhaps a more perceptible failure than what some have described as an intelligence failure.

I want to comment on the new arrangements for dealing with intelligence. That gives me the opportunity to talk about the forthcoming retirement of Sir Richard Wilson as Cabinet Secretary. He has devoted a lot of valuable and productive effort to the intelligence community, and we should appreciate that. Responsibility for intelligence will now pass from the Cabinet Secretary to the Second Permanent Secretary, possibly because the Prime Minister wants the Cabinet Secretary to concentrate on service delivery—a commendable object on the face of it, but one about which one could have some suspicions concerning centralisation of power in the hands of the Government and the Prime Minister. Our concern today, however, must be with whether intelligence responsibilities will be effectively discharged when they are transferred to someone who does not have the status that the Cabinet Secretary has.

I venture to suggest that, if Sir David Omand had not been available to carry out the task of Second Permanent Secretary, the move would have been seen by many as a downgrading—and potentially a dangerous one—of intelligence. The Foreign Secretary has had to be away from the Chamber for some time, but I hope that this point will be drawn to his attention, because he should bear it clearly in mind.

Sir David Omand has a unique background in relevant areas of work and a unique standing. Indeed, some of us would argue that he could have been the Cabinet Secretary. The fact that he has taken on this responsibility is a fair indication that it will be made to work. I am far from convinced that this arrangement should be continued when the two present post holders eventually retire.

The Committee will want to review the arrangement as it beds in, but we also need to look ahead. We should consider whether that ad hominem arrangement will work because of the individuals involved but, if it were retained and became part of the practice of government, might in the longer term deny the intelligence community the position within government that the Cabinet Secretary's responsibility had previously given them. That position has been relevant in many ways. When problems occurred with the new accommodation project at Cheltenham, the role of the Cabinet Secretary was crucial.

[Mr. A. J. Beith]

It should be said that access to the Prime Minister enjoyed by the Chairman of the Joint Intelligence Committee, the heads of agencies and Sir David Omand is guaranteed, as we are assured that such access will be undisturbed. I am more concerned about resourcing and the position of the intelligence community within government.

The Chairman of the Intelligence and Security Committee referred to the qualifying of GCHQ's accounts. It is pretty serious for accounts to be qualified two years in succession. Its appearance in our report is the alternative route available to the National Audit Office for its work in this field. The Public Accounts Committee cannot handle that side of the work, because it requires the security measures to which our Committee is subject. The Chairman of the PAC has access to what is being done, and as a member of the Intelligence and Security Committee I am grateful that successive Chairmen of the PAC have worked so readily with our Committee and enabled us to give the NAO the public recognition that its report requires. The Comptroller and Auditor General wrote:

> "I have not obtained all the necessary information and explanations that I considered necessary for the purposes of my audit; and I was unable to determine whether proper accounting records had been maintained."

That is a pretty serious matter.

I emphasise that the qualification is not about the new building, difficult though that project has been, and it is not about the operational efficiency of GCHQ, of which the Committee is well aware, and the remarkable contribution that it makes to intelligence work and to this country's readiness to deal with terrorist attacks. GCHQ is an extremely valued and internationally recognised asset. However, it is unsatisfactory that its financial procedures should merit such criticism. It is all about resource accounting and its failure to grasp the difficult task described by the right hon. Member for North-East Hampshire (Mr. Arbuthnot), who serves with me on the Committee, as bean counting—it has not been counting the beans accurately or has not known precisely where they all were. That problem needs to be remedied, and the Committee has spoken strongly on the subject.

I want to refer in these disparate points to the Regulation of Investigatory Powers Act 2000 and the orders that have been introduced under it, but I do not want to discuss them in detail. Communications data are important in the detection of serious crime and in dealing with threats to the United Kingdom. They are a valuable intelligence tool. The orders that were brought before the House recently were not primarily about that. They were about access to such data by a variety of bodies with legitimate responsibilities for food safety, public finance, preventing benefit fraud and other such matters. Many of us think that those bodies should not have such wide powers. I appreciate the distinction that was drawn by the Conservative shadow Home Secretary, the right hon. Member for West Dorset (Mr. Letwin), between the areas that are crucial to the central security of the country and its inhabitants and those many other important matters that do not merit the same range of powers. We share that view, and I am glad that he articulated it clearly, as it is relevant.

There was some confusion, because different orders cover different things. I over-simplify a little, but the orders that related to covert human surveillance were, as the Home Secretary said, primarily about bringing under regulation things that happen already and that are, on closer reflection, recognised to happen, whereas those related to communications data went much wider and were rightly the subject of concern. The Home Secretary will have to have a major rethink about that.

My fear is that there is a real danger in extending security-related powers into other areas. That undermines the case for the highly selective use of powers that are regarded as intrusive if that is necessary to prevent major threats to our lives and our safety, and when those threats cannot readily be detected, investigated or challenged in other ways. It is of a piece with the tendency to use the need for security to justify matters that should not be given that justification. Every time that happens, it slightly undermines the credibility of powers in areas where they are vital. That is why we should be careful about using such justifications.

Over the years, emergency, fast-tracked anti-terrorism legislation has often included provisions that are not justifiable, or even justified, by Ministers on security grounds; they are merely slipped into the legislation. For example, anti-terrorism legislation included provisions relating to conspiracy because the Home Office saw a fast train so booked a seat on it for other, no doubt reputable, provisions that were thought justified. When we have to abbreviate parliamentary scrutiny on the ground of urgency we should be cautious about the extension of security justifications beyond their proper scope.

I offer another example. It was widely claimed that the failure to use competitive tendering for the smallpox vaccine was for security reasons, despite the fact that the United States had used open tendering for the same vaccine. If there had been a security reason for that closed process, I am sure that it would have been drawn to the attention of the Intelligence and Security Committee, but it was not. I can say that openly because the Minister responsible confirmed it from the Dispatch Box in the other place—recorded in Lords *Hansard* on 22 May at column 765. He used a rather broader notion of security, which the statutory provisions allow, but it was not security in the sense that we are using the word in this debate, whereby it justifies extremely wide powers or special procedures. We must always beware of that factor in all our debates and discussions.

Finally, I want to discuss what the Committee is for. It has two broad aspects. The first is the scrutiny of the agencies; of their policy, administration and finance and, going more widely than their statute, their efficiency, probity and fitness for purpose. That is the job on which the committee spends a great deal of time. It draws those matters to the attention of the House through its annual report, which has to be published to the House by the Prime Minister. That also means that the committee draws those matters to the attention of the Prime Minister, which is one of the merits of our non-Select Committee status that might usefully be replicated if the Committee's status were to change.

The fact that the Prime Minister is under an obligation to meet the Committee, having read its report, and to discuss the report in some detail is generally useful and is one of the few means whereby the Prime Minister's mind can be focused on the broad issues of intelligence, especially in the absence of meetings of the ministerial committee to which several of my colleagues have referred. That is a valuable process, as most Prime Ministers would agree. That scrutiny process is one side of the Committee's work.

The second aspect of our work is reassurance. The Committee was set up—as were committees in several countries, including the United States—partly in response to the fear that all sorts of dubious things might go on within the veil of secrecy that surrounds intelligence and security organisations and nobody would know, possibly not even Ministers. Ministers might of course be party to such things, which might be done in their interest, and could be politically expedient or involve incursions into people's liberty far beyond those that could be justified in statute or publicly defended. There was a fear that such things might happen in future and some evidence that they had happened in the past.

Hon. Members look to the Committee to provide reassurance. The next best thing to every Member of Parliament being able to check for himself whether anything nefarious is going on is to have confidence that a group of colleagues in whom he can repose some trust has that access and would act if anything bad was happening. In order to provide that reassurance, the Committee must be privy to the widest possible range of information and, over time, we have reached that position.

Circumstances occasionally arise when we need to go further and there are sometimes skirmishes when we try to obtain the information that we require. Some of those skirmishes are ongoing, but it is vital for Members to be sure that we obtain the information and that when it is in our possession we apply the same judgments that they would apply. That is what members of the Committee try to do and we are enabled to do so by the now extensive range of information that we are given. It is what Members expect us to do and I hope that we live up to the task.

5.19 pm

Alan Howarth (Newport, East): It is a pleasure to follow the right hon. Member for Berwick-upon-Tweed (Mr. Beith). He was one of the founder members of the Intelligence and Security Committee, and he and the longer serving members of the Committee have mentored those of us who are more newly recruited, and I hope that we have brought a useful, fresh approach. Let me add my appreciation of the admirable chairmanship of my right hon. Friend the Member for Dewsbury (Ann Taylor). Let me also express my appreciation of the immensely competent efforts and hard work done in support of us by our secretariat.

I wish to reiterate the admiration of the agencies' professionalism that we have expressed in our report. My impression is that the agencies' professionalism grew during the 1990s, and I suspect that that has something to do with the legitimation of their establishment and their work in legislation from the mid-1980s onwards, particularly under the Security Service Act 1989 and the Intelligence Services Act 1994. That may also be the view of the agencies themselves. It has been helpful that their task has been made explicit and defined more clearly. It has been helpful in establishing some boundaries for what they do. It has been good for their esteem and standing in the public eye, and it has assisted them in recruiting the sort of people whom they need to recruit.

The agencies certainly need people with a remarkable range of skills and human qualities, among which is courage. The work at every level of the agencies is characterised by courage on the part of a very great many individuals, and I would add that the judgments and decisions that need to be made by those at the most senior level—particularly, of course, the chiefs—really do take courage. They undertake massive responsibilities on behalf of us all, so I gladly pay tribute to them, particularly Sir Stephen Lander, who is shortly to depart as head of the Security Service.

The Committee works on a basis of trust. The need-to-know principle is indispensable because, of course, sources must be protected. As the right hon. Member for Berwick-upon-Tweed has just said, we see a greater range of official papers and are privy to a greater amount of information than was the case in the past. One has to be pragmatic about this, but, because trust has grown, the scope for the Committee to work effectively has grown. When all is said and done, it is not in the interests of the agencies or Departments to fail to convince the Committee of the appropriateness of what they do, let alone to mislead us.

The Committee has done much to win the confidence of those whom it is our responsibility to scrutinise and, correspondingly, the Committee has much confidence in them, but it is, of course, our job to probe, to ask the awkward questions and to apply pressure, which is what we certainly intend to continue to do.

As the right hon. Member for Tonbridge and Malling (Sir John Stanley) noted, we are not a parliamentary Committee in a certain formal sense, but we are all extremely conscious of our responsibilities as parliamentarians and our responsibilities—albeit through the Prime Minister—to Parliament, so we must hope that our parliamentary colleagues trust us as members of the Committee. That is for them to judge and to say, but I have been pleased to hear several right hon. and hon. Members express their approval of the work of the agencies this afternoon.

Irrespective of whether the members of the Committee are appointed by the Prime Minister or whether we are constituted as a Select Committee, there would still be the need for confidentiality. I find it difficult to foresee that our modus operandi would change radically if we were to become a Select Committee, and I fear that those wretched asterisks would still appear in our reports. The irony is that we have to limit our accountability to Parliament to protect our democracy.

It is important that the agencies are in some ways insulated from the pressures of politics. Some of the earlier speeches, including that made from the Front Bench by the right hon. Member for West Dorset (Mr. Letwin), show us how public concern on high-profile and urgent matters—such as serious and organised crime—will very properly be mediated through Parliament. I am very well aware, as a Member of Parliament representing a Gwent constituency, how much we in Gwent and the Gwent Police owe to the expert support that the police have received from the agencies in certain investigations.

It has been noted that serious and organised crime is highly relevant to counter-terrorism. None the less, the agencies' priorities need to be balanced and must not be distorted by understandable public pressures.

[Alan Howarth]

Counter-terrorism, dealing with espionage, and dealing with the very dangerous threat from the proliferation of chemical, biological, radiological and nuclear weapons, about which my right hon. Friend the Member for Edinburgh, East and Musselburgh (Dr. Strang) spoke so eloquently, are at the heart of what the agencies do and they must be enabled to pursue a balanced approach, as I believe that they do.

Often what we hear less about is no less important, and of course we rarely, as members of the public, hear about the successes of the agencies. Al-Qaeda has inevitably been a huge preoccupation over a very considerable period and well before 11 September, but the danger from Irish terrorism remains a major preoccupation. Although there is less in the media about Irish terrorism than there is about al-Qaeda it does not mean to say that it matters any less. Equally, the India-Pakistan conflict and problems of Kashmir are almost unspeakably important, and no amount of other public preoccupation should distract the agencies from what they need to do in respect of that problem.

The agencies work in a changing environment. We now live in a world of macro-terrorism. As the right hon. Member for North-East Hampshire (James Arbuthnot) put it very well, the world had really failed to grasp imaginatively the reality of the possibility of suicide missions in the west, and of terrorist activity on the scale and of the pitilessness and effectiveness that we witnessed on 11 September. The Home Secretary effectively acknowledged that, when he met us in the Committee. We need to be at new levels of alert, of vigilance and of protection.

We also live in a rapidly changing technological environment. The technical capacities of Government communications headquarters, Cheltenham, working very closely and effectively, as it does, with the National Security Agency in the USA, and of the Ministry of Defence and its agencies working with the American National Imagery and Mapping Agency, are extraordinary. The capacity may be great but that itself creates a new problem because, whereas in the past there was a problem of a lack of intelligence information on the scale that might have been required, the agencies now perhaps suffer from a surfeit of information. The problem is looking for the needle in the haystack and the new challenge is how to ask the right questions so that one can interrogate these colossal databanks in order to focus on and pin down the vital information.

Hon. Members have spoken about the difficulties of balancing security and liberty, but what is clear is that without security there can be no liberty, and that presents endless dilemmas upon which we can torture ourselves. Parliament is right to be vigilant about the extension of powers to obtain communications data, and about the systems to ensure that data requests are properly authorised. I very much appreciate the words spoken by the Home Secretary on that issue this afternoon, and the important and constructive exchange between himself and the shadow Home Secretary. These matters may primarily be the responsibility of Committees other than ours. The Intelligence and Security Committee, however, has an important responsibility to satisfy itself that systems of warrantry, which are a key part of the guarantee of freedoms in this area of work, are operating as they should. We have paid particular attention to questions of staffing. If—I am glad that it is only a hypothetical possibility—there were significant extensions of power to other agencies to obtain communications data, it would be extremely important that the commissioners have the staff that they need to be able to oversee the system. The Government, in their response to our report, assert that there will be an appropriate level of resources. The Committee will wish to satisfy itself as to what that may mean in practical terms.

As many Members have asked, and as almost everyone outside the House asks in anguish, could the horror of 11 September have been prevented? Like others on the Committee, I was startled by the press release from the Foreign Affairs Committee. We must guard against the search for scapegoats. If there really were culpable failures, they must be identified, but such inquiries need to be pursued in a calm frame of mind. They are being pursued in the United States, and we shall see what the findings prove to be. We raised in our report the question of whether the assessment made by the Joint Intelligence Committee in June and July was sufficiently stark. My view is that the agencies, the Joint Intelligence Committee, and, in their turn, Ministers, acted as they should have done in that period. There were many indications that something very important and very dangerous was afoot—the reports coming in to Ministers made it very clear that al-Qaeda was preparing something monstrous. I do not believe, however, that anybody—certainly, in our agencies—was in a position to identity the precise nature of that threat. After all, it is fair to recall that the atrocity did not take place in the United Kingdom, although it affected many British lives and families.

Attempting to be wise after the event, I ask, what might have been done differently? I think that we were too greedy with the peace dividend after the end of the cold war. Budgets were reduced, and they began to rise only at the end of the last decade and at the beginning of this one. Even the civil contingencies unit was disbanded, which was surely a mistake. It represented a naive view of human nature. Of course we wanted to turn swords into plough shares, and to release resources to spend on public services or other good projects, but it was foolish to suppose that, with the fall of the Berlin wall and the end of the cold war, human nature had somehow altered. Tragically, hatred, violence, conflict and terror are endemic in human affairs.

As my right hon. Friend the Foreign Secretary said, and as the right hon. Member for Berwick-upon-Tweed has already recalled, essentially, the west walked away from Afghanistan, ignoring the pathology of that failed state. We need to reflect on the lessons of that mistake. We do not have to agree with everything that has been proposed by Samuel P. Huntington in his extremely interesting book, "The Clash of Civilizations and the Remaking of World Order". We should take very seriously, however, his suggestion that the real faultline—the areas where the risk of conflict is liable to be most acute—is where different civilisations and cultures meet and encounter each other. The lesson from that, if I may risk stating the obvious, is that, where Iraq is concerned, we should handle with care. Were we to pursue policies that caused the Islamic world to forget its many differences and to rally in antagonism to the west, that would be devastatingly unfortunate. Equally, we do not have to accept everything that Mr. Robert Cooper suggests to us, to accept none the less that we should give our serious attention to the pathology of failed states. There are implications there for countries in the west that make fine professions—for example, in the Doha round—but then introduce protectionist policies that might have been calculated to further impoverish already very poor areas of the world and to make them breeding grounds for resentment, hatred and terrorism. The better our policies and our diplomacy, the less pressure there will be on our security and intelligence agencies and on our armed forces.

Thinking again about what might have been organised better over the period, it has become commonplace to note that one of the distinguishing differences in this area between ourselves in the United Kingdom and our friends and allies in the United States is that in the US there is no MI5. The FBI is an organisation of a different character. It is essentially a policing operation, and its remit has been to apprehend criminals and bring them to justice after the crime has been committed. The culture of the FBI is being radically recast and the US is engaged in the creation of its Office of Homeland Security, but that is a difficult culture change. It is an immensely important one, and I wish our friends and colleagues there well.

Simple security routines are always liable to be neglected. How do we maintain the state of alert that we need? Airport security, as we saw, was perilously lax before 11 September. It is more laborious now; I wonder whether it is yet as efficacious as it needs to be. How are we to scan the myriad parcels and containers that come into our country day by day? It is not in human nature to maintain a permanent state of vigilance, yet it is extremely important that we do so.

Andrew Mackinlay (Thurrock): I have been listening intently to my right hon. Friend and I agree with what he says. The Government should address themselves to the nature of our seaports, where there is wholly inadequate security and law enforcement. Most sensible countries have a dedicated police force in their ports and we do not. We should have one, which would supplement and complement the immigration service, Customs and Excise and the county police forces. In that regard, I think that we are sleeping while Rome burns, so I hope that my right hon. Friend will not mind my intervening.

Alan Howarth: My hon. Friend makes an important point.

I am mindful that other hon. Members want to speak. I will therefore not say what I would have wished to say about co-ordination, and I will not explain why I strongly support the arguments that have already been advanced by colleagues on the Committee as to why the ministerial committee on intelligence services ought to meet. I simply conclude by saying again how much I personally esteem and value the agencies. I believe that they are hugely appreciated in Washington; I know that they are greatly appreciated by Ministers. It is a pleasure and a privilege to have the opportunity to be a member of the Committee.

5.39 pm

Dr. Julian Lewis (New Forest, East): The right hon. Member for Newport, East (Alan Howarth) may be a new member of the Intelligence and Security Committee, but it is obvious to me as a non-member of that Committee that he has taken to his new role admirably. His comments, particularly about the continuing need to monitor and counter potential Irish terrorism, were well made. Indeed, one of the points that I wish to put before the House this afternoon is that intelligence must not be excessively compartmentalised. It may be that some of the techniques that Britain has sadly had to learn in combating Irish terrorism will need to be applied to the new threats that we face from fundamentalist Islamist terrorism.

My right hon. Friend the Member for North-East Hampshire (Mr. Arbuthnot) rightly said that it cannot be regarded as a failure of intelligence not to know the details of a specific plan before it is put into action. He rightly talked of the need for imagination so that one does not spend one's time analysing what one's terrorist enemies have done in the past, but rather tries to foresee what new steps they are likely to take in the future.

What we have to face in dealing with fundamentalist Islamist terrorism requires a new type of approach and an ethos rather different from the way in which the Security Service has had to operate in the past. In the past, MI5 has often had to sit back, watch, monitor, bide its time and stay its hand so that when eventually the crisis came, speedy action could be taken. Now we are dealing with organisations that are rudimentary in terms of structure, lethal in terms of operation and limited in terms of numbers carrying out whatever particular plan they seek to implement.

It follows from that, as my right hon. Friend said, that unless there is some major failure of security within the terrorist cell itself—which will not happen often—one must be proactive, as I said in an intervention on him earlier, in seeking to dislocate, deceive and disrupt the organisation itself. We must keep the terrorist organisation on the back foot, and prevent it from having the time to reflect, plan and choose the moment at which it will implement action, rather being continuously on the defensive ourselves. In order to wage that sort of campaign against terrorism, we need a form of offensive intelligence.

In the slight spat that we have seen developing this afternoon between some members of the Intelligence and Security Committee and some members of the Foreign Affairs Committee over whether it was a failure, not necessarily on the part of British intelligence agencies, but on that of western intelligence agencies, that 11 September happened, I incline somewhat more to the view of my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley), who made a superb, indeed magisterial, speech.

I believe that it was known that al-Qaeda existed, what aims it entertained and what modus operandi it preferred. As I said earlier, it is precisely because individual schemes are unlikely to leak in advance, that pre-emptive measures must be taken to undermine terrorist organisations before they can get anywhere near to putting those schemes into action.

Old habits die hard, and having been fortunate to be called to speak in every debate on the intelligence services since they began in the previous Parliament, I am well aware of the fact that there are Members wishing to speak in this one who are in danger of not being able to do so unless I am particularly brief, so that is what I propose to be.

[Dr. Julian Lewis]

Last year I made rather a long speech about several small topics. This time I wish to make a much shorter speech about rather a large topic. The topic is, of course, terrorism, but only one aspect of it, and that links directly to something that has been a recurring theme in all my speeches, year after year, since we were fortunate enough to have these debates in the House on a subject that used to be regarded as out of bounds. That theme is the need for an active counter-subversion arm in the Security Service. We know that F branch used to do that job. We also know that with the end of the cold war, F branch was successively wound down and eliminated. I am not particularly concerned about whether, when the Security Service revives anything analogous to F branch—if it has not already done so—it uses the same name or an entirely different one. What we must realise is that in fighting fundamentalist Islamist terrorism, the Security Service has a particular task in hand: to ensure that such terrorism is not allowed to put down roots and grow, expand and fester in this country.

Terrorists operate in a strange arena of warfare. Using standard terror techniques, they can hope to do one of at least four things. They can hope indiscriminately to kill some hundreds or even thousands of civilians. More specifically, they can hope to target individuals such as politicians, service men, police officers or security personnel. By doing all that, they can hope to provoke repression in free societies. Sometimes, they can even hope, as is the case in Northern Ireland, to gain concessions, many of which they do not deserve.

By using weapons of mass destruction, however, terrorists can threaten the existence of entire communities and cities, and possibly even of entire democratic states. They are unlikely by themselves to be able to acquire free-standing weapons of mass destruction that would operate on the largest of those three levels. However, they have a way of getting around that problem by infiltrating other regimes such as those in countries that already either have nuclear weapons, such as Pakistan, or may have nuclear weapons in future, such as some of the countries in the now notoriously named axis of evil. It is especially disturbing that time and again, while we hear that the President of Pakistan is doing everything that he can to help the alliance forces root out al-Qaeda and its sympathisers, those terrorists seem to be supported, buttressed and reinforced by elements of Pakistan's own intelligence organisation. That is a very worrying issue and it must be a prime concern for MI6.

Returning to the problem in this country, we have to be concerned that if the organisation is not to put down the roots to which I referred, it must be completely transparent to our security authorities. In making the one key point that I wish to make in this speech, I want to divert for a moment to an obituary from yesterday's edition of *The Daily Telegraph*. Its relevance may not be immediately apparent, but I assure the House that it will become so very quickly.The obituary is for General Benjamin O. Davis Jr., who was commander during the second world war of the 99th Fighter Squadron at Tuskegee, Alabama. He flew 60 combat missions and then commanded the 332nd Fighter Group, escorting US bombers on 200 raids over Europe and ensuring that not one of them was lost. That fighter group shot down 111 aircraft and destroyed 150 more on the ground, for the loss of 66 of its own fighters. It destroyed hundreds of railway wagons, dozens of boats and even sank a destroyer.

What is the relevance of that information? It is quite simple: all the pilots in those two units were black. All were fighting two wars—the first was against the Nazis, but the second was against the prejudice in their own great country, the United States of America, against black service men. The obstacles that they had to overcome to be able to volunteer to fight and go on those missions would have deterred most people from even wanting to bother. They were descendants of people who had not become citizens of the US voluntarily, but had been brought there against their will. They nevertheless fought to save an imperfect democracy, which, on occasion, had given them little cause to admire it. In short, they were proud to be American patriots.

In the fight against terrorism in this country, we need allies, and those allies are members of the moderate Muslim community. Those people—or their forebears—came to this country voluntarily because they thought that this country's methods, freedom and tolerance would give them better lives than the countries that they left. The appeal that I want to put out, in so far as I can do so through the medium of a House of Commons debate, is to ask members of the moderate Muslim community to follow the example of members of the black community in America—and, if I may say so as a member myself, members of the Jewish community in this country. Jewish people fought in all the conflicts that have taken place since they became a community here, and they have won awards—the Victoria cross, the George cross, and probably just about every gallantry medal imaginable—in the course of serving with Her Majesty's armed forces.

Members of the moderate Muslim community now have an opportunity to assist our democracy to fight against an extremist awfulness that any right-thinking person who wants to be a citizen of a democratic country would utterly reject. The hon. Member for Southwark, North and Bermondsey (Simon Hughes), whom I am delighted to see in his place, made—if I may say so without prejudice against the many other excellent speeches—the most important single point when he said that it is vital for the Security Service to recruit members of that community to be able to wage the campaign against Islamist terrorism.

Joining the Security Service and becoming agents for democracy will be a very dangerous thing for members of the moderate Muslim community to do, but they will follow in a proud tradition. Black people fought for democracy in America, even at a time when America should have behaved rather better towards them. Those people have now risen to the very top. Colin Powell is Secretary of State and was formerly chairman of the joint chiefs of staff. I have every confidence that British moderate Muslims are as patriotic as British Jewish community members and British members of other communities that fought with the armed forces in war after war, for generation after generation. We think, of course, of the Gurkhas in particular.

I hope that one day, when people look back on this battle as they now look back on previous battles, it will be possible to say that it was not a war of race against race or of class against class, but of democracy against totalitarianism. I am sure that there will be brave British Muslims who will want to take part in that war on the right side.

5.53 pm

Mr. Kevin McNamara (Hull, North): I thank the Intelligence and Security Committee and its Chairman, my right hon. Friend the Member for Dewsbury (Ann Taylor), for its pamphlet telling us how the intelligence services work and for its last report. I also thank my right hon. Friend the Secretary of State for the Home Department for the compliment that he paid to the Select Committee of which I am a member—the Joint Committee on Human Rights. The right hon. Member for West Dorset (Mr. Letwin), who is no longer in his place, wondered why such matters are not dealt with in considering Bills. I can assure him that our Committee examines every Bill with any human rights aspect and publishes a full report. We do not take at face value what is written on the front of a Bill by any Secretary of State.

I read the Committee's report with great interest and I welcome the opportunity to debate it. I am one of those who believes that a large proportion of the work that is carried out by the intelligence and security agencies should not be secret at all, but should be wholly open to debate, and that the services should be held publicly accountable. That was our policy in opposition. We might be moving towards greater transparency, but the pace of change is so slight as to be imperceptible to the public at large.

Having been associated with affairs in Northern Ireland for some years, I have some knowledge of the intelligence agencies and their fight against terrorism and its impact on the political process, which we have not really considered today. The Committee's report states that the Security Service

"devoted 33 per cent. of its efforts to Irish Counter Terrorism".

Immediately, I am faced with problems—33 per cent. of its budget, of its agents, of its policy deliberation, of its time? Was the proportion of "effort" adjusted after successful negotiation of the Belfast agreement? What further adjustments were made to resources available for combating specifically Irish terrorism in the light of changing priorities following 11 September?

The intelligence services claimed credit for the successful conviction of three IRA terrorists for arms-trafficking charges. We all welcome that, and it is to the credit of the agencies. I know that an agency is able to claim credit for an operation only after the case has been successfully taken through the courts, so we do not really know how many operations have been thwarted—though I imagine a great number. However, many tricks of the trade must remain secret if they are to be successfully deployed on other occasions.

The upside of that secrecy is that terrorists might be led to believe that the intelligence agencies are all-seeing and all-powerful. They do not know where the subterfuge begins and ends, how deeply agent penetration goes or what are the agencies' objectives at any time. The downside of the policy is that we do not know either. We do not know to what extent, if at all, the agencies are overrunning the ethical boundaries.

There is a plethora of agencies in the field, each running agents, collecting information and conducting operations. The terrorist might be confused over who is who, but so are we, especially when something goes wrong and we want to find out who is responsible. So I should be grateful if the Foreign Secretary answered the following fundamental questions—in writing if he does not know the answer now. Which agency has the lead role in intelligence gathering in Northern Ireland, and what is its relationship with the reformed Police Service of Northern Ireland and other agencies there?

At times, the responsibility has been given to the Security Service—MI5—but the Royal Ulster Constabulary ran its own secret undercover unit in addition to special branch, which itself is described as a force within a force. The Secret Intelligence Service—MI6—ran operations at certain times, and an agent known as "the mountain climber" is widely acknowledged to have performed a most valuable role as a channel of communication between the Government and the IRA. More particularly, in relation to the Ministry of Defence, which agency is to be held responsible for the work of the former force research unit, which has been rebranded with a new name that is still an official secret? There was of course no mention of that unit in the report.

On 1 May 2001, Ulster Television broadcast an interview with a former RUC detective in the CID, Detective Sergeant Johnson—"Jonty"—Brown. In that interview, a number of allegations were made that the RUC special branch routinely blocked investigations and destroyed evidence in order to protect informers. That affected, among other things, the ongoing investigation into the death of the solicitor Patrick Finucane.

Jonty Brown insists that those actions were not random or opportunist, but were set out and codified in a set of instructions governing the relationship between the RUC special branch and CID. The instructions were in a memorandum issued from RUC headquarters on 23 February 1981. They, in turn, were based on a report commissioned by the Chief Constable in January 1980. That report was known as the Walker report. Its author, Patrick Walker, was at the time—I believe—second in command of MI5 in Northern Ireland. I understand that in 1989 he was appointed overall director of the Security Service. That memorandum was quite specific. It stated:

"All proposals to effect planned arrests must be cleared with Regional Special Branch to ensure that no agents of either the RUC or Army are involved."

The Intelligence and Security Committee pamphlet states, on page 3 that the requirements of the European convention on human rights led the Government to put the agencies on a statutory footing. But what is the relationship between MI5, special branch and the rule of law, when they appear to be breaking the rule of law?

It is alleged that young joyriders have been recruited as agents or informers in return for a promise of non-prosecution. Will the Minister guarantee—later, in writing, if necessary—that the intelligence agencies are prevented from running child agents or recruiting child informers? I cannot believe that such activities would be compatible with our obligations under the United Nations convention on the rights of the child. That allegation has been widely circulated in Northern Ireland, however.

I turn to another issue involving the rights of the child. In the late 1980s, the then Member for Brent, East brought a number of allegations to the Floor of the House concerning the Kincora boys' home in Belfast. The central allegation was that Kincora was run by vicious

[Mr. Kevin McNamara]

paedophiles who regularly subjected the children in their care to violent sexual abuse, and that attempts by the RUC to investigate the scandal were blocked by M15 to protect the director of the boys' home, who was providing valuable information about fringe loyalist paramilitaries at the time. If that is true, could such action by the intelligence services conceivably be justified? I ask that—in relation to the question of thwarting the role of the police—because a public inquiry into the circumstances surrounding the death of Pat Finucane now looks virtually inevitable. In that inquiry, an attempt will be made to hold the security services to account, and, by all accounts, the security services—in one guise or another—are in it up to their necks.

We have a British undercover agent, Brian Nelson, who worked his way up to be head of intelligence for a loyalist paramilitary group, the Ulster Defence Association. He is accused of selecting their targets, and he provided Finucane's personal file. We also have the special branch informer, William Stobie. He was the UDA quartermaster who provided the weapons to carry out the hit on Finucane and collected them afterwards. He warned his special branch handler that the attack was coming. Then we have the alleged hitman himself, Ken Barrett. He confessed to carrying out the murder, but special branch decided that it would be better to drop the prosecution and to run him as an agent instead.

The credibility of those allegations may rest in part on the necessary limitation of the intelligence services remaining secret. But the Stevens inquiry will be coming out shortly, and there are enormous policy implications for the work of the agencies, following the incidents that I have described, that would also have enormous long-term political implications, not only for Northern Ireland but for here, if they were to spread to the rest of these islands. Those of us who were in the House at the time will remember, during the early part of Harold Wilson's second Ministry, the rumours about what was happening in the special intelligence agencies. It was eventually established that they were true. That could happen again, and we need to be certain that it is not going to.

The Irish Government have established a judicial inquiry into the investigation of the Dublin and Monaghan car bombings in 1974 that resulted in 33 deaths—a higher death toll even than the Omagh bombing. The British Government have agreed to assist the inquiry in answering persistent allegations that the operation was conceived and engineered by undercover agents working inside loyalist paramilitary groups. It is also alleged that Irish police intelligence on the identity of the perpetrators that was passed on to the RUC was not acted on. This version of events is endorsed by several former policemen and security service personnel. I trust that, in helping the Dublin inquiry, there will be no withholding of information by our own specialist intelligence services.

On another matter, the Ministry of Defence is currently fighting a legal battle to enforce its injunction against the *Sunday People* newspaper to prevent it from printing further information concerning the operational role of an undercover agent, "Stakeknife", alleged to be a leading figure inside the IRA. The newspaper has claimed that the agent participated in up to 40 murders in order to maintain his cover and protect his identity. That is an amazing statement, if it is correct, and we ought to be very concerned about it.

I have made grave criticisms, and I hope that one day we shall be given some answers. Before I finish, however, I want to pay tribute to the many men and women in the security forces and intelligence agencies who have not behaved in the way I have described, but have acted with great bravery and dedication. They put their lives on the line because they believed that their work would allow others to live in safety. I pay tribute to them: the nation owes them a great deal.

It is ironic that just as the Belfast agreement offers us a chance to move on, the culture of secrecy threatens to engulf some former agents who say they are being left high and dry with no acknowledgment of their work and no pension. Those people feel that they have no one to turn to. I understand that they intend to release a video to publicise their grievances. It is possible that the nature of their employment prevents them from going to the tribunal that has been established. If that is so, I urge the Committee to consider inviting them to give evidence so that these matters can be established. It cannot be for the good of the country that a group of people who have put their lives at risk should have such an enormous sense of grievance about the way in which they have been treated that they are prepared to release a video explaining their actions.

I think it is a matter of urgency for the Committee to consider a new approach in Northern Ireland, given the recent history of the intelligence agencies there; for it to urge the agencies to co-operate fully with public inquiries relating to the Patrick Finucane murder and the Dublin-Monaghan bombings, and any other cases that may appear; and for it to begin to develop a new mode of operation that will bring all its activities within the rule of law, and make them comply with the human-rights obligations into which this country has entered.

6.7 pm

Adam Price (East Carmarthen and Dinefwr): This has been a fascinating debate. I am pleased to be able to speak briefly; I am conscious of the time constraint.

One theme that has run through the debate is the fact that intelligence can never be 100 per cent. accurate. It is often said that the only certainty in the world of intelligence is its inherent uncertainty. Echoing that in a recent article in *The Guardian*, the outgoing head of M15, Sir Stephen Lander, denied that 11 September was due to a failure of intelligence but conceded that it was due to a failure of security. He said that those who expected 100 per cent. success from intelligence were living in cloud cuckoo land.

We should bear in mind, however, the fact that there have been some fairly spectacular failures on the part of British intelligence in the past. Time prevents me from going into detail, but I think it can be said that, in general, intelligence failures occur not during the gathering of information but during assessment. As the right hon. Member for Newport, East (Alan Howarth) pointed out, that problem is becoming more critical in an age of information overload in which intelligence-assessment pressures are greater than ever before.

Indeed, we live—more generally—in a world of far greater ambiguity and uncertainty in terms of geopolitical realities. In that context, it is difficult to assess the objectives of adversaries. There are no objective criteria; everything is based on finely balanced judgments. In that context, certain preconceptions and prejudices can creep into intelligence assessments. Intelligence agencies rely on mental maps, filters and assumptive words which allow them to make connections and assess the wealth of information at their disposal. It is therefore vital that we have the widest possible engagement with the a priori assumptions that lie at the base of the operations of our security services.

I accept that, by their very nature, the day-to-day operations of the security services have to remain confidential, but given the mental maps that lie at the base of intelligence service activities, it is vital that we have a full debate. In that sense, security is too important to be left to the security services.

Several hon. Members have referred to the culture of the security services. It is something that we can perceive only through a glass darkly. Certainly I have no direct experience, but historically there have been suggestions of institutional sclerosis within the intelligence agencies and a degree of retroactivity. The hon. Member for New Forest, East (Dr. Lewis) referred to the possibility that they were recruiting from too narrow a base in cultural and social terms, a fact which, since the end of the binary certainties of the cold war, may have inhibited the ability of the security services to think outside the box—to use lateral thinking.

As we know from management thinking, large, centralised, vertically integrated, hierarchical organisations are not the best environments for sparking creative thinking. Perhaps we need a discussion about the culture and the wider institutional setting that will allow the intelligence agencies to engage more effectively with a world that is characterised by more chaotic phenomena than in the past. There is a role for public debate, certainly in terms of the assumptions that underlie the work of the intelligence agencies.

Internal co-ordination also fits into this context. Clearly, it is useful to be able to draw on a wide variety of different sources and views within Government in terms of setting priorities, and there may be a debate as to whether our more collegiate, community-based intelligence system serves us best in terms of facilitating that internal co-operation.

There is also a need for external co-ordination in terms of intelligence sharing. It is one of the contradictions of intelligence that, while it needs to be kept confidential, it has to be shared if it is to be acted on internationally. As the Secretary of State for Defence said recently, we need to create a new community of interest as a basis for trust in which intelligence sharing can be facilitated within NATO and, increasingly, in other forums within the European Union and more widely through the UN Security Council.

The right hon. Member for Tonbridge and Malling (Sir John Stanley) eloquently drew attention to the changing nature of security threats. The meta-narrative of security threats and the sources of global insecurity raise issues that stray into foreign policy and international development is at the heart of the debate. That point was made by the right hon. Member for North-East Hampshire (Mr. Arbuthnot) and by Mikhail Gorbachev in his visit to Parliament yesterday, who also picked out the issue of water shortage as a key long-term threat to global security. That is an important element in considering the sources of the next wave of insecurity. As has been said, our focus has shifted from the cold war to international terrorism, primarily in the context of Islamic fundamentalism. However, what will be the next source of global insecurity in 10, 15 or 20 years' time, and how does that relate to the wider issues?

Greater transparency and accountability improve the security services' efficiency and effectiveness. Importantly, certain intelligence failures during perhaps weaker periods in the British intelligence services' history occurred not because of a surfeit of parliamentary scrutiny, but because of an absence of it. In keeping with the point made by the right hon. Member for Newport, East, the greater professionalism of—and perhaps the change in the cultural ethos of—the security services may in part be attributable to this House's increased openness and transparency in its dealings with security matters. The creation of the Committee is a very important step forward, but it still operates within a ring of secrecy. I hope that the process will be evolutionary, and that we will see greater transparency. It is legitimate to ask Juvenal's question: who watches the watchers? It is vitally important that we maintain scrutiny.

Although we are very grateful for the report, it reads slightly curiously. Paragraph 21 states:

> "For example, analysis of *** *** and the Service has worked to develop *** ***."

That does not exactly illuminate the Committee's deliberations. Will the Minister say whether such asterisks could be removed, at least in relation to the security services' priorities? The order of priority of the different sources of security threat is a legitimate area for parliamentary scrutiny.

6.17 pm

Patrick Mercer (Newark): I am delighted to follow the hon. Member for East Carmarthen and Dinefwr (Adam Price), and I was also very interested to hear the comments of the hon. Member for Hull, North (Mr. McNamara). The latter worried me slightly, until he started to discuss those brave men and women who died in action against loyalist and republican thugs in an often very dirty war in Ulster. I am delighted that he paid tribute to them, and I join him by paying my own.

I was especially impressed by the speech of my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley), who expressed in practical terms and with particular clarity the threat that we face. He made it clear that the United States of America is taking this threat seriously. I have no doubt that the tempo of al-Qaeda terrorist operations—its attacks on embassies in east Africa and on the USS Cole, and its attacks of 11 September—is being repeated. I very much hope that the intelligence agencies' successes can be translated into successes on the part of those agencies that can do something about this threat. It is all very well being warned and having good intelligence agencies, but we have to do something about the threat. On 4 July, the American nation took the threat very seriously. I wonder if this nation takes it seriously, and I wonder about the level of complacency that we sometimes see—certainly on the surface.

I wish now to bore down—perhaps "bore" is the wrong word—into the relationship between the Security Service and special branch. The Security Service was reorganised

[Patrick Mercer]

in 1989 so that the 53 special branches came under the leadership of the Security Service for operational purposes. However, one or two things have gone wrong with that relationship. For example, the Security Service is excellent at gathering intelligence. The right hon. Member for Dewsbury (Ann Taylor) mentioned gaps inside our security agencies, and the fact that the Security Service gathers the intelligence but has great difficulty with its executive arm—in the shape of the special branch—is one of those gaps.

Ann Taylor: The gaps that I was talking about were not of that nature. We were concerned that the concentration on post-11 September issues might mean gaps in intelligence cover in other parts of the world and that future problems might develop. I just wish to put the record straight on that point.

Patrick Mercer: I am grateful to the right hon. Lady. She might like to add my gap to her list for a future occasion. It is difficult for the Security Service to act on the intelligence that it produces so long as special branch exists in the way that it does. For instance, the chief constables of the various regions are called upon to provide the officers from their special branches for operations dictated by the Security Service. At the moment, there is no cohesion of effort from the Security Service down.

All the Security Service can do is to disrupt operations. What does disrupt mean? As far as I can understand it, disruption means the Security Service going to those who are intent on badness and saying to them, "We know what you intend. Pack it in—stop it." The service might also instruct its surveillance agents to make themselves obvious. That may have worked in the cold war era. Russian agents may have been deterred by such operations, but these days, disruption—against a terrorist enemy—is not well defined. Indeed, it is not sanctioned by legislation and it may clash with the Human Rights Act 1998. That is why there is a need for special branch to be able to carry out the work of the Security Service on a clearer basis.

If we look in more detail at how chief constables organise their special branches, we see that it has been suggested that one of the northern constabularies has reduced its special branch establishment from 23 officers to eight. Of course, chief constables have to provide the funding for special branch operations that are not necessarily their own. Indeed, the Metropolitan police's special branch may require chief constables to provide officers to help them when operating in the regions. One can empathise with the chief constables reducing the numbers if they are told to achieve results in fighting what the Royal Ulster Constabulary used to call ordinary, decent crime. Special branch officers are expensive and a drag on chief constables' budgets.

The three operational areas with which special branch deals—Irish terrorism, domestic terrorism and international terrorism—have completely different operational procedures. Strangely, special branch has no remit at present for dealing with loyalist terrorism. The Security Service clearly supervises it in that role.

On domestic terrorism, which includes animal rights, environmentalist and extreme left-wing and right-wing terrorism, special branches fall under a completely different organisation—the national public order intelligence unit, not the Security Service. For some unaccountable reason, the National Criminal Intelligence Service deals with sporting public order, such as football hooliganism—as opposed to non-sporting hooliganism, whatever that is.

Finally, special branches also have to deal with international terrorism not via the Security Service, but via an organisation called the police international counter-terrorist unit. I am sure that the Foreign Secretary will agree that that is a move in the right direction, but may I enter a plea to the effect that PICTU is far too small? It is about six people strong, and it needs extra resources if it is to prove effective.

My point is that special branch never really knows who its boss is in any of these circumstances. Under the current, rather muddled system, the Metropolitan police special branch can quite frequently be called on to deploy its anti-terrorist branch for operations anywhere inside the United Kingdom. That means that budgets from the Metropolitan police are used to counter terrorism elsewhere inside the British isles. Officers from the constabularies can be conscripted to work under the anti-terrorist branch, but there is no cohesion or chain of command. There is nothing that special branch understands in terms of anti-terrorist operations on a day-to-day basis.

There are other points which, regrettably, time prevents me from making. However, I should like to quote a senior special branch officer who says:

> "In short, and in my view . . . the whole British structure is an inefficient mess, and speaking as a practitioner, it is not clear to me which agency is ultimately responsible to the British public for protecting them from terrorism (below the level of Home Secretary, that is). It could be the Security Service, the Chief Constable of the area concerned or the National Coordinator".

In other words, the Metropolitan policeman could be called on in these circumstances.

I do not wish to carp and complain. I believe that two distinct things could make special branch more efficient and make it work with the Security Service more efficiently. The first is regional special branches, an idea that I believe is being considered. More efficient, perhaps, would be a national special branch which, understanding the limitations of budgets, could provide a solution to the problem.

I very much hope that we are not recalled again this summer, either for a drama, emergency or disaster abroad or, more particularly, for a disaster in this country. If we are, it will not be because of a failing of the security services but because of complacency on our part.

6.28 pm

Mr. Alan Duncan (Rutland and Melton): May I begin by presenting the apologies of my right hon. Friend the Member for Devizes (Mr. Ancram) for being unable to contribute to the debate? He has, of course, written personally to the Foreign Secretary.

We have witnessed a responsible and enlightened debate, albeit a slightly surreal one. We have witnessed a display of openness conducted in a strange penumbra of secrecy. There is a risk with the format that has emerged in the House that people either know too much and must choose not to say it or know too little yet have to choose something to say. None the less, this has been a valuable exercise.

The House has chosen to place its trust in those of our number who sit on the Intelligence and Security Committee to act out in their work the difficult balance that it has been decided to strike between democratic accountability and the serious exercise of covert intelligence, both domestic and foreign. It is a balance that I think we have got right. We have a model that many might study and that we may yet export to other democracies across the globe.

I congratulate the members of the Intelligence and Security Committee on their report and on all their work. They fulfil a vital, if necessarily mysterious role in ensuring the proper and responsible oversight of our intelligence and security agencies.

Following the terrorist outrages of 11 September, we are all only too aware of the uncertain and dangerous world in which we must now work. The attacks on the United States were, arguably, not the turning point. That had perhaps come much earlier, with the fall of the Berlin wall and the end of the cold war. Those events ushered in a new era. Gone were the old certainties of the two superpower blocs and their allies facing and counterbalancing each other, and in had come a new fluidity not seen for decades.

That fluidity has given rise to new challenges that we must face: international terrorism, which can strike anywhere, without warning and without scruple; weapons of mass destruction in the hands of unscrupulous regimes or rogue states; and instability engendered by famine, insurgency or civil war, with the failed states that can result.

We should not forget that, domestically, we must be aware of the need to guard our homeland against internal as well as external threats. Intelligence has always been at the centre of the war against terrorism in all its forms. Good intelligence can make all the difference between a threat materialising or being tackled before it can cause damage. In this world of asymmetric threats to our country and to our citizens, where tanks and missiles are no defence against the perilously placed chemical jam jar, good intelligence and forewarning can be a far more potent weapon in our armoury.

In taking on the challenges posed by moving away from the bloc mentality to greater fluidity, and perhaps also from containment to pre-emption, accurate knowledge and intelligence are vital for us to determine the appropriate level of response or pre-emptive action. Intelligence, human and technical, becomes an ever more important resource for us and our allies.

There has perhaps been too little mention of our allies in this debate. There has been very little mention of the United States. In a climate of growing anti-Americanism, which I absolutely deplore, we should never underestimate the value of our close and friendly links with the United States on the very topic that we are discussing.

It is invidious to single out one of the 15 speeches that we have heard today, but the whole House will applaud the work of the right hon. Member for Dewsbury (Ann Taylor) in her chairmanship of the Committee. She spoke of counter-terrorist successes. It is good to know that there have been some, but it is unhappy to know that we were at risk. It is better that such threats were pre-empted than if we had had to witness the carnage that would have followed. She was impressed by the new co-operation among the various agencies, which is heartening to know about. She referred to the reduction in spending in the 1990s, which led to the shortfalls mentioned in the report and by the right hon. Member for Newport, East (Alan Howarth).

The only tiny failure that I can spot is that, as Chairman of the Committee, the right hon. Lady interviewed the previous Chief Secretary to the Treasury in ignorance of the fact that he was about to be moved.

I want to place on record my respect and praise for the work undertaken, often at great personal risk, by the men and women of our intelligence and security services in protecting each and every one of us, often from threats that we do not even know exist.

I am encouraged that the report, and indeed the Government's response, shows a refocusing of money and priorities on meeting the challenges posed by 11 September. In these circumstances, it is essential to adapt, and it is encouraging to see that that is what we are doing.

I strongly agree with the Committee's comments on the appointment of John Scarlett as chairman of the Joint Intelligence Committee, and as intelligence co-ordinator, in line with an earlier ISC report suggesting that those posts should be filled by someone from within the intelligence community. We welcome the appointment of such an able person.

As many right hon. and hon. Members have said, the report recommended that the ministerial committee on the intelligence services—the CSI—meet annually to review intelligence requirements and priorities. We believe that the services need policy guidance if they are continue to do what is expected of them. That point was made in particular by my right hon. Friend the Member for North-East Hampshire (Mr. Arbuthnot).

Although the report is generally positive and the work of members of the services is rightly praised, it is concerning that, at an administration level, the report notes some weakness in the United Kingdom's secure communications equipment and in the languages that the services are able to cover. Those points were mentioned by the hon. Member for Southwark, North and Bermondsey (Simon Hughes) and in paragraphs W and S of the recommendations. I trust that the Government are addressing those issues as a priority. I invite the Foreign Secretary to comment when he winds up the debate.

Domestically, the Security Service should remain seized of the need to engage constructively with mainstream Muslim sentiment in the United Kingdom. Those participating in the debate have touched on a point of the utmost importance. Much of the perceived threat comes from people from Muslim countries who are furious, or rendered furious, by differences in their own countries or by other global issues that inflame their thinking and their actions. I cannot praise too highly the comments of my hon. Friend the Member for New Forest, East (Dr. Lewis), who pointed out the importance of drawing into the culture of our security and intelligence services people in our country who are not the conventional Oxbridge types whom we assume step into these jobs. We should also engage people from Muslim communities and of a Muslim background who are, as my hon. Friend said, as much patriots as any of us in the House. That is crucial to the future efficacy of those services.

[Mr. Alan Duncan]

The right hon. Member for Newport, East also made a thoughtful contribution. He said that we should understand what generates terrorism, and why people act as they do. It is not just an understanding of our own country that is sometimes lacking, but an understanding of other countries, which is crucial to our understanding of the broader interest and motivation that causes many of the problems that we face. We must understand opinion everywhere if we are to understand the problems with which we are all trying to wrestle.

I am pleased that the Government accept the need to address problems with the management and accounting processes at GCHQ, and that they are monitoring these matters. I hope that they will move swiftly to resolve any remaining problems over meeting the required accounting standard, which, as my right hon. Friend the Member for North-East Hampshire said, may bedevil us for a third year—we hope that it will be only two.

I think that everyone in the Chamber agrees that the form of oversight that has emerged in the past few years works well. The Committee's reports are useful in ensuring that channels of accountability and parliamentary oversight remain effective. The nature of the work of the intelligence and security services obviously causes constraints to be placed on the degree of openness and oversight that is possible, but the requirements of the European convention on human rights, among other things, have necessitated a more defined statutory footing for the services. The Security and Intelligence Committee, the commissioners and the tribunal all serve to provide oversight and accountability, as do debates such as this one today, and the persons of the Prime Minister and Secretaries of State.

It is always difficult to strike a balance between openness and accountability and the need for secrecy to protect agents and work being undertaken, but I believe that we have been pretty successful. I hope that that balance will be carefully preserved in the future, and that the Committee will continue its good work.

6.39 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): When I became a Member of the House 23 years ago, the very existence of the security and secret intelligence services was not publicly admitted, still less was there any semblance of parliamentary scrutiny of their work. It is a great tribute to the maturity of our democracy that in the intervening period there has been a considerable increase in the depth and breadth of parliamentary scrutiny of the work of the agencies. Far from that undermining public confidence in the work of the agencies and the esteem in which the individuals working for them are held, the reverse has been the case.

As someone who for five years had responsibility for the Security Service and, for the past 13 months, for the Secret Intelligence Service and GCHQ, I pay my tribute to the Intelligence and Security Committee for the way in which, by holding us to account, its members enable us better to fulfil our statutory responsibilities in respect of those services. I know that I also speak for my right hon. Friend the Home Secretary.

I begin, therefore, by paying a warm tribute to my right hon. Friend the Member for Dewsbury (Ann Taylor) and to all her fellow members of the Intelligence and Security Committee in both this and the other place for their work. The fact that Ministers from five Departments provided evidence to the Committee this year shows the value that the Government as a whole attach to its work.

By way of a further preliminary, I endorse the remarks of my right hon. Friend the Home Secretary in respect of the retirements of Sir Stephen Lander, as director general of the Security Service, and of Mr. John Warne, as director general of the organised and international crime directorate—although as he is usually the first to point out, he is director general against organised and international crime and not for its propagation.

I was loyally and proficiently served by Stephen Lander and wish him well. I was also extremely well served by John Warne, who had the task, within the Home Office, of co-ordinating its arrangements for holding the Security Service to account, for liaising with special branch in London and elsewhere, and generally in developing the work of the Home Office with other agencies, including the National Crime Squad and the National Criminal Intelligence Service, against organised and international crime. I warmly wish him well for the future.

We have moved from a period when there was almost no scrutiny of any of the agencies, which were all non-statutory, and there was no statutory provision for intercepts of any kind to the present situation where the oversight of our intelligence and security agencies is as comprehensive as any in the world. I shall deal in a moment with the point raised by the right hon. Member for Tonbridge and Malling (Sir John Stanley) as to whether that might be further developed with a Select Committee.

When we consider the arrangements in other European Union countries, we can see how far ahead we are; no European country has comparable arrangements. In endorsing the tribute paid by the hon. Member for Rutland and Melton (Mr. Duncan) to our relationship with the United States agencies and to those agencies themselves, I note that the only country with the same depth of accountability is the United States.

Mr. Dalyell: Before the Foreign Secretary leaves the United States, is he minded, before the recess, to accede to the request made to him by the Lockerbie relatives that there should be a public inquiry into the international aspects of Lockerbie?

Mr. Straw: I explained to the Lockerbie relatives that I did not see a case for a public inquiry into what had happened, but that I was going to look into whether other arrangements for scrutiny could be established. I realise that my hon. Friend put a number of detailed questions while I was away from the Chamber and I shall write to him in response to them.

I welcome the recognition given in the Committee's report to the work of the agencies in protecting national security and economic well-being and in tackling the threat of organised crime. I also pay tribute to all the individuals who work for the agencies for their esprit de corps and courage. I have met many of them during the past five years, and they are very dedicated people who are not able to seek public or even semi-private social endorsement for the work that they do.

Hon. Members have mentioned the work of the Joint Intelligence Committee, under John Scarlett, and I greatly endorse their comments. I would say to those who have asked questions about the co-ordination of intelligence work in this country that co-ordination is always difficult because there will be different intelligence sources, and there would be even if there were a single intelligence and police operation for domestic and overseas operations—not something that I would propose—but we work more effectively at co-ordinating intelligence sources than most other countries in the world. That has a great deal to do with the JIC.

Several right hon. and hon. Members—including the right hon. and learned Member for North-East Fife (Mr. Campbell), my right hon. Friend the Member for Gateshead, East and Washington, West (Joyce Quin) and the right hon. Member for Berwick-upon-Tweed (Mr. Beith)—have raised the issue of the appointment of Sir David Omand as the security and intelligence co-ordinator and permanent secretary to the Cabinet Office.

As the House knows, Sir David Omand has huge experience in relation to intelligence and security. He was my permanent secretary at the Home Office, until he had to step down from that position when he got lymphatic cancer at Christmas 2000. It is a tribute to his tenacity, as well as to the treatment that he received in the national health service, that he has made a full recovery and has been appointed to his new post. He will bring singular qualities to his position. He will act as the accounting officer for the single intelligence account. He will be the chairman of the permanent secretaries committee on the intelligence services and of the official committee on security, both of which meet regularly. He is also chairman of the Civil Contingencies Committee and has oversight of the civil contingencies secretariat.

One of Sir David's many experiences was of being responsible for civil contingencies when we were at the Home Office. That included dealing with the hijacked Afghan aeroplane that landed in February 2000, and the fuel dispute, both of which he and I will remember in almost every particular.

Mr. Arbuthnot: I am worried because I agree with absolutely everything that the right hon. Gentleman has said so far, particularly his tribute to Sir David Omand. Does the Foreign Secretary agree that scrutiny of the intelligence and security services would be strengthened even more if the ministerial committee were to meet? Will he prevail on the Prime Minister to cause that to happen?

Mr. Straw: I wanted to deal with that issue later, as several right hon. and hon. Members have raised it—including my right hon. Friend the Member for Dewsbury and the hon. Member for Southwark, North and Bermondsey (Simon Hughes)—but let me do so now. Formal meetings of such committees is a matter for the Prime Minister, but I want no hon. Member to get the idea that the Ministers concerned do not meet regularly, particularly my right hon. Friend the Home Secretary, myself and the Secretary of State for Defence and the Prime Minister. At one stage, post 11 September, such meetings took place two or three times a week, so there is a lot of co-ordination at ministerial and official levels.

I shall deal with some of the other points that have been made during the debate.

Mr. Beith: Will the right hon. Gentleman give way?

Mr. Straw: I shall deal with those points, and I promise that I shall then give way to the right hon. Gentleman.

The hon. Member for Southwark, North and Bermondsey asked whether the current split between the National Crime Squad, the National Criminal Intelligence Service, the Security Service and the Secret Intelligence Service should continue, and other hon. Members asked whether the split between Customs and Excise and the immigration service should continue. I simply say that the exact organisation of our security and law enforcement agencies nationally is kept under review. My instinct is that the first test should always be, "If it ain't broke, don't fix it", and a huge amount of time and cost can be wasted in reorganisation, but if a case can be made for it, it should be considered. I certainly recognised—although it is now much more a matter for the Home Secretary and the Chancellor of the Exchequer—that there was a strong case for better co-ordination and for joint operations between, for example, customs and the immigration service.

The hon. Member for Southwark, North and Bermondsey asked me about secure communications. We are taking active steps, about which I am happy to brief him and other hon. Members outside the House, to improve the availability and usefulness of secure communications.

Interwoven in several contributions have been comments about the Regulation of Investigatory Powers Act 2000 and amendments made two years later by the Home Secretary. There was an interesting exposition by the right hon. Member for West Dorset (Mr. Letwin), the shadow Home Secretary, which led to him suggest—himself in the end, with a bit of prompting from others—that he was a tortured liberal.

Mr. Colin Pickthall (West Lancashire): All liberals should be tortured.

Simon Hughes: Some of us are fine.

Mr. Straw: My hon. Friend the Member for West Lancashire (Mr. Pickthall), who is as good a socialist as ever I have met, and who also happens to be my Parliamentary Private Secretary and therefore has no need to protest his liberality, says that all liberals should be tortured. However, there is a serious point here.

Of course we have to secure a balance between law enforcement and civil liberties; that is what this place is for. However, listening, as I have done in the past 13 months, to some comments about the Regulation of Investigatory Powers Act and the Home Secretary's subsequent provisions, I have sometimes thought that I was in a different world from everyone else, because it is worth placing on the record the fact that RIPA and the subsequent measures were introduced not to strengthen the hands of law enforcement agencies but rather to regulate them more effectively.

I take for example one area of regulation—that of the availability and usefulness of call data. By that I mean not the contents of telephone calls but data showing who has called who and when. That information is very important for law enforcement agencies. I first became aware that that had not been the subject of statutory regulation during a debate on the 1996 Police Bill, when my hon. Friend the Member for Cynon Valley (Ann Clwyd) intervened on the remarks that I was making from the Opposition Front Bench to ask whether that was a gap in the law. I had not been aware of that before. I said that yes, it was,

[Mr. Straw]

and made a note of it. When I got to the Home Office I followed it up, and that was the main reason why, subsequently, we ensured that that area was properly regulated. To suggest that what the Home Secretary is doing, and what I did, was to introduce new powers against liberties is a perversion and the reverse of the truth. Instead, we have been better securing the regulation of those powers.

The right hon. Member for Tonbridge and Malling raised the issue of whether there should be a Select Committee in place of the present statutory Committee. I have always said—I made it clear to the Committee previously—that I am open-minded on the matter. If there were a Select Committee, it would have to report in a similar way to the present Committee—it is a great tribute to the Committee that it operates, as it were, as a Select Committee—but I understand the importance of Parliament's having Select Committees to do this work and I consider that we need to keep the matter under particular review.

My hon. Friend the Member for Hull, North (Mr. McNamara) asked who had the lead responsibility in respect of security in Northern Ireland. The answer is that because of the special situation in Northern Ireland, the Police Service of Northern Ireland has that lead, although obviously it works in close collaboration with the other security and intelligence agencies.

Mr. Beith: I wanted to intervene earlier because I was not sure that the right hon. Gentleman had fully conceded or recognised how dependent this new arrangement between the Cabinet Secretary and Sir David Omand is on the quality of Sir David. If he had not been available for the position, it is very questionable whether it would have been right to transfer responsibility for the intelligence agencies from the Cabinet Secretary, who plays such a vital role. I hope that the right hon. Gentleman will recognise that, some time in the future, when new personalities become involved, we might have to look at the matter again.

Mr. Straw: Without going into all the details, which would be quite inappropriate, of course, the Prime Minister made the appointment bearing in mind the high qualities of Sir David Omand. There are many other people around in Whitehall who have similar high qualities, but it goes without saying that the Prime Minister would not have made the appointment unless he was absolutely satisfied about the quality of the candidate that he chose.

I want to deal with one of the central elements of the report from the Intelligence and Security Committee: the question of whether the agencies were in any way negligent in failing to predict the terrorist attacks in New York on 11 September. I want to put on record that, during 2000 and 2001, right up to 11 September, there was a high level of awareness among the agencies of the threats posed by Osama Bin Laden and the al-Qaeda network to United States and United Kingdom interests. The ISC has noted that both the United Kingdom and United States agencies achieved some notable successes against al-Qaeda targets in the three-year period running up to 11 September. Although, for obvious reasons, details of those successes cannot be made public, I can say that plots to carry out attacks in the United Kingdom, the United States and elsewhere in Europe and the middle east were thwarted.

The ISC notes that the UK was active in focusing international attention on Afghanistan and the Taliban before 11 September. The intelligence reports and assessments provided by the UK intelligence community in the period up to 11 September left no room for complacency about the likelihood and imminence of major terrorist attacks. I therefore fully endorse the Committee's conclusions that the agencies did not overlook any intelligence that would have forewarned of the attacks on 11 September. There was intelligence, but it was not complete, and it was not known where or when the attacks were to take place, nor who would carry them out. A re-examination of material across the intelligence community has not found any evidence that, even with the benefit of hindsight, that intelligence could have been used to deter or to give advance warning of the attacks.

Of course, what the agencies have done, as we have done, is to seek to learn the intense lessons of 11 September. Throughout the period since 11 September we have been guided by the principle that the causes—to pick up a point made by my right hon. Friend the Member for Newport, East (Alan Howarth)—as well as the symptoms of the problems must be treated. Our goal remains as set out in our paper on "Campaign Objectives", a copy of which was deposited in the House last October.

Our most visible action has been in Afghanistan, where the military operations succeeded in severely disrupting the al-Qaeda operations. With our assistance, the Interim Administration have destroyed what is probably up to 25 per cent.—we are not entirely sure of the proportion—of this year's poppy harvest, a crop that has funded terrorism and put heroin on our streets. Meanwhile, a huge international humanitarian, diplomatic and political effort has underpinned political and democratic change in Afghanistan, without which there can be no permanent solution to Afghanistan being a seedbed and school for terrorism elsewhere in the world.

We have promoted counter-terrorism measures in the European Union, in the G8 and in NATO, and we have been working with the international community to disrupt sources of finance for terrorists. In that context, I hope very much that the official Opposition and the Liberals will give full support to the Proceeds of Crime Bill as it passes through Parliament. Of course, everybody has signed up to the principle of fighting terrorism, including the funding of terrorism, in which crime plays such an appalling part, but what we must do is ensure that the law enforcement agencies and the courts have effective powers to do that.

As I said, our international strategy in the war against terrorism recognises causes as well as symptoms. Although no political cause can justify terrorism, our approach has been informed by the need to resolve conflicts that breed violence and resentment.

The role of the intelligence agencies in protecting our national interests has never been under greater scrutiny. Commentators in the United Kingdom as well as in the United States have sought to portray the events of 11 September as an intelligence failure. That is not the case. Those critics fail to recognise a fundamental point about intelligence work: by its very nature, when it works—which is usually the case—the public rarely get to hear about it. The criticisms neglect to take account of a depressing but fundamental fact about the intelligence business: the agencies have to be right all the time; terrorists only need to get lucky once. In that—

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

PETITIONS

A11

7 pm

Mr. Richard Spring (West Suffolk): I wish to present a petition signed by 1,271 readers of the *Bury Free Press*, residents of Tuddenham in my constituency and other towns and villages, to express their concern about the dangerous crossing of the C624 and the A11, which has claimed lives. The petitioners ask that the Secretary of State for Transport take urgent action to prevent further accidents.

The petition states:

The petitioners therefore request that the House of Commons urge the Secretary of State for Transport to take immediate action to improve the A11 at Tuddenham.

To lie upon the Table.

Firework Safety

7.1 pm

Mr. Henry Bellingham (North-West Norfolk): This petition is signed by more than 500 constituents of mine, who are extremely concerned about firework nuisance. Over the past few winters, there has been a big increase in firework abuse, with injury to pets and farm animals. I wrote to every veterinary surgery and many local action groups—hence the 500 signatures.

The petitioners request that the House of Commons urge the Government to conduct an urgent review of our fireworks legislation and to legislate, among other things,

To restrict the times of the year fireworks can be bought;

To restrict the times of the day fireworks can be set off; and

To license all vendors of fireworks to meet strict safety criteria and to give trading standards the power to revoke the licence of any vendor caught selling fireworks to under-age children.

To lie upon the Table.

Graffiti

Motion made, and Question proposed, That this House do now adjourn.—*[Joan Ryan.]*

7.2 pm

Siobhain McDonagh (Mitcham and Morden): I am grateful to have secured the opportunity to draw the attention of the House to an issue that is a constant, nagging headache for my constituents. Although it never features in nationwide opinion polls, it is the matter about which I receive most letters and about which people stop me most in the streets of my constituency.

We have debated graffiti on a number of recent occasions in the House, and I have received countless surgery visits, letters, telephone calls and e-mails from people whose homes, streets and local surroundings are persistently blighted by the mindless handiwork of the graffiti vandals. Not only does it visibly drag a community down when there are graffiti on fences, shop fronts, stairwells, bus stops and post boxes, or the windows of local buses have been scratched with glass-cutters or drawn on with permanent marker pens, but it tangibly affects the fear of crime in a community. In the end, it affects the community deeply.

I grew up in the constituency that I now represent, and in recent years I have seen a marked increase in graffiti in Mitcham, Morden and Colliers Wood. It often seems that as fast as the graffiti are cleared away, they reappear—often in a much worse form. People, particularly the elderly, are scared to go out if their neighbourhood is targeted by graffiti vandals. If we are serious about doing more to tackle crime and the fear of crime, we must do more to tackle graffiti. My constituents are deeply aggravated by graffiti vandalism. They want effective action on it, as do most hon. Members, I am sure.

Graffiti vandalism is commonly thought of as the random, thoughtless activity of an isolated few. That is only partly true. It is a far more organised criminal activity than many people realise, and like paedophilia and drug crime, it includes a great deal of underground activity on the internet. Because the activity has reached such an organised scale, businesses and private individuals spend millions of pounds each year trying to prevent and remove graffiti, and local authorities in London are spending millions to deal with the problem, too. Graffiti vandalism is a very costly crime indeed.

In the London borough of Merton, half of which covers my constituency, dealing with incidents of graffiti has become increasingly challenging for the council over the past two years. The volume of graffiti has increased and local residents feel that the action that has been taken to remove graffiti and to identify the culprits has not been enough to address the scale of the problem. One has only to walk down roads near Mitcham common, in Ravensbury or at Tooting junction, or even down my own road, to see what they mean.

Along with robbery, burglary and race crime, quality of life crimes such as graffiti are now one of Merton's big policing priorities. In common with other London boroughs, Merton council has its own graffiti strategy focused on three key aims: first, a reduction in the incidence of graffiti; secondly, improved responsiveness in graffiti removal; and thirdly, integrated communications, including campaigns, publicity and information.

[Siobhain McDonagh]

Because of that approach, some progress has begun to be made, largely due to the council responding to the concerns of residents. The key during the past six months has been the funding made available from the Home Office, which was secured by Merton Metropolitan police, supported by Merton council. That created the innovative FLAG project, which covers fly tipping, abandoned cars and graffiti.

The result has been better partnership between the council and the police, and significant progress in intelligence gathering and information exchange, enforcement, graffiti removal, public engagement—awareness raising, reassurance and participation in graffiti removal squads—and the engagement of other key stakeholders, including the London fire brigade, the utilities and transport providers and, on graffiti, to a more limited extent, the business community. I understand that Merton will round off the FLAG initiative with a clean-up day in hotspots in the borough in late September, in which I hope to take part.

Merton is now building on the experience gained through FLAG by integrating many of the initiatives into its crime strategy and continuing the monitoring and working relationship by embedding it into its own partnership against crime implementation group. The council hopes that some projects that it has initiated on a voluntary basis can be backed up by legislative change and funding made available to take the work into integrated baseline services.

But all Merton's work and all the targeted policing in the borough does not stop graffiti. Anyone who stands in virtually any street in my constituency can see that the battle is not yet being won. Stopping graffiti completely is virtually impossible, but it is possible to limit, contain and police it while tackling the root social causes. That is where Government and business can and must play a stronger part.

We need concerted action from Government. A borough-by-borough approach can displace criminal damage activity simply as a result of different standards being applied. Equally, when one borough gets tough on environmental crime, vandals may go further afield to commit their crimes and obtain the necessary tools. Interviews with young people arrested for graffiti show that the spray paint was often obtained outside the borough. Have spray can, will travel; do not have spray can, will travel. As likely as not they will scratch and graffiti the public transport that they use in doing so, so strong central direction is needed from Government.

I realise that the Minister will have difficulty in commenting on a matter of business, but I for one would like to see more support coming from businesses, first in the form of voluntary restrictions on the sale of the tools of graffiti. A recent, small-scale, voluntary scheme in Colliers Wood high street has been successful in that 26 of the 27 businesses approached signed up to restricting their sales once the full seriousness of the problem that they were inadvertently adding to was explained to them. But small shopkeepers need to be helped in the fight against graffiti by larger companies, especially the companies that make the very paints, pens and cutters that they sell.

Corporate social responsibility is a hot issue. On its website, the Corporate Responsibility Group, which is just one of the many bodies that big businesses of all kinds are signing up to, states:

> "A key part of any corporate social responsibility programme will be a focus on involvement with the local community—either directly or via partnerships within the community or voluntary sector organisations . . . community involvement can take the form of charitable donations, gifts in kind, employee volunteering initiatives and staff secondments. Yet many companies are also now developing sustainable and mutually beneficial partnerships with community and voluntary organisations working in a variety of fields—including education, regeneration, employment and homelessness."

I hope that the Minister will agree that there is a case for the companies that make and distribute the tools of graffiti—the spray paint manufacturers, glass-cutter makers, DIY shops, craft shops and garage and car maintenance shops—to do more to combat the environmental crime and local misery that their products are causing. A proportion of their profits should be used to clean up the areas in which they supply products or trade. I want to encourage the makers and sellers of the tools of graffiti to do more to ensure that their products do not fall into the wrong hands. I also want the Government to do more to achieve the same ends by introducing legislation to ban the sale of spray paints to people under 18.

The Minister will know that I have urged the Government in the past to take legislative measures to deal with graffiti. Last year, I exchanged letters with the Home Office to press for an amendment to the then Criminal Justice and Police Bill to prohibit the sale of spray paints and marker pens in the same way in which the sale of fireworks is prohibited. This was the reply from the Under-Secretary of State for the Home Department, my hon. Friend the Member for Coventry, North-East (Mr. Ainsworth):

> "Such a measure, although initially attractive, may penalise those who do have a legitimate reason for purchasing these products. It is also unlikely to deter the determined graffiti artists from obtaining them and continuing their criminal activity and it is hoped that retailers would as a matter of course give consideration to those to whom they sell such products. With regard to the sale of glass-cutters, Section 6 of the Offensive Weapons Act 1996 prohibits the sale of knives and certain articles with a blade or point to persons under the age of 16."

Of course, there may be young people with a legitimate reason for purchasing such items, but I still do not see why, if they have such a reason, they could not ask parents or responsible adults to obtain them on their behalf. That is the situation with fireworks—and it works and is wholly sensible.

Nobody would seriously suggest that we can entirely stop the determined graffiti vandal—I will not use the word "artist" because graffiti is a crime of vandalism and vandalism is not art—but the point is that such a measure would be a significant step towards weakening the resolve of the casual and less determined. Incidentally, with regard to glass cutters, I do not agree that retailers of such items regard them in the same way as knives and other bladed items.

I also wrote to the Home Office about extending police stop-and-search powers to cover spray paints, marker pens and glass cutters. This was the reply:

> "There are no plans for this . . . the police already have the power to arrest anyone whom they reasonably suspect has committed or is about to commit the offence of criminal damage. Where vandals are

> found in possession of these items with the intention of damaging property or already having done so, the criminal law can be brought to bear."

Will the Minister indicate whether the Home Office position is open to change on that point? I ask that question because the discussions that I have had with serving police officers suggest that, although they have powers of arrest, they do not feel that they have what they would consider more appropriate powers to stop and search.

In chapter 2 of "Police Powers", it is made clear that the tools of graffiti are not

> "prohibited articles for the purposes of the power of stop and search under section 1 of the Police and Criminal Evidence Act 1984."

To paraphrase section 1 of that Act slightly,

> "A constable . . . may search . . . any person or vehicle"

or

> "anything which is in or on a vehicle, for stolen or prohibited articles".

A later provision explains that prohibited articles are intended to mean articles likely to be used in burglary, theft, vehicle theft or obtaining property by deception.

It appears to me—perhaps the Minister can clarify this point for me—that there is still a grey area that needs to be dealt with in terms of police stop-and-search powers for the tools of graffiti. Certainly, it is the belief of serving officers that they do not have the powers that they need to deal with graffiti vandals. To check on that issue in the light of the difference of opinion between my local police force and the Home Office, I have today spoken with our area commander and a number of police sergeants. They are all adamant that they do not have those powers.

I fully appreciate that stop-and-search issues, especially in London, are difficult and have been so for years. I believe, however, that the problems of street crime are now so great that many people would be happy for those powers to be extended, especially if they are used sensitively and if some upper or lower age limit were applied to those changes in the rules.

No one would seriously suggest that central or local government is to blame for the eyesore of graffiti on our streets. Nor would anyone suggest that manufacturers and retailers are to blame. The vandals are to blame and it is up to the Government and business to join the local authorities and police in seeking ways to limit and discourage their criminal activities. It is a matter of social responsibility and I implore the Government, as they did with abandoned cars, to take firm legislative action on graffiti.

7.15 pm

The Minister for Policing, Crime Reduction and Community Safety (Mr. John Denham): I begin by congratulating my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) on securing the debate. In a very constructive and purposeful speech, she clearly explained why the problem of graffiti is a serious issue—not only in her constituency, although she graphically described the situation there, but in many other parts of the country. She is right to say that we need a concerted effort that must involve the Government, police and local authorities, but also the corporate sector, in tackling the problem. I shall try to respond to a number of the points that she raised.

Just to confirm the impact of graffiti, a Home Office study published in 2000 estimated the cost of criminal damage, which includes graffiti, to be £4.1 billion in the year 1999 to 2000. Of course, that is not all down to graffiti, but it is a significant issue. As my hon. Friend said, it has a social cost and can have a negative impact in terms of making an area feel run down and contributing to the fear of crime. It can also be a factor in deterring small or large businesses from investing in an area that looks neglected.

The British crime survey shows that public concern about graffiti and vandalism is increasing. I cannot anticipate the British crime survey that we will publish tomorrow, but it would be in line with previous trends if public concern was rising. I entirely agree with my hon. Friend that we cannot allow criminal damage, which is a crime, to be described as or claimed to be art. That needs to be said very clearly.

The Government want to take the graffiti problem seriously. If we are able to tackle graffiti successfully, we will contribute to more attractive public spaces for everyone to use, and one of our objectives in the next few years, especially in many of our urban areas, must be to reclaim public spaces for ordinary, decent, law-abiding people and their families to enjoy free of the fear of crime and antisocial behaviour.

Given the title of the debate, I want to make a few points about business. There will be potential in future for making use of the business improvement districts described in the local government White Paper that was published last year. Business improvement districts will allow local authorities and local businesses to work together to put in place local projects to improve their area. Projects can cover a wide variety of objectives, including improvements to the quality of the local environment, the street environment or parks and open spaces.

There would effectively be a contract between local authorities and local business for additional services or improvements, funded by a levy raised through an additional rate. Businesses would know in advance how much would be raised and what it was being raised for. All businesses in the area would have a say in whether the scheme went ahead. If a majority were in favour, all ratepayers would contribute to the costs of the scheme; if a majority were against, it would not go ahead. We will need legislation to implement the business improvement district scheme. It is a way, among a number of important environmental initiatives, of building on existing collaboration between local businesses and local councils to tackle graffiti. In London, Great Yarmouth and Coventry, the circle initiative has set up business improvement district-type schemes, which are running successfully.

My hon. Friend mentioned restricting the sale of graffiti materials. Many people say that that makes sense to business people and local residents who are trying to eradicate graffiti from their area. We are aware of several local authorities that have been in the process of developing voluntary codes for vendors, of which my hon. Friend gave an example. Those are schemes whereby shops agree not to sell graffiti materials to people who are under the age of 16 unless they are accompanied by an adult. Shops taking part in the scheme display notices in their windows, and often the local authority trading standards department tests how effectively the code is

[Mr. John Denham]

working. A recent report by the London Assembly's graffiti investigative committee cited such voluntary initiatives, saying that although they work well, they need to be part of a range of measures to be most effective in preventing graffiti.

Clearly, as my hon. Friend said, retailers need to be supported in their efforts by integrated schemes to tackle graffiti at local level. Crime reduction partnerships have an important role in examining issues in their areas and developing the right local solutions. I congratulate my hon. Friend's council on explicitly mentioning graffiti as one of the top priorities in its partnership, reflecting the importance given to antisocial behaviour in its strategy.

The London Local Authorities Bill includes measures that would make it an offence in the course of business to supply aerosol paint or indelible marker pens to any person apparently under the age of 18. It would require retailers to restrict physical access to those materials, and that would apply to the area covered by London borough councils. The Bill has now had its Second Reading in the House of Lords.

My hon. Friend rightly said that we have resisted calls for national legislation banning the sale of spray paints and marker pens to those aged 18 or under. There has always been an argument about the balance to be struck between denying access to materials that can be used to cause criminal damage and allowing others who have legitimate uses to purchase them. My hon. Friend made her case rather persuasively. The measures in the London Local Authorities Bill, if enacted, could provide a useful pilot for determining the effectiveness of such an approach and whether we should be seeking to extend it further.

My hon. Friend raised what is probably a fresh issue: the extent to which manufacturers of materials that are used for graffiti should in some way be invited, encouraged and possibly even, as she suggested, compelled to contribute to the costs of the clean-up. I am not sure whether that issue has been examined in any detail, but I am certainly more than happy to refer her comments to my colleagues in the Department of Trade and Industry who have primary responsibility for the matter. I cannot make a commitment on the outcome, but the issue is certainly worth drawing to their attention.

There is another area of corporate responsibility for the clean-up. Clearly, the quicker graffiti can be cleaned up, the longer areas are likely to stay clean. Not all but a lot of the graffiti is so-called tagging, the aim of which is to leave a personal mark on a property. Some of the incentive to do that would be destroyed if graffiti were removed pretty quickly after it had appeared.

It is right to say to businesses that they need to play their part—especially companies that own street furniture such as telephone boxes, bus shelters and cable company utility boxes. They need to take responsibility for removing graffiti promptly from those structures. Local authorities are not able to require private companies to remove graffiti from their property. There needs to be a common, responsible approach towards graffiti among all service providers.

In most cases, the siting of cable boxes on the highway will have been exempt from planning control. That calls for companies to think carefully about where boxes are placed and to have agreed ways of keeping them in good order. Those producing street furniture need to think about how it can be made less attractive as a target to those intent on causing damage. As my hon. Friend said, I am aware that in Merton utility companies and transport operators are being approached regarding partnership working in order to achieve effective and timely removal of graffiti from their equipment and property in conjunction with council-led initiatives. I hope that that is successful; it is certainly the type of corporate responsibility that we want to encourage.

Others have not taken responsibility for removing graffiti from their property, and local authorities have found that they cannot do so because they would be liable for any damage caused. It is interesting that the London borough of Southwark secures a written disclaimer from companies before removing graffiti. Other local authorities are adopting that way of working, and we would like to encourage that.

Various town and country planning legislation enables local authorities to secure the removal of advertisements, but not graffiti. The legislation also allows local authorities to take action against occupiers and owners of land whose condition adversely affects the amenity area.

In view of the lack of time, I will not go through a list of local authority initiatives, such as hotlines for the reporting of graffiti and priority for the removal of racist, sexist and other offensive graffiti. Fortunately, such initiatives are developing in many places up and down the country. One of the responsibilities of my Department, under our overall commitment to reducing antisocial behaviour, is to bring together these examples of good practice and to make them widely available to crime and disorder reduction partnerships, so that people can build on that good practice.

There are a number of circumstances in which offending behaviour and cleaning up graffiti can be brought together, not least in relation to the role of the national probation service, which often requires groups of offenders to clean off graffiti as part of their community punishment order, enabling them to carry out work that is of benefit to the community and that can help them to see the effects of the damage on local communities and businesses.

My hon. Friend raised the issue of the ability to stop and search to establish whether a person was carrying materials that had been, or might be, used for creating graffiti. She highlighted the lack of clarity in this area that had been described to her by serving police officers in her borough. The law allows police officers to stop and search in relation to any arrestable offence. There is, however, a question about whether creating graffiti qualifies under that definition; it would depend on the extent of the damage. She is right, however, to put her finger on an operational problem for the police, whatever the law might say.

My hon. Friend is also right to say that, for a whole range of reasons, stop and search is a sensitive issue, and we would need to take steps in that area only after proper consideration. We just happen to be carrying out a fairly extensive review of the guidance relating to the Police and Criminal Evidence Act 1984, to which my hon. Friend referred. As she has raised this issue, I will ensure that that review—which is being undertaken jointly by the Home Office and the Cabinet Office—takes the opportunity to examine the passages that she has quoted from the underlying legislation, to see whether it might be appropriate to make any change. I cannot make any commitment on the outcome of that tonight, but, as that review is taking place, let us take the opportunity to see whether we can help with this issue.

My hon. Friend referred to public transport, including its use to go to another borough to get hold of spray paint. She is right to say that the damaging of public transport by glasscutters, and the spraying of graffiti on to vehicles, trains and their surroundings on the underground, in bus stations and at bus stops is a persistent problem. As a result, we face the costs of repair and replacement, the dangers that this behaviour can cause to the travelling public and to staff, and the delays to services through people being injured while producing graffiti. We must also take into account people's fear for their personal safety and the fear of crime, both of which are engendered by graffiti, which can make travelling unpleasant and may, in some cases, deter the public from travelling at all. We certainly see it as an important role of local crime and disorder reduction partnerships to examine graffiti issues on and around the transport system, and to work with private transport companies to tackle graffiti quickly and effectively.

Another area in which the corporate sector has a role to play, particularly in innovation, is in good design, whether of street furniture or of the materials used in construction, so as to make them less prone to attack by graffiti criminals, and to make clean-up quicker, cheaper and more effective where it does take place. We would like to encourage work on that.

I should like to highlight the initiatives that the Government are taking to increase the number of people available to patrol the streets of our towns and cities, involving a huge expansion in the number of neighbourhood and street wardens. Also, the measures in the Police Reform Bill—which received its Third Reading last night—to introduce community support officers and accredited community support officers will provide an enormously valuable complement to the work of the police in my hon. Friend's constituency and many others. One way of deterring graffiti is to have a sense of public order in our streets and communities, and the larger number of people—along with the police and the specials—who will be able to patrol those communities will help to tackle many types of antisocial behaviour, not least of which will be graffiti.

Question put and agreed to.

Adjourned accordingly at half-past Seven o'clock.

House of Commons

Friday 12 July 2002

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Behaviour Improvement in Schools

Motion made, and Question proposed, That this House do now adjourn.—*[Joan Ryan.]*

9.33 am

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): I am pleased to have the opportunity to open today's Adjournment debate on improving behaviour in our schools—my first opportunity to open an education debate from the Dispatch Box.

I shall say a few words about education more generally. Education is at the heart of what brought me into politics and the House. As I am sure is the case for Members on both sides of the House, my parents, but especially my mother, greatly influenced my outlook. From a working-class background in the east end of London, my mother passed the 11-plus and went to Dame Alice Owen's school but was expected to leave at 15, which very much affected her outlook and the way she brought up my sister and me. We were very much encouraged to regard education as a way forward in our lives.

Education provides a ladder of opportunity. It unlocks talent and empowers people, so it is a vital weapon in the fight against disadvantage, deprivation and poverty. It also enables us to promote a society in which rights and responsibilities are valued. Behaviour in our schools is at the core of many of the key challenges facing us in debates on education policy, including the debate on how we can improve standards in all our schools; the inclusion debate, on promoting inclusive education and equality of opportunity; the debate about truancy, violence and street crime; the debate about how to give a platform to young people—empowering them, listening to them and acting on what they say; and, of course, the crucial debate about how to recruit and retain the best possible teachers in all our schools.

Behaviour in schools is an important issue with far-reaching consequences, which is why we take it very seriously indeed. It is a priority not just in the Department for Education and Skills but across Government. Poor behaviour has a ripple effect throughout society. From the occasional truant to the hardened street criminal, from heckling in class to serious incidents of bullying, poor behaviour leaves its mark on those whom it touches. For example, low-level disruption in class can demoralise teachers and pupils alike. Behaviour such as talking over the teacher and deliberately distracting others can have a long-term cumulative effect. The atmosphere in class changes, gradually grinding down pupil and staff morale, often resulting in lower standards overall and difficulties in teacher recruitment and retention. That is just one way in which poor behaviour can manifest itself.

The statistics on behaviour in our schools speak volumes. Forty-five per cent. of teachers leaving the profession cited poor behaviour as the main reason.

Michael Fabricant (Lichfield): I am following the Minister's arguments with considerable interest. I taught for a year before going up to university—it was an interesting experience. One thing I learned was that communication is sometimes more important than education when one is trying to involve the class. However, a sanction is also needed. Does the Minister appreciate that many teachers feel that because they have virtually no sanction any more to punish, in the broadest possible sense, they can do very little to achieve good behaviour in a class where there is a will against such behaviour?

Mr. Twigg: The hon. Gentleman said that teaching was an interesting experience. I am sure that it was interesting for him, as well as pupils and fellow staff members.

The hon. Gentleman is correct—we need to get the right balance between carrot and stick. Young people need positive incentives to be in school and behave well, but schools must also have the capability to deal with bad behaviour. I shall come to that in a moment. As I said, almost half the teachers who leave the teaching profession cite poor behaviour as the main reason for doing so. Getting to the root of behaviour problems before they result in a child falling behind in lessons is therefore imperative. Once a child has fallen behind, it is hard for them to catch up again. It is all too easy for them to continue playing up in class or playing truant, perhaps even ending up being excluded.

Once children have been excluded, it is much harder to reintegrate them into the mainstream and help them with their problems. It is at that point that many of our young people fall into a spiral of decline. We know that exclusion can swiftly lead a young person down a slippery slope, with 72 per cent. of excluded children committing an offence while out of education.

At the same time, the numbers of children with behavioural problems are increasing: 6 per cent. of children have clinically identifiable behavioural problems and 4 per cent. have emotional problems. Up to one in four of the children who do not reach their attainment targets has behavioural problems, which of course can mask underlying learning difficulties. As 80 per cent. of children with emotional and behavioural difficulties are in mainstream classes, their learning and the learning of those around them will be affected.

Poor attendance at school and truancy are obviously indicators of wider behavioural challenges. Addressing them as part of the overall strategy to improve behaviour is vital—the children concerned are vulnerable and at risk of becoming victims of crime, or drifting into crime themselves as perpetrators.

We are well aware of the impact of alcohol and drug misuse and abuse on the behaviour of young people. The children of our country are the future of our country, and their life chances cannot be jeopardised. There are clear and unarguable links between drug and alcohol use and offending by young people—we know that from the street

[Mr. Twigg]

crime initiative that the Government launched a few months ago. More needs to be done in this regard, in particular in addressing alcohol abuse by young people. In the autumn I will issue new guidance to schools on alcohol education. I will also seek the views of young people as to how we can most effectively take forward our strategy on alcohol and, in particular, alcohol education in schools.

I know that there will be concern about the announcement this week reclassifying cannabis from a class B to a class C drug. Some teachers may be concerned that young people will view that as a licence to bring cannabis into schools. Let there be no mistake: we will not tolerate drugs in schools, and we will do all that we can to support teachers and other staff in making drug-free schools a reality.

Mr. Laurence Robertson (Tewkesbury): Does the Minister accept that while it is the task of Parliament and Ministers to pass legislation, the message sent from this place is equally important? Does he therefore also accept that the message sent this week to children about drugs is wrong?

Mr. Twigg: No, I do not accept that. There are good arguments for the reclassification, as set out by my right hon. Friend the Home Secretary this week. As it happens, yesterday afternoon I visited the Highlands school in my constituency and spoke to a group of 12 and 13-year-olds. The reclassification of cannabis was a live issue with them, as it was the leading news story yesterday. We are dealing with sophisticated young people. We can certainly send out a powerful message, but they can differentiate. They understand what we mean when we say that we want to focus police time, effort and energy on hard drugs such as heroin and crack cocaine, but they also understand that we are not in any way saying that cannabis is acceptable in our schools.

Mr. Robertson: I am grateful to the Minister for giving way again: he has been generous. Does he accept what many police officers tell me—that most heroin users start off with cannabis?

Mr. Twigg: We are in danger of straying into a different debate, but I know that that proposition is contested.

Mr. Barry Sheerman (Huddersfield): Most alcoholics start off with half a shandy.

Mr. Twigg: My hon. Friend makes a point about alcoholism. It was one I discussed in the school that I visited yesterday. Alcohol has a considerable effect on peoples' lives: many die on our roads and in our hospitals as a result of it. I do not want to go too far down that route, but it is clear that there are differences of opinion on both sides of the House and within the police force. The leadership of the Metropolitan police and the Association of Chief Police Officers have endorsed the announcement that was made this week.

Whatever happens on that issue, all of us in the House can agree that improving drugs education is vital, and conducting our drugs education in a style and in language that will resonate with young people is crucial if it is to be effective—indeed, if it is to be more effective than in the past.

Another key issue that we need to tackle head-on is bullying in our schools. That is a crucial element of any successful policy to improve general behaviour in schools. I know that most schools treat the matter extremely seriously, and that there are many positive examples of schools which ensure that their pupils know that bullying is wrong and they cannot get away with it. In September we will re-issue our anti-bullying guidance pack. We will do all we can to ensure that we are working with and assisting schools so that pupils are not left to suffer in silence.

All bullying is wrong, whatever form it takes. We know that there are aggravating circumstances in certain instances of bullying. A great deal of work has been done, for example, to tackle racist bullying, which involves children being picked on because of the colour of their skin, their religion or their ethnic origin, and the bullying of disabled children or children who are a little bit different.

Michael Fabricant: I am encouraged to ask the Minister whether he is aware of bullying that goes on in Scotland against English pupils there whose parents have moved to Scotland to work? Does he agree that that is also a deplorable form of bullying?

Mr. Twigg: Of course. Racist bullying, whatever form it takes, is wrong and must be tackled.

Let me focus briefly today on homophobic bullying. A survey in 1996–97 showed that only about 6 per cent. of schools referred specifically to homophobic bullying in their written anti-bullying policies. Such policies are now a legal requirement, and I fervently hope that more of those policies in schools will acknowledge homophobic bullying and set out how it should be tackled. That is very important not only in dealing with a serious problem but in helping those who suffer homophobic bullying to overcome any reluctance to report it. For too long, this form of bullying has not been given the priority that it deserves. I want it to be addressed in a sensible and sensitive way in our schools.

The trauma caused by homophobic bullying—whether the pupil is gay or straight, or whether the pupil knows what their sexuality will be—can have a huge impact on learning and emotional development. Many callers to Childline report feeling suicidal because of the homophobic bullying that they are facing. However, there are many examples of good practice to draw on.

Mr. Phil Willis (Harrogate and Knaresborough): I am delighted that the Minister is including homophobic bullying in his speech opening the debate. Will he also address the problem of homophobic bullying of teachers? That is a very real issue. Is he aware that section 69 of the School Standards and Framework Act 1998 contains an open agenda for the homophobic bullying of teachers in single-faith schools where, because homosexuality is not an accepted part of a particular faith, it could be a reason for a teacher to be sacked or not to be employed at that school? Will the Minister give an undertaking to look into the matter and to issue guidance?

Mr. Twigg: I am happy to give an undertaking to examine the matter. I am aware of it. The message that must go out from the House and from Government is that such bullying and behaviour are unacceptable anywhere in our society and in any school.

I am pleased to say that there are some positive examples of good work that is being undertaken to tackle bullying and discrimination against pupils and also against teachers. I put on record a tribute to the teaching unions, which have been in the vanguard of work on the issue, even when it was much less easy for people to speak about it, and to the Stonewall group.

I should like to cite an innovative project—the Bolton homophobic bullying forum, which uses various methods, such as staff awareness training, follow-up work in personal, social and health education lessons, and theatre work to target homophobic bullying in its pilot schools. I am pleased to pay tribute to that excellent work in Bolton and in some other schools. I want to work with schools generally to make such initiatives the norm, rather than the exception.

Naturally, we all want to do all that can be done to persuade schools and others that all forms of bullying need to be tackled decisively, and not swept under the carpet. I hope that as many schools as possible will obtain a copy of our new anti-bullying pack when it is launched in the autumn. All of that highlights the need to deal with behavioural problems before they adversely affect other pupils.

We have invested significant amounts of money to improve behaviour and to deal with those issues. More than £600 million has been made available through the standards fund to tackle bad behaviour and truancy. Last year, £163 million was allocated to tackle truancy and exclusions.

More than 1,000 learning support units are helping to prevent disruption to mainstream classes by providing separate short-term teaching and support for disruptive pupils at risk of exclusion. Such units can have a profound effect by helping challenging pupils to improve their behaviour. We recently published good practice guidance based on the experiences of the best learning support units so that they can extend their influence, as in-school centres of excellence in behaviour management, to helping teachers in the classroom with advice on behaviour improvement strategies that really work.

Under the excellence in cities programme, 3,500 learning mentors are developing one-to-one relationships with children who need extra support, as a result of which pupils can be kept in school and working while their behaviour problems are tackled.

I pay tribute to the work done by the Connexions service, working closely with pupils over the age of 13. Connexions is now up and running in half of England, and will go national next year. More than 2,000 personal advisers are already in post, with a large proportion based in schools, helping pupils to raise their aspirations and motivation, and working with them to tackle issues and barriers that could lead to poor behaviour, truancy, exclusion, and on to crime. Excellent work is being done in many schools and I am delighted that it is being extended.

More than 330 pupil referral units have been set up for children who need additional support and whose problems cannot easily be tackled in school. They deal with children who have been excluded or who are simply not managing in mainstream classes, and they are successfully improving behaviour, attendance and attitudes to learning because of the broad, tailored curriculum and support that they are able to offer to pupils. The 2002 report from the chief inspector of schools pays particular tribute to the improved and improving performance of those units. Clearly more needs to be done to achieve excellence throughout, but progress is being made.

Simply targeting the pupils who are posing the problems is not the most effective way of raising standards of behaviour. We must lay the foundations of promoting good behaviour in the classroom. That does not just mean good classroom management, although that is important; it means giving interesting lessons that capture and hold pupils' attention, and teaching styles that engage in order to encourage pupils to stay in school in the first place. We are working through the key stage 3 strategy to ensure that the pace and quality of lessons improve, so that children are keen to learn.

More widely, we are encouraging schools to develop far greater engagement of their pupils, so that schools become places where children want to be. Some schools offer activities such as arts, sports and voluntary learning activities for pupils before and after school and in the holidays. Evidence shows that those activities help pupils to gain new skills and increase their confidence, and that their behaviour and attitude to learning improve.

Michael Fabricant: I am grateful to the Minister for generously giving way to me a third time. I totally agree with what he says about morning and evening clubs, but does he appreciate that many teachers nowadays feel unable to do such extra-curricular activities because they are bombarded by the Department with more and more paperwork and obligations which take up time outside teaching? Would not a little less bombardment from his office and a few more of the sort of clubs to which he has just referred be a better option?

Mr. Twigg: We are well aware of the concerns about work load and bureaucracy, and the Department has made the reduction of that a priority. Many of those activities do not directly involve teachers; sometimes they do, sometimes they do not. We are not in the business of imposing new burdens on teachers; we are in the business of making the best use of our schools and giving those opportunities to young people.

Through personal, social and health education and citizenship classes, children can learn to appreciate the effect of their actions on their own lives and the lives of others. They can learn to understand the difference between right and wrong and the fact that rights and responsibilities go hand in hand, and to consider their behaviour both in and beyond the classroom towards those in authority and each other.

We are also keen, on a cross-government basis, to promote opportunities for young people to speak up for themselves. We are keen to encourage school councils in every school—they have a real ability to have an influence within the schools—and a role for young people within some of the governing bodies of our schools, giving young people a chance to have their voice heard.

Those are just some of the existing general initiatives, but we are not resting on our laurels. In the Chancellor's Budget statement this year, £66 million was given to the Department for a programme for behaviour improvement.

[Mr. Twigg]

We chose to invest that money in the local education authorities that have the highest levels of truancy and street crime. More than 80 per cent. of recorded street crime is committed in 34 local authority areas, and each of those has a grant of almost £2 million for the coming year for that programme. The idea is to enable LEAs to build on existing best practice around promoting positive behaviour, and allow us to test what really works as a basis for more general action.

Local education authorities can pick the measures that complement their existing provision from a range that includes learning support units, additional support staff and e-registration. All children at risk of truancy or exclusion will have a named key worker with whom to work. We have also set those LEAs the challenge of providing full-time supervised education from day one of temporary or permanent exclusion in schools involved in the programme—hundreds of schools throughout those 34 LEAs. Plans include in-school and out-of-school provision and, in some cases, working with external providers.

All the LEAs involved will be working with the police on that project, building on existing police involvement in schools that has previously been primarily a teaching role or in citizenship education. A police presence in schools will help to reduce victimisation, criminality and antisocial behaviour within the school and its community. I know that there are sensitivities about police being placed in schools and I pay tribute to the positive developments taking place in many schools, which involve them working with the police and local education authorities to ensure that we tackle criminality in and around our schools.

We know that the earlier a behavioural problem manifests itself, the more serious it will become and the more expensive it will be to remedy. The diverse causes of behavioural problems can result in a range of piecemeal, short-term interventions that do not present long-lasting solutions. That is why we are encouraging LEAs to develop behaviour and education support teams with part of their behaviour improvement programme funding.

Each team will contain four to five professionals, who between them have a complementary mix of education, social and health skills to meet the many needs of children, young people and their parents. The aim of the BESTs is to offer intensive support, using key workers, to young people aged five to 13 who show signs of emotional or behavioural problems, and to their parents, providing an over-arching service.

We have not just plucked the idea out of thin air. It builds on existing schemes, the evaluation of which has shown the many benefits of agencies working together with young people to deliver results. The evaluation that I have seen showed that teachers gained greater confidence in their ability to manage challenging behaviour and felt that they had acquired more strategies for working with difficult pupils.

We are also working on removing one of the root causes of truancy and poor behaviour: the boredom and alienation that is felt by many young people in respect of the traditional curriculum. The Green Paper "14-19: Extending Opportunities, Raising Standards" proposes offering to all young people a wide range of academic and vocational options, to help ensure that schools and the wider education service offer something relevant to all young people and not only those who are academically able, thus giving everyone the opportunity for success. A very positive feature of our recent consultation on 14 to 19-year-olds was the high level of participation by young people. That was a deliberate aspect of the consultation and is a very welcome contribution to the ongoing debate about where we should go with that age group.

However, good behaviour in individual classrooms is not enough. To ensure consistency, schools need to adopt a whole-school approach. Strategies that set the tone on behaviour issues, such as anti-bullying and discipline policies, pupil and community involvement and behaviour audits, are very important in providing a consistent approach. That is why we are working hard to ensure that schools have the confidence that they need to develop those whole-school approaches to promoting good behaviour and to develop and maintain positive learning environments for all children and have access to additional support for children who are experiencing problems.

We are currently designing comprehensive training materials for classroom teachers and developing the role of the lead behaviour professionals. Their role will be to take the lead on all aspects of behaviour in the school by training and supporting their peers and colleagues in the classroom and around the school, and in turn receiving ongoing mentoring support themselves. We are also responding to the strong requests from school staff for support in improving their skills in behaviour management. For example, we are providing such support in the programmes for continuing professional development for senior staff, some of the new leadership programmes and qualifications, the new "Leading from the Middle" programme for middle managers and the programmes for teaching assistants and trainee teachers, all of which now involve training in behaviour management techniques.

Of course, that is not all that is involved if we are to improve behaviour. Children are in school for a significant amount of their time, but school is only part of their life as they grow up. Schools cannot be expected to take the entire responsibility for improving behaviour and raising standards. This is an issue that the wider community needs to tackle. In particular, we need to tackle it with the help of parents, whose participation is vital to our success in this behaviour project.

Greater parental involvement is surely one of the benefits that is to be gained from extended schools. We are encouraging more schools to consider extending the services that are offered on the school site to benefit not only pupils but their families and the wider community. New services could include health and social care, child care, community learning opportunities, information and communications technology and sports facilities.

Through the provision of easy-to-access services, schools can forge better links with parents and encourage them to become actively involved in their child's education. The provision of other services on the school site can help pupils and families to deal with any problems that can contribute to poor behaviour. Schools that maintain and develop strong links with parents and the wider community can share responsibility for children's behaviour and their emotional and social well-being.

We are also emphasising parents' responsibilities towards their children by, for example, challenging the attitudes of those who condone their children's absence from school and extending the use of parenting orders to emphasise the importance of those responsibilities. The truancy sweeps that were conducted in May, focusing on the 34 local education authorities to which I referred, sent out a very strong message both locally and nationally that trivial excuses for missing school are unacceptable. Last week, we launched a new toolkit for schools on dealing with abusive or violent adults—often parents—to ensure that schools are aware of the legal avenues that are open to them in such cases, as well as to reinforce the fact that such action is intolerable. Of course, the vast majority of parents are not abusive or violent, but the clear message to those who are is one of zero tolerance.

We want to create a culture in schools that supports the emotional well-being of children and staff. I believe that the measures to which I have briefly referred will help us to accomplish that aim. They will help to ensure that improvements in achievement and behaviour are ongoing and nationwide, and that children who are at risk of developing behavioural problems will be helped within a supportive framework. Our main objective is to safeguard the interests of all children and to ensure that they have the chance to achieve their full potential by making sure that their educational options are not limited by their own poor behaviour or that of others.

As I am sure hon. Members in all parts of the House will know, in many communities it is the behaviour of pupils when arriving at and leaving school that determines the local perception of what that school is like. In turn, that local perception, which is shaped by the behaviour of pupils at school, can determine the views of local parents in making choices about which school they would prefer for their own children. For many schools—especially some of those in challenging circumstances—behaviour policy is therefore absolutely central to school improvement.

In the past few weeks, I have had the opportunity to visit a number of schools to speak to pupils, staff, governors and parents. It is absolutely clear that behaviour is a key concern in all those groups, whether it means that pupils are living in fear of being bullied, members of staff are considering quitting the profession because of the pressure or parents feeling that they have no ability to choose to send their children to the local school because of the behaviour that they see at the local bus stop. I want to work with schools, young people and local education authorities to promote good behaviour. I hope that today's debate can play a positive part in this very important area of work to promote the best behaviour in all our schools.

10.7 am

Mr. Graham Brady (Altrincham and Sale, West): I am pleased to respond to the Minister this morning. He said that this was the first time he had been able to open a debate from the Dispatch Box. Like him, it usually falls to me to wind up debates, so I sometimes feel that I am always the bridesmaid and never the bride. The benefit of this being a Friday debate is that we both get to open this important discussion.

The Minister also spoke a little about his background and some of the reasons why he cared so much about education. Without taking too long a trip down memory lane or into family history, I reflected that while his parents were living in working-class areas of the east end of London, mine were living in Salford in similar circumstances. Obviously, something went horribly wrong, either in his case or mine, and one of us took a wrong turning in life. Perhaps we can decide when that happened and help to put it right in this debate.

The Minister spoke of education as a ladder of opportunity. In particular, he referred to a balance of rights and responsibilities in education—a point that I strongly endorse—and went on to refer to the now well-known research showing that 45 per cent. of teachers leaving the profession cite pupil behaviour as their principal reason for making that career move. That is an especially strong indicator of the scale of the problem that we face in our schools.

Improving pupil behaviour in our schools is not a simple problem. It is not easy to tackle because many factors lie behind it, ranging from the pressure of examinations to bullying, mental health issues, drugs and the Government's exclusion policy. The spectrum of pupil misbehaviour ranges from persistent low-level disruption to vicious assaults on other pupils or teachers.

Schools face a massive challenge, which affects academic results and teacher recruitment and retention. I recently met a teacher from a preparatory school in London. I asked him whether he had always taught in the independent sector or whether his background was in the maintained sector. The reply was the latter, and when I asked him why he had moved from the maintained to the independent sector, he immediately cited pupil behaviour. He said that he could not bear it any longer and that it was so bad that he would prefer to sweep the streets than continue in his previous school. That is appalling, and none of us can rest easy as long as it pertains.

The scale of the problem is shown in the research that Warwick university undertook on behalf of the National Union of Teachers. A third of the teachers who responded to the study said that they had witnessed offensive weapons in their schools; 83.2 per cent. reported threatened pupil-pupil violence, and nearly half experienced that weekly. More than half the respondents experienced threats from third parties, usually parents, and less often, former pupils, through written comments.

Nearly two thirds of respondents reported offensive language at least weekly. Damage to property was a routine occurrence in the working lives of almost half the respondents. Nearly half—46.8 per cent.—encountered persistent disruption and defiance weekly. More than four fifths of teachers regularly experienced disruption to their teaching. More than half the respondents encountered pupil-pupil bullying regularly. A tenth of teachers regularly experienced violent threats. Those are shocking statistics; I know that the Minister agrees.

One of the most worrying aspects is the evidence that suggests that the problems are getting worse, not better. An annual survey that Keele university conducted in November of the views of thousands of pupils in England and Wales recorded more than 40 per cent. saying that their lessons were being disrupted. That is a third more than when surveys began 10 years ago.

I shall read some comments by pupils in response to the research. A female pupil said:

> "In some classes you can't concentrate because people are messing around. Sometimes the teacher doesn't even get round to setting the work because he/she is dealing with a child that is misbehaving."

[Mr. Graham Brady]

Another female pupil said:

> "Our lessons are disrupted every lesson—we rarely get more than 10 minutes' worth of work done in an hour."

A male pupil said:

> "The school would be a much better place if expulsions were increased and they were to adopt a zero tolerance level to all badly behaved pupils. The school would be a better place if they could make a pupils' council to allow recommendations from the pupils."

It is striking that not only the teachers who face abuse, violence or threatening behaviour in schools are worried and want action to be taken—pupils are also urging action.

We read more and more reports of horror stories that strike fear into the heart of any parent. This week, the *Evening Standard* reported a story, which appeared in several national newspapers, under the headline: "School told to let sex assault boy back in". The article stated:

> "A 14-year-old boy expelled for indecently assaulting two girls at school has been allowed back by governors . . . The headmaster permanently excluded him from the Nottingham comprehensive, but the boy—who cannot be named for legal reasons—appealed to the governors, who said he should be allowed to return . . . The head told"

a newspaper,

> "'I believe the governors acted in good faith, but they were wrong to let him back in. I believe that what he did merited nothing less than permanent exclusion.'
>
> The chairman of the governors said: 'Education is a right for everyone.'"

I shall consider the comment of the chairman of governors shortly.

Another dreadful story made the national newspapers in March. I shall quote BBC Online's version:

> "A pregnant teacher suffered a miscarriage after she was assaulted by rowdy pupils she was trying to discipline, an employment tribunal heard."

The incident took place in Islington Green school in London. The article continued:

> "Mrs. Blackburn told the tribunal there was a culture of violence at the school and teachers were routinely attacked by pupils, yet were instructed to intervene if pupils or staff were at risk of injury."

She did that. The article stated:

> "One pupil had already threatened to go round to her house and beat up her baby, the tribunal heard.
>
> 'I reported the incident to the head teacher. The student was given a suspension, I cannot tell for how long' said Mrs. Blackburn.
>
> 'She was subsequently readmitted to my class, over my objections.'"

We should reflect on those two stories. Education is a right for everyone, but should it override that of other pupils to personal safety? Should it force a teacher to face young thugs in her class who have threatened to assault her or her baby? No hon. Member would tolerate that environment for his child; we should not tolerate it for other people's children. We need a clear, unequivocal message that violent or abusive behaviour will not be tolerated.

As the chairman of governors at the excellent King David high school in Manchester said to me recently when I visited the school, pupils should be grateful that they are allowed to be part of a school. That does not happen if they are told that they have a right to be at the school, regardless of their behaviour. He said that they must feel proud of their school and that they owe something to the school community as well as having a right to take something from it. That reflects the Minister's point about the balance between rights and responsibilities, which is too often tipped in the wrong direction.

Exclusion is not the only solution or the end of the story. The Government continue to expand the pupil referral unit, and we welcome that. The Government are right to do it. However, a clear and robust strategy for improving pupil behaviour should be underpinned by the knowledge that appeals panels and Ministers will back up teachers and well-behaved pupils. The disruptive few must not be allowed to ruin educational opportunity for the hard-working many.

I want to consider the problem of drugs in our schools. The message is hopelessly confused, as my hon. Friend the Member for Tewkesbury (Mr. Robertson) said in an earlier intervention. After the Home Secretary's statement this week, schools are in a state of uncertainty and confusion. Problems were already experienced in schools, and we considered that when the Education Bill was in Committee in January. I pressed the Under-Secretary of State for Education and Skills, the hon. Member for Bury, South (Mr. Lewis), to give clear guidance to schools about drug abuse. I asked him to issue guidance to make it clear that pupils who had been excluded for drug abuse should not be readmitted. He said:

> "It is unacceptable to take any illegal substance to school, but it is right that head teachers are allowed the discretion to make judgments about the powers at their disposal, whether that is no action, fixed-period exclusion or a permanent exclusion."—[*Official Report, Standing Committee G*, 10 January 2002; c. 370.]

I accept that head teachers should have the discretion to make decisions. However, when they make such decisions and reach a conclusion about the appropriate disciplinary policy, they are too often undermined on appeal. Ministers should get to grips with that.

Between January, when I had exchanges in Committee with the Under-Secretary, and May, the Government appeared to have moved—at least, they were going to toughen up their rhetoric. Statements were made to the press, and a new tough line on discipline and drugs in schools was widely reported. However, on closer inspection, the Government's new tough policy was limited to those who deal in drugs. The sort of guidance for which I pressed would be given to appeals panels only when a pupil was excluded for dealing, not other instances of drug abuse. The head should set a disciplinary policy for the school; Ministers talked tough, went to the press and said that they endorsed that, and supported heads and parents who wanted a clear and tough policy. However, the small print made it clear that little movement had occurred. That confusion can only increase following the Home Secretary's statement this week.

As evidence of that, it is only necessary to cite the concerns raised by some of the head teachers' leaders. To quote from *The Times* of 11 July:

> "Head teachers struggling to prevent cannabis use said yesterday that David Blunkett's decision would make it harder to convince children of the dangers of the drug.
>
> John Dunford, the general secretary of the Secondary Heads Association, said the move sent a mixed message to children. 'For many years now, cannabis has been understood to be a dangerous drug. The Government is now re-categorising it, with limited explanation, and without the support of its drugs czar'".

That concern was also picked up by David Hart, the general secretary of the National Association of Head Teachers—

Mr. Stephen Pound (Ealing, North): Extraordinary!

Mr. Sheerman: He does not usually comment.

Mr. Brady: The Chairman of the Select Committee thinks it extraordinary that the general secretary of the NAHT should wish to comment on such an important matter, but I think it is entirely right. The comments that Mr. Hart made in the statement issued by the association raised those concerns and sought to send the sort of clear message that I would like the Government to send.

The NAHT has stated that decriminalisation of cannabis should not be allowed to undermine school drugs policies. Schools need robust guidance from the Department for Education and Skills that drug abuse will not be tolerated. When heads exclude a pupil for offences connected with drugs, that decision should not be overturned on appeal.

The same confusion underlies the Government's whole policy on exclusions. The rhetoric is tough but the practice is weak. Three years ago, the Government deliberately set about undermining discipline in schools.

Mr. Willis: I hope that the hon. Gentleman will forgive my interrupting him as he prepares to move on to another point, but I would like to ask him a question before he leaves the drug issue. He has made it clear that Conservative Front Bench policy is to exclude all youngsters who bring drugs into school or who deal in drugs. Is that it? What would happen to those youngsters at that point? They do not get excluded from society; they have to go somewhere. I know that the hon. Gentleman is sincere in what he says, but will he give us some insight into Conservative policy on excluded youngsters?

Mr. Brady: I am flattered by the hon. Gentleman's compliments about my sincerity, but I fear that he was not paying sufficient attention to my remarks. As I made clear earlier, it is not our view that all pupils who are involved with drugs, in whatever way, must be permanently excluded. It is right that the head teacher should make such decisions. Our concern is that, all too often, the decisions taken by the head are subsequently undermined on appeal. Heads across the country are worried about that, in relation not only to drugs, but a wide range of other disciplinary problems. We believe that that needs to be tackled. There must be clear guidance from Ministers—the kind of guidance that they have been prepared to give in relation to part of the problem—namely, those who deal in drugs, but not to other aspects of it. I think that the hon. Member for Harrogate and Knaresborough (Mr. Willis) was present in Committee when we considered some of these problems during our deliberations on the Education Bill earlier in the year.

One of the difficulties for heads now is that, in a climate in which the Government have prompted a fairly major debate on what is appropriate behaviour in the context of drugs, they are left in the position of having to make individual judgments not only on the particular circumstances of a case and what is appropriate for a particular pupil, but on what is expected of them by society in our country today in terms of whether it is a serious disciplinary offence for a child to take drugs.

Ministers have repeatedly refused to help head teachers with that issue. They issue tough-sounding press releases to the *Daily Mail*, saying that they are going to crack down on drug abuse, but the small print makes it clear that the guidance applies only to drug dealing. Once again, heads are left to draw their own conclusions. That is not fair on the heads or on the schools, and it will certainly lead to wild inconsistency across the country in the way in which similar cases are dealt with.

The same confusion that we find in the Government's approach to drugs in schools underlies the whole policy of the Government on exclusion. The rhetoric is tough, but the practice is weak. Three years ago, they set about deliberately undermining discipline in schools. Their circular 10/99 required schools to undertake a variety of prior alternative strategies. What prior alternative strategy to exclusion could be appropriate in a case such as that of Linda Townsend, whose case was reported in the education section of *The Guardian* this week? She is a teacher who was covering a lesson for a colleague when she was assaulted. A boy attacked her because she asked him to leave the room. She was kicked and punched to the floor. She said:

> "The first punch concussed me and after that I was like a rag doll."

She says that she suffered bruising over her whole upper body and lost cartilage in both knees. She was off school for a month. She said:

> "I couldn't sleep. I was having flashbacks. I was an emotional wreck."

Again, we have to think back to the 45 per cent. of teachers leaving the profession who cite pupil behaviour as their principal reason for doing so. That becomes all too readily understandable when we hear of cases such as this.

Mr. Pound: The tone that the hon. Gentleman has struck in his current comments is rather at variance with the much more supportive and, perhaps, henotic statements that he was making earlier. On the prior warning indications, does he not realise that he is doing a grave disservice to teachers and educational professionals by implying that they do not do that anyway? Even in the extreme cases that he cites, the school community will address those issues at the earliest identification in every case. Bad cases make bad law, and the case to which he referred could easily be one that suddenly appeared; but, in the majority of cases, it is early identification that the educational professionals want, and on which the Government want to support them.

Mr. Brady: I am interested to hear the hon. Gentleman's point. I fear that the truth of the matter is that it was the Department for Education and Skills' circular that did a grave disservice to those professionals in the world of education, for precisely the reason that he cites—namely, that heads already undertake a variety of alternative strategies when it is appropriate and possible to do so. I never encounter heads in my constituency or in the many other schools that I visit around the country who are gung-ho about excluding pupils. That is not what they want to do, so they will certainly seek appropriate other strategies when such strategies exist.

I shall return to the case that I was describing a moment ago. The hon. Member for Ealing, North (Mr. Pound) says that hard cases make bad law; they sometimes also

[Mr. Brady]

illustrate a wider point, however, and I think that that is the case here. It is clear that the incident in question was not an isolated one. The report in *The Guardian* goes on:

> "The boy had already threatened a teacher that day and been involved in other violent incidents at the school, including another assault on a teacher."

I suggest to the hon. Gentleman that this kind of problem is directly attributable to the Department's guidance, which has undermined schools' ability to enforce proper and appropriate discipline. When a child has assaulted a teacher once, it is quite remarkable to suggest that anything other than exclusion is appropriate; the fact that we expect a teacher to go back into a classroom with the same pupil who has assaulted him or her on a previous occasion—or occasions—is a remarkable comment on what we expect teachers to face in carrying out their duties.

Michael Fabricant: It is not just a matter of how teachers will react to that appalling situation when they meet those children again. Does not the fact that those children will be back again, with the same teacher, wrongly signal to other children in the class that they can do the same?

Mr. Brady: My hon. Friend is absolutely right. In fixing a target to reduce the number of exclusions, the Government were motivated not by educational good practice but by the policy of the social exclusion unit—it was a social, not an educational, policy. There may be some merit in its aim, but the result in our schools was, in some cases, horrific.

The hon. Member for Ealing, North is an amateur comedian from time to time, but, if he will allow me, I will make the slightly more complimentary remark that behind it all he is a level-headed sort of chap—*[Laughter.]* My remarks are provoking considerable dissent on the Government Benches. I think that the hon. Gentleman will accept that the scenario that I have described is not an isolated one, even in that school, let alone in many other schools around the country and that it is not acceptable. The fact that the Department for Education and Skills issued guidance that prevented head teachers from excluding pupils who had committed any disciplinary offence, without having prior alternative strategies in place, was clearly wrong, especially in the light of those hard cases of the most appalling abuse and violence. The policy could have been introduced only by people who are out of touch with what really goes on in schools and classrooms around the country.

Eventually even the Government accepted that the policy was wrong and was doing more harm than good and, thankfully, they have moved to water down and change the policy. It is now possible, for a limited number of different offences, to exclude on a first offence and without undertaking those prior strategies. Despite that, time and again I hear head teachers say that the difficulty is that they arrive at what they believe to be the right and necessary solution to deal with a problem in their school, and take what they believe to be the appropriate disciplinary action to exclude—it is not a decision that they take lightly—only to find that their decision is undermined on appeal.

Mr. Pound: Will the hon. Gentleman give way again?

Mr. Brady: How can I resist?

Mr. Pound: I am afraid that the hon. Gentleman will get no comedy from me today—this is not a humorous subject. The worst case of a primary school pupil assaulting a teacher was found, on examination, to have behind it the fact that the seven-year-old child involved had been systematically brutalised by his mother and her boyfriend. In fact, the child was simply repeating the behaviour that he had seen that morning. The school was anxious not to exclude the child, even though he had committed a horrendous assault on the teacher. For every terrible case and example that the hon. Gentleman can bring to the Dispatch Box, Members can bring others. Let us try to discuss the generality of the issue, not individual cases.

Madam Deputy Speaker (Sylvia Heal): Order. That was a little long for an intervention.

Mr. Brady: None the less, I am grateful to the hon. Gentleman for his intervention. His example supports my point—a head teacher took the appropriate action, identified a problem that ran deeper than the superficial difficulties, and tried to respond in a way that would benefit the child concerned. That is welcome and appropriate, and is the kind of good practice that goes on in schools throughout the country every day. It cannot be appropriate to undermine that through appeals panels and Government guidance. The Government must be clearer and more robust in what they say appeals panels ought to do.

Listening to the hon. Member for Ealing, North, I am tempted to refer to just one other hard case to give a measure of what some heads and teachers around the country are dealing with. I shall not name the school in question, but it is the worst case that I have ever encountered. It has had 13 heads over six years. There have been two shootings and a fatal stabbing outside the school gates in the recent past.

Mr. Pound: Eton.

Mr. Brady: I do not think that the hon. Gentleman is correct, but I shall not reveal the school's identity. The list of problems goes on, and they are genuine and huge. The Government owe it to parents, teachers and the country to take those problems seriously and to tackle them. Their school discipline policy has been, to date, a massive fraud on the parents of Britain. They have talked tough at every turn, but they always act weakly.

Mr. Pound: Your heart is not in it.

Mr. Brady: The hon. Gentleman says that my heart is not in it.

Mr. Sheerman: This is supposed to be a speech, not an exchange between you two.

Madam Deputy Speaker: Order.

Mr. Brady: I am grateful, Madam Deputy Speaker. The Chairman of the Education and Skills Committee, the hon. Member for Huddersfield (Mr. Sheerman), is trying to encourage a dialogue between himself and me.

Mr. Pound: It is a colloquium.

Mr. Brady: The hon. Gentleman says that this is a colloquium, but the crucial point, however much Labour

Members try to divert us from it and however much they are not prepared to take it seriously, is that heads and teachers in schools up and down the country are struggling to maintain discipline. The impact on the schools' academic results and on their ability to attract and retain good teaching staff is being severely affected. We must have a clear and robust strategy from the Government, not just a strategy for the press and for broadcasting. It must get through to schools and be able to tackle this pressing problem.

10.37 am

Mr. Barry Sheerman (Huddersfield): I had some severe doubts and felt some trepidation about the debate when I realised that it would be on a Friday because, first, I have to be here on a Friday, which is not my favourite time to be here, and secondly, because it would encourage the type of speech that we have just heard from the hon. Member for Altrincham and Sale, West (Mr. Brady), a gentleman of whom we are all rather fond. He is certainly not unpopular in the House. The bulk of his speech was about some horrific cases, but we would like to have much fuller details, such as what the head teacher did and whether there was immediate exclusion after the violence or an appeals panel. He seemed to link a previous case with a case that was reported only last week.

I welcome the Minister to his job—it was nice to hear him make his first speech at the Dispatch Box—but he is not going to get an easy ride. During the debate, even he fell into the trap a little. Having listened to this debate, which has lasted for more than an hour, one would think that our schools are falling apart because of bad behaviour. That is not the case. This country has successful schools, where pupils learn and get good teaching, and where there is little incidence of poor behaviour. I would love it if Opposition Members would sometimes quote what Ofsted, rather than the *Daily Mail*, thinks about behaviour. In fact, behaviour is unsatisfactory in only one school in 12, according to Ofsted.

Mr. Jonathan Djanogly (Huntingdon): Is it not the point that it takes only one or two children to disrupt a class? The fact that, overall, only one in 12 schools has a behavioral problem does not provide an answer for parents whose children's classes are being disrupted by those one or two children.

Mr. Sheerman: I am trying to correct the untrue impression that there is poor behaviour in every school.

Mr. Brady *rose—*

Mr. Sheerman: I shall not give way for a while; let me get into my speech.

According to Ofsted, only one school in 12 has a problem with poor behaviour. Even small incidents of bad behaviour—and large ones in the 8 per cent. of schools in which that is a problem—can be incredibly disruptive. All my children have attended state schools and have had problems with their studies because they were sitting close to students who were not keen on the lessons. My children have come home and said, "We had an interesting history lesson, but some people in our class would not let the teacher teach." That is to be deplored. We need a bill of rights or a charter for parents, teachers and pupils, with the centre of a bill of rights for pupils being the right to learn and to get on with their studies.

Mr. Brady: The hon. Gentleman thinks that I went too far in my remarks. Is there not a danger that he is sounding complacent? He refers to a tiny minority of cases and schools. How can that possibly explain the 45 per cent. of teachers leaving the profession, citing pupil behaviour as their main reason for doing so? It is a much more widespread problem than he is prepared to accept.

Mr. Sheerman: If the hon. Gentleman listens to my speech, he will realise that I have great concerns about bad behaviour. I am interested in the ways in which we can interpret and analyse that on the basis of good research, before we bring in policies to try to remedy the situation. There is no doubt that a child's learning will be disrupted when there is bad behaviour in the class.

I have asked consistently—colleagues may ask why I am asking it again—what is most important in education and schooling. It is the quality of teaching and learning in the classroom. Anything that disrupts that must be deplored.

When I go around schools—I am not ambulance-chasing here—I hear head after head saying that something happened to the moral standards of this country under Thatcher. There was a moral vacuum; it was a time of "anything goes" materialism and the quick buck. During the Thatcher period moral values seemed to disappear. Something happened in that 18-year period of Conservative rule to undermine all behaviour in all schools, and that is to be deplored. The hon. Member for Altrincham and Sale, West ought to visit his schools and speak to some of the older heads who have been around for while about the moral decay of the Thatcher years. I hear about that very often.

There are real problems, and the links to crime are worrying. Statistics from Ofsted and the Home Office show the relationship between poor behaviour and exclusion, and the dreadful cycle of decline into petty crime, more serious crime and prison. What is shameful is our track record of failure in the education of people who are in prison. I am keen that the Select Committee should look at prison education soon, as that subject has only come into our remit since Ofsted was given a role in that matter.

My right hon. Friend the Prime Minister is absolutely right that the figure of 70,000 people in prison for non-violent offences is far too high. We must track back with prisoners to see what their educational experience was. We must learn from that—what happened to their education and how and why did that occur?

Family background is very important and we can be too politically correct in this House. I visit schools in my constituency and around the country. What kind of behaviour can we expect from the children of the large number of drug addicts in this country? What kind of behaviour can we expect from the children of those affected by that much more common drug, alcohol? There is disruptive and violent behaviour by parents. What is it like to go to school after a night lying in bed hearing your parents fighting and screaming? What sort of misery does that bring to a child? What chance does a child who has been physically and sexually abused have of an

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education? We know the statistics. What kind of behaviour can we expect from families with a range of dreadful problems?

There was a disruptive child in a school in my constituency. He never went to bed; he fell asleep in an armchair. He stayed up at night, watching pornographic videos with his parents. What sort of behaviour does that teach a child in terms of his fellow pupils and their parents? There are horror stories, but we must remember the background of many children in our country.

The Minister rightly said that bullying in schools was a dangerous form of bad behaviour. One third of all girls and one quarter of all boys are afraid to go to school at some point because of bullying. That figure comes from the Department for Education and Skills website. Whether it is physical, verbal or indirect bullying—psychological bullying, especially among girls, is very often more damaging than physical bullying—it has a long-lasting effect on people and can result in a loss of confidence and truancy and can adversely affect school achievement, creating a life of misery.

Anti-bullying packs have been sent to all schools and the DFES has produced an excellent website on the theme of "Don't suffer in silence." I do not think that the Minister mentioned that good innovation this morning. Nevertheless, however good these measures are, bullying still occurs far too regularly.

Where I have seen good and well-managed schools, I have seen very little evidence of bullying. The lesson is that good, well-managed schools with consistent policies can, over time, sort out bullying and poor behaviour. We need to tackle the root causes of bullying and other forms of bad behaviour in schools, and we must also support the teaching profession when bullying occurs. How do we begin to improve behaviour? How do we turn bad behaviour into good?

Good behaviour is linked to better attendance rates and better opportunity so that those from deprived backgrounds are not restricted in what they can attain. It is linked also to the wonderful work that the Select Committee has seen on the sure start initiative. The Government are very reluctant to say what the future of sure start is. When the Select Committee considered early years education, we looked at sure start. In terms of breaking the cycle of social deprivation in education, sure start has been extremely successful. It engaged parents, including the pre-birth period involving the pregnant woman and her partner.

We have seen classes promoting the early stimulation of children. We know the importance of playing with, stimulating and massaging the baby. It is important to tell the stories that one assumes every parent in the country knows. I am blessed to have my first grandchild. I got great pleasure only yesterday, seeing her at nine months old, and trying to remember—my wife is much better at it—all the nursery rhymes that form part of our heritage and oral tradition.

Mr. Pound: "Maggie, Maggie, Maggie, out, out, out."

Mr. Sheerman: I have not tried that; it is a good one. I do not know whether I will try that when I am jogging her up and down on my knee, but I thank my hon. Friend for that suggestion.

We must talk about tackling the language barriers, about which the Minister was reticent. If a child cannot speak the language, bad behaviour can be a problem as students can become very frustrated. We have been too politically correct for too long about the absolute importance of insisting that new arrivals to this country learn English, which will open up their full potential in their education and in their working lives. For too long, we have been too deferential, saying that it is up to the individual to learn the language. I do not think that the rights and responsibilities of our country should be enjoyed until people can speak the language of this land. In Denmark and Sweden there is an insistence on children and their parents learning English. In Denmark, if immigrant parents do not learn English they do not receive the full benefits.

Mr. Pound: English?

Mr. Sheerman: They do not have all the benefits taken away, but they do not get all of them if they cannot show that they are trying to learn the language of the country. I feel strongly that learning English is important, and it is linked to behaviour.

Mr. Willis: Will the hon. Gentleman give way?

Mr. Sheerman: No, I shall not give way, because this is a debate on behaviour. The hon. Gentleman was badly behaved last week, and I am excluding him from intervening on my speeches until I have an apology from him.

Families take their children away from school at particular times in their education, sometimes to disrupt it. Young girls of 13 are taken to Pakistan for long periods, and their language and education are disrupted. That is not good for their education. We need a consistent policy. I ask the Minister to consider language and how difficult it is for schools.

Those of us who are interested in education visit many schools, and we know that there are high pupil turnovers, especially in inner-city schools—not in the leafy suburbs or at Eton, Harrow and Winchester. Those high turnovers are to be found in areas where, according to the statistics published this morning, there are high levels of street crime. In many schools, teachers tell me that they do not know who they will be teaching when they walk into school in the morning. A batch of new pupils has come in and another batch has gone out. What sort of education can be provided in those circumstances, and what behaviour can we expect when students are struggling to understand the lessons because they have poor English? We have underestimated the importance of knowing the language and understanding and communicating better. We need a holistic approach: not short-term, one-off measures, but a policy over years that is much better than the present one.

I do not want to speak for much longer, but I cannot deal with better classroom management in isolation. Good classroom management is as important as good school management. There is a dramatic difference between a classroom in which the teacher understands good classroom management and has been taught the relevant skills, and a classroom in which the teacher does not have those skills. We have an excellent, wonderful teaching profession. It is important to give teachers good classroom management skills. For too long, we have taken it for granted that it is enough for someone to be a good maths teacher, a good physics teacher or a good language teacher. Only late in the day did we understand that classroom management skills were vital to an understanding of how to regulate and manage behaviour.

There should be dialogue with parents. I was not condemning parents in my earlier remarks: I was just saying that some parents have great problems, which they inflict on their children. Children often have problems at home, but is there anything the school can do to help? Is the link between the school and the parents good enough? Is there enough counselling and support networks for parents? Some of the measures that the Minister told us about are interesting, but some teachers feel that they cannot cope with so many initiatives.

I want to emphasise the quality of teaching. Ofsted has just published an interesting report. It showed that the weaker teachers are given the 11 to 14 year group. It is good to see my hon. Friend the Member for Thurrock (Andrew Mackinlay) in the Chamber. The Government are particularly interested in 11 to 14-year-old students, as is the Select Committee on Education and Skills. We are considering that age range because that is when bright kids come out of the primary school system and their interest in education and their attainment reach a plateau or decline. That transitional age is a real problem, because it is when behavioural problems commonly tend to set in.

We must consider closely Ofsted's report last week, which suggested that some of the weaker teachers or supply teachers are shifted into 11 to 14 education. Poor behaviour starts somewhere, and if Ofsted and other experts have identified that 11 to 14 is the crucial age, we must ensure that those children are stimulated and that their interest in education is maintained.

Good management and good teaching are the key to our multifaceted approach, but so is consistency. I make a plea to the Minister and to the Government to ensure that policies are consistent and are carried through. I do not mind initiatives, but I want them to build one on the other and to be consistent over time. Governments owe it to schools to be consistent in their management and policies. Ofsted has shown that successful schools are consistent in their plans and policies, and do not chop and change in short-term programmes. Children must have stability, and need to be supported by effective, long-term policies.

Two areas need particular attention: the 11 to 14 age group and ethnic minority pupils, especially black boys. At a recent seminar with the Select Committee that was held in the House of Commons, Professor David Gillborn said that the behaviour of black children can be misinterpreted and read as aggression, resulting in their being placed in low sets, well below their real ability. Assessing ethnic minority children on the right basis, rather than on the basis of prejudice, is very important. Ofsted says that in black culture what really works is emphasising respect for every pupil.

These may not be all the answers, but I am conscious that a statement will be made at 11 o'clock. I shall end by making an appeal. Good management, policies over time and consistency are what the education system deserves from Ministers, the Government, teachers and heads. There are some good, well-intentioned people in the education sector. I hope that they will take those long-term views and values to heart.

10.58 am

Mr. Phil Willis (Harrogate and Knaresborough): I was desperately hoping that the hon. Member for Huddersfield (Mr. Sheerman) would carry on for another two minutes.

I tried to intervene on him to help him in that mission. I congratulate the Minister on his opening speech. The Prime Minister was exceedingly wise when he chose him to take up this portfolio. His approach to the debate in covering a wide range of issues is a credit to him, and set a good tone for the whole debate. I thank him for that.

Mr. Pound: But.

Mr. Willis: The hon. Gentleman should not presume that there was to be a "but". I was about to say that I am delighted that the Government take the problem of homophobic bullying seriously. In 1990, I drew attention to the research paper by Ian Rivers "Social Exclusion, Absenteeism and Sexual Minority Youth Study", which showed that 72 per cent. of young lesbian and gay men and women had experienced extreme bullying at school. That issue is very serious, but has often been clouded by debates about whether advice should be given.

It being Eleven o'clock, MADAM SPEAKER *interrupted the proceedings, pursuant to Standing Order No. 11 (Friday sittings).*

Gibraltar

11 am

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): With permission, Madam Deputy Speaker, I should like to make a statement about Gibraltar.

As the House will know, my right hon. Friend the Minister for Europe and I had planned to be in Madrid this morning for a meeting, under the Brussels process with Spanish Foreign Minister, Josep Pique. However, because of the Cabinet changes in Spain this week, the new Foreign Minister, Ana de Palacio, has asked us to postpone the meeting until after the summer, and we have agreed.

Some time ago, I undertook to report to the House before the summer recess on the progress of our talks. Had today's meeting taken place, my right hon. Friend the Minister for Europe would have made a statement early next week in my absence on a long-arranged visit to the far east. In view of the postponement of today's talks, however, I thought it right to take the first opportunity to report to the House myself.

There has been a dispute between Britain and Spain over Gibraltar for the last 300 years. As the House will be aware, in 1984 the then Conservative Government decided that the only way in which to make progress to resolve the dispute was to talk to Spain about both the practical issues of concern to Gibraltar and the sovereignty issue which mattered to Spain. The so-called Brussels process was thus born.

This Government decided last year to relaunch those negotiations. We did so because we had reached the same conclusion as our predecessors—that the status quo was damaging to Gibraltar, and also damaging to Britain. It is damaging to Gibraltar because Gibraltar will not thrive while the dispute festers and its people have to put up with everyday disruption: queues at the border, insufficient telephones lines, inadequate air services and much else. Moreover, Gibraltar has an uncertain future in isolation from the European Union's single market and the global marketplace, and as tax havens are phased out.

The dispute is also damaging to Britain's interests because we are trying to build a strategic alliance with Spain to help deliver the European Union that we both seek, and because Spain has repeatedly blocked European measures we want—measures, for example, to make air travel safer, flights cheaper and delays shorter.

Above all, the dispute affects the 30,000 Gibraltarians; but it also affects 60 million Britons. It needs to be solved for good. I know that there are those who think we should simply tackle the practical irritants faced by Gibraltarians, but that has been tried for decades and it has failed. The only way of securing a stable and prosperous future for Gibraltar is through a comprehensive and permanent settlement of the dispute, and that means an agreement with Spain on all issues including—as flagged up by the Brussels communiqué itself in 1984—sovereignty.

By taking the latter approach, we have made significant progress towards a solution. It may be helpful if I remind the House of the phases of the process on which we are embarked. In the first phase, the current one, our objective has been to agree the framework—the principles—of a new permanent settlement for Gibraltar. That is what we have been working on for the past year or so. If and when we were able to reach agreement with Spain on such a framework, we would publish it in a joint declaration—a statement of intent by the two Governments. Thereafter, in the second phase, there would be further detailed negotiations—in which the Government of Gibraltar would again be invited to participate fully—to produce a comprehensive package, including a new draft treaty, based on the principles set out in the joint declaration. The United Kingdom would ratify such a treaty only after securing the consent of the Gibraltarians in a referendum.

After 12 months of negotiation, we and Spain are in broad agreement on many of the principles that should underpin a lasting settlement. They include the principles that Britain and Spain should share sovereignty over Gibraltar—[HON. MEMBERS: "Sell-out!"]—including the disputed territory of the isthmus; that Gibraltar should have more internal self-government—[HON. MEMBERS: "Sell-out!"]—that Gibraltar should retain its British traditions, customs and way of life; that Gibraltarians should retain the right to British nationality, and should gain the right to Spanish nationality as well—[HON. MEMBERS: "Surrender!"]—that Gibraltar should retain its institutions—its Government, House of Assembly, courts and police service; and that Gibraltar could, if it chose, participate fully in the European Union single market and other EU arrangements. *[Interruption.]*

Madam Deputy Speaker (Sylvia Heal): Order.

Mr. Straw: Her Majesty's Government believe that a settlement along those lines would offer Gibraltar and its people a great prize. It would mean greater freedom for the people of Gibraltar to make decisions affecting their lives, and to live, work and travel without constraints anywhere in the region and beyond. It would mean greater prosperity and more jobs—from new opportunities to trade freely in the European Union, from the investment that would come if the dispute were settled, and with the prospect of millions of pounds of EU funding to help. It would mean a better quality of life, with improved telephone and transport services, a cleaner and healthier environment, a better infrastructure and faster communications. And it would mean a long-term, settled future: it would mean preserving Gibraltar's links with Britain, while developing a new and successful relationship with Spain.

I profoundly believe that such a future is in the interests of the people of Gibraltar; but, as I have stressed many times, it is not in the end a decision for me or even for the House. The decision rests with the people of Gibraltar. If we and Spain can, after taking stock, reach agreement on the kind of framework that I have outlined, and if thereafter all parties can build on those principles to produce a comprehensive settlement, the whole package will be put to the people of Gibraltar in a referendum and they will decide.

We had hoped to reach agreement with Spain by the summer, but I have also made clear many times that no deal is better than a bad deal. There have been distinct "red lines" throughout this process.

We and Spain have not yet resolved all differences. In respect of the duration of co-sovereignty, we must have a permanent settlement. Co-sovereignty cannot be just a stepping stone to full Spanish sovereignty, however long delayed. I know and understand that Spain has a long-standing historical aspiration to regain full sovereignty one day, but any agreement between us and Spain must be permanent. Gibraltar must have certainty. As for the British military facilities, we have made it clear that our current arrangements should continue.

Unless we and Spain can resolve the outstanding issues, there will plainly be no agreement. Our aim, however, remains to overcome them if we can. We must remember that Spain too has interests. It too has politics; it too has history. The departing Spanish Foreign Minister, Josep Pique, has conducted the negotiations throughout with honesty, dignity and integrity, and I pay tribute to him. I am confident that his successor, Ana de Palacio, will wish to continue in the same spirit.

I hope that the people of Gibraltar will be able to reflect over the summer on the progress that we and Spain have made to date. I am glad to say that there is already some new thinking in Gibraltar. I have been struck by the readiness of some people there to think constructively about the future. Gibraltar's Chief Minister, Mr. Peter Caruana, has himself long been committed to dialogue with Spain, and I have always wanted him in the talks alongside me, and free to represent Gibraltar. That offer from the United Kingdom and Spain still stands, under the long-standing "two flags, three voices" formula. I believe that this and the phased process that I have described provide both the safety and the dignity that Mr. Caruana seeks for his participation, so that Gibraltar's voice can be heard in the negotiations as well as outside.

After 12 months of negotiations, we are now closer than ever before to overcoming 300 years of fraught history and securing a satisfactory outcome to a process established 19 years ago by the Conservative Government of whom the right hon. Member for Devizes (Mr. Ancram), the shadow Foreign Secretary, was a member. The chance of a better future for Gibraltar—more stable, more secure and more prosperous—is too important to let slip. We shall continue to seek an agreement, but it must be one that is acceptable to the people of Gibraltar in a referendum. That is the basis on which I commend our policy to the House.

Mr. Michael Ancram (Devizes): The statement is a disgrace and a sell-out. We understand the reasons for the postponement of the talks in Madrid today. Indeed, we formally welcome the new Foreign Minister, Ana de Palacio, and hope that she will be more sensitive to the concerns of the people of Gibraltar than her predecessor was.

I thank the Foreign Secretary for giving me 20 minutes' sight of what is a detailed statement with deep implications. For the moment, I can do no more than respond in general terms. We will wish to study it in great detail before we respond more fully. It would have been better to hold it over until next week and to give us more notice of it, even if the Minister for Europe had to make the statement. It would have been better to make the statement before a fuller House than the rather small House that is always here on a Friday. I do not like ascribing conspiratorial motives to the Foreign Secretary but I suspect that it is not an accident that he chose to make the statement on a Friday.

The key to the Foreign Secretary's statement is his admission that the British and Spanish Governments are in broad agreement to "share sovereignty over Gibraltar". That is what we have feared has long been being cooked up in the dishonourable talks that have taken place over these past months behind closed doors. Today's statement is yet another shabby step in what has been from the start a shabby and dishonourable process.

Despite clear evidence to the contrary, the Foreign Secretary clearly gave the Spanish Government the impression at the outset that he could deliver a sell-out on sovereignty. Right from the start, the Minister for Europe sought to bully and to intimidate the Government and people of Gibraltar. He mocked the size of their population. He accused them of being stuck in the past. He threatened that they would be left behind if they did not cave in to the Government's determination to betray them. That hectoring tone continued in the statement today.

When will the Foreign Secretary and his colleagues realise that this issue is not about our relations with Spain? It is about the democratic rights of the people of Gibraltar, who have no representation in this House and rightly look to the British Government to represent their best interests. Does he not understand that democracy is about consent freely and democratically given and not about consent sought under duress, threat and deliberate financial pressure?

Does the Foreign Secretary not understand that his broad agreement to share sovereignty is a betrayal of the people of Gibraltar? Does he really not understand after his visit to the Rock the true feeling of the people of Gibraltar whose interests he is supposed to represent? Does he not understand that sovereignty shared is sovereignty surrendered, that the people of Gibraltar will not vote to surrender their British sovereignty, and that they will be right not to do so?

Why cannot the Foreign Secretary accept that the process that he has outlined today is doomed? Why will he not learn the lessons from Northern Ireland and guarantee that in future such talks will be genuinely three-sided, with the Government of Gibraltar properly represented and able to make their own case?

Why will the Foreign Secretary not accept that agreements on the sovereignty of Gibraltar, broad or otherwise, should never be concluded with Spain without the consent of the people of Gibraltar, freely and democratically given, before rather than after such agreement has been reached? Will he explain why he is attempting to divide the sovereignty over the military interests in Gibraltar from the sovereignty of Gibraltar as a whole? Will he assure us that in future the full agenda of talks, and the limits within which they are taking place, will be fully and openly disclosed?

I call on the Foreign Secretary to suspend the current round of talks, and to set about reconstituting them on the basis of an agenda that excludes sovereignty, upon which agreement cannot be reached, and deals instead with those issues relating to the normalisation of relations between Spain and Gibraltar, upon which agreement might be reached.

Does the Foreign Secretary not accept that these talks have been a humiliating episode for his Government? He has achieved the impossible. He has upset the Spaniards, he has infuriated the people of Gibraltar, he has shamed himself and his Government, and at the same time he has nothing to show for it. Will he now stop playing with

[Mr. Michael Ancram]

Gibraltar's sovereignty, call off the talks and start repaying the loyalty of the people of Gibraltar to Britain by demonstrating a little loyalty to them in return?

Mr. Straw: The right hon. Gentleman begins by making what I can only describe as an absurd complaint—that I as Secretary of State have taken the first opportunity to come to the House to make a statement. I was available to make a statement today because I was not in Madrid. I am sure that, had I not used this opportunity and had my right hon. Friend the Minister for Europe made a statement quite late in the afternoon next week in what will be a very busy week in the House, the right hon. Gentleman would have made the opposite complaint—that I was not here to make a statement because I was in the far east.

I listened very carefully to what the right hon. Gentleman said. I remind him that he was a member of the Government who began the process of which I am giving a staging-post statement.

Michael Fabricant (Lichfield): We never did anything like this.

Mr. Straw: The hon. Gentleman says from a sedentary position that the Conservatives never did anything like this. [HON. MEMBERS: "The Falklands?"] If we look at the history in relation to Gibraltar, the difference between us and the Conservative party is that in 1969 it was a Labour Government who gave the solemn undertaking that there would be no changes in sovereignty without a referendum. As we now know from the Public Records Office, just two years later, when the ink was barely dry on that undertaking, it was a Conservative Government, led by the then Foreign Secretary Lord Home, who were determined to hand over the whole sovereignty of the Rock under a 999-year lease without any referendum whatever.

It does not lie well in the mouth of the right hon. Gentleman or Conservative Members to complain about the fact that sovereignty has been discussed in these talks, because sovereignty was at the heart of the Brussels agreement. It is there in the text and the right hon. Gentleman knows it. Then he comes out with the most extraordinary proposition that sovereignty shared is sovereignty surrendered. I do not accept that for a second. We have shared some of our sovereignty with a large number of organisations, including multinational organisations such as NATO, where our ability to exercise control over our future is strengthened by sharing sovereignty. That is one of the paradoxes of sovereignty that the Conservative party has never been able to understand.

The truth is—this is recognised implicitly by virtually everyone to whom I have talked in Gibraltar—that shared sovereignty would lead to more control for Gibraltarians over their own lives. Behind the bluster that we heard from the right hon. Gentleman, there is inherent confusion and contradiction. On the one hand, he asks us to abandon a process and negotiations begun by his own Government when he was a member of that Government; on the other, he says that there should be genuine three-sided talks, as in Northern Ireland. The only difference between what happened in Northern Ireland and what is happening here is that in the end in Northern Ireland, one of the three sides decided to take part in talks; it took a great deal of encouragement before it did so.

There is on the table an open invitation to Mr. Peter Caruana and the Government of Gibraltar to take part in these talks. I discussed that with Mr. Caruana this time last year. He laid down certain conditions, which I got the Spanish Government to accept. He could safely be involved in exactly the way that the right hon. Gentleman and the Government of Gibraltar seek. I am sorry that Mr. Caruana has not so far done so, but there is this difference between Mr. Caruana and some Conservative Members: at least Mr. Caruana recognises, as he has said publicly, that there is a dispute with Spain and that there needs to be dialogue. Nothing that I have heard from the right hon. Gentleman has ever posed any alternative but talks with Spain to try to resolve the dispute. The dispute is a fact. Spain is a fact. The current difficulties which Gibraltarians suffer as a result of the dispute are also facts, and we are seeking to find a way through them that ensures dignity for Gibraltarians and that they have the final say.

The last piece of absurd confusion in the right hon. Gentleman's bluster was his suggestion that we should put to the people of Gibraltar the consequences of the negotiations before the negotiations had been completed. That is exactly what he said. It is the most absurd proposition from the right hon. Gentleman in a whole series of utterly ridiculous propositions. He should read yesterday's editorial in the *Gibraltar Chronicle*. In place of the nonsense that we heard from him, it says that it is time for Gibraltar to adopt a fresh approach and a positive agenda. It ends with the following words, which I am sure could be directed at the right hon. Gentleman:

> "Let us not resign ourselves to a draining inertia or hallucinogenic escapades."

That well sums up the response that we have heard from the right hon. Gentleman.

Mr. Menzies Campbell (North-East Fife): I do not know whether the Foreign Secretary heard the cry, "Falklands" during his response to the shadow Foreign Secretary. He may remember that there were extensive discussions about the sovereignty of the Falklands before the Argentinians made the mistake of the military invasion of the Falkland Islands under the then Conservative Government. May I offer my general support for the process in which the Foreign Secretary has been engaged?

In the course of his statement he repeated once again the proposition with which one would hope the whole House would agree, that no deal would be better than a bad deal. May I ask him about what he described as red-line issues? Does he agree that there can be no deal if Spain is unwilling to abandon its claim for full sovereignty, if the United Kingdom cannot enjoy precisely the same military facilities and for as long as we wish and if it is not a matter of agreement between Spain and the United Kingdom that the issue should be finally resolved by a referendum of the people of Gibraltar? Taken singly or cumulatively, are not these issues upon which there can be no compromise?

Finally, does the Foreign Secretary have a mind to the fact that the negotiations cannot acquire some timeless nature? There has to be some time limit. I do not suggest today that he should offer a final point at which they have to be concluded, but I urge him to understand that the continuing nature of the negotiations must inevitably bring uncertainty and the sooner that uncertainty is resolved, the better.

Mr. Straw: I am grateful to the right hon. and learned Gentleman for his remarks and for his constructive approach. I noted the discomfort of the Opposition when he dared to mention the Falklands. I was in the House at the time of that utter debacle. I also remind the House of the approach taken by the Conservative party in 1971, which was to dispatch Gibraltar to the Spanish under a 999-year lease without any referendum whatsoever.

Mr. Henry Bellingham (North-West Norfolk): Thirty years ago.

Mr. Straw: They say that it was 30 years ago, but it is the same Conservative party. We know that when it comes to selling out British interests the Tories have not changed. We know about their Pol Pot syndrome, where they keep bringing forward year zero to try to encourage the country to go in for collective amnesia, but it does not work—*[Interruption.]*

Madam Deputy Speaker: Order. Hon. Members should listen to what the Secretary of State is saying.

Mr. Straw: The right hon. and learned Gentleman asked me about red-line issues relating to full sovereignty, military facilities and the referendum. The answer to his question is that any one of those amounts to a red-line issue; it does not require all of them together. As I said in my statement, we have to have a solution based on shared sovereignty and we have made that clear throughout the talks. I have said publicly, as has my right hon. Friend the Minister for Europe, that conceding total sovereignty to Spain was never on the agenda and that the United Kingdom Government would never agree it. That would be inconsistent with the Brussels process while shared sovereignty is fully consistent and implicit in the Brussels process.

On the military facilities, I have no need to repeat what I said a moment ago about the referendum. We have made it clear to the Spanish Government that the referendum is a fact. Their approach has yet to be put precisely in terms that we have agreed, but they have always acknowledged that fact, as they need to.

On the issue of time, I cannot give a precise time scale and the right hon. and learned Gentleman is not asking me to do so. There needs to be some time limit. It is likely that we would have been further forward had there been a meeting of the Brussels process today. There was not, but I look forward to arranging one in the early autumn so that we can have a further meeting in Madrid as was planned for today. Then, of course, there will be a full report to the House.

Donald Anderson (Swansea, East): May I commend to the shadow Foreign Secretary and to those engaged in the foolish chorus of "no surrender" and "sell-out"—

Michael Fabricant: Quisling.

Donald Anderson: And "quisling" indeed.

Madam Deputy Speaker: Order. The remark of the hon. Member for Lichfield (Mr. Fabricant) is completely out of order.

Michael Fabricant: If it is technically out of order, of course I withdraw it, Madam Deputy Speaker.

Madam Deputy Speaker: Order. It is not a technicality. That statement is out of order.

Michael Fabricant: I withdraw it.

Madam Deputy Speaker: Thank you.

Donald Anderson: I recommend to the others that raised that foolish chorus that they have a certain humility. May I suggest that the right hon. Member for Devizes (Mr. Ancram) reads the Franks report on the Falklands, the leaseback position put then by the Conservative Government and their proposals in respect of sovereignty of Gibraltar? Historians will decide whether this new initiative by the Government under the Brussels process was indeed misguided and doomed from the start or a brave attempt to deal with real issues and concentrate minds on the way to an eventual permanent solution. What is clear, as the Foreign Affairs Committee saw during our very recent visit to Gibraltar, is that there is a substantial degree of mistrust by the people of Gibraltar in respect of this current initiative and indeed that has been fuelled in part by provocative statements by individual Ministers. So may I recommend to my right hon. Friend that he uses this period of reflection constructively to seek to lower the temperature and find confidence-building measures to build bridges with the people of Gibraltar?

Mr. Straw: I am grateful to my right hon. Friend for his remarks. Of course I am aware of the views of most people in Gibraltar about this. I too visited Gibraltar and received an interesting reception. Yes, we should use this period which has come up by chance because of the Cabinet changes in Spain and I look forward to helping to build the confidence of the Gibraltarians in this process. I have two comments for my right hon. Friend. First, no one who acknowledges that there is a dispute with Spain which causes all sorts of practical problems for the people of Gibraltar has yet come up with proposals as to how these can be resolved other than through a dialogue.

Secondly, I wanted Chief Minister Caruana and the Government of Gibraltar to be represented in these talks from the start. I believe that the conditions that I negotiated with Spain—the so-called two flags, three voices arrangement—fully met the conditions that

[Mr. Straw]

Mr. Caruana initially imposed. Had he been involved in the talks, their consequences would necessarily have been different because they would have involved three parties rather than two. We had agreed that we would hold these talks—that was an agreement between the two Governments as long ago as 1984. I have sought to ensure that Mr. Caruana has been informed about the progress of the talks, but it would be better all round if he were willing to say, "Yes. I have always been up for dialogue with Spain. There is a dispute and this represents an opportunity for me to represent the interests of the people of Gibraltar." Again I can give Mr. Caruana a complete undertaking that he would be as free to represent the interests of the people of Gibraltar in the talks as he always has been outside them.

Sir John Stanley (Tonbridge and Malling): Is the Foreign Secretary aware that during the Foreign Affairs Committee's visit to Gibraltar the week before last when we met every political party, the trade unions, every conceivable community group, people at random on the streets and patiently sitting stationary in their cars during the Spanish obstruction on the border, neither I—nor, I believe, any other member of the Committee—was able to find a single person on the Rock who was prepared to say that they would vote in favour of the Government's joint sovereignty proposal.

Given that it is blindingly clear that the people of Gibraltar will in no conceivable circumstance vote in favour of the Government's deeply misguided policy of joint sovereignty, surely the only sensible course is to abandon that policy, and to abandon it now.

Mr. Straw: I am not aware directly of the right hon. Gentleman's experience in Gibraltar, but it will come as no great surprise to Members of the House, particularly those who have visited Gibraltar. He asks whether I am aware that not a single person would be prepared to vote in favour of the shared sovereignty proposal. There is no shared sovereignty proposal to be put to the people of Gibraltar yet. Let me make it clear that what we seek to do is to resolve all the disputes with Spain. They include the question of sovereignty.

I have been open about that from the start, as indeed were the Government of whom the shadow Foreign Secretary was a member back in 1984. The question of sovereignty has always been on the agenda. It is impossible to conceive of why it was on the agenda unless one of the likely conclusions was that there would be shared sovereignty. The Conservative party was signed up to that principle, we have accepted it in principle. However, any agreement—any joint declaration, but any subsequent detailed agreement, including the treaty—would seek to resolve everything together.

My belief is that if we could get there, we would have a package of proposals that would make a real difference to the people of Gibraltar, and if we had a process of discussion in which the Government of Gibraltar would have to be involved, that would change perceptions. That is my belief, but in any event it was going to be some time down the track.

Mr. Gerald Kaufman (Manchester, Gorton): Is my right hon. Friend aware that I never thought the day would come that he would make a statement, practically every word of which I disagreed with? Is he further aware that many Labour Members will not go along with what he is doing and that just as this House, of which I was a Member at the time, would not accept the sell-out of the Falklands by the Tory Government, so we shall not accept the sell-out of Gibraltar by a Labour Government?

May I point out to my right hon. Friend that Mr. Pique, who has just been sacked, said that whatever agreement Britain made with Spain on joint sovereignty, Spain would never give up its claim to total sovereignty? The Spanish Government treat the people of Gibraltar so oppressively now, when they have British sovereignty, that one wonders how they will treat them if they get their hands on them, even under joint sovereignty. Is my right hon. Friend aware that the restrictions on the people of Gibraltar could be removed now as a sign of good will by the Spanish Government and that although they want to cozen this Government, they have no genuine goodwill towards the people of Gibraltar?

My right hon. Friend says that the people of Gibraltar would enjoy Spanish as well as British sovereignty. Is he not proud that the people of Gibraltar are so proud to be British that they do not want to touch Spanish sovereignty, that they want to be British, just as they were British during the war when a fascist Spanish Government fought against this country? It is about time the Government abandoned these talks.

Mr. Straw: I regret that my right hon. Friend disagrees about this, because we are genuine friends and normally agree on matters. Of course I am aware of some of the sentiment in the House, but I also believe that, in our party and in the Liberal Democrat party, there is widespread support for this process. My right hon. Friend says that the restrictions should be removed tomorrow. I understand that; I do not wish to see the restrictions there for a second longer than they should be—and they should not be there. In saying that, however, he admits that there are matters of deep concern to the Gibraltarians about how they are treated by the Spanish Government. If that is accepted, I am afraid that the next conclusion is inevitable: we must have a dialogue with Spain to resolve those difficulties. That is what we are engaged in.

There was a time when it was thought that the way to resolve those difficulties was simply by taking each individual problem in turn. That does not work, and has not worked. That was why the previous Government, in 1984, decided—it will be recalled if the Commons record is seen—with approbation from the then Labour Opposition to engage in the process of negotiation with Spain. We are continuing with it.

Finally, my right hon. Friend talked about shared Spanish sovereignty for individuals. I think that he meant shared Spanish citizenship.

Mr. Kaufman: Yes, citizenship.

Mr. Straw: What I would say on that is this: early in these negotiations we established that it was absolutely fundamental that Gibraltarians would retain their right to British citizenship in any event. That has been accepted. In addition, they would be offered, if they so chose, Spanish citizenship as well.

Mr. Edward Garnier (Harborough): Does the Foreign Secretary accept that, whatever its validity in the past, the

Brussels process is no longer appropriate? The talks should cease now. Is not the change in Foreign Minister in Spain the best opportunity to stop them?

Does the Foreign Secretary also accept that, whatever his personal intentions and motives, he gives the impression that he is more interested in the rights—claimed or otherwise—of the kingdom of Spain than he is of those of the British citizens who live and work in Gibraltar? Does he accept that he would be better employed now in actively protecting and pressing the rights and interests of the United Kingdom, including the people of Gibraltar, and dealing with Spain on matters upon which our two countries can agree? Surely it is right that the agreement that he intends to reach with Spain should not be brought into being until after he has consulted and reached a firm view about the views of the people of Gibraltar. To do it the other way around, as he currently intends, is to leave the people of Gibraltar in a state of uncertainty, which is not fair on them.

Mr. Straw: Let me deal directly with the point raised by the hon. and learned Gentleman, because it is a serious one. I am glad to note that he at least accepts the validity of the Brussels process up to now, even if there is a difference across the Chamber as to whether it should be continued. His last point is fundamental. I can reassure him that we have always made it clear that no agreement would be put in place without the positive consent of the people of Gibraltar. However, there is an issue about how one gets there.

Mr. Caruana says that there should be a dialogue: we are engaged in a dialogue. He says that there is a dispute: we are trying to have a dialogue to resolve the dispute. We cannot know the conclusions of the negotiations until the negotiations are concluded. I wanted Mr. Caruana in the room. I hope very much that the Conservative party will join the Liberal Democrats and me in telling him that it is safe for him to be involved in the negotiations. To this day, I simply have no comprehension of why he decided not to join in the negotiations, because he would have been, and still would be, a free man in those negotiations to agree or disagree as he wanted.

The purpose of the negotiations is to come forward with a proposition. Because Mr. Caruana was unwilling to take part in the negotiations, we had to have them bilaterally between the two Governments. That was why we decided on the approach of a joint declaration, which would be a framework that would then be the subject of tri-lateral negotiations, outside the Brussels process, with the Government of Gibraltar. Only at the end of that could we pin down an agreement in treaty language, which would then be put to the people of Gibraltar.

I understand the point that the hon. and learned Gentleman makes about the current degree of uncertainty, but it is critical that before we ask the people of Gibraltar to vote, they know exactly what they are voting for. That is why we have this careful process.

Mr. Lindsay Hoyle (Chorley): I have great respect for the views and vision of my right hon. Friend the Foreign Secretary, but at times we all make bad decisions and mistakes. Surely the time has now come to recognise that what we have done with the Brussels process has been a mistake and has not been best handled.

We can come up with all the arguments in the world. I am sure that my right hon. Friend would agree that it would be better if Gibraltar were to be represented, but it is not, and we can come up with all the reasons why it is not. The bottom line, however, is that had Gibraltar had the power of veto, it might then have attended the talks. It did not attend because it did not have a veto. The time has come to end the talks, sit back and think about where we go from here. We say that the people of Gibraltar will have the right to free access to Spain, but not all of them have access to Spain now. Many people in Gibraltar are not allowed to cross the border into Spain.

Those are some of the reasons why we should not continue down this road. The bottom line is that if we want to come up with a useful agreement for Gibraltar, it should be about open access, allowing it into the single skies agreement and reintroducing the ferry across to Algeciras. All the wrongs that have been done should be put right before we continue.

The other bottom line is that we should never capitulate to a bully, because the moment we do that we will never secure the rights of the people of Gibraltar and ensure that they have freedom. Please lift the sword of Damocles from over the heads of the people of Gibraltar as quickly as possible.

Mr. Straw: My hon. Friend is a good friend of mine, but I must say that he just made the case, very eloquently, for the negotiations.

Michael Fabricant: No, he did not.

Mr. Straw: He did. He drew attention to a long list of problems suffered by the people of Gibraltar, including access to Spain and to the single skies. The only way of resolving those problems is by dialogue with Spain, which is what we are seeking to achieve.

Mr. Roger Gale (North Thanet): Surely the Foreign Secretary must understand by now why many of us in the House and the people of Gibraltar have no confidence in his part in the negotiations. The Government do not have a glowing record on enforcement. They failed to enforce the Sangatte protocol, to restore freight trains between England and France and to enforce the legitimate export of beef to France. Many of us have expressed real concern about infringements of law by Spain that directly affect the free movement of people between Gibraltar and Spain. If the right hon. Gentleman wants to pursue the talks, I suppose that is up to him, but he is doing so in the certain knowledge that the people of Gibraltar will ultimately reject them in any case. In the meantime, what is he doing to enforce the law as it stands or as he, practically alone, would like it to stand?

Mr. Straw: If the hon. Gentleman wants to have a contest about which Government have been more effective inside the European Union, it is one that my party would win hands down every time. He talks about Sangatte. As my right hon. Friend the Chairman of the Foreign Affairs Committee said, a little humility might be appropriate from the Conservatives, because the mother and father of the problems at Sangatte, about which I know a great deal, is the fact that they signed up to the Dublin agreement and tore up an effective operational bilateral agreement for the return of asylum seekers.

[Mr. Straw]

It is worth bearing in mind the remarks of a distinguished former chairman of the Conservative party, who recently said:

> "The concessions Labour are considering are the same ones John Major's conservative government was willing to make. In politics it is important that parties do not lose their sense of history. Some of this criticism expresses an out of date and completely obsolete vision of Spain."

Andrew Mackinlay (Thurrock): I am not very impressed with the yah-boo nature of this interchange. From either Front Bench we have heard that the other is to blame, but those of us who are consigned to the wilderness have an historic role: to press a Government, of whatever colour, to resist appeasement and stiffen their sinews against the bully.

Mr. MacGregor of the southern European department of the Foreign Office took the Polish ambassador to the Court of St. James down to Gibraltar to discuss the 60th anniversary next year of the death of General Sikorski—a great Polish hero who was killed off Gibraltar. What was the Foreign Secretary's reaction when he heard that Spain had said to the Polish Government during the Spanish presidency that it was not a good idea, if Poland was interested in acceding to the European Union, to aggravate Spanish feeling by participating in those important commemorations for the Poles and the Gibraltarians, as well as the United Kingdom people?

Spain has been consistently bullying, and it is time we stood up to it. Many of the things that the Foreign Secretary referred to in his statement are not things that can be given to the people of Gibraltar—they are matters of right. It is time that he and others stood up with vigour to prosecute and promote the best interests of Gibraltarians, Britons and others in the European Union who want free mobility in and out of Gibraltar, and free commerce. What he has embarked on will not succeed. It is more likely that the hon. Member for North Antrim (Rev. Ian Paisley) will seek election to the papacy than that a Spanish Foreign Minister will agree in perpetuity to joint sovereignty.

Mr. Straw: I do not know anything at all about the General Sikorski anniversary. I have a Polish community in my constituency, however, and it is entirely appropriate that they should be able to mark it, so I will look into the matter and write to my hon. Friend.

My hon. Friend talked about promoting the best interests of the people of Gibraltar and encouraging commerce. I agree with that, but he and other hon. Members have not told us how we are to do that but for a dialogue, to which Mr. Caruana has himself signed up. *[Interruption.]* Now the shadow Foreign Secretary says that he is in favour of dialogue. In that case, what on earth is he complaining about?

Mr. David Tredinnick (Bosworth): I fear that the Foreign Secretary has got so excited at the Dispatch Box this morning that he may be in need of some homoeopathic medicine for his blood pressure.

The Foreign Secretary said that an argument for shared sovereignty is that there are insufficient telephone lines. That is absolutely amazing. He should have a word with my hon. Friend the Member for Lichfield (Michael Fabricant). We have satellite communication now. How can he possibly say that we need shared sovereignty to deal with insufficient telephone lines and get faster communications? He then implied that 60 million Britons will be as affected as 30,000 Gibraltarians. That is patent nonsense. He has not referred to the absolute hypocrisy of the Spanish position on Ceuta and Melilla, two Spanish colonies on the north African coast that the Spanish Government have not the slightest intention of giving up. If they want sovereignty negotiations over Gibraltar, they should be talking about giving up those colonies, which they grabbed many years ago.

Mr. Straw: I shall deal with the last point first. There is a dispute between Spain and Morocco over Ceuta and Melilla, but the treaty basis for those enclaves is different from that for Gibraltar. Had it been the fact that article 10 of the treaty of Utrecht had provided for Britain to have sovereignty for ever, without the provisos that the article contains, the position would have been different. The treaty of Utrecht applies only to the Rock, and there is a much livelier dispute about sovereignty over the isthmus, which is another issue that has to be resolved in the negotiations.

It is the people of Gibraltar who have said that they want more telephone lines from the Spanish to resolve some problems that they have had in running their businesses. I happen to agree with them, and to believe that dialogue is the way of achieving that.

Mr. Graham Brady (Altrincham and Sale, West): Does the Foreign Secretary understand and accept that self-determination and freedom are not negotiable, as they are a matter of principle? Does he therefore accept that it is insulting and offensive to the free people of Gibraltar that he seeks to come to a deal on sovereignty over their heads and without their consent?

Mr. Straw: It cannot conceivably be over their heads. Opposition Members are tilting at windmills. The Brussels process, supported and activated by the last Conservative Government, laid down that sovereignty was a key part of the discussion, but nothing can be decided over the heads of the Gibraltarians because of the undertaking that a Labour Government, not a Tory Government, gave in 1969.

Mr. Mark Francois (Rayleigh): Does the Foreign Secretary accept that it is entirely typical of the way in which the negotiations have been conducted that the statement has been sneaked out on a Friday morning, when most hon. Members are back in their constituencies on constituency business? Does he accept that it is a sell-out of the people of Gibraltar? That is how it will be perceived, however the Government attempt to spin it. Does the Foreign Secretary also accept that it will cause anxiety in the Falkland Islands—the difference is that the Argentine Government do not have votes to trade in the European Union, as the Spanish Government do?

May I put three specific points to the Foreign Secretary? First, as he has intimated today, broad agreement has already been reached with the Spanish Government, so when does he anticipate that a copy of the agreement or joint declaration will eventually be made available, including to hon. Members? Secondly, the

Foreign Secretary has visited Gibraltar and knows full well that there is no prospect whatever that the people of Gibraltar will vote for an agreement that will result in shared sovereignty with Spain. Everyone has known that all along. That being the case, will the Foreign Secretary tell the House what is really behind the agreement? What have we been promised in return by the Spanish Government for going along with it? What votes have we been promised in the EU and what—

Madam Deputy Speaker: Order. The hon. Gentleman is going on far too long.

Mr. Straw: The idea that I sneaked out the statement at 11 o'clock on a Friday is absurd. The moment I knew that the Spanish Foreign Minister had been moved from his post, I decided to make a statement and communicated that fact to Front-Bench spokesmen and many hon. Members on both sides of the House, so they were well aware of my intentions.

The hon. Member for Rayleigh (Mr. Francois) asked when a copy of the joint declaration would be made available, and I am glad to hear that he thinks that is a good idea. We shall do so when there is one, but there is not one, as I have been trying to explain. There may not be one, but I think that there probably will be.

As for the Falklands, the hon. Gentleman was not in the House in 1982, but I was. The history of the Falklands is one that we shall certainly not follow. There was an effort at backstairs deals with no negotiation or involvement whatsoever with the people of the Falklands; there was a readiness by the Government of whom the shadow Foreign Secretary was a member to hand over the Falklands, without any veto whatever being given to the people of the Falklands. Contrast that with our position on Gibraltar, on which we have said from the start that of course we respect the commitment that we gave—not them—to ensure that any final decisions are put to the people of Gibraltar in a referendum.

Mr. Henry Bellingham (North-West Norfolk): Am I right to say that both Ceuta and Melilla, the two sovereign Spanish enclaves off the Moroccan coast, are represented in the Spanish Parliament and, indeed, the EU? The Foreign Secretary has spoken a great deal about the democratic wishes of the Gibraltarians. Surely the time has now come to make sure that they have proper representation both in Westminster, probably with two MPs, and in the EU.

Mr. Straw: On the European Union, the hon. Gentleman will be aware of our commitment to implement the judgment of the European Court of Human Rights and ensure representation by attachment to a United Kingdom constituency in the European Parliament. The other issue that he raised is interesting. Essentially, he is proposing that Gibraltar should become directly a part of the United Kingdom. In that case, the Government of Gibraltar would obviously have to become a local authority and accept completely the current laws of the UK as they apply. People in Gibraltar have never put that to me; if it is a proposition, we shall obviously look at it.

Michael Fabricant (Lichfield): Whatever the rights and wrongs of making the statement on a Friday, does the Secretary of State not think that he has learned something today? With the exception of one Labour Member, not one Member in the Chamber could give him any comfort whatsoever. Do I have to remind him that a former shadow Foreign Secretary said that he could not agree with a single word of the Foreign Secretary? Does he not think that the whole process of negotiation in Gibraltar, as elsewhere with other European Union countries, has been characterised by his Department's surrender and weakness? This is not a policy of flying two flags. It is a policy of flying one flag, as ever, as the Minister for Europe knows full well—the white flag.

Mr. Straw: The hon. Gentleman asked about comfort. I have to tell him that his interventions always provide me with comfort.

Behaviour Improvement in Schools

Question again proposed, That this House do now adjourn.—[*Angela Smith.*]

11.56 am

Michael Fabricant: On a point of order, Madam Deputy Speaker. We have had an interesting statement from the Foreign Secretary, but have you received notice that the Home Secretary will make a statement today, given that we have just heard that the Government's crime policy has resulted in a 28 per cent. rise in crime and the lowest detection rates ever? That is a huge indictment of Government policy to be tough on crime and tough on causes of crime. The Foreign Secretary has come to the House, but where is the Home Secretary?

Madam Deputy Speaker (Sylvia Heal): Order. I have not had any notice of that. The hon. Gentleman can make his comments at a more appropriate time.

11.57 am

Mr. Willis: As I was saying before we were so rudely interrupted, I am grateful to the Minister for the way in which he opened the debate and for raising the issue of homophobic bullying. Contributions from Members on both sides of the House, including the hon. Member for Altrincham and Sale, West (Mr. Brady), have focused on the value of education and what education is about. I do not know whether Members had a chance last night to see the interview between Michael Parkinson and Nelson Mandela in South Africa in connection with the sports aid programme. The interview was particularly interesting because it showed that Nelson Mandela and the South African people had a thirst for education that could not be satisfied. Our youngsters have access to what is arguably one of the world's highest quality education systems, despite its flaws, yet here we are, discussing how we can get them in and engage them, while in other parts of the world, particularly in southern Africa, tens of thousands of youngsters have no education at all and face an incredibly uncertain future.

Mr. Djanogly: It is interesting that we are filling our schools with foreign teachers because of the lack of our own. I note the enormous numbers that are coming over from South Africa. Given the hon. Gentleman's comments, that must be a problem for the South Africans.

Mr. Willis: I am grateful for that intervention. I have raised the same issue in the House on a number of occasions. It is deplorable that, because of appalling management of the teacher supply, we have to denude the countries of sub-Saharan Africa of teachers—countries where they are most needed—to make up our shortfall. I hope that the Government will return to the issue, but I shall not pursue it today.

As hon. Members know, I spent not just one year before I went to university, but 34 years in classrooms. Apart from four years when I was deputy head in a boys' grammar school, which, I am delighted to say, was becoming a comprehensive, all my time in education was spent at the sharp end, dealing with youngsters from challenging homes and circumstances. I say to the House in all humility that in all that time, the children did not change. They were exactly the same when I left teaching in 1997 as they were when I started in 1963. What changed was society around them. We should always try to get that in perspective.

There have always been disruptive and violent pupils in our schools; the idea that they have suddenly appeared over the past two or three years is nonsense. I met violent and disruptive pupils, and I met violent and disruptive parents. Although I was attacked only once by a violent parent, who hit me over the head with an umbrella, having ambushed me at the bottom of the stairs, I know that a number of my colleagues encountered real difficulties from time to time.

I should also say that I remember my very first day at school and a disruptive child aged five. The little boy was going off to Rosehill primary school. His mother had bought him a new coat, but it was raining when he went to school, so his old coat was put on top of his new coat. The teacher met him at the school gates, sent his mother away, took him inside and said, "Will you take your coat off?", to which the little boy said, "No. My mother says I have to keep it on to protect my new coat." The teacher grabbed hold of the child and shook him rather violently to get his coat off, at which point he stood on her foot rather violently and ran out of school.

Later that day, my father caused me to go back and make humble apologies, but the point of telling the tale is to illustrate that many children are temporarily involved in disruptive behaviour—a one-off incident, or a small incident. We must recognise that from time to time children growing up in all sorts of environments stray from the strait and narrow.

Michael Fabricant: The hon. Gentleman gives an interesting example and makes a powerful point, but does he accept that there is a difference between such an incident at a primary school, and one involving some hulking great brute of 17 years of age in a secondary school?

Mr. Willis: Of course. I merely wanted to show that we should not get incidents of disruptive behaviour out of perspective, and we should not believe that the problem is new; it is on-going. Sadly, what is new is that many youngsters today have an anarchistic view of authority: authority is there to be opposed. Many of their parents come with exactly the same view, whether towards school, the benefits office, the housing office or wherever.

I want to emphasise, and I hope that the Minister will accept, that we do not have a universal breakdown of discipline in our schools. The hon. Member for Altrincham and Sale, West, who spoke for the Conservatives, gave some horrific examples, but they are exceptional. The vast majority of our schools do not have that awful problem.

We cannot look at school discipline without looking at the whole issue of discipline in society. As many hon. Members know, my daughter was attacked recently on the streets of Kennington, just for the sake of a mobile phone. She was in the wrong place at the wrong time and suffered a fairly brutal attack. That is becoming quite common. In one month in Lambeth and Brixton there were 17,000 such incidents. It is a major problem.

Let us consider the examples that our young people are given in, for example, popular television series such as "Men Behaving Badly" or even the one with those wonderful ladies, Joanna Lumley and co—

Mr. Pound: "Absolutely Fabulous".

Mr. Willis: I am grateful to the hon. Gentleman.

There is a relish and glorification in the appalling behaviour depicted in those programmes, but in schools such behaviour is out of order. We now have a laddish culture on our streets. There was an appalling report of City brokers—highly educated young men and, I presume, young women—who trawl the sex bars of London and regard that as normal behaviour. They are as heavily involved in the drug culture as are the youth on our streets. Let us not simply think that the only people involved in the drug problem are youngsters in poor communities. That is nonsense and we must understand that.

It also horrifies me that the behaviour of footballers such as the two from Leeds United has been glorified. The club, which I support and have supported for many years, should have set an example by condemning such behaviour.

There is no doubt that discipline in schools is becoming worse and more polarised, as is evident from the number of exclusions, up 11 per cent. between 1999–2000 and 2000–01. I think that the Minister will accept that it was a gross mistake for the previous Secretary of State to have issued a target to reduce exclusions—that was a nonsense of a policy. Schools supported that, but discipline and heads' authority in schools was undermined.

The House should know that the greatest rise in permanent exclusions occurred under the previous Conservative Government. Between 1993 and 1998, permanent exclusions rose from 3,000 to 13,000, an increase of more than 400 per cent. Let us not give the impression, as Conservative Front Benchers sometimes do, that those exclusions are the result of the failure of this Government and of schools. They have been rising for many years, and that is something with which all of us, irrespective of our political persuasions, must deal.

The Keele university study has been referred to and I shall not repeat the statistics, but it was interesting because each year between 5,000 and 10,000 young people are interviewed about their attitudes. Poor behaviour in schools is creating a culture where it is de rigueur not to work and engage in the curriculum and in what the school wishes to achieve on behalf of young people. It is an increasingly worrying trend. The peer pressure is not to work and to fool around and to be one of the crowd. We must get to grips with that.

The NUT-Warwick university study produced some appalling statistics, to which it is right to draw attention, on the effect of poor behaviour on teachers and on what they have to put up with. If we want to support our teachers and schools, the Government must address such key issues head on. They must recognise the reality of working in a classroom and accept that every new initiative that is thrust down from on high, in relation to which teachers must perform like performing monkeys, undermines what they should be doing: tackling the relationships in a school. That is what they often cannot do.

I am pleased that Mike Tomlinson, the former chief inspector of schools, referred in two of his last reports to the deterioration of pupil behaviour. The problem might affect only one in 12 schools, but that is an enormous number. The consequence is that teachers want out, which is a problem for us all, but in many ways the real problem is that many of our youngsters cannot engage with the education process, as they cannot learn in a disruptive environment—a matter on which I am sure the whole House can unite.

I want now to turn to the analysis of the youngsters who are causing disruption in our schools—especially those who are being permanently excluded—and whether we can learn any lessons from it. On breaking down the statistics, we see that 83 per cent. of youngsters who were permanently excluded last year were boys, so it is significantly a boys' problem. Some [illegible] per cent. of those boys were aged 13, 14 or 15. There [illegible] an immediate challenge for the Government to consider what is happening to boys with challenging behaviour. The Government need to ask what is being taught and what they are doing in relation to the curriculum to say to those boys that it is far better to mess about, be permanently excluded and get out of the system than to engage with schools.

More worrying is the fact that children with special educational needs are seven times more likely than any other child to be excluded from school. Those with emotional and behavioural needs are especially affected. I applaud both the previous and the current Governments for the work that they have done in respect of special educational needs—a comment that I frequently make in the House, as that work is a credit to those on both sides of the Chamber—but we have not got it right. We now have an inclusion policy that I support with all my heart, but we are finding that the children whom we are including, who have emotional and behavioural difficulties, are the very ones who are being turfed out because schools cannot handle them and do not have the strategies to enable them to do so. One cannot teach these youngsters in groups of 30 or 35; it is just not possible for a teacher to engage with them in such circumstances. That is a lesson that the Government must try to learn.

Before the hon. Member for Huddersfield (Mr. Sheerman) became so excited that he had to leave the Chamber, he mentioned the ethnic minority issue, but I was hoping that he would go a little further. It is all right to say that there are problems in engaging with young people from ethnic minorities who speak another language, but it is utterly wrong to say that children from such backgrounds do not want to learn English. There is absolutely no evidence to suggest that that is the case. I accept that such evidence exists in respect of parents, although it applies to a very small number of them, but the children have a thirst to learn English. The fact that most of those youngsters are bilingual—indeed, some are trilingual—is a huge compliment to them.

The ethnic minority group that poses a real problem is Afro-Caribbeans. The expulsion rate of Afro-Caribbean youngsters is 38 in every 10,000 children, making them the largest ethnic group of youngsters who are being permanently excluded. The hon. Member for Hackney, North and Stoke Newington (Ms Abbott) recently made a number of very challenging statements to the Government in asking how we should deal with black students, but I do not believe that they engaged with her comments. It is

[Mr. Willis]

not that the Afro-Caribbean community does not want its kids not to be educated or involved in society, but that the schooling system that we are offering and the culture in many of our schools is totally alien to its youngsters. We have got to address some of those problems.

Michael Fabricant: I congratulate the hon. Gentleman on raising that point. There is a genuine problem with some of the ethnic groups in our society. Some perform far better than white caucasians, but the problems must be tackled. So many Members of Parliament and others, even the Government, do not deal with them because of the tyranny of political correctness.

Mr. Willis: I am sorry that the hon. Gentleman made that intervention because I was trying to make an important point about analysing the problem, not suggesting simple solutions. We have all failed to tackle the problem in the past. That includes previous Conservative Governments. It is now time to act.

I want to consider in more detail the youngsters who are being turfed out of our schools and permanently excluded. Evidence from the Youth Justice cohort study in 2002 was published in March this year. It showed that permanently excluded students were less likely than school pupils to live in a two-parent household—47 per cent., compared with 79 per cent. Permanently excluded students are far more likely to live in a single-parent household; 40 per cent. are in that category. Thirteen per cent. of such students live in a household with no parent or step-parent; many are in care. It is a major problem that many of our most disadvantaged youngsters, who are in care, are more likely to be excluded.

We must acknowledge that excluded children are often concentrated in specific sorts of schools in particular sorts of communities. We often discuss grammar schools, but I point out to the hon. Member for Altrincham and Sale, West that such children do not come from grammar schools; 84 per cent. come from community schools, where the number of pupils who receive free school meals is three times higher than the average. They come from schools where twice as many pupils as the average are on the SEN register and have statements, and from schools that have three times the average level of unauthorised absences. Such schools have three times the average number of permanently excluded pupils.

Although we must consider specific categories of schools, we should tackle one issue perhaps above all others. I say that while acknowledging that the Minister has a genuine feel for young people and the circumstances that we are discussing. I have met many disruptive youngsters, but I have not met any who did not hate themselves more than the people against whom their behaviour was directed. They have an appalling self-image. That applies increasingly to many ethnic minority communities. The hon. Member for Keighley (Mrs. Cryer) referred to that at the weekend. There is a major problem of self-image and the way in which society perceives those students. Unless we can make young people feel good about themselves, they will not engage with education, society or end their offending or disruptive behaviour. Who is to blame?

Mr. Brady: I want to explore that issue further. From the hon. Gentleman's extensive teaching experience, does he agree that pupils, especially boys, who, he says, constitute the majority of excluded pupils, need to know the boundaries to be happy and confident? They need to know the limits and they require good discipline. In a school where discipline works, children can learn in a happy, confident environment.

Mr. Willis: I could not agree more. Knowing the boundaries within which we have to work is crucial, whether in the home, the youth club, the local football team or at school—but may I add a rider to that? When I began teaching, it was easy to go into a classroom and set out the boundaries. By and large, youngsters met those criteria, and their parents did so as well. Today, that is not the case. Now, we have to negotiate with young people in terms of agreeing the boundaries, and, more importantly, we have to bring their parents along to agree to them, too. According to the clock, I have been going for nearly two hours now, but before I finish, I want to say that that is a real issue, and I might come back to it a little later.

Who is to blame? If I am honest, I have to say that I do not blame anybody. I do not blame any party in government, although some of this Government's present policies are not helping to deal with this problem, despite being well-intentioned. The Secretary of State has now said that she wants to get rid of the one-size-fits-all comprehensive school, but I think that that is the wrong tack. Instead, we should get rid of the one-size-fits-all curriculum, and the one-size-fits-all testing regime and examination system—the way in which we make our schools conform to a centralist agenda.

That conformity has been occurring, with respect, since the great reform Bill of 1988. It is not a new phenomenon, but it is one that is hampering schools' ability to deal with problems. With respect to most hon. Members present today, most of us have been reasonably successful when we have had a test put in front of us. We might not have done so early on and instead achieved our success later, but we have none the less been reasonably successful. A public policy research paper in 2001 identified one of the biggest rises in illness among young people as being in the incidence of mental health problems. Much of that is associated with the pressure of testing.

I want to make it clear that neither I nor my party is opposed to testing, but the Government must seriously address the fact that the whole education system is geared to testing. That is now its purpose: not to educate but to test. On average, youngsters will take as many as 68 formal exams between starting school as five-year-olds and leaving at 18. Most of those exams are not diagnostic tests to determine how to improve performance; they are simply hurdles. If youngsters do not get over those hurdles, the message that goes out to them is that they have failed.

We now have level 4 for English, maths and science at the end of key stage 2 as a target. For a significant number of the youngsters whom we are talking about, who exhibit poor discipline and poor behaviour in school, one of the problems is that they cannot cope with what is going on; yet they know that, a year later, they will be faced with the next barrier, and that if they do not get over that, the reward will be to have more of the same. In secondary schools, year 7 children who fail to get their level 4 standard assessment tests in English are now getting a booster programme that involves their doing what they were doing the year before in primary school.

I say to the Minister that that is genuinely well-intentioned, but it is not addressing the needs of the children. I want him to intervene on me at this point, and to tell me what a subordinate clause is. I move on. I suspect that, if I looked round the House now and asked all hon. Members to give me a definition of a subordinate clause, and to tell me when they would use it and when it was useful, they would struggle.

Mr. Colin Pickthall (West Lancashire): It is not a main clause.

Mr. Willis: The hon. Gentleman, quick as a flash, says that it is not a main clause, but it would be worth hon. Members' going into a school next week and asking the teachers how they teach subordinate clauses to children who fail, who have not got level 2 English.

My point is that we constantly teach for tests rather than teaching children what they need to know and the skills they need to be able to function.

Michael Fabricant: Will the hon. Gentleman give way?

Mr. Willis: In a moment; I am getting excited about the subject.

If hon. Members are telling me that authors such as Roald Dahl, who wrote wonderful children's books, and the people who wrote the Harry Potter books and the book on which "Kes" was based sat down and said, "How do I get a subordinate clause into this?", that is nonsense. We must teach youngsters a love of language. Of course they need skills and fluidity, but our strict testing regime is driving those out.

Michael Fabricant: I totally agree, although I am sure that the hon. Gentleman agrees with me that it is important for people to understand grammar. I have heard even my great colleague who sits on the Front Bench, my hon. Friend the Member for Altrincham and Sale, West, use the words "between you and I". We all know that the preposition takes the accusative, but the question—

Madam Deputy Speaker: Order. The hon. Gentleman should relate his remarks to the debate, which is on behaviour improvement in schools.

Michael Fabricant *rose—*

Mr. Willis: I take your hint and I shall move on, Madam Deputy Speaker.

There is poor discipline in schools because children are not coping with the diet that has been offered to them. That is a valid point, which I hope is raised in the winding-up speeches. Yesterday, the Science and Technology Committee published a report on science teaching in schools, which all Members should read. One comment is that course work is tedious and dull; I have heard that endlessly from youngsters. Other comments are that it does not engage youngsters in topical debate and that teachers slog through completely pointless practical lessons. Our Select Committee is saying that about secondary school science teaching—a key subject area—so there is work to be done there.

What can we do? I take my hat off to the Minister and his colleagues for putting in resources, recognising problems and trying to tackle them, but they are not tackling the key issues. We must free schools up so that we do not have this endless conveyor belt of exams and testing. We must free schools up so that they can innovate on the curriculum; the Education Bill is attempting to achieve that.

The hon. Member for Altrincham and Sale, West and I—we are still at one on the issue, I think—genuinely believe that the schools that most need to innovate will not be given the powers to achieve that, as they would not pass the other tests. Furthermore, the schools that most want autonomy will not get it, because they, too, would not pass the tests. I hope that the Minister makes it clear that the very schools that we are talking about—those that need to engage with some of the most disruptive children—must be given the greatest freedom to innovate, act autonomously and devise new methodology.

Above all, we must give our schools time. For many of the youngsters to whom I referred earlier, who often come from dysfunctional families and dysfunctional communities, school is the place where there is some stability, and they need that more than anything else. School is the place where someone engages with them and has time for them. Of course, that is important.

I worked in Chapeltown in Leeds in the 1960s and early 1970s. It was a hugely dysfunctional community and there were 26 nationalities on the roll. There was a violent atmosphere in Chapeltown then, including tremendous hostility towards the police. I worked with an inspirational head, who said to us, "Your job is to be out in the homes as well as in school so that you can engage with parents and not simply expect them to come to you." We operated with vertical tutor groups and people also came to the schools. We must do that today.

The management of exclusions must be dealt with. I worry about the Conservative policy of simply saying, "Out of sight, out of mind." The Conservatives think that if they get the children out, the problem will be solved. I accept that that is not totally fair, but it appears to be the case. It may be good for a headline to say, "Let us support schools by getting the kids out." However, I say to the hon. Member for Altrincham and Sale, West that a child excluded from a school is not excluded from the community. The child remains and has to be dealt with in the community. It is crucial that we adopt strategies to deal with that.

I commend to the Minister the strategy that came from Toronto and is now operating in Slough of a no-exclusion policy. There is an exclusion-free zone, the principle of which is that we do not wait for a situation to arise whereby a child is permanently excluded, as that reinforces offending behaviour and negative imagery. Instead, we manage transfer before that occurs. One must put into place, with local authorities, rapid responses, so that a head knows that there is somewhere for a child to go if the situation is about to explode. The head knows that there will be support in terms of case conferences within five working days, and not five weeks, which is often the case with many local authorities.

Exclusion is an issue not only for schools, but for the whole of society. I implore the Government not to seek

[Mr. Willis]

simple solutions to complex problems. They must look for comprehensive solutions to take communities, parents and, most of all, young people with them.

12.31 pm

Mr. Colin Pickthall (West Lancashire): It is always disconcerting to follow the hon. Member for Harrogate and Knaresborough (Mr. Willis), as I nearly always agree with most of what he has to say. He anticipated many of my points, although I differ from him—in emphasis, certainly—on exclusions.

My wife is the head of an urban comprehensive in Skelmersdale and the convenor of an excellence cluster in the town. As I am liable to say good things about the excellence cluster, the school and my wife, I ought to declare a sort of interest.

Mr. Pound: It is self-preservation.

Mr. Pickthall: That is right.

I began my working life as a teacher in Kirkby in Merseyside, in what was then the largest secondary school in Europe. Every moment of that experience—although it was nowhere near as long as that of the hon. Member for Harrogate and Knaresborough, if a lot longer than that of the hon. Member for Lichfield (Michael Fabricant)—is etched on my memory. However, that was more than 30 years ago. I must take care not to analyse the present situation with behaviour in schools as though it were the 1960s or 1970s. The debate on behaviour in schools has been bedevilled in recent years by the comparison between "then"—whenever that was—and now. Society has changed enormously in those years, and the norms of people's lives and behaviour have changed.

Family structures have changed dramatically, and not enough research has been done on that. I was dealing with a family last week—a perfectly decent family with six children. Two of the children were the father's, but not the female partner's; two were the mother's but not the male partner's; and two belonged to both partners. Such a "step-sibling" situation is very common and has tensions of its own, with difficulties that are transferred into schools and elsewhere. That situation is multiplied again and again in my constituency, and everybody else's.

Schools have a peculiar place in society. On the one hand, they are isolated—almost all schools these days are surrounded by huge security fences and have CCTV. Some hon. Members may have read a novel by Graham Greene called "It's a Battlefield", in which he describes a school, a factory and a prison in the town in such a way that the reader cannot tell the difference between them.

Although schools are isolated from society, they are also integrated, as the hon. Member for Harrogate and Knaresborough described. Parents are invited into schools, and schools invite themselves into homes. Schools are connected to their local towns and villages through a network of partnerships and other agencies.

Many of the problems of bad behaviour and violence occur when students, especially secondary school students, are going to and from school, such as on bus journeys. Bullies wait outside school gates for their victims. At those points of movement, the responsibilities and obligations of teachers and head teachers are less clear and more complex, and sometimes more dangerous. They may sometimes be in peril, as in the case of the unfortunate head teacher who was stabbed to death a few years ago when he tried to stop a bullying incident outside his school.

It is important for schools to invite parents into the school, but on occasions they are inviting trouble. I may be stretching the parameters of the debate, which is about the behaviour of pupils and students, but I believe that it should also be about parental behaviour. These days, parents are more legalistic. They are encouraged to take legal action—looking for compo—when the slightest thing goes wrong in their lives.

More parents now automatically take the side of their son or daughter in a dispute with the school, even though they know that the child is wrong. More parents are prepared to be psychologically, verbally and sometimes physically aggressive towards reception staff. To defend reception staff as much as anything else, schools have complex systems of bells and alarms which people—even the local MP or policeman—have to ring to get into the building. More parents use violent language and violent threats against teachers and heads—and even against students, the children of their neighbours. Parents are more prepared to participate in their children's quarrels with other children, instead of letting them sort things out for themselves. They are sometimes violent towards their partner's children or their stepchildren. More males are prepared to be violent and aggressive towards female teachers.

I list those incidents, because they are known to the children in the school and highlight the vulnerability of teachers. Youngsters who are inclined to be unco-operative see that their teachers are vulnerable to such threats. Such incidents also reveal the lack of consequences for the perpetrator against whom no action is taken. They set an example for everyone in the school. That is frightening, but I do not know what the answer is. I am describing a problem that I see every day, but I do not know what the Government can do to sort it out, although I welcome their recent strong words.

My strongest assertion is that none of us should tolerate verbal, psychological or physical abuse directed towards school staff or children by parents. Our assumption—the school's assumption; the local authority's assumption—should be that such behaviour cannot be tolerated, and that those responsible will be prosecuted. It is no good shrugging it off and hoping that it will not happen again, because these people do not go away for good; they come back.

Ministers have made strong statements about parents' violence towards those in schools, but I think much sterner action is needed. Schools are entitled to a much closer relationship with the police. Indeed, it occurs to me that perhaps secondary schools, at least, should have a police officer on their governing bodies, not just for their own benefit, but to give the police a better idea of what schools must put up with. Some students who have been excluded keep returning to the school gates and trying to get into the school to harass staff or other students. They should expect arrest and prosecution. I would not have said that 10 or 15 years ago; the iron is entering my soul increasingly in this context.

What I have described does not, of course, happen daily in every school. It would be crazy to suggest that. Very few adults behave in such a way—but it takes only one such incident to destroy a school's confidence and knock it off course, and to destroy its reputation in the local community. That reputation is a precious thing nowadays, as school intakes rise and fall according to rumour. Episodes are reported in newspapers, and in the towns I represent rumours seem to get around in 10 minutes—and to be embellished in the process.

I can think of no other job that requires a woman or a man to stand in front of large groups of young people for hour after hour. That is certainly not our experience today: we are standing in front of rows of empty Benches. When I think of doing that day after day, year after year, for 40 years, my heart sinks. I did it for a few years, and was happy to get out after that. Those young people often do not want to be there. There are young people in secondary schools whose hormones are popping. The teacher must stand there and, through sheer force of character—but mostly through sheer bluff—stay sane, keep the young people happy and keep them learning. It is, in fact, an impossible task.

I am more and more convinced that teaching depends entirely on bluff. Somehow, the teacher must keep the bluff going, because once a kid realises he can call the teacher's bluff, the teacher is dead and gone: all the others will realise that the bluff does not work any more. That applies to some of the children others have described today. However skilled the teacher is by nature and through training, he and his students know that it only takes one nutter. If one person is prepared to call the bluff, everything begins to collapse.

Each school must have its own boundaries—the invisible boundaries that separate mischief, cheek, rumbustious behaviour and the one-off incidents described by the hon. Member for Harrogate and Knaresborough from disruptive and destructive behaviour. They will vary from school to school. I said that I would not use examples from my own dim and distant teaching past, but I think that one is very relevant.

When I started teaching—I taught English—it struck me as odd that children of 13, 14 and 15 were expected to sit down all day, except when they were engaging in games or other enjoyable pursuits. If they were learning English or history, they were expected to sit. It seemed unnatural that pupils should be expected to sit down for 40 minutes, or an hour and 20 minutes for a double period, to write or to do an exercise, so I did not mind if the kids stood up and walked around, even if they talked to their fellow pupils, so long as it was constructive and they were working. They could stand up and work on the window sills or whatever. Other teachers in the school did not allow that. They wanted pupils to sit down so that they knew where they were. They had to sit at the same desks so that the teacher could remember their names.

Every school, perhaps every teacher, has different boundaries, but given schools' clear contracts with students about what those boundaries are—they have clear contracts now—schools should be prepared to exercise the clear right to remove students whose behaviour is preventing their peers from being educated and who are destroying the bluff, as I have called it.

Over the past 10 years—I am critical of my own Government as well as Conservative Governments for this—the messages that Governments have put out on exclusion have fluctuated. Schools and communities do not know where they are. The message should be clear and consistent. It should support the school's right to exclude on the ground of unacceptable behaviour. It should be the school's decision—it cannot be decided by central Government—what unacceptable behaviour is.

Once a pupil has been excluded, the problems increase. There are difficulties with admissions of excluded pupils to other schools. In some local authorities, the county schools are obliged to take on pupils excluded by other schools, but some schools do not do so. I will not mention any names because it would be invidious. I have been trying to do something about it. Some schools in Lancashire will not under any circumstances accept any student who has been excluded from another school, but exclude their own pupils from time to time and expect the rest of the school community to pick up the tab.

Home tuition does not work; it has never worked. It has always been a mess, insufficient and slipshod. Schools have their own policies to deal with the problem, usually before it gets to exclusion, but we need more PRUs. They work if they are run properly. I know that the Minister is looking at exclusion from day one, and getting the young person back into a proper curriculum and a proper environment. It has to be like that, but PRUs have to be everywhere. All communities must have access to them. That is not the case at the moment.

So far, I have spoken about how we deal with social failure, but schools do have positive and assertive discipline programmes. They have systems to try to instil class self-discipline. We need to think in such positive terms as well as analysing the negative things that are going on. We must be tough on unacceptable behaviour and tough on the causes of unacceptable behaviour.

I agree with the hon. Member for Harrogate and Knaresborough. We find ourselves wandering into a culture where it is desirable, acceptable and cool not to work. That is not just the case in schools. When I taught in higher education, I knew that students were working like the devil at night, and they would pretend to their friends that they had not done any work at all because it was cool not to work. However, it is more the case among children.

We indulge our children from the earliest days. We indulge them with consumer goods and by giving in to their demands. It is so hard to expect children to change their habits once they go into the classroom if they have got their own way at home; they cannot. I suggest that we fail our children in that respect. We expect schools to patch up the sorry mess that we, as parents and communities, have created. When my children were growing up I was guilty of this, too. We shove our kids in front of the television so that we can get a bit of peace and quiet and so that we do not have to bother talking to them. When they get bored with the television they go upstairs and look at the computer screen. They spend half their time looking at screens and when they go to school they look at more screens as they are shown endless videos and have to work on computers. The amount of decent human interaction between adults and children has been shrinking for a long time at school just as it has at home.

We give children mobile phones because we cannot think of anything else to give them for Christmas. They take them to school where they are obliged to switch them

[Mr. Pickthall]

off. However, I have had more than one incident reported to me by teachers of a teacher telling a child off for misbehaviour and the child phoning his mum. Ten minutes later the mum arrives at school and starts berating the staff.

I do not have time to go into detail as I want to conclude my remarks, but there are huge problems with special educational needs. I note what the hon. Member for Harrogate and Knaresborough said in congratulating the work of successive Governments on special educational needs, but it is far short of what is needed. Vast numbers of new cases of dyslexia and dyspraxia seem to be emerging from the darkness and we are slow to tackle a wide range of disabilities. For years, kids do not find out that they have a disability which has not been detected or assessed. When it is assessed, the processes for dealing with it are very slow. Such children often need one-to-one tuition which is very expensive and local education authorities are reluctant to spend piles of money which they do not have. However, these problems produce extra unacceptable behaviour for which the kids cannot be blamed. Nevertheless, it has to be addressed.

Special educational needs require more resources. I hate to say that as it is not the answer to everything. Local education authorities need to take a more intelligent approach.

Richard Younger-Ross (Teignbridge): Is it not the case that parents often become frustrated because they cannot get resources or statementing for their children? Parents are a community and talk to each other and those who are upset with the system help to draw down the perceptions of other parents of the education system and the schools because they are not getting the essential resources that their children need.

Mr. Pickthall: The hon. Gentleman is absolutely right. We have all had constituents come to us in torment because they cannot access the right facilities for their child. They see their child's education disappearing down the drain for months and years until something is done. That time can never be made up. When I meet constituents in that situation, I feel that if I were in their place I would be prepared to tear the local authority to pieces to get the right resources for my child.

We need joined-up action between local education authorities and the police service to tackle severe misbehaviour. We need much more research into the self-discipline of the classroom. In the past, if a disrupter became more than a little nuisance the class would sort it out somehow because most of the class wanted to work. We need to address the reasons why that discipline breaks down. We need much more support for teachers who are ashamed, frightened and, in the case of men perhaps, a little emasculated when they find themselves being challenged by young children. They are ashamed to report it, so they hide it and try to cover it up, and it has to be discovered from outside.

As my hon. Friend the Member for Huddersfield (Mr. Sheerman) said earlier, we also need sure start. That brilliant programme operates in the most deprived ward in my constituency, Skelmersdale, where it is doing some tremendous work. One can feel the difference. A home start programme also operates throughout the constituency, with volunteers looking after people with small babies in deprived or neglected areas.

Many of those solutions need to be strung together. Misbehaviour in schools is a serious problem and it is no good hiding from it. No matter how much we work on understanding the problem, finding out where it comes from and the many reasons for it, we must concentrate resources and energy in all sorts of areas, which I and others in the debate have identified, so that the lives of perfectly ordinary, decent kids and their education are not disrupted by half a dozen baddies who can destroy an entire school.

12.56 pm

Mr. Jonathan Djanogly (Huntingdon): I am pleased to take part in this interesting debate on what is clearly a complex issue. It is as important to consider the reasons for behavioural problems in schools as what we should do about them.

I do not accept that the problem can simply be blamed on modern-day society. That is much too superficial a way to approach the subject. Nor do I have much sympathy with those who blame pupils' bad behaviour only on poverty and disadvantage. Essentially, children have not changed over the years, yet at the turn of the last century schools did not have the same behavioural problems as we see today. Although bad behaviour in schools is clearly worse in inner cities than it is in rural areas, it would be wrong automatically to assume that there is no poverty or deprivation in rural areas.

I served as an inner-city councillor in a previous political existence and I now serve as a rural Member of Parliament, and I have a few observations to make. First, as the hon. Member for Harrogate and Knaresborough (Mr. Willis) and my hon. Friend the Member for Lichfield (Michael Fabricant) said, we should not shy away from discussing the difficulties posed by multi-ethnic classrooms. Simply to avoid the issue for fear of sounding racist plays into the hands of those who would feed on people's ignorance. It is important that we consider those issues so that communities do not become isolated and we do not return to the ethnic strife that we unfortunately saw in some cities earlier in the year.

If, as was the case in my London borough, 60 to 70 per cent. of secondary school pupils have English as a second language, it is almost inevitable that some children will communicate less effectively than others. They may then become disinterested in their class studies and a higher proportion might behave badly as a result. In that connection, I feel strongly that we must continue to address the high levels of illiteracy in this country.

My second observation is that family life in cities is often more diverse and fractured than it is in rural areas. My constituency is in the eastern region, which has relatively few exclusions. Generally, family units tend to be more cohesive there than in the big cities. Perhaps the fact that children find it harder to travel in rural areas than in big cities means that they tend to be more home-centric. Marriage rates are higher and the number of single-parent families is lower than elsewhere in the country. That must have an impact on a child's stability and therefore on the incidence of behavioural problems. Support for the family and for family values need to be prioritised when we are considering children's behaviour.

Unfortunately, however, there seems to be a growing number of parents who, for whatever reason, believe that the schools, society as a whole—indeed, anyone but themselves—should have the primary responsibility for socialising their children and asserting discipline over them. Of course, we are where we are. It would be nice to believe that all parents would hear the elaborate contributions in today's debate and behave accordingly, but that is unlikely.

It is the duty of Parliament to tackle the issue and remind parents of their obligations to others. To my mind, it is a question of helping parents as well as punishing them; of providing schools with the ability to discipline children; and of re-examining the judicial system, so that extreme behavioural problems can be dealt with more effectively and swiftly. We have a long way to go.

This is certainly not a problem just for parents. The school system is part of the problem. Three quarters of exclusions happen in our secondary schools, where there are significant teacher shortages and up to 40 per cent. of teachers leave within three years of joining the profession. Increasingly, foreign teachers are being recruited to fill the gaps. It is an unsatisfactory situation.

At the same time, children, being children, will often be difficult. Anyone who has had children will know exactly what I mean. They will push things to the limit, just to see how far they can take them. They need to be disciplined, to learn what is and what is not acceptable—what the boundaries are. When we have fewer and less well-qualified teachers struggling with growing class sizes in secondary schools while filling in more and more Government forms, they are likely to have less time to devote to the one or two children in a class who are creating a problem and who probably need a little more attention.

Lack of home and school discipline is leading to worse behaviour. In my experience, most parents value discipline and a strong school ethos just as highly as academic standards. If behaviour is not controlled, a vicious circle can come into play whereby pupils lose interest in their studies and teachers can lose interest in their careers.

As the Minister and my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) noted, significant recent research shows that pupil behaviour is now one of the main reasons that teachers give for leaving the profession. In the year to March 2000—I believe that these are the last available figures—more than 26,000 teachers left. As one leaving male maths and physics teacher in the eastern region put it:

> "It's having to fight this uphill battle against—if I am allowed to call them that—'naughty kids'. They get involved in so much low level misbehaviour. And rudeness and the language . . . Quite often the parents don't support you. You are battling against it, because parents don't believe their child can be naughty. It's like that in every class and it's got more common. I think a lot of staff feel that the kids are untouchable."

The proportion of schools where behaviour is unsatisfactory is now one in 12. I do not agree with what the hon. Member for Huddersfield (Mr. Sheerman) said. I feel that he underplayed the seriousness of one in 12 schools having that problem, although as any parent knows, in some ways it is irrelevant how many or how few schools have a problem: if one's children have to share a lesson with one or two disruptive kids, that lesson can be utterly destroyed. The fact that one in 12 schools have a problem is not relevant to parents who have children in that class.

Expulsion of the troublemakers has been made increasingly difficult in recent years by the Government, who have been proudly stating that they have reduced exclusions to low levels. To my mind, and to that of many people in this country, the policy has been a disaster, so I am relieved that the Government are now going to change it. It has not been mentioned in our debate, but the Government issued a consultation paper on exclusion policy—the deadline for replies was 19 April. The Government have not yet commented on the consultation's findings, so it would be helpful if the Minister could do so.

However, there is still a catch, because exclusion will have financial implications for the school concerned. In fact, it can cost the school between £3,000 and £6,000 in lost budget per excluded pupil, which seems most unfair. If the Government are moving towards accepting further exclusions, they must address the issue of funding. Why should the school have to suffer? If anyone is going to suffer, it should be the pupil and his family, rather than the school. If it is now acceptable for a mother to be sent to prison for her children's truancy, why should parents not pay the price for disruption to the education of 30 other children? That would instil a more direct lesson about parents taking responsibility for their children. It would also be more relevant than the Prime Minister's gimmicky suggestion of withholding child benefit.

I would not argue that the Government have been ignoring problematic behaviour in schools. The Minister made an eloquent speech and explained a number of Government policies. At the same time, however, we must realise that, to date, Government solutions have made the problem worse. There is more disruption and youth crime, and more teachers are leaving schools. I heard what the Minister said, but I hope that everyone agrees that we still have an awful long way to go. In fairness, however, I commend the Government policy of getting schools to build links with local police forces to tackle bad behaviour and truancy in schools. Schools in Huntingdonshire have been following that policy for some years, and have been extremely successful in building bridges with the community and making young people understand their relationship with the police. The Government's handling of bad behaviour in schools has been deficient, and it is vital that we all work together to get that right for the future of our communities.

I shall end with a couple of suggestions, and would be grateful for the Minister's views. First, we should recognise that many children are not suited to, or interested in, academic study. We have become much too academic-centred, particularly in the national curriculum, as other hon. Members have mentioned. We need to look at vocational options, which are much more likely to win the attention of children with behavioural problems and reduce those problems.

Secondly, we should realise that some parents are incapable, for whatever reason, of giving adequate guidance to their children. They need, or could benefit from, the help of a mentor. In the same way, children will often get great benefit from having a role model, especially if they are not surrounded by role models. I believe, therefore, that there is room for child mentoring.

[Mr. Jonathan Djanogly]

As chairman of a social services committee on a council, I became aware of a pervasive view that teachers, social workers and probation officers are the only people qualified to deal with the problems of parents or children, but I have seen at first hand in New York the superb success of a scheme whereby unambitious and poorly educated children benefit from the advice and the relationship involved in a long-term mentoring scheme.

The nearest equivalent that I have seen in the United Kingdom is the Prince's Trust, where the addition of a role model or the input of friendly business or tactical advice from an experienced mentor can make the world of difference to a young person's chances of succeeding and moving forward in the community. I should very much like to see such a scheme put in place for children, especially in our inner cities.

1.11 pm

Mr. Stephen Pound (Ealing, North): I concur with the comments of many other hon. Members in the Chamber today about the extraordinary degree of skill, ability and dedication that we cherish and respect in the teaching profession in this country. If there is one lesson that we have learned, which is appropriate in a debate on education, it is that many parents seem to wish to abdicate responsibility for their children's upbringing and put that responsibility on the shoulders of teachers, support staff and the entire school community. I have been massively impressed, both today and in my day-to-day experience, by the extraordinary skills of our teachers. None of us should miss any opportunity to make that point.

At 8.30 this morning, I was speaking to Peter La Farge, the head teacher of Greenwood school in my constituency, about a fairly serious matter—the replacement of hutted accommodation. He broke off from the conversation to identify two pupils in the playground who he was convinced were about to start a fight. It is that quality of anticipation and sheer skill in teachers to which we must pay credit.

As many other hon. Members have done, I pay credit to the assured, skilled and deeply caring and committed introduction to the debate by my hon. Friend the Minister. I do not share his happy childhood memories of education. I was the original schoolboy with

"shining morning face, creeping like snail

"Unwillingly to school",

though had I faced the prospect of the hon. Member for Lichfield (Michael Fabricant) as a supply teacher, I might have revised my opinion.

However, I left school at the age of 15 and a half, by mutual agreement with the head teacher, and was fortunate, as one could do in those days, to go straight into the Royal Navy, where I learned to kill people with expediency, which stood me in no little good stead when I came to apply for a job later. I was told that as that was my only qualification, I should try the national health service. In fact, I spent 10 years working as a hospital porter.

The point—which relates to the comment by the hon. Member for Lichfield about sanctions—is that, like many schoolboys and, sadly, even some schoolgirls of my generation, I was beaten continuously and thrashed remorselessly on a daily basis. I will not state, as many people do, that it did me no harm. It did me a great deal of harm. I had absolutely no interest whatever in education. I was out the door at the earliest opportunity, without a GCSE, O-level, A-level or any qualification to my name. Fortunately, I found sanctuary in the structured and disciplined violence of boxing and London Labour politics, and was able to make something of a career for myself. I do not think that looking back to some black-and-white past of cane-wielding teachers, even should they now repose in Lichfield, is the way that we should aim to approach the debate today.

I felt sorry for the hon. Member for Altrincham and Sale, West (Mr. Brady) with his cri de coeur that he was ever the bridesmaid and never the blushing bride, and the House has sympathy with him for that. However, he did refer to drugs, which in many ways illustrate one of the horrors of the reality of education and, in particular, parental involvement.

Some of the worst cases of drug involvement in schools that I have been aware of have been where boys have sold cannabis which they obtained from their father, who grows it, smokes it and allows it in the home and in no way condemns it, and even gives his son that drug to sell. That is an actual case.

Two years ago I was at a school asking year 6 pupils what they most wanted in life and one child said that what she most wanted was for her mother's boyfriend to stop injecting himself in the kitchen because he sprayed blood all over the tiles.

I could give many other horrific examples, but I shall give only one more. At a show-and-tell in an adjoining borough to mine, a primary school child brought in the most valued object in the house, which was a small glass cocaine container that her mother obviously cherished and valued. That is the reality.

We saw from last year's Ofsted report that 80 per cent. of children found truanting were accompanied by an adult. Adults have real responsibilities in this regard and we cannot, as a House, as individuals, as parents, simply stand back and expect teachers to take up that slack and carry that load. Parents must become more involved. How right my hon. Friend the Member for Huddersfield (Mr. Sheerman) was to pay credit to sure start, the lesson of which is precisely that everyone must be involved in a child's education. If it takes a village to educate a child, it takes a family to nurture and support that child. Everyone must be involved.

The hon. Member for Harrogate and Knaresborough (Mr. Willis) rightly drew attention to the decline in the number of exclusions, which he said peaked at 13,000. About 12,700 pupils were excluded in 1996–97 and there has been a 28 per cent. reduction in that figure. That points towards the core of this debate, which is the need to achieve a balance between the needs of the excluded and allowing teachers to teach, pupils to learn, schools to operate as schools and classrooms to be the places where children can grow and learn and expand their horizons and become better people.

As has rightly been said, one may be excluded from school but one is not excluded from society. Simply taking the children from the school may solve the problem in that place, at that hour, on that day, but it displaces the problem to society at large. We must address that in the round. If the curse of modern politics is the constant reference to things being joined up, let us live with that, because we must see things in the totality, in their global perspective, and work with that.

Many hon. Members wish to speak, so I shall briefly refer to experience in the London borough of Ealing where we faced precisely that problem. When I was elected, all the high schools bar one were grant-maintained and the pupils that they excluded all ended up in the one non-grant-maintained high school, which, inevitably, despite the best efforts of the teachers, support staff and governors, became perceived as a sink school. It is now being relaunched as a city academy. It simply is not enough to move the problem on.

In Ealing, we have worked with the Government on sure start throughout. I pay credit to assistant director Howard Shephardson and our inspirational director of education, Dr. Caroline Whalley, and particularly to Councillor Leo Thompson, the council cabinet member with responsibility for this area. We had a high level of permanent exclusions, but we now have a joint LEA-school panel, known as a placement panel, which meets regularly for referral purposes, to discuss policy issues involving partnerships.

I give credit to the excellence in cities partnership forum, which allows us to develop a behaviour and social inclusion strategy for secondary-aged pupils in Ealing. That allows us to share out pupils with emotional and behavioural difficulties so that no one school is over-burdened. That is completely different from the beggar-my-neighbour, devil-take-the-hindmost policy that sadly existed among some proponents of grant-maintained schools. Support systems for any child who is being reintegrated are agreed through the panel members working together.

The primary sector in Ealing has undergone an extensive review, resulting in a decision to close the primary EBD or educational and behavioural difficulties school and develop more flexible and inclusive provision. We have replaced the school with a centre that has a multi-agency approach providing educational programmes and therapeutic support. The primary behaviour team works from the centre to support schools in behaviour management and reintegration of pupils who have had a placement at the centre. In other words, it addresses the needs of the pupil while recognising the importance of the school being allowed to teach and the pupils being allowed to learn.

The number of permanent exclusions has been massively reduced. The preventive role of the PRUs, or pupil referral units, has been mentioned. In Ealing, we have developed over the past few years an "at risk" model for early identification—an issue that was picked up earlier. We have done so because we owe it to our children and young people, who are the citizens of tomorrow—the child is the father or mother of the adult—to give them that early identification. I would recommend the "at risk" model to anyone.

In Ealing, we are currently working with a range of agencies on developing the multi-agency provision and support plan that sets out the contribution that each of the support agencies will make. The process is defined and delineated from stage one, and provides for 25 hours of education for permanently excluded pupils. That is slightly below the Government's target, which is, I think, 27 hours, but I assure the Minister that we are getting there. The provision is intended to extend to at risk and vulnerable pupils.

I should like to refer also to the children and young people's strategic partnership, which is overseeing the children's fund development. That is beginning to contribute significantly. An early intervention co-ordinator and panel, mentoring and summer schemes are all designed to target intervention to prevent children from becoming involved in youth crime. Through the excellence in cities programme and PRG—pupil retention grant—funding, Ealing high schools have become self-sufficient in meeting the needs of students with a range of difficulties. We now have specialist counsellors, learning mentors, therapists and business mentor schemes—precisely the theories that we have talked and heard about today. We are now seeing those concepts being delivered in practice in my borough, in the place where my children go to school. The improvements are now working, and the local education authority team aims through regular consultation with schools to complement those schemes and assist them where they require additional help and where an objective outside agency input is required.

Intervention and support for children with mental health and therapeutic needs have also been referred to. They are a major focus area for primary and secondary behaviour support and provision development. In Ealing, we currently have a partnership project between the child and adolescent mental health service—the CAMHS—and the study centre of the PRU to develop a bridge for parents and pupils in accessing mental health services. A therapeutic inclusion project is planned to link the PRU with an Ealing high school that currently has good practice in support and intervention for its pupils. We also co-ordinate training and support across the borough.

In addition to the core support services provided by the LEA, there is a range of other ongoing and developing initiatives to support primary and secondary pupils in improving the management of pupil behaviour to support vulnerable groups. Those initiatives include the looked-after children education/social services team, a multidisciplinary team that we are continuing this year and which again brings together all the experts in the field, the "at risk" preventive programme and the PRU curriculum, which has developed substantially in the past two years and which incorporates the explorer programme, about which we may hear more.

The Ealing parent partnership mentoring programme for pupils in years 3, 4, 5 and 6 provides the assistance and support for which hon. Members have called. Such a mentoring service exists in Ealing, thanks to a Government initiative, my hon. Friend the Minister's pathfinding work and the local education authority's active response. Ealing parent partnership and the primary and secondary behaviour teams are currently working with feeder primary and secondary schools. Thirty year 6 children, who were identified as vulnerable, are taking part in a transition skills programme. They will be supported until they reach year 7.

We have a new joint social services and education post through the standards fund. We are grateful for that. A social worker who supports the work of the primary and secondary behaviour teams will therefore be placed in the social services teams and provide a direct link between education and social services.

[Mr. Stephen Pound]

Connexions was mentioned earlier. It is the finest example of mentoring for secondary school pupils. It provides a role model and support as well as the parameters and boundaries that young people need. We are delighted to be one of the first education authorities to work with Connexions.

We obviously support a continuation and extension of the excellence in cities initiatives, for example, the excellence challenge for post-16 students and further funding for standards fund initiatives.

Richard Younger-Ross: The hon. Gentleman cites a catalogue of great achievements that, he claims, the Government have facilitated for his constituents. Does he agree that many initiatives depend on the money that has been made available? Should not the same funding be made available for other local authorities, especially in the south-west, that receive a much lower standard spending assessment?

Mr. Pound: I am not convinced that an election address by me to the voters of Ealing, North calling for additional funding for the south-west of England would garner me many votes. I was trying to make the point that we are considering not money, but one of the biggest societal factors that affect us today. We are examining the way in which tomorrow's leaders, workers and society are shaped and formed today. That does not depend simply on giving more money; that is meaningless. Money without commitment or an overarching policy has no value.

I do not apologise for listing the wonderful achievements in the London borough of Ealing in partnership with central Government. I am proud of that list because my kids go to schools in my constituency and benefit from it. I promise the hon. Member for Teignbridge (Richard Younger-Ross) that any left-over money that we do not need will head in his direction post haste.

We are witnessing a pivotal moment, not only in my borough and my city, but in our country. Education is being perceived as part of the growth of society and the future of our country. It is not enough to concentrate on those who do well and do not cause problems and are not "creeping unwillingly to school." We must consider the whole picture and realise that education will not be a good system for anyone unless it is good for everyone.

I do not underestimate the extent of the problems that disruptive behaviour causes in schools. The hon. Member for Altrincham and Sale, West gave examples of horror stories, and I could match them. That applies to all hon. Members. We know how much teachers put up with. However, that is only part of the story. We are trying to value those who have been considered valueless in the past. The people who cause the problems are the hardest to work with. They will not go away and we must either work with them now or face the consequences of our neglect later, when they cause even more serious problems. I am therefore delighted to participate in the debate.

I am sorry that the hon. Member for Harrogate and Knaresborough has popped out, probably to issue a press release. I sympathised greatly with his point about the ever-expanding horizon of hurdles over which secondary school pupils must leap. That issue was particularly brought home to me last week when my daughter told me that she had just got her third level 7. I was delighted until she told me that I had to pay her £25 for each of them, as I had rashly promised. So, it is not just the pupils who suffer in these cases; parents feel the pain, too.

I thank my hon. Friend the Minister for his earlier comments, and I look forward to his winding-up speech, as do we all. I would like to say, with him, that this is an issue that cannot be ignored. It must receive the attention and the resources that it deserves. I shall close as I started, by saying: let us pause for a moment and give thanks to those who teach our children and shape our future citizens.

1.30 pm

Michael Fabricant (Lichfield): And that, Mr. Deputy Speaker, is a lovely thought. I would like to join the hon. Member for Ealing, North (Mr. Pound) in expressing it, because teachers work very hard, not only in their jobs but for the maintenance of the education of their children. It is a real pleasure to follow the hon. Gentleman. Although he said he agreed with the mutual arrangement between him and his headmaster that he should leave school when he was 15 and a half, the eloquence of his speech demonstrated that there is not only a university of life but a school of life. Clearly the Royal Navy taught him not only how to kill ruthlessly—and perhaps to do so metaphorically in the Chamber—but how to be articulate. It obviously gave him a vocabulary that is most appropriate in the Chamber—not the sort that I would have thought one would learn in the Royal Navy.

While we are in the mood to offer congratulations across the Chamber, I would also like to congratulate the Minister on his debut speech in his new post. His comments were thoughtful and interesting, and he mentioned a particular subject to which I shall return later. He spoke about his mother, and his background. My own mother was born in Aberavon and had to leave school when she was 14. As I am speaking from the Conservative Benches, I had better say that I went to an ordinary state school, just in case anyone thinks that I went to Eton or one of those other schools mentioned earlier which have a problem with cannabis. I certainly do not think that Eton is exclusive in that respect.

I also mention—not really to boast, but to give some justification for my taking part in this debate—that I taught for a year before going up to university, and also undertook some tutoring of masters degree students learning statistics when I was doing my doctoral studies. I think it was the hon. Member for West Lancashire (Mr. Pickthall) who said that he had been a teacher for 34 years. Oh, no—that was the hon. Member for Harrogate and Knaresborough (Mr. Willis). I think the hon. Member for West Lancashire had been a teacher for 20 or 25 years—more than a decade, anyway, and certainly more than a year. Anyway, I certainly do not claim to be an expert in this subject. Nevertheless, like everybody else, I went to school, so I know the experiences that I went through there. I would, therefore, like to speak of my own experiences both as a teacher—in my own small way—and in school itself.

The Minister talked about the carrot and stick approach—although that is not the main issue of his that I wanted to discuss—to behaviour and discipline in schools. I want to return to the issue of sanctions, because it is a real problem. This is not a party political matter; the same problem has faced Conservative Governments in the past. We can talk about a carrot and stick approach, but the fact is that there is no stick at the moment. Although I am not advocating bringing back corporal punishment, I am not totally sure that that is such an outrageous idea—I shall say why in a moment—and it is certainly one that we need to think about.

I rather fear that we have reached the stage in schools at which we have not only parents who are barrack-room lawyers, but pupils who are, too. Some of those pupils really do get away, if not with murder, with disrupting the whole class, to the detriment not only of the teachers but of the other pupils in the class. That is wrong and unfair.

I do not know whether I am going to regret saying this, Mr. Deputy Speaker, but I will tell you that when I first became a teacher—when I had finished my A-levels and wanted a year's gap before going up to university—I taught first and second-years in a high school. My head of department gave me two pieces of advice for maintaining behaviour and discipline in my class. The first was that to capture the interest of the class and maintain discipline, one must provide 20 per cent. education and 80 per cent. entertainment. Members should remember that when they speak in the Chamber. I congratulate the hon. Member for Ealing, North, who is traversing the Chamber as I speak, because he is able to combine entertainment with educating the House. That is important, because if one gives boring speeches or boring addresses in class, one will not retain the listener's interest.

The second piece of advice is a little more controversial, and it brings us back to the carrot and stick. My head of department at the state school at which I taught gave me a strap and told me that I was to use it if I had any problems. I very rarely had to use discipline, and I hope that my pupils enjoyed the year when I taught them. I certainly did. However, I used the strap two or three times, but I never, ever forced it on the pupil. I used to tell pupils at that boys' school, "Look, either do 100 lines or take the strap. It's up to you." Invariably, the pupil would rather have the strap—thwack, it was over and done with.

A little sanction is called for, but let me set the record straight: I am not advocating the return of corporal punishment. I am saying that it is interesting that when pupils were given the choice between 100 lines or the strap, they chose the strap, which took half a second to administer, stung for perhaps 10 seconds more and perhaps involved an element of humiliation. They would rather have that than go home and do 100 lines.

I say to the Minister that there must be some form of sanction, because teachers in some schools are finding it difficult to maintain discipline. We must be aware that pupils and their parents are barrack-room lawyers and that sometimes discipline breaks down, for all the reasons that have been outlined. We must address those problems.

I was not getting at the Minister or the Government when I mentioned the tyranny of political correctness earlier. However, just as we should not allow political correctness to get in the way of addressing the problems of racial groups in society, likewise we should not allow it to get in the way of discussions on bringing back some sanctions for teachers. Teachers in Lichfield and in Burntwood in my constituency tell me that they have no way of controlling their classes when things start to break down seriously.

I am pleased that the Minister mentioned bullying, because it is a serious problem. Because this is the first time that it has ever been addressed in the House, I am especially pleased that the Minister raised the issue of homophobic bullying. Can you imagine, Mr. Deputy Speaker, being a young man or, indeed, a young woman growing up without understanding things about themselves and being bullied for being different? They may then try not to be different and deceive themselves.

I congratulate the Minister and the Government on undertaking research and providing guidelines on that important issue. Perhaps he will send me a copy of the guidelines when they are printed. I suspect that most teachers are not aware that homophobic bullying is even an issue, although I may be wrong and that may be unfair. However, the fact that the Government have highlighted it today will make teachers and head teachers aware that it can be a problem in our schools.

The Minister also spoke about the problems of exclusion, and it is useful that we have all agreed that, once a pupil is excluded, he enters society, from which he cannot be excluded. How will that be dealt with?

The Minister talked about the 6 per cent. of those who have been excluded who have been identified as having clinical problems, and the 4 per cent. with serious emotional problems. That demonstrates that we cannot look at behaviour in isolation. We must be able to diagnose the causes, just as a GP does. Hon. Members, including the hon. Member for Harrogate and Knaresborough and my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) said that we cannot look at problems of indiscipline in isolation. Often there are real causes and we must be tough on them, as well as on the crime itself.

Money is also a factor. The hon. Member for Teignbridge (Richard Younger-Ross) is not alone in belonging to an area where people feel that funding has been unfair. The Government said in 1997 that they would look at this problem, and they have kept their promise. However, we have a real problem in Staffordshire because the four recommendations that have been made all make Staffordshire worse off than before, and that needs to be addressed.

I want to make a few recommendations to the Minister and I would appreciate him giving them some thought. Acoustics in a classroom are important. When I taught in a laboratory, which had a wooden floor and wooden benches, discipline went a bit. The reason was that people at the back could not hear me properly, and the louder I spoke, the more it echoed. Some schools are investing in carpets and other acoustical devices to ensure that there is not too much echo and that not too much noise comes in from outside the classroom. Has any research been done on whether there is a correlation between indiscipline and classroom acoustics? When children cannot hear what the teacher has to say, it can lead to indiscipline.

Another issue is the continuity of teachers. The hon. Member for Ealing, North said that I was a supply teacher. I was not; I was at the school for a year. I like to think that I gave a little continuity to the class. Whether they enjoyed that is another matter. No doubt some of my

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former pupils will write to me if they hear about this debate; I dread to think what they might have to say. However, continuity is important. The general secretary of the Secondary Heads Association, John Dunford, said:

> "The huge expansion in the market for supply teachers in the last three years has sent the market out of control. The Department for Education and Skills should put in place a Licensing system for supply agencies, with a Code of Practice and clear sanctions if the agencies fall below accepted standards."

That is important, but even more important would be not to need supply teachers.

Mr. Stephen Twigg: If only.

Michael Fabricant: I know how the Minister feels. It is important to have continuity within a school.

The subject of grammar was raised earlier. A previous occupant of the Chair cut me off in mid-stream, Mr. Deputy Speaker, so I did not say what I wanted to say. I can well understand why certain pupils would not want to learn how to parse a sentence or understand the structures of the English language. I found grammar immensely boring when I was taught it at school. I only became interested in it when I learned German. I make a little cri de coeur—which is French—a Schrei des Herzes: if only there were enough German teachers, it would be a good idea for German, instead of French, to be the first foreign language taught in schools, because it helps people to understand English grammar better.

Mr. Pound: What about Latin?

Michael Fabricant: I agree with the hon. Gentleman, but that is impractical in this modern day and age. *[Interruption.]* If he disagrees with me, I can accept that.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt the hon. Gentleman, but we need silence at the back of the classroom.

Michael Fabricant: Thank you for your protection headmaster—I mean, Mr. Deputy Speaker.

This has been a good, thoughtful debate. I do not think that anyone has made party political points, which is good. Everyone has spoken about what would benefit pupils and teachers. I look forward to hearing the Minister's reply.

1.46 pm

Mr. Chris Pond (Gravesham): It is always interesting to follow the hon. Member for Lichfield (Michael Fabricant). I am sure that all of us would agree that he managed to achieve his 80 per cent. entertainment quotient. We are all still pondering the image of a sea of hands of those in his class who wanted voluntarily to receive the strap. No doubt the lines that he was going to give them would have been even more devastating for them.

I pay tribute to the Minister for his opening remarks. His speech was wide ranging, and gave us plenty to work on. I also pay tribute to him for being the Member of Parliament for the Enfield, Southgate constituency, where I went to school. The school has since closed, but I promise not to blame him for that if he does not blame me.

The hon. Member for Lichfield referred to the need for resources to deal with problems in some parts of the country from which complaints have been received. I do not want to shatter his illusion that no party political points have been made in the debate, so I shall not ask how he expects more resources to go into education, given that the Conservative party said only a few days ago that it refuses to match the spending plans that the Chancellor of the Exchequer will announce on Monday. We expect him to give significant extra resources to education.

In one sense, it is right that the debate is not about resources. We know that more resources will go into education, and we desperately need that investment, but without the changes that are necessary to deal with disruptive behaviour, we will not get the high standards of education that our young people deserve. We know that the stakes are high. Disruptive pupils can seriously damage the education of other children by disrupting the programme of teaching, undermining staff morale, absorbing a disproportionate amount of staff energy and resources, and undermining other students' enthusiasm to learn.

If disruptive students are out of school, because of exclusion or truancy, the community pays a heavy price. We have seen that in today's figures on street crime. We must find a way of dealing with disruptive behaviour without excluding children from school, and thus from the hope of an education that will give them a future.

A factor that has not featured in the debate is the effect of children's employment. I raised that issue in a private Member's Bill in 1998. I was concerned about the evidence from a number of sources, which showed that about 40 per cent. of school-age children have some form of employment. Some of it is regulated, but three quarters is illegal because of its nature or the hours that the children work. The evidence was that unregulated and illegal child employment had a significant impact on children's education, partly because of the time they spent out of school and partly because when they were in school they were often tired and could be disruptive as a result. I urge the Minister to establish, along with his colleagues in the Department of Health—which for reasons I cannot understand is responsible for that area of policy—whether regulations can be introduced to update the law established by the Children and Young Persons Act 1933.

I have talked to teachers in my constituency, as, no doubt, have other Members. They have made it clear to me that disruptive behaviour is increasing. Yesterday I received a letter from one of the most respected head teachers in Kent and, probably, the country. Mr. Simon Harrison is the head of Ifield special school in Gravesham, a beacon school described by the Office for Standards in Education as

> "outstanding with some excellent features",

and the recipient of an award from Sport England. He has been a head teacher in Kent for 16 years, and has worked in special education and with pupils exhibiting difficult and challenging behaviour for 29. He is widely regarded as one of the most innovative and successful head teachers.

Mr. Harrison wrote:

"Children in general have become much more difficult to deal with in the last few years and are less responsive to the range of creative strategies we employ to correct their behaviour. It is more difficult to engage parents in the partnership required to help students exercise greater self-control. The reasons are complex and really related to us living in a more selfish society where 'I' is a much more important word than 'you', and treating other people as you would like to be treated yourself has become a rather quaint notion within a culture of get what you can."

Mr. Harrison also pointed out that many children voluntarily give service to their communities—they do so very willingly, in fact—and that the problem must be kept in perspective. It is a growing problem and a serious problem for many schools, but we should not use it to demonise all children and young people.

One problem mentioned by Mr. Harrison, and by Members today, is that teachers may have too few sanctions at their disposal. I am not sure whether Mr. Harrison or I would be in favour of some of the proposals advanced by the hon. Member for Lichfield, but exclusion is often seen as the only possible sanction. Most schools see it as the ultimate deterrent, but one that fails.

Michael Fabricant: In fact, it is often not a deterrent. Some children actively seek it, which causes a real problem.

Just for the record, I did not advocate any form of capital punishment—

Mr. Pound: Capital?

Michael Fabricant: I mean corporal punishment. I merely suggested that the issue should at least be looked at.

Mr. Pond: I take the point, and I know that the hon. Gentleman did not advocate either capital or corporal punishment in schools. I also accept that many children would be happy to be on the streets rather than at school, because they themselves have given up. I think that the hon. Member for Harrogate and Knaresborough (Mr. Willis) observed that disruptive children often have a bad self-image and low self-esteem, and are keen to get out of school for that reason. We must, however, establish a range of constructive measures, short of exclusion, to deal with this serious problem.

I welcome the initiatives announced by my hon. Friend the Minister and the Secretary of State—including the £66 million package announced in April, which is intended to deal with truancy and other bad behaviour and will include the introduction of new or expanded learning support units, as well as pupil referral units.

Westcourt primary school in Gravesend has tried hard to deal with the problem of disruptive and difficult children, and has managed to do so quite successfully. It has made considerable progress in recent years, lifting itself out of "special measures" status, but it faces the continuing challenge of disruptive pupils. It decided that it was worth investing its own resources to set up an internal learning support unit. It cost the school £45,000 a year, but the impact was significant, not only for the 10 or 11 children who were in the unit—about 8 per cent. of the children in the school—but for the rest of the children, who were able to learn in a much more conducive atmosphere.

The unit was set up by the head teacher, Mrs. Jean Everest, in April 2000 but, sadly, it had to close in April 2002 because the school could not continue to find the resources internally. As soon as the unit closed, three of its 10 children were excluded, three went into part-time education because no full-time alternative was available and the others were transferred. Therefore, the cost of closing the unit was probably far higher than the £45,000 that it cost to keep it open.

I lobbied Kent county council's education authority to see whether it would help with the cost of the unit. It wrote to me and said that

"the LEA is currently engaged in a review of provision for pupils with behavioural difficulties in the County. As part of that process, some consideration is being given to the possibility of establishing a primary Learning Support Unit which could support a number of schools in the locality, including Westcourt. Discussion was taking place about whether this unit could be on the Westcourt site."

If those discussions develop, that will be significant and important. Most of the units are focused on the secondary sector, but most of the problems of disruptive behaviour begin in the eight to 11 age group. We need to find a way of dealing with the problems where they begin, rather than trying to address them after they have been established in the secondary sector. I urge my hon. Friend the Minister to see whether we cannot do more for primary schools in dealing with such matters.

In Kent, as in much of the south-east, there are real difficulties with teacher recruitment. We must ensure that the boroughs that border the London ring can still compete with salaries in London boroughs and that—it is perhaps of equal importance—we can deal with the problem of disruptive pupils, which discourages people from staying in education.

I share with the House another initiative that has been developed by Ifield school—the SMILE centre; I prefer that title to its full title, which is supporting multiprofessional inclusive education. It does some important work. Ifield school set up the unit, which is a resource available to all schools in the borough of Gravesham and beyond. It is a multidisciplinary, multi-agency approach to help to deal with children with special needs and with difficult and disruptive behaviour.

One concept that I would like the Minister to take away from the debate is that of the smiley boxes—literally, boxes containing resource materials that can be used by parents and teachers on a range of issues, whether it be asylum seekers, conditions such as autism and difficulties with literacy, numeracy and thinking skills. The initiative acts as a way of improving the ability of all schools to deal with those issues.

We are in the middle of autism awareness year. We need to think carefully about the role of special needs in this issue. Often, children with special needs can be perceived to be difficult and disruptive, partly because of the way in which they operate in a school, but partly because of the reaction of other children to them.

Michael Fabricant: I congratulate the hon. Gentleman on mentioning autism. Will he also bring to the attention of the House a subsection of autism, Asperger's syndrome, which is far more difficult to diagnose, is not autism as one would normally understand it, results in behavioural problems that can result in the very issues

[Michael Fabricant]

that we are discussing today and needs the attention of teachers and others so that they are able to diagnose and deal with it?

Mr. Pond: Like other types of autism, Asperger's syndrome can produce social and communications problems for children that can be perceived as difficulties. We need to make sure that teachers and schools can properly identify when that is the problem, as such cases cannot be addressed by disciplinary measures, and certainly not by exclusion, although we know from evidence that that often happens.

Finally, let me underline a point that was made by my hon. Friend the Member for Ealing, North (Mr. Pound). We cannot expect teachers to carry the burden of dealing with these problems on their own. We appreciate the work that teachers do and the skills that they use, but very often those skills are undermined because parents are not fully engaged in the process. We need to take tough measures against abusive and aggressive parents. We need to use measures such as parenting orders, and in extreme cases where parents are colluding in truancy to take the toughest possible measures. However, we also need constructively to engage parents. We must create an atmosphere that allows parents and young people to feel that they can engage with the schools and their staff. If we treat young people as though they were casual observers, we will not tackle the problem of disruptive behaviour.

In common with many schools around the country, Painters Ash primary school in Northfleet in my constituency has a school council. Not only does it help to establish the boundaries of acceptable behaviour but the children themselves devise the sanctions to be imposed. They have not yet come up with anything equivalent to that mentioned by the hon. Member for Lichfield; the sanctions are low level but very effective as they are devised by the peer group.

Moving to a slightly higher age group, I pay tribute to Gravesham Youth Forum, which is helping to deal with problems involving youth disorder, crime and disruptive behaviour in schools. It has signed an agreement with the local police, the local education authorities and the local borough council to work to meet the challenges and the opportunities that lie ahead. I was very pleased that my right hon. Friend the Prime Minister showed how important he considered that initiative to be by inviting Gravesham Youth Forum to No. 10 Downing street a few days ago to mark the signing of that agreement.

If we can find constructive ways forward involving young people, parents and schools, we can crack the problem. We must not get it out of perspective and assume that all young people and children will be disruptive and difficult, but we must give those who are not disruptive the chance of getting the highest standard of education by dealing with the few who are.

2.3 pm

Mr. Laurence Robertson (Tewkesbury): I am pleased to take part in this debate, albeit very briefly. The subject, certainly in its wider terms, is very important. As the Minister said in his impressive maiden speech from the Dispatch Box in an education debate, the value of education cannot be overestimated or overstated. I should like to explore what that means.

I have the distinction, which is not unique among Conservative Members, of having attended a secondary modern school when I was 11, although I did go on to grammar school for the sixth form. That secondary modern provided me with a good basic education and a lot more. I will never forget what the headmaster used to say every day in assembly. School assembly is still a legal requirement although some schools do not fulfil their legal duties in that respect. He used to remind us that the school was a family, and that sentiment will remain with me to my dying day as it was important. Not only did we learn about history, English and French, but about behaviour, morals and ethics—words that we do not use enough these days. I like to think that that fostered good behaviour within the school because pupils went to learn not only about history and geography, but about how to behave. I do not claim that no one who went to that school went wrong—human nature is such that some did—but it was an important aspect of running the school. However, that was a long time ago.

I was looking through some old papers a few years ago and found a report from my wife's school. My wife enjoys slight superiority to me, and we noticed that in her class she was one of 47 pupils. We now have a rule that classes of a certain age cannot have more than 30 pupils, but it was acceptable then. It was probably easier for the teacher to control the class of 46 or 47 pupils than it is to control a class of 30 now, so something has changed.

One change is that, in those days, pupils were far better behaved, which enabled teachers to control the class with no great difficulty. Those teachers did not have the same burden of paperwork as present-day teachers, and the pupils formed part of a more cohesive family unit. I am pleased to see the hon. Member for West Lancashire (Mr. Pickthall) back in his place because he made a very useful contribution to the debate. He spoke about special needs, with which I shall deal in a moment, but also about the make-up of families. Although he was not critical of the modern family, he pointed out that new challenges were presented by the fact that families are not what they used to be. The wider family no longer exists in the same way.

When I visit schools—I have regular meetings with head teachers and meet about a dozen every three months—an issue that comes across strongly is that teachers now feel like social workers. The Minister and the whole House will be aware of that. Teachers feel that they are not getting the support to which they are entitled from many families. Teachers are not social workers and should not be expected to fulfil the role of parents. We should not be afraid of saying that.

Teachers are also concerned about their inability to expel—or "exclude", or whatever the modern word is—pupils from school and there is some confusion as to whether they can or should expel and what happens to the expelled pupil thereafter. I am mature enough to realise that the story does not end with expelling a pupil; indeed, that is only the beginning. What does that pupil go on to do? The heads to whom I speak claim, with great justification, that they must have the ability to remove a pupil from school not only to punish the pupil, although that should be part of it, but to protect the education of the other 29 pupils in the class. Another problem is that pupils are aware of their rights. How often do we hear the word "rights" without its being linked to responsibilities? Pupils are aware of their rights and they play on that. Teachers have a heck of a job trying to control classes.

The hon. Member for Huddersfield (Mr. Sheerman) said that, according to the reports that he has seen, only one school in 12 has problems. That, however, is an awful lot of schools. It is a frightening figure, so let us not try to play it down. I come from an area that used to have very high unemployment, which I regret, with one in 10 or 11 out of work. Labour Members used to say that that was a shameful figure. The figure of one in 12 schools is also shameful. I do not entirely blame the present Government, but let us not pretend that there is not a serious problem; there certainly is.

I accept that parents must play their role, but I draw the House's attention to one or two other role models who have not quite played the game as they should have done. I have deliberately used the phrase "played the game" because I refer to footballers, pop stars and even Members of Parliament. Few people are impressed by the yah-boo politics that we sometimes have in the House and they wonder why they send us here. I am all for the dramatic speeches that we heard from my hon. Friend the Member for Lichfield (Michael Fabricant) and the hon. Member for Ealing, North (Mr. Pound), and the House would be a much poorer place without such speeches. There was a good deal of common sense and sound politics in what they said. The House will understand when I say that perhaps we, too, should take seriously our duty as role models.

I do not want to be party political, but I have to be somewhat critical of the Government as I deeply regret what they have done concerning cannabis this week. The House is not only about passing laws but about the signals that we send, and reducing the classification has sent a most unfortunate signal to young people. Cannabis is not the same as alcohol or tobacco. The taking of drugs leads to disrupted and ruined lives, and to criminal activity to finance the habit. That has a terribly destructive effect on schools.

On the subject of crime, I return to the value of education. This really is a piecemeal speech, and I am trying to get through it as quickly as I can. I understand that 90-odd per cent. of people in prison have some form of mental illness, be it severe or mild, and I think that between 50 and 60 per cent. have virtually no education and are either illiterate or semi-literate. We should be ashamed of that in this day and age, when we spend billions of pounds on education. Too many people come out of school without being able to read and write. That is not an excuse for committing crime, but it is a fact that many of those people do it. We must accept that that is a failure in our society.

I have raised this point with the Minister several times, and I will continue to do so until I get a satisfactory response. I admired the Secretary of State when she gave her verdict on the comprehensive system. I was a victim of the 11-plus—I failed it—but I also stood out against the introduction of the comprehensive system, because I thought it was wrong. She did not condemn all comprehensive schools, and neither will I. My daughter went to a very good comprehensive school—Bournside, in Cheltenham—having left a very poor public school. The Secretary of State made a good point when she said that the system is not delivering what was intended.

If the Government are being brave and enlightened enough to take that line and accept that comprehensive schooling may not be the answer to all society's ills, what is the logic of their programme of the inclusion of children with special educational needs in mainstream schools? Many such children are included entirely appropriately, but a great many others need special schools for their own sake. It may be convenient to call it inclusion, but if they come out of the school without the proper education that they need, they are excluded from society for the rest of their lives.

I urge Ministers to talk to teachers, heads, parents, governors and, indeed, the children about whether their special schools should be closed. The Government have said that their inclusion policy is not a green light to close special schools. I am sure that everyone is sick of hearing me say it, but the fact is that in Gloucestershire, which is not controlled by the Conservative party, there is a deliberate programme of closure of the special schools. It is a wrong policy. Pupils have come to me in tears because they feel that they are losing not only their school but their best chance of an appropriate education.

The word "appropriate" is the key. I had an appropriate education. It was not a university education—before the sixth form, it was not even a grammar school education—but it was the appropriate education for me. I urge the Minister to look into what is happening in Gloucestershire and tell the Liberal Democrat and Labour groups which control the county council that it is not the Government's intention that special schools should be closed. I urge the Minister, for goodness sake, to go to Gloucestershire and tell the council that it should not be closing those schools.

2.15

Mr. Brady: With the leave of the House, Mr. Deputy Speaker, I should like to make a brief response.

It is a great pleasure to follow my hon. Friend the Member for Tewkesbury (Mr. Robertson), particularly given his compelling point about the continuation of special schools and their ability to provide education appropriate to children with special needs. We have had a good debate, even though it was interrupted by a statement on a completely different subject. However, because of that, we had almost two debates and have had some useful exchanges. Members who read the record of proceedings this morning will see that there is quite a lot of agreement between Members on both sides of the House about the scale of the problem, its importance and, surprisingly, more agreement than expected about the steps needed to tackle it. There is no doubt that those steps must cover the services for pupils with difficulties who need support before serious problems arise, and improvements in the services for children who have been excluded.

There was also substantial agreement about the need to trust teachers and heads to introduce policies in our schools that will create a learning environment with proper discipline in which behaviour can be improved. I know that the House will want to hear the Minister's response, so I ask Members to forgive me for not referring to their remarks in detail. I should like to apologise to the hon. Member for West Lancashire (Mr. Pickthall) for missing his contribution, although I have been given notes, and I believe that he said some important and appropriate things.

The fundamental lesson to be drawn from our debate is that teachers and heads must be supported in their mission to raise behaviour standards in our schools. There must be clear, robust guidance for schools and appeal panels,

[Mr. Brady]

and there must be genuine trust in the professionals, who have the interests of our children at heart. I hope that the Minister will send a clear message—this point was made by my hon. Friend the Member for Tewkesbury—that drug abuse and violence in schools will not be tolerated. I repeat my invitation to the Minister to issue tough guidance on that, and make it clear that heads will be supported in implementing the policy of maintaining and improving behaviour and discipline in schools.

2.18

Mr. Stephen Twigg: With the leave of the House, Mr. Deputy Speaker. We have had an excellent and wide-ranging debate, albeit interrupted. I shall do my best to do justice to the various points made by hon. Members.

First, may I clarify an important question asked by the hon. Member for Harrogate and Knaresborough (Mr. Willis)? It slipped my mind earlier, but a subordinate clause is a clause that functions as a noun, adjective or adverb in a complex sentence and is dependent on the main clause.

Mr. Pound: We knew that.

Mr. Twigg: I am sure that hon. Members on both sides of the House did.

I thank Members for their kind remarks about my first speech at the Dispatch Box as an Education Minister. Members on both sides of the House raised specific issues relating to their constituencies, which I shall follow up after the debate. However, I want to pursue a point made by my hon. Friend the Member for Gravesham (Mr. Pond) about the excellent work of a head in his constituency, Simon Harrison. I can certainly give him the encouragement that he is seeking, and assure him that the Department will do what it can to support the good work of Mr. Harrison and his staff.

Everyone agrees that behaviour in schools is a serious issue. My hon. Friend the Member for Huddersfield (Mr. Sheerman) is right to quote the latest report from the chief inspector of schools, which states that behaviour in secondary schools in 2000–01 was very similar to that in the previous year. We must be careful not to give the impression that all is doom and gloom. There is not a universal breakdown in behaviour in schools. However, I agree with hon. Members in all parts of the House that it is unacceptable that one in 12 schools has a problem with pupil behaviour. That is why we provided the opportunity for a debate on this important matter in Government time.

Many hon. Members stressed that the issue of behaviour in schools cannot be isolated from wider factors in society—a decline in discipline and in respect, and a certain change in the ethical and moral values of our society. I agree with my hon. Friend the Member for Huddersfield that some of the materialism and excessive individualism fostered in the 1980s contributed to the change. All of us should join together to rebuild a sense of respect, cohesion and discipline, not only in our schools, but in our wider society.

Many hon. Members referred to the advice that the Government issue to schools in cases where pupils have been excluded. The hon. Member for Huntingdon (Mr. Djanogly) who, I know, had to return to his constituency, asked about the outcome of the consultation on exclusions that was concluded on 19 April. I can inform the House that the responses to that are being fed into the on-going work on circular 10/99, which is being revised as result, and which is also to be revised to incorporate changes in the Education Bill, which comes back before the House on Monday. Those changes are due to be implemented in January 2003, so fresh guidance will be issued later this year for implementation next year.

We are committed to continuing with the independent appeals panels set up by the previous Conservative Government. It is only right that a parent of the child has the right of appeal against a decision permanently to exclude their son or daughter, but we want to send out the clear message to schools and head teachers that we support heads in their management of their schools. We do not want the inappropriate reinstatement of pupils. That is why, in the Education Bill, we are making the changes to the panels.

We want to ensure that independent appeals panels will have at least one member who has direct classroom experience—for example, a teacher or retired teacher. We will ask that in reaching their decisions, panels will balance the interests of the excluded pupil and those of the wider school community, including the other pupils. The panels will not be able to reinstate a pupil solely on the basis of a technicality in the way that they were excluded.

On discipline committees, the trigger for an automatic meeting of a discipline committee will be relaxed from more than five school days in a term to more than 15 school days in a term. We believe that that will help to reduce the burden on heads and governors.

A number of specific cases were raised by the hon. Member for Altrincham and Sale, West (Mr. Brady), who spoke from the Conservative Front Bench. I shall refer briefly to one which I agree is extremely serious—the case that was reported in the press this week of the 14-year-old boy who was reinstated after a sexual assault.

My right hon. Friend the Secretary of State for Education and Skills asked this week for the facts of the case to be brought in for her attention. They showed that the boy is not currently at the school and will not be returning to the school, and that the girls left the school in June, following the completion of their GCSE courses. In the light of that, and the governing body's apology, my right hon. Friend has decided that no further action will be taken, but we have asked that she be kept informed should the situation change. It is worth pointing out that in that case, it was the discipline committee of the governing body that made the decision, rather than the independent appeals panel.

A number of hon. Members expressed concern about the availability of sanctions to schools. Our guidance will take that into account when we issue it later this year.

It is worth making the point that all schools exist within the same framework and some have a much better record in dealing with these matters than others, so the ethos, practice and leadership within the classroom and the wider school community are important factors when considering the policy and what works in particular schools.

I am also pleased to reaffirm what I said in my opening remarks in response to the challenge from the hon. Member for Altrincham and Sale, West regarding drugs and alcohol. The important signal that is sent by the

House and by the Government is that schools must be drug-free zones. We shall continue to debate the rights and wrongs of the Home Secretary's announcement earlier this week. I think that he was right, but we can have that debate elsewhere. However, all will agree that that message must be sent out strongly. In my opening remarks I sought to say that we should also seriously address the issue of alcohol.

Mr. Brady: The Government tightened their guidelines for appeals panels earlier in the year in respect of pupils found dealing in drugs. Is the Minister now saying that it is the Government's view that it would be wrong for appeals panels to overturn the view of a head who has excluded a pupil for a drugs-related offence other than dealing?

Mr. Twigg: The hon. Gentleman is right to say that the change that we made concerned dealing. We are having a wider review of the guidance, and I am not issuing new guidance from the Dispatch Box today. Clearly, dealing is serious and we want to send a strong message from the Department, and I hope from Parliament, that such behaviour is completely and utterly unacceptable and will not be allowed.

Several hon. Members today have referred to the importance of listening to young people and providing opportunities for school students and other young people to have their say, whether it be through schools councils or through youth assemblies and councils. That will be important in taking forward the policy initiatives that we have been debating.

I referred in my opening remarks to bullying and, in particular, homophobic bullying, and I welcome the cross-party support from the Liberal Democrat and Conservative Benches for my remarks on that.

Several hon. Members referred to the nature of the curriculum. The hon. Member for Harrogate and Knaresborough referred to 13 to 15-year-old boys. The curriculum reforms contained in our Green Paper "14-19: Extending Opportunities, Raising Standards" and the wider debate on that are vital and we shall return to that soon.

A number of the initiatives to which I referred will begin in those local authority areas that have the most serious problems with street crime and truancy. We are starting there, but we want the good practice established by the setting up of behaviour and education support teams and encouraging more pupil referral units and learning support units to spread elsewhere. I very much take the points that have been made by several hon. Members that if that good practice is to be taken up as part of a universal service, that will sometimes require support in terms of resources.

My hon. Friend the Member for Ealing, North (Mr. Pound) made an important point from the experience of Ealing about the danger that excluded students from a number of schools can all end up going to one or two particular schools. That problem is not specific to London, although perhaps it is more pronounced in London than elsewhere, but part of the work that I am doing on London schools will attempt to address that. It is not an easy matter to address, but it will provide a further set of challenges for a school that might already have challenging circumstances if it finds itself as the school that effectively has to pick up all the young people excluded from other schools in the area.

Many hon. Members have referred to parental involvement and support, and that is clearly important. Several of my hon. Friends emphasised the importance of other programmes, notably the sure start programme, but also mentoring, not just for pupils but for their parents and other adult role models.

This has been a very good debate about an important matter. I hope that the cross-party spirit in which it has been conducted can be reflected afterwards, so that all of us can work both in our constituencies and nationally for the sort of step change in pupil behaviour that we want, to enhance standards in our schools and to make schools a better place for teachers to work in and for students to study in. I thank everyone for taking part.

It being half-past Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Greenfield Land (Billericay)

Motion made, and Question proposed, That this House do now adjourn.—*[Angela Smith.]*

2.30 pm

Mr. John Baron (Billericay): Thank you, Mr. Deputy Speaker, for giving me the opportunity to raise this issue in the House. I also thank the Minister for responding on behalf of the Government. He will be aware that yesterday, I sent him a summary of my speech in order to ensure that party politics takes a back seat in our discussions of this important issue and to give him some time to consider his response.

In my constituency of Billericay and district, we are very concerned about the various threats to our green belt and green fields. One of the growing dangers is the illegal development of greenfield land, especially by the travelling community, which buys land and then, very quickly, often in only a few days, develops it without planning permission. The council has tried to combat the problem, but without success. I believe that local authorities are hampered by the law, and during the next 10 minutes or so, I should like to put forward proposals for the Government to consider as to how the law could be updated.

However, I should like first briefly to describe the problem. I shall start by making one thing very clear: my constituents are simply seeking fairness for all under the law, but it is only fair that all those who live in a community should abide by the same set of laws. No one is seeking to discriminate against a minority. Partly because of our historic links with the pilgrim fathers and the Mayflower, as a community we recognise more than most that the mark of a civilised society is the extent to which minority interests are respected.

For example, in Basildon district alone, there are more than 100 authorised sites for the travelling and gypsy communities, while some districts have none at all. Indeed, many of us believe that it was wrong that in 1994, the statutory duty on local authorities to provide authorised sites was removed. As a society, we should provide an adequate number of sites with proper amenities, for which the travellers should pay costs; otherwise, taxpayers would be encouraging people to pursue a nomadic way of life and the settled community would be discriminated against.

In short, we have long accepted this way of life. Residents have no problem with the law-abiding traveller and gypsy communities. However, for some reason that I cannot explain, there is an increasing number of cases in which travellers who are new to the area are buying land, speedily developing it without planning permission and subsequently not living in harmony with their neighbours. That is causing much concern and anger not only in the settled community, but among the more established gypsy communities.

A recent example at Sadlers farm roundabout in Bowers Gifford involved travellers buying the land and then, on a Friday, digging a 6 ft bank around the perimeter of the field before laying hardcore over the centre and bringing in caravans over the weekend. By the time the council reacted some three weeks later with enforcement and stop notices, it was far too late. Needless to say, the enforcement notice is now being held in abeyance because an appeal has been lodged by the travellers, while the court hearing regarding the stop notice has been adjourned over a technicality.

Consequently, we have now entered a lengthy planning and appeals process, which could take years. Meanwhile, the illegal development continues. Similar situations have occurred in Hovefields in Wickford and Oak road in Crays Hill. Typically, what happens is that the lives of neighbouring residents are made a misery. Many residents have complained of the local area and ditches being swamped with refuse, rubbish and excrement, which has caused flooding; of intimidation to the point of people being fearful to leave their home, with crime generally on the increase; and of nearby narrow lanes being plagued by under-age youngsters driving recklessly, or by noisy lorries, often during the early hours of the morning.

As the Minister can well imagine, I have received many letters about the issue, as feelings are running high. If the House will forgive me, I shall quote from just a few of them, although the names have been withheld because of fear of intimidation.

A lady in Wickford said:

> "Here in Wickford a well organised group of travellers has bought various areas of greenbelt, moved in with JCBs and totally decimated the entire areas covering them with tonnes of building rubble".

Another lady in Wickford added that

> "the situation is already causing problems with flooding to the local area, congestion on what is an unmade road. There are no drainage facilities which raises environmental concerns."

A resident of Crays Hill wrote that,

> "as we walked through the Spinney in Oak Avenue, we came across two very unpleasant heaps on the path along with paper, flies etc. There was also about 50 empty beer cans and evidence of drug taking."

Another resident of Bowers Gifford wrote:

> "I would like to use the Human Rights Act to ensure my right to a secure and settled family life but fear that if I did, as soon as this action became public knowledge I might not have a home, family or even a life."

Many residents point to the local Labour-run council as the culprit, but I believe that the law needs updating. I have solicited views from the Government, Basildon district council, the police, various research and environmental bodies, the House of Commons Library, residents, gypsies and councillors—and at this point, I would like to pay particular thanks to Councillor David Dadds, Mark Pinner, Councillor Malcolm Buckley and Julie Stainton.

I do not believe that the council could have stopped the illegal development of Sadlers Farm roundabout in the early days as, by law, it had to take account of the personal circumstances of the travellers and ensure accurate drafting of notices for fear of the financial implications of adverse court rulings. A further factor that delays councils is the Human Rights Act 1998.

The Minister knows that I raised the issue with his Department by letter on the 24 April. In his response, after describing the enforcement powers available to councils, the Minister said that

> "the enforcement powers will only deter unauthorised development if local planning authorities implement these powers in a determined and decisive fashion."

In other words, it is up to the council. I have written again, asking the Minister to reconsider his position.

We may be making progress. The Government recently issued a press release, dated 5 July, entitled "A New Approach to Tackling Unauthorised Traveller Camps", which appears to accept that councils cannot deal with the issue alone. The initiative will apparently produce new guidance on managing unauthorised camping, and provide police with increased powers to move on unauthorised traveller encampments. *[Interruption.]*

However, it appears that the increased powers will apply only in cases of trespass. Will the Minister confirm whether that is the case? If so, the new guidelines will not help my constituency. *[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. There appears to be a problem with the sound system, which means that we have no recording for official purposes. I shall therefore suspend the sitting for five minutes.

2.44 pm

On resuming—

Mr. Baron: I understand that guidelines will be issued in the autumn, and, with this time scale in mind, I would like to suggest three changes to the law. The first involves retrospective planning applications; the second, stop notices; and the third, injunctions. All are aimed at stopping illegal development early, as soon as it first occurs or is about to occur.

With regard to the first proposal, retrospective planning applications should be restricted where it could be shown that significant harm is about to be, or has been, caused to the greenfield site in question. The council would have discretion whether to act following guidance from the Secretary of State as to what constitutes "significant harm".

Under the Town and Country Planning Act 1990, planning permission is required for the carrying out of any development. However, as we know, a retrospective planning application can be made where development has already been carried out without permission. When a retrospective planning application has been received, any pending or proposed enforcement action is suspended until the application has proceeded through the planning system and/or the courts. In other words, serious and costly delays can occur during the appeals process, and in some cases it can take up to six years, or even longer, before the processes are exhausted. Meanwhile, the unauthorised development remains. In refusing retrospective planning applications, a strong message would be sent out that speedy unauthorised development of greenfield land would not be worthwhile and would not be tolerated. Enforcement action could be immediately carried out in the knowledge that retrospective planning could not be allowed as a ground for appeal.

There is little doubt that the current enforcement system is unduly complex and cumbersome, but the measure would prevent those who seek to deliberately evade or abuse the planning system from doing so. The term "significant harm", as opposed to just "harm", would be appropriate, to ensure that any such amendment complies with the Human Rights Act 1998 and that minor contraventions of planning law were not necessarily penalised by the council.

The second proposal would involve no costs or penalties being awarded against councils who issue a stop notice in relation to any development where planning permission has not been granted. Currently, in part due to the Human Rights Act, inspectors' enforcement decisions regarding unauthorised traveller sites are increasingly being decided against local authorities, with hefty costs or damages being awarded.

That danger considerably discourages councils from using stop notices, or at least delays the issuing of those notices while councils prepare lengthy paperwork, during which time much damage can be done to the greenfield in question. If that danger were removed by preventing costs from being awarded against councils, it would provide a big incentive towards allowing councils speedily to enforce their planning powers where necessary by issuing a stop notice. Again, councils would have final discretion in that.

The third proposal involves injunctions. A letter from my local council says:

> "Injunctions, to have any effect, must be served on the named perpetrators and this is fraught with difficulties when dealing with unco-operative travellers of no fixed address. This, therefore, has the effect of making injunctive action ineffective in most cases."

Councils should be made better aware by Government that they can issue injunctions against a person whose identity is unknown—in simple terms, an injunction can be served on the land. Councils would therefore be better aware that they can issue injunctions quickly and stop any unauthorised development in its tracks immediately, subject to the appeals process.

An additional problem is that, often, court sentences for contravening an injunction and for non-payment of fines are too lenient. Penalties available to the courts are limited and they do not act as a deterrent. That also needs to be put right by the Government.

In conclusion, Mr. Deputy Speaker, this is a real problem in my constituency, and it is causing much distress and anger. Whereas section 61 of the Criminal Justice and Public Order Act 1994 can deal with trespass, the existing law is essentially ineffective against determined and unco-operative people who buy land and then speedily and illegally develop it.

That problem is getting worse, and it could escalate significantly. Local residents cannot sell their properties or land because of the location of many of those illegal sites, and greenfield land is being sold at knockdown prices to that new wave of travelling communities.

Clarification is required as to whether the Government's latest initiative deals only with trespass. I am also aware that the planning Green Paper has announced that enforcement powers and procedures are being scrutinised. We shall hear more in the autumn.

In the lead-up to the announcements, I urge the Government to consider those three proposals, which aim to put an end to the generally perceived view that there is a two-tier planning system operating in this country. There may be technical issues to address, but these should not get in the way of what I believe are common-sense policies, which, if sufficient political will exists, would tackle the problems.

[Mr. Baron]

These proposals would give councils the power to act quickly against the illegal development of land owned by the perpetrators, whether traveller or not, and would therefore create fairness for all. I await the Government's response with interest.

2.50 pm

The Parliamentary Under-Secretary of State for the Office of the Deputy Prime Minister (Mr. Tony McNulty): I congratulate the hon. Member for Billericay (Mr. Baron) on securing this debate. It is an important matter and I sympathise with much of what he said in terms of the effect of illegal and semi-legal camps on his constituency. It is an issue that most of us have had to deal with on a constituency basis.

I am grateful for the hon. Gentleman's comment about this being essentially a minority pursuit among the travelling community in the context of more than 100 authorised sites within the Billericay, Basildon and surrounding district. I am grateful that this week's debate—I seem to have one a week, nowadays—is outside party politics and talk of conspiracy about changes. The hon. Gentleman's constituents and the issue deserve better than that.

There are essentially two issues here. The first is the breach of planning control that occurs through the use of land for development which does not have the benefit of planning permission. The second is the fact that the unlawful use is taking place on greenfield land that may also have metropolitan greenbelt status.

The hon. Gentleman said that councils were hampered by the law, and I will return to much of what he said in relation to the unauthorised encampments guidance that has just been issued for consultation. I am grateful for his comments and their context, because they underpin much of what the Department is trying to do. We start from a premise of fairness for all, rights for all and—clearly within that—responsibilities for all. Neither the settled community nor the travelling community has been afforded a status above the law. That is the balance that we are trying to get into the system. All should abide by the law. As the hon. Gentleman said, respect for minority interests is a measure of our civilisation.

Day-to-day policy on development control is the responsibility of local planning authorities. If there has been a breach of planning control in the district, Basildon council has the option of taking enforcement action to bring the unlawful use to an end and to require the offenders to apply formally for planning permission. The planning system provides for appeals to be made against enforcement notices, as well as against refusals of planning permissions. Appeals are considered on their merits and determined in accordance with the development plan for the area, unless material considerations dictate otherwise.

The merits of using greenfield land for development are a matter for the determination of the local planning authority in the first instance, and for the inspector or my right hon. Friend the Deputy Prime Minister when considering appeals. The Government are committed to maximising the re-use of previously developed land and empty properties and the conversion of non-residential buildings for new housing, in order both to promote regeneration and to minimise the amount of greenfield land being taken for development. We have more than met those targets in the past.

That means giving priority to re-using such land within urban areas, bringing empty homes back into use and converting existing buildings. That is preferable to the development of greenfield sites. In a planning context, that is the background against which we consider illegal developments and the illegal use of greenfield land. However, not all development can take place within urban areas and, where it has to be located elsewhere, we are looking to the local planning authorities to utilise the most sustainable option. Policies and guidance on greenfield and open land are the next step on from use of brownfield and urban centres.

The Government recognise that gypsies have a right to pursue their own lifestyle. We are committed to ensuring that the planning system treats members of that community as fairly as everyone else. Gypsies make up a tiny proportion of the population of this country, but their land use requirements must be met. That is what much of the new guidance will be about.

Planning policies relating to the provision of suitable locations for gypsy sites, whether provided by the local authority or privately, are set out in the then Department of the Environment circular 1/94 "Gypsy Sites and Planning". That advice is now eight years old but remains the legal framework in which planning and other matters are dealt with. The circular places gypsies on the same footing as others in relation to the planning system, while recognising their special accommodation needs, and the desire of many gypsies to buy their own sites to develop and manage. Gypsy sites constitute development, and therefore require planning permission.

The circular emphasises the importance of local authorities and gypsies working together to identify suitable sites, and encourages gypsies to consult local authorities before buying land on which they intend to camp and for which planning permission would be required. Effective liaison is essential if disputes are to be avoided. The lack of availability of alternative sites can be a consideration when appeals against enforcement notices are determined.

It is the responsibility of local planning authorities to judge how they frame their policies, and these of course are open to public scrutiny and comments at inquiry. Development plans must take account of local circumstances. For example, gypsy sites are not among the uses of land that are usually appropriate for greenbelt land, areas of special scientific interest and places of open land where development is severely restricted.

The onus is on the applicant to prove very special circumstances that overcome the harm by reason of inappropriateness. In gypsy cases, special circumstances often include health and educational needs, and those may be human rights considerations. I have participated in two or three debates on this subject, but I am still unclear about the allusions to human rights law. One case revolved around a technicality, with the judge going beyond his brief. We shall explore that further and get back to the hon. Gentleman. We also need to add to what the guidance says about unauthorised sites. We are dealing with three or four different strands of policy, of which the guidance will be one and planning is another.

A difficulty that we have nationally is that there has been little quantitative and sustainable research on the demand for the provision of sites. We are not minded—although this may change as a result of the research—to return to the pre-1994 position in which every local authority had to provide a site of some description.

We have organised a body of research, which we hope will report during the summer, to try to get not just a feel of how many sites there are, their nature and their general upkeep, but a wider picture of demand and the need for temporary or transitory provision. Building on that research, we have said in the guidance that local authorities and the police should devise strategies to deal with travellers in their areas. That will be through a mix of existing sites and provision for emergency or temporary sites, which can often overcome difficulties in some areas.

As a quid pro quo, if local councils devise such strategies, we will provide a stream of funding for those temporary or transitory sites. We have diverted some of the funds from our three-year gypsy site refurbishment grant for that purpose. As a further quid pro quo, the enforcement powers and the ability to move unauthorised encampments in those areas will be far stronger. It is about getting the balance back into the equation: recognising the need for sites and the responsibility to provide them while giving the police greater powers to move people on.

Mr. Baron: Do the enhanced powers apply to cases in which travellers own the land that they have illegally developed?

Mr. McNulty: I will get back to the hon. Gentleman if I am wrong, but I understand that in the context of the guidance "unauthorised" means unauthorised in the context of the planning framework. Whether the person owns the land or not, if there is inappropriate land use or development that has not been authorised through planning permission, the ownership of the land is irrelevant.

In the first instance, it is for the local planning authority to determine planning applications against the new backdrop of the guidance. There are of course other elements of the legislative nexus, such as the Children Act 1989—if children are involved—and social services. All that is taken into account in the guidance that we have issued, and the balance, hopefully, has been restruck.

The fact that gypsies own their land does not mean that planning permission need not be applied for. It should be obtained before development takes place and before the land is occupied. I think—but I will write to the hon. Gentleman in more detail—that there cannot be a qualified position on the principle of retrospective planning. As the hon. Gentleman said, retrospective planning applications should be restricted where it can be shown that significant harm could be done to the land in question, but retrospective planning applications and subsequent provisions are dealt with in exactly the same planning framework. If an existing application came in for a greenfield development that would mean inappropriate use of that greenfield open site, it should not be allowed as a future application. Those are the rules that prevailed for previous applications. We cannot lock qualifications on to retrospective planning; either we have retrospective planning applications in principle or we do not.

The other important principle is established use, meaning that approval for an application for land that has been used for that purpose for 50 years is fairly automatic because it is determined under the older rather than the new framework. Anything from now on should be dealt with, albeit retrospectively, in the context of whatever the framework is at the time. I cannot envisage many cases in which action that would either cause significant harm or be counter to what the General Development Procedure Order and planning policy guidance currently say about greenfield and green-belt developments would be permitted simply because it was retrospective.

Mr. Baron: Will the Minister clarify his last statement? Increasingly, people buy land and then quickly develop it, knowing that they will subsequently put in a retrospective planning application. That has the effect of instigating the appeals process, and everything else—including enforcement action—is held in abeyance. If we restricted retrospective planning applications, such people—whoever they may be—would know that they could not act in that way. It would constitute a major deterrent.

Mr. McNulty: With respect, that could be described as tackling things the wrong way round. The hon. Gentleman probably wanted me to clarify the relationship between the planning process—whether retrospective or otherwise—enforcement notices, and what starts and what stops, what is suspended and what is not suspended. We are trying to speed up the enforcement process and to make it more flexible: that is part of our response to consultations on the planning Green Paper. I will get back in touch with the hon. Gentleman on that. However, I do not think that shackling or restricting powers at that end—I mean retrospective planning applications—is necessarily the right way in which to deal with the relationship between planning application and enforcement or stop notices and difficulties.

We want to streamline the system. I am not sure why, but stop notices are used less and less and injunctions more and more. I do not know whether that is because they are a clumsy weapon, or simply because they are no longer appropriate. Happily, I am not a lawyer. I do not know the ins and outs of it, but I should not think it appropriate to lose the notion, for public authorities or others, of costs to prevent malicious or capricious use of the law.

There may be some other way to do it. I will certainly investigate the notion of serving the injunction on the land rather than the title owner; I had not heard of it before and I had the great pleasure, perverse or otherwise, to be on a planning committee for 11 years. I will have a look at that and get back to the hon. Gentleman.

We need to get to a position where everyone who lives in Crays Hill, Wickford and Billericay lives in peace without fear of molestation or antisocial behaviour, whether from the traveller community or the settled community.

Question put and agreed to.

Adjourned accordingly at five minutes past Three o'clock.

Westminster Hall

Tuesday 2 July 2002

[SYLVIA HEAL *in the Chair*]

Air Services (Scotland)

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Ainger.]*

9.30 am

Mr. David Marshall (Glasgow, Shettleston): It is a matter of great sorrow, following the tragic loss of life in the air crash in Germany, that we should be debating aviation this morning. I am sure that we all deeply sympathise with the victims and their families.

Today's debate is about the role of the Scotland Office in promoting air services to and from Scotland. It should allow a meaningful exchange of views on a matter of great importance to the Scottish economy and to Scotland's future well-being. Furthermore, it comes at an appropriate time, as we await publication of the Government's consultation document, which I hope will set out options for the long-term development of Scotland's airports and, as a consequence, have a substantial effect on what services there will be and from where they will operate.

I welcome our new Minister to her first Adjournment debate and I look forward to her reply to the points that will be raised, although I realise that the imminent publication of the consultation document means that her comments may be somewhat limited.

I intend to concentrate on the three central Scotland airports. In alphabetical order, not in order of importance, they are Edinburgh, Glasgow and Prestwick. I also intend to consider where we are today, what may happen in the short term and what I believe should happen for the long-term benefit of Scotland as a whole. If we were to start again with a clean sheet, I have no doubt that there would be only one airport, not three, and that it would be located between Edinburgh and Glasgow, where it would be adjacent to the motorways and the main line railway links—but more about that later.

The Parliamentary Under-Secretary of State, Scotland Office (Mrs. Anne McGuire): Why not have it at Stirling?

Mr. Marshall: Well, why not have that airport at Stirling? The existing provision may serve local needs quite well, but does it do the nation a service or a disservice? Prestwick airport exists for historical and outdated technological reasons. Edinburgh and Glasgow, however, are there for reasons of municipal rivalry, parochialism and civic pride. There is nothing wrong with that.

Mrs. Irene Adams (Paisley, North): It may surprise my hon. Friend to know that I am quite happy with Glasgow airport being where it is, but I remind him that it is in Glasgow in name only. It is sited at Paisley.

Mr. Marshall: I am grateful to my hon. Friend for that correction. I remember when it was called Abbotsinch, but she may not, as she is younger than me.

We assume that those three airports are all competing with each other, but are they? If so, are they competing on a level playing field? In the 1979–83 Parliament, I served on the Scottish Affairs Committee, which in 1981–82 investigated the future of Prestwick airport. The inquiry's main recommendations were that high-speed railway links and motorways should be constructed between Prestwick and Glasgow, but the Government of the day chose to do nothing and Prestwick went into rapid decline.

In 1988–89, I was Chairman of the Transport Committee when it conducted an inquiry into air traffic control safety and runway capacity in the United Kingdom. One of the Committee's many recommendations, which I pushed strongly, was that transatlantic gateway status be extended to airports such as Birmingham and Glasgow. I campaigned for that with Alan Stewart, the then Member for Eastwood—happily, my hon. Friend the Member for Eastwood (Mr. Murphy) now holds the seat—and Glasgow achieved gateway status.

I became involved in that campaign because I sincerely believed that the airline that operated transatlantic services from Prestwick was on the verge of moving to Manchester, which was marketing itself aggressively as Scotland's gateway, as was Amsterdam's Schipol airport. Twelve years later, a similar situation is looming for transatlantic services from Glasgow. The transfer of transatlantic services to Glasagow was a blow to Prestwick, but it fought back well, although to be fair, BAA handed over more than £1 million of assets for a pittance when it sold the airport. Substantial sums of additional public money were invested in Prestwick, and I am sure that some of that money became part of the large profit that investors made when Prestwick was resold.

I am pleased to note that, at 36 per cent., Prestwick's growth last year was the largest of any regional airport, but it was from a low base. The trick is to sustain that growth, but that will be much more difficult this year and in future years.

Yet again, we are seeing an industry drift from west to east. In the tobacco, sugar and aviation industries, the emphasis has moved from trade with the Americas to trade with Europe, and the establishment of the Scottish Parliament in Edinburgh has added to that trend. The west of Scotland needs compensatory action if the east-west divide is not to worsen and people are not to move east en masse in search of employment. Edinburgh could well become the London of Scotland.

When the British Airports Authority—now BAA plc—was privatised in the 1980s, I joined a delegation of Labour Members who went to see the Secretary of State for Trade and Industry, Lord Young. We argued that BAA should be privatised en bloc, and that Heathrow, Gatwick, Stansted, Aberdeen, Edinburgh, Glasgow and Prestwick should all remain part of BAA. I now believe that that was a great mistake, because we simply exchanged a public monopoly for a private one.

[Mr. Marshall]

It has been alleged, and denied, that BAA is pro or anti one or another airport.

Mrs. Adams: I am sorry to keep intervening, but is my hon. Friend aware that Prestwick is no longer part of BAA?

Mr. Marshall: I am sure that my hon. Friend heard me say that Prestwick has been sold and resold, and that BAA gave it away with more than £1 million of assets, so I am well aware of the position.

It has been alleged, and denied, that BAA is either pro or anti one or another of the airports in its ownership. It is possible to argue that BAA—perhaps in conjunction with some of the airlines—could control and manipulate the competition and where services at its six airports fly to or from. Has the Scotland Office considered the matter, and should it be referred to the Competition Commission? Would it be better for Edinburgh and Glasgow airports to have different owners?

Edinburgh airport has rapidly and substantially increased its passenger traffic over the past few years to approximately 6.3 million, although it is open to question whether that happened naturally or as a result of manipulation. In a short time, Edinburgh will probably overtake Glasgow's 7.3 million passengers to become Scotland's No. 1 airport. Some may say that that is fair enough, but where will that leave Glasgow and the west of Scotland?

The Minister is well aware of Glasgow airport's importance to the economy of the west of Scotland, and more than 5,000 jobs depend on it. Is she also aware of serious concerns that Glasgow is about to be downgraded, and transatlantic services moved to Edinburgh? There are fears that a second runway and a rail link will soon be announced for Edinburgh, while there will be nothing for Glasgow. Is she aware of concerns that more business class passengers will be encouraged, persuaded or forced to use Edinburgh, and that all European scheduled services will operate from that city, with only domestic feeder and charter flights from Glasgow?

The lessons of Prestwick's demise in the 1980s have not been learned, and we have delayed for years the completion of the M74 in my constituency. That project will relieve the pressure on the Kingston bridge and some gridlock in Glasgow. It will also allow much faster and better access to the airport, although it will be some years before it is completed. The Scottish Executive's decision to complete it is welcome, however.

We still have no decision on the airport rail link from Glasgow city centre. Strathclyde passenger transport authority has waged an excellent campaign in support of the link, and we must end the uncertainty as soon as possible. Has the Scotland Office discussed the issue with the Scottish Executive, who are responsible for making the decision? When do the Scottish Executive hope to make an announcement about their decision? Will the Minister seek a guarantee that Glasgow will not be downgraded and sacrificed for Edinburgh's benefit?

Will the Minister also consider the assessments that are being made of future trends in aviation, such as the possible construction of 600-seater aircraft? Will such planes, if they are ever built, be able to use Edinburgh and Glasgow airports? What terminal facilities will be needed to cope with a fleet of them, and how will they ever be filled with passengers from Scotland? Will such planes operate only from Manchester, London and the big European airports, relegating Scottish airports to providing only feeder services?

The substantial add-on costs of charter flights south from Scotland are a sore point with most Scots who go on holiday by air and yet another example of how consumers are ripped off in the UK. As far as I am aware, there is no corresponding reduction for Scots on the cost of charter flights going north, whether they originate in England or in Scotland. It is a case of win-win for the operators. My hon. Friend the Member for Motherwell and Wishaw (Mr. Roy), in conjunction with the *Daily Record*, has waged a vigorous campaign to have action taken on the matter. Will the Minister raise the subject with her ministerial colleagues?

When the Minister does that, will she consider the high cost of business-class fares on Anglo-Scottish services, which must be a disincentive to business and jobs? Why should such fares cost approximately the same as some transatlantic flights? Where is the price competition between airlines in business-class fares? They all seem to charge the same. It is probably a coincidence, but those of us who do not believe in coincidences think otherwise.

There have been numerous suggestions and some attempts to make a success of air cargo operations, but again we have the problems of inadequate road and rail links and the lack of air services to further forwarding destinations, which prevent them from being a great success. Will the Minister say whether cargo will be included in the consultation document?

We could not have a full debate without referring to low-cost carriers, which are a mixed blessing. There is no doubt that the increased competition has forced some airlines to lower costs, but, again, is the competition on a level playing field? Do some airports not offer low-cost carriers substantially reduced landing fees, or even none at all? Surely there may be a case for charging identical landing charges for identical aircraft, or identical per-head landing charges throughout the United Kingdom.

I am also concerned at the misleading advertisements and hidden costs for passengers on some routes operated by low-cost carriers. It must come as quite a shock to many passengers to find that the airport at which they land is 25, 40 or even 60 miles from their destination—substantial additional expense and time are necessary before they get to where they want to be. Such information and costs should be made clear to prospective passengers before they book their tickets.

Mr. Peter Duncan (Galloway and Upper Nithsdale): The growth in low-cost operators suggests that people are willing to accept a somewhat inconvenient destination if they get the price that they want to pay. Surely the issue is competition.

Mr. Marshall: I am grateful to the hon. Gentleman for his intervention, but people who feel conned have complained to me. A classic example is a friend of a friend who went from London to what they thought was Glasgow airport. Instead, they arrived at Prestwick, took a taxi and asked for the city centre only to find that taxis cost £40 each way. Many passengers who use low-cost airlines do not appreciate the additional costs that could be involved until it is too late. That is why it is a good idea that they be provided with such information before they book their tickets.

So far as I am aware, none of the low-cost carriers has much of an operating base in Scotland. We could have a case of here today, gone tomorrow, and that has already happened to some carriers. We do not know how long term the low-cost carriers are—they operate on extremely low overheads and hire space, and they do not have the overheads of regular scheduled multinational carriers. Time will tell who wins the battle between the types of carrier.

Angus Robertson (Moray): Bearing it in mind that Ryanair now has a higher market capitalisation than British Airways, will the hon. Gentleman concede that its long-term prospects are probably not bad?

Mr. Marshall: We have seen a lot of allegedly global giant companies descend to the ashes as quickly as they rose. Who can tell what will happen? Some were of much greater value than the company that the hon. Gentleman refers to.

What efforts has the Scotland Office made to establish any maintenance and repair organisations or call-centre activities for low-cost airlines in Scotland? Has any assessment been made as to whether low-cost operations result in a net loss of inward investment? That is an important point. Do the carriers not take many more people out of Scotland, and bring them back, than they bring to Scotland from other destinations? The figure could be two or three times as many. People who might otherwise spend their money in the Scottish economy spend it abroad, because they are encouraged to take the low-cost fares.

Is it just a coincidence or is the increase in low-cost air travel linked to a substantial reduction in the number of tourists spending their holidays and their money in Scotland? Our tourist industry must draw up a strategy to combat that. Will the Minister say whether any studies have been carried out on that point? I believe that low-cost carriers' operations are causing a drain of money from Scotland, and I want people to spend their money in the beautiful parts of Scotland rather than on travelling to other European countries. I make no apologies for making that point.

I compliment my right hon. Friend the Secretary of State for Scotland for participating in the post-11 September aviation summit in Edinburgh with 14 different airlines. Will the Minister say what discussions took place with a view to encouraging more direct international flights to and from Scotland? A common complaint from airlines is that they cannot get business passengers to travel directly from Scotland, because most want to travel via London. Have any surveys been carried out to discover why that is so? Why go through a busy, overcrowded airport such as Heathrow when one can travel from Glasgow or Edinburgh? If no surveys have been carried out, will the Scotland Office consider whether one should be?

I must raise two important issues with the Minister. First, bilateral UK-US agreements, or the Bermuda 2 talks, as they are known, are important and they could affect services to and from Scotland. Has the Scotland Office been involved in those talks at any stage? As the Minister is aware, the Advocate General of the European Court of Justice has issued an opinion that such bilateral agreements are likely to be illegal. It is expected that the court will uphold that opinion later this year and that the European Union will then be involved in the process. Will the Scotland Office have an input to any such EU discussions?

Secondly, EU enlargement will cause eastern Europe—the east again—to open up, especially as a tourist destination. Charles de Gaulle, Frankfurt and Schiphol airports may overtake Heathrow as destinations for Americans, with a consequential loss of tourists to Scotland. Will that be taken into account in future plans and policies?

Finally, as a Glasgow MP, I have been parochial and argued Glasgow's case. Having done so on the basis of having to work with what is, I would argue that to accept the long-term economic consequences of the existing situation is to sell Scotland short. I accept that we are a relatively small nation with a small population and that, as such, we will never be able to sustain a large airline hub, meaning an airport with hundreds of onward connections—

Angus Robertson: What about Copenhagen?

Mr. Marshall: The hon. Gentleman could also cite Schiphol. Copenhagen is certainly doing very well. None the less, if we genuinely have Scotland's interests at heart, we should seriously consider investing no more in the status quo than is necessary to keep up standards in the short term.

The three existing airports could eventually fill a number of niche markets, enabling them to survive for a considerable time. Instead of continuing as at present, we should draw up a long-term airports plan for the rest of the century, encompassing Scotland's employment, export market, inward investment and tourism needs, and anything else that is relevant.

We should bite the bullet and go for a brand new central Scotland airport, located between Edinburgh and Glasgow and adjacent to motorway and rail links. Such an airport, according to present-day figures, could have 15 million passengers a year—the combined total for all three existing airports. If we allow for growth in air travel and new businesses as a result of having such an airport, by the time it is built it could have 20 million passengers a year. That would make a tremendous economic difference to our country, safeguarding existing aviation jobs that otherwise may wither away and creating many new ones. If such an airport should ever be built, please let the state operate and benefit from the car parks—they are licences to make money, with next to no liability to the customer.

I am grateful for the good attendance and interest in the debate, and I look forward to the other contributions.

9.49 am

Mr. Peter Duncan (Galloway and Upper Nithsdale): I commend the hon. Member for Glasgow, Shettleston (Mr. Marshall) for his good judgment and good fortune

[Mr. Peter Duncan]

in securing the debate. The subject is an important one, and it is ripe for discussion as the consultation gets under way.

Scotland faces challenges, because it is peripheral to the United Kingdom and to Europe, which makes air travel all the more appropriate for discussion. The world is becoming smaller and air travel is growing accordingly; passenger traffic throughout the United Kingdom is increasing annually by 5 per cent., with freight traffic growing at 7 per cent. I agree with the hon. Gentleman on freight traffic, which is often neglected in discussions on air travel. Freight provides a significant opportunity for Scotland, as we have learned from the experience of Prestwick.

This is a new era for air traffic. I understand that the hon. Gentleman has what he calls a parochial interest in Glasgow, but given that the city has two airports—Glasgow Prestwick and Glasgow Abbotsinch—some of his comments could have been better balanced. He would have done better to reflect the market as it is today, because air travel is fuelled by marketing demand, whereas a few years ago it was fuelled by manipulating supply.

No-frills operators are making air travel ever more accessible to people who, 10 years ago, would not have thought it to be in their reach. I commend those operators for their part in that. Some may question how substantial those companies are, but I would say that they are substantial, given the market capitalisation of Ryanair and the growth of easyJet. We may compare that with the relative instability of some major air traffic operators in the United Kingdom—British Airways' share price is not what it was a few years ago, for example.

There is more outgoing air traffic than incoming air traffic through those no-frills airlines, but that is a commercial matter. It is up to companies to make the most of the market opportunity, and they seem to be among the most dynamic, flexible and innovative operators in the travel industry. However, every time I arrive at airports in Glasgow, it strikes me that we do not make enough of arriving passengers. For example, there is little marketing for people who arrive at Prestwick who happen to have got on the plane at Frankfurt because the flight is cheap. When they arrive, they could be anywhere, but there is no marketing of the gem that is Galloway, which is only an hour's drive away, and only limited marketing of the fantastic golf courses within 10 miles of Prestwick. We do not make the most of the potential for incoming air travellers.

I must address accessibility. Air travel has become more accessible to a vast proportion of the population, but that should be matched by airport accessibility. That is a major lesson that Prestwick can teach other Scottish airports. Its rail-air link was opened in 1994 at a cost of £2.3 million, of which £1 million was given as Government support. That came about as a result of imaginative marketing by the Strathclyde passenger transport executive and ScotRail. An incredible 30 per cent. of those who arrive at or depart from Glasgow Prestwick do so by rail.

That is a significant lesson that other airports in Glasgow and Edinburgh could learn. Putting party politics to one side and irrespective of the history of the past 30 years, is it not a tragedy that Scotland's two major airports do not have a direct rail link? Whatever the rights and wrongs of that situation, it is a missed opportunity. As the statistics from Prestwick show, many people can be tempted into using public transport.

I was delighted to meet people from SPTE in Perth at one of the many packed fringe events at our Scottish party conference and delighted to hear of the executive's plans and of the excellent marketing of its proposals for the Glasgow rail-air link. I travelled on the sleeper last night, having left my car at Glasgow airport, as one has to take a bus to get from Glasgow airport to the city centre.

Mrs. Adams: Did not a certain Mr. Beeching close some links to the airports that might have been used?

Mr. Duncan: The hon. Lady's petty party politics never cease to amaze me, or to disappoint me at moments when we could rise above such argument. The hon. Member for Glasgow, Shettleston is correct: whatever the rights and wrongs, and however it has happened, we have reached a stage at which two of Scotland's major airports do not have direct rail-air links. That is a matter of considerable regret.

I should like to consider the part that the Scotland Office can play in adding to Scotland's infrastructure. Air travel is a matter not only for the central belt—it is of significant interest to the peripheral areas of Scotland, but by no means do I say that pejoratively. My constituency is an example, as it is in one of the parts of Scotland that is least accessible by air. Of all hon. Members present, I have one of the longest commutes, even though I do not travel as far north as some.

Although my constituency is an inaccessible corner, we have a significant air asset in our Ministry of Defence airfield. There have been proposals over many years to develop it for civilian air traffic, and those for another airstrip between Perth and Stirling are under consideration. We must soon reach the stage at which the procedure for opening up civilian airfields and MOD airstrips becomes much more straightforward—the rewards for doing so are much more significant.

I am one of the greatest supporters of the MOD, which serves us fantastically well, but it is sitting on a huge resource of airfields, airstrips and structural assets around the UK that could be used for commercial gain and to the great benefit of Scotland's peripheral communities. I urge the Scotland Office to consider carefully how it can work with the MOD to that end. Something is preventing operators from unlocking the potential as easily as they might, and the Scotland Office can help them to do so.

I hope that some productive long-term planning emerges from the consultation, but if air travel changes as much in the next 20 years as it has in the past 10, any planning must be done carefully.

9.58 am

Mrs. Irene Adams (Paisley, North): First, I apologise for the fact that I have to leave early, having Chairman's duties in another part of the House. However, I look forward to reading colleagues' contributions and the Minister's reply.

I, too, congratulate my hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall) on having secured the debate. He has always taken a keen interest in all transport matters and has a great knowledge of them. I add my sympathies to his for the overnight air crash. However, I cannot entirely agree with some of his comments, particularly those about one large airport for central Scotland. One of the joys of landing at and leaving from Glasgow, Edinburgh and Prestwick is the fact that there is not the hustle and bustle of Heathrow or Gatwick. That is a great attraction of Scottish airports.

I also congratulate my hon. Friend the Member for Ayr (Sandra Osborne), who has played a great part in keeping Prestwick airport open. Unlike my hon. Friend the Member for Glasgow, Shettleston, I think that there is a place for Prestwick and Glasgow airports in the west of Scotland. I recently travelled from Prestwick, and it was a relaxing experience. The airport is quiet, and the flight departed and landed on time.

My hon. Friend the Member for Ayr has played a great part in assisting that airport, but given that Glasgow international airport is entirely within the constituency of Paisley, North, and is arguably the biggest employer in my constituency, I hope that I will be forgiven if I confine my comments to that airport.

I cannot over-emphasise the importance of Glasgow airport to me and to the area that I am fortunate to represent. As I am in fairly regular contact with BAA management and workers' representatives at Glasgow airport, I have been taken aback by recent suggestions, albeit from an apparently anonymous source, that Glasgow airport is in decline. Reports of its decline are not only greatly exaggerated, but completely unfounded.

By way of background information, it might be helpful for hon. Members to know that, during the 1980s and early 1990s, the Paisley post code area lost more than 90 per cent. of its manufacturing jobs. Paisley was a mill town, where some 10,000 women were employed in the manufacture of thread. At the beginning of the 1980s, the mills closed and the jobs virtually disappeared overnight, taking with them the small to medium-sized light engineering factories that served the mills. Unfortunately, that was just the beginning of what almost became death by a thousand cuts as, over the ensuing decade, we lost the heavy engineering jobs that had, in some cases, been part of that constituency not only for decades, but for centuries. Some 7,000 jobs were lost at Babcock in Renfrew and 10,000 at Rolls-Royce in Hillington. All in all, by the mid-1990s, the Paisley area had lost 30,000 manufacturing jobs, which sent unemployment there to a high of 16.9 per cent., with pockets of 40 per cent. male unemployment.

During those dark days, we had a lifeline in Glasgow airport. In the early 1960s, it became apparent that Renfrew airport, which was also in the Paisley, North constituency, would no longer be able to cope with the growth in air traffic. As that site did not prove suitable for expansion, the move was made some three miles west to what was then the royal naval airbase HMS Sanderling at Abbotsinch in Paisley—incidentally, about half a mile from where I was born.

First, Glasgow airport emerged, and I could not know then how much time I would spend going through that airport. By the early 1990s, some 4 million passengers a year were passing through it. Today, that figure has risen to 7.3 million. In the year to May 2002, there was a 5.7 per cent. growth in traffic, and in May 2002 alone, the figure was 11 per cent. That is hardly the sign of an airport in decline. In fact, those figures come when there is a UK downturn in passenger traffic. Glasgow is outperforming England's key airports.

John Robertson (Glasgow, Anniesland): Does my hon. Friend agree that the loss or downgrading of such an airport would decimate not only her constituency, but the whole Greater Glasgow area?

Mrs. Adams: I do indeed agree with that, but given the figures that I have just quoted and what I am about to say, I do not think that it will happen.

Mrs. Jacqui Lait (Beckenham): I sympathise with the hon. Lady's comments because I, too, was born close to what is now Paisley airport. I am aware, however, from flying up and down from London City airport, that the Glasgow service has been withdrawn. Given her comments about how busy Heathrow and Gatwick are, with which I completely agree, I wonder how often she and her colleagues from the west coast travelled through London City airport.

Mrs. Adams: Indeed, I did travel through London City airport, and many of my colleagues joined me on those flights. Unfortunately, it is true that business flights to Glasgow are not as frequent as those to Edinburgh. Business accounts for some 80 per cent. of Edinburgh's traffic, whereas the figure is only 50 per cent. for Glasgow. The excuse given is that there are not enough daily travellers on such flights. Even if my colleagues travelled all or most of the time by air, flights on Monday afternoons and Thursday evenings would not be enough to maintain a link to Glasgow.

Regional airports such as Manchester, Birmingham and Newcastle are being out-performed by Glasgow. I should like to thank everyone concerned with the operation in Glasgow, from BAA management to ancillary staff; they deserve a huge pat on the back for a job well done. In the past year, they have literally flown in the face of adversity, and won. I firmly believe that BAA has shown its commitment to Glasgow airport by investing some £200 million since 1990, and only two weeks ago, at a cost of £9 million, it opened a new car park, which arrives ahead of demand and shows great confidence in a secure future for the airport.

Glasgow is Scotland's biggest and busiest airport, with in excess of 200 flights every day to and from 80 destinations. It is Scotland's No. 1 charter airport with flights throughout the year. It is the only airport in Scotland to have direct transatlantic flights from Continental Airways, American Airlines and Air Canada; Icelandair has flights to the United States with a stop-over in Reykjavik. At the budget end of the market, 50 no-frills flights operate out of Glasgow daily. The Secretary of State has taken great interest in air traffic and has worked hard to attract direct flights into Glasgow and the rest of Scotland's airports.

[Mrs. Adams]

The greatest boost to Glasgow airport will be the completion of the M74 motorway. I agree with my hon. Friend the Member for Glasgow, Shettleston that one of the biggest blights on Glasgow's horizon is the difficulty in getting through the city and over the Kingston bridge at peak hours. That has proved detrimental to Glasgow, so the completion of the road link will improve figures for the city.

The Government have supported airports and businesses in Scotland and employment for my constituents. The grim figure that I spoke of earlier has, I am glad to say, fallen to less than 4 per cent. My firm belief is that Glasgow airport is flourishing. Information, or misinformation, from anonymous sources must be consigned to the dustbin lest it becomes a self-fulfilling prophecy, which is always a danger. As long as we stick to the facts, the only way for air traffic in Glasgow to go is up.

Mr. Deputy Speaker (Sir Nicholas Winterton): The winding-up speeches will begin at 10.30 am. Three hon. Members still wish to speak and, if they keep their remarks to about seven minutes, they will all have time.

10.8 am

Angus Robertson (Moray): I begin by commending the hon. Member for Glasgow, Shettleston (Mr. Marshall) for securing the debate, and I associate myself with his comments about the tragedy in Überlingen. I also welcome the Minister to this, her first Adjournment debate in her new role. I wish her success.

It is clear to all observers that aviation is vital to Scotland. For a nation that is geographically distant from many of its markets, and which contains numerous communities that are distant and isolated from the country's social and economic centres, affordable and accessible air links are a necessity, not a luxury. Aviation is not a luxury for the rich but vital both domestically and internationally. It is the external method by which we can make our country easily and cheaply accessible to visiting tourists.

I shall give examples of conversations that I have recently had with travellers who share the regular flight that I take from Inverness airport to Gatwick. Other Members from the north of Scotland will be aware of such comments, which are oft repeated. One conversation that I had was with a regular business traveller who works in the fabrication industry. He is one of the many who, no longer able to work in fabrication in the north of Scotland, have to commute as far as Sakhalin island on the east coast of the Russian Federation. The frequency of flights from Inverness—and, I suspect, from other airports in Scotland—is not everything that he, or his many colleagues who take regular business flights, would wish.

A second group of travellers that I meet regularly in the lounge at Inverness airport is service men and women, thousands of whom serve in my constituency of Moray at RAF Lossiemouth or RAF Kinloss. The overwhelming majority come from England, and many need, in urgent circumstances, to fly down to be with family members. I mention that because some Members might be unaware of how much it costs to fly from Inverness to London. I checked this morning with the travel office how much my flight will cost this evening, as I have to return on urgent constituency business. A return flight costs £379. A return flight to New York with British Airways, the same airline, is £248. It is cheaper to fly to New York than to fly from one city in the UK to another.

Another example of the experience of someone in the north of Scotland is that of a local hotelier. He is very proactive, flying to the United States and other markets to try to bring people to Scotland. He quite rightly complains that the lack of direct international flights to the majority of our airports is a disincentive to tourists who would like to come and enjoy what Scotland has to offer. Those are the complaints of ordinary business people, travellers and people involved in tourism. They are not the complaints of one political party or another.

I should like to associate myself with the comments made by the hon. Member for Glasgow, Shettleston on the monopoly status of the main airports in Scotland. That is an issue because 85 per cent. of flights within the UK go through BAA airports, and 87 per cent. of flights within Scotland go through BAA airports there. There is clearly an incentive for BAA, in conjunction with the airlines, to route flights through the major London airports. That is a disincentive to establishing direct flights to and from Scottish airports, which means that many people coming to our country or leaving it, for whatever reason, have to be funnelled through airports in and around London. That cannot be a good thing.

Other small countries do not find themselves in that situation. The hon. Gentleman suggested that we might never be able to compete with some other airports. I am not sure why we cannot compete, for example, with Denmark—an independent country with 5 million people, peripheral to the European continent, with a vastly larger choice of air links. Similarly, Finland, also a small independent country of 5 million people on the periphery of northern Europe, seems to do far better than Scotland. BAA has a budget of £12 million for route development at the moment. How will that help to attract people to Scotland, compared with the £3.8 billion investment that we are likely to see at Heathrow 5? The hon. Gentleman was absolutely right to highlight the monopoly. It must be looked at. We need to examine imaginatively the idea of a route development fund for marketing.

I have a number of specific issues to raise. One, concerning the flight from Inverness to Gatwick and the application for a public service obligation, is particularly important to the north of Scotland. The application for a PSO was made last autumn. It has cross-party support and the support of the overwhelming majority of public bodies in the north of Scotland. Members representing all parties and I have repeatedly asked for information about when the announcement will be made. I note with interest that there is no mention of the PSO on the Scotland Office website. Will the Minister tell us in her winding-up speech when the announcement will be made, whether there have been objections from British Airways and the BAA to a PSO and what response the Government are making?

I should be interested to hear the Minister talk about the proposal that the Ministry of Defence should widen the inquiry by Strike Command into the use of RAF

Kinross as an alternative to Inverness airport if the discussions between Ryanair and Highlands and Islands Airport Ltd. are successful. I wrote to Ryanair and the MOD at the same time, and I am glad that Ryanair was able to write back to me; unfortunately the MOD has been unable to do so. Will the Minister tell me the exact view of the Scotland Office and the MOD on the proposal?

Lastly, the long title of today's debate refers to the role of the Scotland Office, which is a mystery to me because I am unsure what role it plays. We have had no word on the PSO, which is probably the biggest current issue in Scottish aviation, and we have had no confirmation of the situation from the MOD. While we are on the subject of launching reviews and new papers, a press release on 12 December 2000 stated that the Government were to issue a consultation document on UK air services for the next 30 years, which is a subject that we discussed earlier. How many reviews will it take before the issue is taken as seriously as it should be? I should be interested to know what role the Scotland Office plays in aviation in Scotland.

10.16 am

John Robertson (Glasgow, Anniesland): I begin by congratulating my hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall) on securing the debate. I add my condolences to those families who suffered a great loss earlier today.

It will be no surprise that I am going to concentrate on the Glasgow area and the central belt of Scotland. Nearly one quarter of Scotland's population lives in the Greater Glasgow area, and Glasgow is still the main employment area in Scotland. It has been said of Scotland's success, or failure, that if Glasgow fails, Scotland fails.

The world is getting smaller as transportation becomes quicker. A first-class gateway is essential to the future prosperity of not only Glasgow but the whole country. Airports are only as good as their accessibility, and concern has been voiced regularly, especially in the central belt, about accessibility to Glasgow and Edinburgh airports. As roads become more congested, transport becomes more important for the continued survival of Scottish airports. Cost, which is the primary factor in choosing an airport, is another area that needs to be looked in relation to attracting passengers.

As my hon. Friend said, the M8 link has become congested particularly around the Kingston bridge, which is now one of the busiest bridges in the world. The M74 extension to the south side of the city was started late and is long overdue. Road access is not, however, the only transport that is needed. We need a rail link from the city centre to the airport not only in Glasgow but in Edinburgh if we are to compete with other main airports in Britain and to promote services in Scotland. There are problems because rivalry between Glasgow city council and Renfrewshire council over where the link should go has clouded the issue. One solution would be to put the councils in a padded room, throw away the key and not let them out until they reach a common-sense compromise.

There is some good news. I want to congratulate Strathclyde passenger transport authority's decision to commit £500,000 to preparatory work for those rail links, but that must be done in agreement with all those concerned. The controversy surrounding the rail links to Glasgow and Edinburgh airports must be overcome to help both airports to realise their ambitions, which are to be the best in their field. There is room for both airports, and given a level playing field both will continue to grow. To that end, I welcome both the cross-party support and the cross-Parliament support that we are receiving for both airports. I also congratulate the *Evening Times* and *The Herald* on their help and support for Glasgow airport. They have both done excellent work in informing the public of the present situation and the need for a gateway airport in the west of Scotland, while still supporting Edinburgh in its aspirations for its airport.

I raised with BAA Scottish Airports and BAA plc the problems of pitting Glasgow airport against Edinburgh airport. Although I have been more than satisfied with the reply from Scottish Airports, I am somewhat disappointed by the refusal of BAA plc to speak to the Glasgow group of MPs of which I am secretary. Although I am happy with Scottish Airports' insistence that it supports both airports, I am unhappy that landing costs in Glasgow exceed those in English airports. I have not received a satisfactory answer as to why that is. I can understand why Scottish Airports may not want to answer the question, but the silence from BAA plc is deafening.

On 1 May I asked the Prime Minister whether he would ensure that airport costs were the same throughout the country, and for his assurance that the links to Glasgow and Edinburgh airports, which are vital to Scotland's growth, will be started and completed quickly. In his answer, he mentioned the aviation White Paper, which he said would be published shortly, and he went on to say:

> "We are urgently looking at the matter with not just the British Airports Authority, but the Scottish Executive and the Strategic Rail Authority, and I hope that we will have some news to announce shortly."—[*Official Report*, 1 May 2002; Vol. 384, c. 939.]

Will the Minister enlighten us as to when the White Paper will be published, and tell me when those announcements will take place?

I sent the letter to the then Secretary of State for Transport, Local Government and the Regions and in his reply he also mentioned the White Paper that was about to be published, and the work with the Scottish Executive and the Scotland Office. However, there was nothing tangible about what was actually being done. Will the Minister tell us what consultation she has had with the Secretary of State for Transport and the Scottish Executive?

I feel that there is a great deal to discuss concerning air services for holidaymakers. Why should holidaymakers in Scotland pay more than those in England? In most cases, the difference in distance to the resort that they are going to is nil or less, so why the extra cost? The holiday firms are ripping off the people of Scotland. Their answer that the market can support the cost is no excuse for ripping people off and taking money from the holidaymakers of Scotland. What incentive is there for people south of the border to come to Glasgow or Edinburgh airports now that millions of pounds have been spent to upgrade transport to both airports if it costs more once they are there? There is no

[John Robertson]

incentive for people from the north of England, who would probably find it a lot easier to get to Glasgow or Edinburgh than to airports in England.

We need the incentive of an even playing field for the people of Scotland, and not what we have at present. Scotland is one of the most beautiful countries in the world—in my opinion it is the most beautiful. It is certainly the best country in the world, but we need to improve our transport infrastructure to a level that others already have. We only want a fair deal. And if it could be arranged, could we also have some better weather?

10.23 am

John Barrett (Edinburgh, West): I congratulate the hon. Member for Glasgow, Shettleston (Mr. Marshall) on securing the debate, and the Minister on her new appointment, on what is a sad day for the airline industry.

Today's debate allows us to focus on two important issues: air services in Scotland and the role of the Scotland Office. I disagree with the plan of the hon. Member for Glasgow, Shettleston for one central Scotland airport. He did not explain fully whether that would involve the closure or reduction in importance of any of the other airports. With Edinburgh airport in my constituency, I should perhaps declare an interest—it is Scotland's fastest growing airport. In May, the number of passengers passing through Edinburgh soared by 16.2 per cent. to 6.42 million, just behind Glasgow at 7.4 million. In the same year, Heathrow increased its numbers by just 1.4 per cent. In what has been described as the toughest decade for the industry, it has had the toughest year following 11 September.

The Scotland Office could assist in a number of ways to promote air services from Scotland to the rest of the United Kingdom and abroad, and to restore confidence in the industry. It could promote Scotland so that visitors and businesses want to go to Scotland; it could ensure that the good track record of safety at Scottish airports and in the air is not compromised; and it could work with the Scottish Executive to ensure that links exist on the ground when passengers land in Scotland. Visitors to Edinburgh airport who experienced the taxi wars and the shambles of the system that followed did not receive the welcome that a capital city should provide.

Reference has been made to rapid links to city centres. They are vital and we must keep up the pressure to ensure that they are delivered. Whether that is the responsibility of the Scottish Parliament or of local authorities, people must work together or there will be a price to pay. That price will be businesses choosing to go elsewhere or falling tourist numbers. Businesses and tourists have a choice. No one is forced to go to Scotland, although it is the most beautiful country and people should want to go to it. However, we must have the necessary links and we must compete and win.

Edinburgh provides an example of the potential close to airports—the Royal Bank of Scotland is considering building its new world headquarters there. It would employ 3,000 people, but the bank is being tempted by offers from elsewhere in the United Kingdom where the infrastructure is in place and offices are ready. It would be a disaster if Scotland did not see off threats from elsewhere, and the possibility of flying more often and more cheaply to Scotland would encourage others to join the Royal Bank and to succeed in Scotland.

One reason for the relatively good percentage increase in the figures for those flying in and out of Scotland is that we have relatively few transatlantic flights. Because of that, we have avoided the recent downturn, but we are not best placed to benefit from any recovery in international flight numbers. The Secretary of State has done good work to help to promote Scotland abroad. She has flown to Malaysia and to China, and the Advocate-General has flown to Canada, but where did they fly from? Probably the south of England.

Promoting flights from Scotland makes sense in several ways. It is quicker and, therefore, more attractive. It makes no sense to fly to the USA via Schiphol and to fly over Scotland twice. It would be more environmentally friendly, but, as the hon. Member for Moray (Angus Robertson) said, it can be cheaper to fly to New York than to Inverness. It would take the pressure off the many over-heated airports in the south, which would be popular around airports that are bursting at the seams and with holidaymakers who must spend as much time on the ground travelling to airports such as Manchester as they do travelling to their two weeks in the sun.

I hope that the Minister comments on the concerns that I and other hon. Members have raised about the £7 security charge levied by many tour companies, as airport baggage handling companies charge about 20p a bag. Is the charge necessary, is it having an effect on the industry and where does the money go?

Reference has been made to surcharges on Scots flying abroad on holiday flights. Low-cost carriers advertise very cheap flights, as the hon. Member for Glasgow, Shettleston said, but it costs more to get from the train station at Gatwick to central London, for example, than to fly from Edinburgh to Gatwick. That must be more fully explained so that customers are not left in the dark.

In December last year, the Secretary of State hosted an aviation summit in Edinburgh and we look forward to positive results from that. I also look forward to hearing from the Minister exactly what those results are. We have direct links to about 15 countries, and we must push for more. There is a demand for more direct flights in Scotland for tourists and the business sector, and we must compete with those who can provide the flights and quick links at the end of flights. We must compete globally and we must encourage inward investment. There have been some positive moves. BA is heading in the right direction with its discounts on landing charges, and its plans to reduce airport charges and to give marketing support to airlines using Scottish airports. That is welcome, but there has been criticism of landing charges in Scotland.

Another issue, which I understand the Scottish National party is also pursuing, is the cost to the public purse of the tartan day trip to New York. No doubt that visit, which included Members of the Scottish Parliament from all parties, would have cost less had there been more flights from Edinburgh to New York.

10.29 am

John Thurso (Caithness, Sutherland and Easter Ross): I begin by echoing the sentiments expressed by many Members about the tragedy that occurred yesterday. I add my condolences to the bereaved.

I congratulate the hon. Member for Glasgow, Shettleston (Mr. Marshall) on securing the debate. It has been stimulating and there has been a remarkable degree of cross-party consensus about the problems, even if there has been divergence as to what should be done about them. We await the forthcoming report, but I hope that the Minister ensures that remarks made in the debate are taken into account.

All transport is vital, particularly for business travel, and transport is the oil that makes the business engine turn, but transport issues are nowhere more important than in the outlying areas of the country. Some hon. Members have been somewhat parochial in their remarks, and I shall be exactly the same. I begin not quite in my constituency, but in Inverness.

It is interesting to note the improvements in the economy of the highlands—and particularly in the Inverness drive-to-work area—that have taken place in the past decade. Those improvements have been hugely facilitated by, and are mirrored in, the number of air passengers coming to Inverness airport. For example, in 1991, 199,000 air travellers came to Inverness, but that figure had risen to 332,000 by 1999. Those numbers mirror the expansion in business as well as the improvements in air links.

As the hon. Member for Moray (Angus Robertson) said, there is considerable worry about the frequency and the availability of flights. We went through a period in the mid-1990s when flights were moved from the Inverness-Heathrow link to the Inverness-Gatwick link. There was a tremendous campaign to save the Heathrow link, but it is impossible to say how many more overseas visitors would have come north because of the simplicity of transit through Heathrow had it been maintained. They may have stayed in London and not bothered to come to Inverness, but it is certain that the removal or the substantial reduction of the Gatwick link would have a very negative effect on business and tourism in the highlands and the Inverness area.

In that regard, I associate myself with the hon. Gentleman's questions on the public service obligation. It is incredible that the Government cannot secure such a vital link and ensure that it continues at least at the current level. Expansion may come as a result of market forces. On the public service obligation, I should also point out that the links from the islands to central Scotland are vital. The Government should properly consider all such issues.

Nowhere are air links more important than in the tourism industry. The United Kingdom tourism industry delivers about 7 per cent. of gross domestic product and is responsible for approximately 7 per cent. of jobs. The direct spend by overseas visitors only is estimated by the Department for Culture, Media and Sport to be about £13 billion. In 2000, there were 17,829,000 overseas visits by air to the United Kingdom.

Tourism is even more important for the highlands, as it accounts for about 20 per cent. of its GDP and about 25 per cent. of jobs. It is an absolutely critical industry and one that, has been growing and enjoying considerable success. Against that, we must balance the fact that 75 per cent. of overseas visitors use Heathrow as their gateway airport. In 2000, all the Scottish airports that have been mentioned received only 2.6 per cent. of overseas visitors, which shows what a mountain that we have to climb.

VisitScotland and the British Tourist Authority have two sales to make when they market the UK to the overseas visitor: they must encourage people to come to the United Kingdom and then, having got here, to come up to Scotland. Therefore, the availability of flights is crucial in helping to drive the future of our tourism industry in Scotland.

In my career in the industry, I have met many visitors to the UK who simply never considered the possibility of visiting Scotland because they wanted to take one flight from America, the far east or Europe, arrive in the UK and then enjoy their holiday. They did not want to go through the difficulty of taking a second flight. For that reason, I was pleased when the hon. Member for Glasgow, Shettleston mentioned Prestwick. I had a small part to play in the current ownership of Prestwick airport. In 2000, I took part in a mission to Pierce airport, which is just outside Boston, in conjunction with the people who are now the owners to persuade them to allow an air link to operate from Prestwick to that airport. I hasten to add that I received no financial reward for that, but they did put me up in a very nice hotel.

The hon. Gentleman also mentioned the three main airports, and I fully understand why he chose Glasgow, Edinburgh and Prestwick. However, if any of my hon. Friends from the Aberdeen area were here, they would want Aberdeen airport to be included, as it provides a growing and important air link with much of Europe. He mentioned how much we are beginning to look east rather than west, and the importance of Aberdeen airport's links with the continent will grow significantly in future years.

I shall now be completely parochial and mention one of the smallest airports in the United Kingdom—Wick, which is in my constituency. Unfortunately, the story at that airport has not been as good as elsewhere. In fact, over the past decade, the number of air passengers at Wick has dropped from some 32,000 to 22,000, not only because of the improvements at Inverness, but because of the many difficulties that Wick continues to face. However, there is a note of success in general aviation at Wick.

We should not forget the possibilities that general aviation offers. Mr. Andrew Bruce, who runs Far North Aviation in Wick, has had tremendous success in persuading people who want to fly to America in small planes to use Wick airport as the starting point for their voyage. As result, there were 600 air movements last year, and, according to him, 60 per cent. of those people stayed in Wick. However, that economic benefit is threatened by the fact that the cross runway, which is vital in our very windy climate, is no longer available to passenger aircraft other than those involved in general aviation, and £1 million is needed to repair it. Highlands and Islands Airports Ltd. has provided only £300,000, and I hope that the Minister will bring some weight to bear so that the cross runway can be made available, as that would be a tremendous benefit to Wick.

[John Thurso]

Finally, I wish to make a rather larger point about integrated transport. Notwithstanding the comments made by other hon. Members, the hon. Member for Glasgow, Shettleston makes a valid point in saying that one airport in central Scotland, serviced by an extremely good rail link, is the ideal way forward. Of course, an extremely good rail link is the key. Looking 20, 30 or 40 years into the future, thinking strategically and considering the environmental damage done by air transport, we must reserve it for intercontinental and island-to-mainland flights. The UK mainland needs a good, fast bullet-type train, which is why I question the future of the budget airlines.

The best way to judge a company is not by its market capitalisation, but by its business model, especially if one considers Enron, WorldCom and various others. Given the way that environmental issues are going, I wonder whether the budget airline business model will be sustainable in 10 years. I believe that the people involved are great entrepreneurs, so they will surmount the problem and continue to offer us good value, but it will be a different value in future.

Many issues have been raised, and I hope that the Minister gives answers on some of them. Also, I hope that she takes away the excellent contributions and points that have been made, and sees that the proper authorities in Westminster and Holyrood understand them.

10.39 am

Mrs. Jacqui Lait (Beckenham): I add my condolences to the families of those who have been affected by the tragic crash in Germany. I also congratulate the hon. Member for Glasgow, Shettleston (Mr. Marshall) on securing the debate. Although it is not the first time that we have crossed swords, I, too, welcome the new Scotland Office Minister to her first Adjournment debate.

I was interested to read the title of the debate in the Order Paper:

> "Role of the Scotland Office in promoting air services to and from Scotland".

More than anything else, we have seen a concentration on a plea that goes back at least [illegible] years. When I worked in the Scottish Office, a major inquiry into the role of an airport in the central belt was defeated largely because of fog. I know that technology has moved on, but I have travelled from Heathrow, Gatwick and London City in the autumn, and on many occasions the flights were cancelled or delayed because of fog in Scotland. Those airports are relatively fog free, although the central belt is still as foggy as ever.

Despite improved technology, with the best will in the world, the suggestion made by the hon. Member for Glasgow, Shettleston—that there should be a mega airport in the central belt—would probably not work on a technical basis. I am sorry if I have completely destroyed his argument, but even with global warming we have not seen significant changes in the fogginess of central Scotland.

I am most interested in the role of the Scotland Office. When I first read the title of the debate in the Order Paper, I thought that the hon. Gentleman would talk about the role of the Scottish Executive, although the role of the Scotland Office is much more intriguing. Several contributors have asked questions of the Minister that I sincerely hope receive serious answers. Most of us are fairly frustrated when we ask questions of Scotland Office Ministers, because the standard answer is that they have regular meetings with members of the Scottish Executive, the Treasury, the Department for Work and Pensions or whichever Department is relevant to the subject under debate. We never receive information as to the content of the meetings, what the representations contain and how effective those consultations are. I hope that the Minister, in her first contribution to an Adjournment debate in this role, affords us some enlightenment on the role of the Scotland Office on the issue.

The hon. Member for Moray (Angus Robertson) first brought up, thank goodness, the issue of Inverness airport. At present, that airport is entirely subsidised. It is owned by Scottish Executive Ministers and it has put in a bid for a public service obligation order.

John Thurso: I believe that Inverness airport itself makes a profit. It is Highlands and Islands Airports Ltd. that is subsidised.

Mrs. Lait: The hon. Gentleman is right, and I apologise for that error. There is a need for a PSO because of the subsidies, and it is the existence of the subsidies that causes difficulties in negotiations with Ryanair. Having been briefed by the managing director of the company before the negotiations with Ryanair last week, I am glad to see that they are continuing, as that means that opportunities to travel will be afforded to people in the north of Scotland.

I am disappointed that the hon. Member for Glasgow, Shettleston said that people should stay in Scotland, implying that they should not take advantage of low-cost airlines and the expansion in air travel that people in the rest of the UK and throughout the world are enjoying. Although I agree that Scotland is a beautiful country, there should be every opportunity for people to travel, and it would be advantageous to everyone in the north of Scotland to be able to avail themselves of the services of airlines such as Ryanair, so I welcome the fact that negotiations are continuing in Scotland. It would be helpful, however, if the Minister told us what representations she has made, if any, either to the Scottish Executive or to the Department of Trade and Industry, on the whole issue of the PSO and on trying to change the structure of HIAL, so that Ryanair can negotiate a sensible deal with the company.

It would also be useful if the Minister untangled the role of the Scotland Office for us and explained what contribution it will make to the Scottish air transport consultation paper to which hon. Members have referred and which is to be published this summer. How will the feedback from that exercise be fed into the UK air transport White Paper, which I understand is due at the end of the year, and what role will the Scotland Office have in ensuring that the DTI takes the results of that consultation into account? Queries often arise about the role of the Scotland Office, and this is an opportunity for her, in her first Adjournment debate, to enlighten us on the positive role that it could play.

The Minister could also clarify what role the Scotland Office has played in the debate on airport security charges. Apart from the fact that BAA or the security companies are benefiting from the income from all the pairs of nail and needlework scissors that they claim from me every time I go through the security system, it would be enlightening to know what discussions she has had with the DTI on the Scotland Office's role in ensuring that Scottish airports are as competitive as possible.

On BAA's alleged monopoly in Scotland, I understand that BAA spent about £500 million on the infrastructure of Scottish airports, which is more than the profits it gains from them, so it is committed to delivering good services to those who use Scottish airports. Does the Scotland Office have any input to any discussions that the DTI may be having with BAA about any monopoly issues raised by hon. Members?

This is an opportunity for the Minister to enlighten us on the practical work of the Scotland Office in representing the views of people in Scotland to UK Departments. It is also an opportunity for her to enlighten us on the role of the Scotland Office vis-a-vis the Scottish Executive, who have internal responsibilities for transport in Scotland.

I am grateful to the hon. Member for Glasgow, Shettleston for giving us the opportunity to try to glean further information from the Minister on the role of the Scotland Office, because we are concerned that there is little evidence that it does anything at all.

10.49 am

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): First, I offer my congratulations on your new honour, Mr. Deputy Speaker. I feel as though I should curtsey, as well as showing you the usual due deference.

I associate myself with the comments made about yesterday's air crash. Those of us who remember Lockerbie feel for the inhabitants of that village in Germany, who did not know what was coming out of the sky. When such things happen, those of us who travel regularly by air say to ourselves, "There but for the grace of God go I."

I should inform the hon. Member for Beckenham (Mrs. Lait) that I have made it my life's mission to enlighten the Conservative party on any subject.

Mr. Peter Duncan: Not on the Scotland Office.

Mrs. McGuire: Usually on everything. In a previous existence, the hon. Lady compiled a review on Scottish airports in the fog. I assure her that the fog lifted on 1 May 1997 and that the sky got even brighter on 7 June 2001.

I congratulate my hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall) on encouraging us all to be in the Chamber for half-past 9 to discuss this important issue. I congratulate, too, the hon. Members who have contributed to the debate. Remarkable woman though I am, I doubt that I shall be able to answer every question specifically, given that my hon. Friend asked at least 12 and other hon. Members added their tuppence-worth. If hon. Members will allow me to do a tour of the points that have been raised, I shall deal with anything left over outwith the confines of the debate.

There are areas of agreement and we all agree on the importance of air services, not only to the Scottish economy, but to the United Kingdom economy as a whole. It is hard for us to imagine life without air travel, but I should point out to my hon. Friend that when I first flew out of Abbotsinch airport in 1957 as a wee lassie, I was given a leather helmet and I was told that my parachute was under my seat. Even then, however, I was able to fly from Glasgow to Hamburg. I was fair taken with the idea of being away up a'ky in a plane—I shall translate that later for *Hansard.*

The 1998 White Papers, "A New Deal for Transport" and "Travel Choices for Scotland" emphasised our intention to develop a strategy for UK airports and air services by looking 30 years into the future. My hon. Friend the Member for Paisley, North (Mrs. Adams) made a point about Beeching. Had we looked 30 years ahead in the 1960s, we might not have suffered such difficulties in our railway system, which we are now forced to review and redevelop.

Our strategy will be set out in a White Paper, which we hope to publish at the turn of the year. In that respect, the hon. Member for Beckenham is correct. The air transport White Paper will consider the effects of aviation, both on passengers and on those whose lives are affected by airports and aviation—the industry provides some 15,000 jobs in the Scottish economy. We must examine the effects of aviation on the economy, the environment and regional economic development, and consider how aviation can integrate with surface modes of transport. That process requires careful in-depth analysis.

In Scotland, the necessary work was undertaken jointly with the Scottish Office and, subsequently, with the Scottish Executive and their own agencies, including the Scotland Office. Discussions are also being held with airports, airlines and other key stakeholders. The intention is to look forward over 30 years as far as possible and to forecast air passenger and freight traffic in a wide range of different growth and policy scenarios. We must examine the infrastructure required to address those demand forecasts and assess the economic, environmental, social and safety implications of doing so. A UK consultation paper was published in December 2000, and its results have been fed into the development process for the White Paper.

As an aside, although the point is relevant, my hon. Friend the Member for Glasgow, Shettleston mentioned the ownership of Glasgow and Edinburgh airports. Glasgow city council has referred the matter to the Office of Fair Trading, and the Director General of Fair Trading will now deal with it. Furthermore, the consultation documents that are to be published later this year will examine all the issues relevant to the development of Scotland's airports, which obviously include ownership.

I hope that I can assist the hon. Member for Beckenham by saying that the regional consultation documents are the next stage in the process. A series of

[Mrs. McGuire]

documents will shortly be published simultaneously for each of the UK's main nations and regions. That includes a separate Scottish document, which the Government and the Scottish Executive have jointly developed and will jointly publish. I hope that we all agree that that is a sensible approach, given that responsibility for aviation policy and security is a reserved function, while responsibility for planning and economic development is devolved under the Scotland Act 1998.

The consultation documents will examine several issues, including regional access in Scotland and to and from the main international and national hubs, the scope for developing more services from Scotland, how to manage and develop airport capacity and the impact of the growth in air travel on our economy. I can give the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) an assurance that they will also examine opening up military airfields—an issue that the MOD is seriously considering.

The development of air services is too important to leave it solely to the usual suspects—representative bodies and pressure groups—to comment on the issue. This is a once-in-a-generation opportunity to engage in serious debate on the development of a major economic, social and environmental factor for Scotland. The Scotland Office has been closely involved in the development of the Scottish consultation document and in formulating wider UK policy, and that involvement will carry on into the management of the consultation process. Working jointly with the Scottish Executive and the Department for Transport, we will hold consultation events in Scotland, including full conferences.

Let me deal quickly with direct flights and the Scotland Office's specific role in the issue. As my hon. Friend the Member for Glasgow, Shettleston and, I am pleased to say, the hon. Member for Edinburgh, West (John Barrett) noted, my right hon. Friend the Secretary of State has been involved in promoting direct air services from Scotland. *[Interruption.]* It is nice to get a compliment from Opposition Members, and I want to pay true tribute to them.

Mr. Duncan: They are not in the Opposition.

Mrs. McGuire: That is a cheap shot.

The period since the tragic events of 11 September in New York and Washington has been difficult for the airline industry, and some companies have undergone a retrenchment, which has obviously affected Scotland. Progress is still being made, however, and we should not underestimate the advances that Scottish air links have made.

Services, including charter services, now fly direct to 33 destinations. On indirect services, I often wonder why people complain about making a single stop, when such things are taken as a natural part of visiting foreign countries and moving around them. Scotland's airports run practical services, with a single stop, to more than 100 destinations in more than 25 countries.

At this point, I should mention the Friends of Scotland initiative, which my right hon. Friend the Secretary of State has promoted. People can fly from Scottish airports to Reykjavik, Toronto, New York, Paris, Copenhagen and Bergen. They can also fly to Brussels-Charleroi from Prestwick, and I pay tribute to my hon. Friend the Member for Ayr (Sandra Osborne) in that regard. I assure my hon. Friend the Member for Glasgow, Shettleston that more tourists use that route to come to Scotland than to leave it.

In my final 30 seconds or so, I shall deal with one or two other issues. I sometimes think that we talk down the advantages of Scotland. *[Interruption.]* I will deal with the PSO and the high cost. One of the SNP's great attributes is that it never compares like with like. Had the hon. Member for Moray (Angus Robertson) asked the travel office about the cost of a business-class ticket from Scotland to New York, he would have been told that it is £3,900, not £254. That is the figure that he should have compared with the Inverness fare.

There are issues related to Inverness that I do not have time to discuss, but I assure hon. Members that the Government and Scottish Executive Ministers are conferring on the matter as we speak. There are many opportunities out there, and the Scotland Office will continue to work in the Government and with others to ensure that they are seized for the benefit of the whole of Scotland.

Maritime Pollution

11 am

Mr. Alistair Carmichael (Orkney and Shetland): It seems just hours—in fact it is a week—since we were all last gathered here for a debate, which my hon. Friend the Member for St. Ives (Andrew George) then observed was the first time that we had had an opportunity to discuss merchant shipping since 15 July 1998. It was therefore a particular pleasure for me to find that I had been successful in the ballot and secured this debate. I hope that a weekly debate on shipping matters will now be a feature of Westminster Hall. No doubt such debates will be answered by the Minister with special responsibility for Westminster Hall, the Parliamentary Under-Secretary of State for Transport. I am pleased to see him in his place today.

This week's debate is something of a natural progression from last week's very useful debate. There is a close relationship between issues of safety and of pollution. Safe vessels that are well staffed with well-trained personnel never cause pollution; vessels that cut corners and do not adhere to proper standards tend to be responsible. We cannot ignore the fact that the bulk of such vessels are sailing under flags of convenience, so there is a great deal of overlap between last week's debate and this one.

It is my privilege to represent a constituency that relies greatly upon having, in reality and in perception, a very clean maritime environment. In Shetland in particular, the local economy relies tremendously on fishing and fish farming of all sorts. Increasingly, throughout Orkney and Shetland, there is a reliance on tourism, which includes marine tourism operations such as the excellent Bressaboats, and a number of diving companies in the Scapa Flow in Orkney.

One of the truly remarkable achievements of the oil and gas industry in Shetland and in Orkney is the way in which it has minimised its environmental impact on the region. There have been some significant departures from that in the past, but none of them have been related to the operation of Sullom Voe or Flotta or any related operations. Many of my constituents have a history of working in the merchant navy and some of the older ones worked in the south Atlantic whaling industry. They look with dismay at the state of the merchant fleet today.

Few constituencies know better than mine what can happen when it all goes wrong. It all went wrong for Shetland about nine and a half years ago, on 5 January 1993, when the motor tanker Braer ran aground off the south end of the island. It is a matter of record that the Braer was carrying 84,700 tonnes of Norwegian Gullfax crude oil. The tanker ran aground and all that oil was vented into the sea and blown on to the land. The extent of the devastation was unimaginable. Constituents described it to me as "apocalyptic". From all that I have heard and from the pictures that I have seen, that is no overstatement.

That is one of the most extreme examples of pollution from ships at sea in recent times, and, regrettably, a few issues arising from it still need to be resolved. The first will make the Minister's heart sink, and that is the position with asbestos roof claims in the south end of Shetland, which I last raised in the House on 24 May. The Minister was very kind and prompt in answering by letter the points that I raised during that debate. I shall not repeat all the details. In essence, claimants for damage to asbestos roofs in the south of Shetland took an unsuccessful action against the international oil pollution compensation fund. I have previously asked the Minister whether he will intervene with the IOPC to obtain a copy of a report that my constituents still believe was crucial to their claim, but which was denied to them in the course of litigation. They now feel that, the litigation having been dealt with, the report should be made available both on moral grounds and on those of openness and accountability. The Minister wrote to me on 19 June, stating:

> "I do not think that it would reflect well on the UK if we sought to press the Fund Director, its Executive Committee or other Member States on this issue"—

that is, the release of the report. The Minister continued:

> "We would be seeking to set a very poor precedent for the future administration of the Fund. It is not an approach we could support if the same circumstances applied elsewhere."

I find that response disappointing and I hope that the Minister will be prepared to revisit it. The question of compensation and litigation having been resolved, matters have moved on, and we are now considering rather more than asbestos roofs in the south end of Shetland. This is about how the international oil pollution compensation fund is seen to conduct its business, and the confidence that hon. Members can have about how their constituents would be treated if, heaven forbid, anything like this should happen in their constituencies. I would hope that hon. Members could feel that they would be treated fairly and openly, but that is not how my constituents feel that they have been treated. The IOPC might tell the Government that it will not release the report, but I ask the Minister to accept that there is a moral imperative involved. Even if his efforts are ultimately unsuccessful, we should press the IOPC, which is a quasi-public body with much appreciated Government input, to conduct its business in a way that is seen to be fair, open and transparent.

I am delighted that the Minister is to visit Shetland in August in response to a longstanding invitation. I have no doubt that he will enjoy a fine stay and what I have described in the past as notorious Shetland hospitality—with his Shetland roots, he has the genetics to survive it. Despite his busy schedule during that visit, will he consider meeting the asbestos roof claimants, even for half an hour? Such a gesture would be greatly appreciated by all in the islands.

The inquiry into the grounding of the Braer concluded that two factors were involved. The first was bad weather and the second poor seamanship. In the past year, evidence has been produced to suggest that that might not be the whole story. A constituent of mine, Dr. Jonathan Wills, who has not always been remarkable for his support of liberal democracy in the Northern Isles—in the past, he has been more associated with the Minister's party, although I am pleased to say that he has recently been cured of that—found in his boat a package that contained various papers. He refers to it as a whistleblower's package. It contained various pieces of evidence, including the logbook from the Braer. He examined it and concluded that it raised new evidence. He had previously written a definitive book on the Braer and its grounding.

[Mr. Alistair Carmichael]

The conclusion of Admiral Lang of the marine accident investigation branch was that the evidence disclosed to Dr. Wills was not new or important. With all due respect to Admiral Lang—I hold great respect for him—I find that difficult to understand. The MAIB inquiry into the loss of the Braer did not see the evidence, which consists of several pages of manuscript shift log at the Mongstad oil terminal in Norway, and Statoil's letter of protest, signed for by the master of the Braer. All that evidence showed that the Braer's main steam line had burst on arrival at Mongstad on new year's eve in 1992.

I do not understand how Admiral Lang can conclude that that evidence is not new. It is clear from the terms of the MAIB inquiry that the MAIB did not consider it. He may not have been aware of it—I do not see how that could have been the case—but as it was not considered it must surely be new.

The evidence is important. It is clear that there were significant problems with the Braer's engines. The bunker report on the Braer's arrival in Norway showed that, during the passage from New York to Mongstad, she used three times as much diesel as usual. It looks as if she had to burn diesel in the auxiliary boiler to make enough steam to heat the fuel oil. There was a leak in the water pipe feeding the boiler three days before arrival in Mongstad. There appears to have been some confusion in the mind of MAIB inspectors between that fault and another that occurred after the Braer docked at jetty one during the last hour of Hogmanay in 1992.

Thereafter, in the early hours of the new year, the Braer tried to use a steam-driven pump to empty her ballast water tanks. The main steam pipe between the boilers and the manifold burst at 16 times atmospheric pressure and at a temperature of 345 deg C. De-ballasting and loading were delayed 19 hours for repairs.

The Braer's owners and managers were in contact with the ship and must have known about that, because Statoil, the Mongstad terminal operators, launched a formal protest about the delays in loading. The repair was under the direction of the owner's shore-based superintendent engineer, who boarded the ship on new year's day with a riding crew of four Polish fitters. He wanted to familiarise himself with the vessel, tackle what was described then as a backlog of repairs and maintenance, and prepare the ship for five days in a repair yard.

Was the Braer in class? Was it unseaworthy, and as a result not covered by the terms of its insurance, when it sailed from Mongstad? That would have been determined by inspectors from Det Norske Veritas, but there is no record of anyone from it boarding the ship to supervise or certify that crucial operation. Significantly, the MAIB said in January 1994 that all the ship's certificates were in order and fully up to date. I understand that there is no record of such an inspection, so we cannot say whether the MAIB knows that Det Norske Veritas approved the repair. DNV's approach has been somewhat unhelpful. It believes that there is a continuing duty of confidentiality to the Braer Corporation of Monrovia, notwithstanding that it was a one-ship company and ceased to exist some eight years ago. It is questionable whether any duty is still owed or could be thought to outweigh the public interest in the case.

It is clear that the Braer steam boilers were badly corroded and that their water supply was dangerously contaminated. As a result, the engineers could not warm up heavy fuel oil to burn in the main engine and the auxiliary boiler as they usually did, and they used diesel. When the diesel became contaminated, the ship stopped and was blown ashore. Even if water had not got into the fuel tank, the Braer risked running out of diesel and steam long before she reached the refinery in Quebec where she was destined.

In the light of my comments this morning, will the Minister reconsider his assessment that the Braer was seaworthy when she left Mongstad and my request for an independent assessment of the evidence presented by Dr. Wills? One could ask whether the case still matters. It is tempting to say, "It happened nine and a half years ago, the bulk of the claims have been settled and most of the damage that was done to the south end of Shetland has been repaired." However, it is still important. The reputation of the master has continued to be impugned, perhaps unjustly, and the owners of the Braer have effectively been allowed to pull a fast one. It matters not only because of the question of right and wrong: if an accident happens and people get away with it, they and others like them sailing under flags of convenience will be tempted to try to get away with it again. That is why it is important. We are no longer dealing with questions of compensation or reputations within the MAIB; we are trying to get to the truth. If we genuinely know what happened, we may be able to prevent it from happening again.

I wanted to cover several other issues today, but time is against me so I will mention only a couple. The first is the green award incentive, which makes a considerable contribution to the standard of shipping. It is an international standard and if shipping can meet it, the ships are classified under the incentive and entitled to benefits such as discounts on harbour fees—a significant sum. Ports in Spain, South Africa, Rotterdam and northern Germany use the incentive, but only one in the United Kingdom—Sella Ness in the north of Shetland, which takes all the tanker traffic in and out of Sullom Voe. Carrot and stick approaches such as that one offer significant benefits to improve shipping standards and get to the root of difficulties such as pollution. They are a sensible means of proceeding. Will the Minister tell us what his Department is doing to encourage the adoption of standards such as the green award incentive?

The other matter that I want to bring to the attention of the House is the excellent report from the National Audit Office dealing with pollution from ships by the Comptroller and Auditor General, which was published on 12 June. I commend it to the House as a thoroughly comprehensive work on the subject that puts forward several proposals and deals carefully with the different issues that have arisen on a case study basis. I open it at random and it refers to the multitanker Ascania, which was a boat that threatened to blow away part of the Caithness coastline and possibly some of the southernmost parts of Orkney just a few years ago. The report makes several recommendations. I wonder if the Minister would tell us what consideration his Department has given to the report and when he might expect to have a response.

The Government have started to tackle several issues in the area of maritime shipping, and I give them credit for trying to improve standards in the shipping industry. However, a great deal more needs to be done. I hope that if the Government can improve the standard of our shipping, along with other countries in the International Maritime Organisation, no other Member of Parliament will ever have to stand here discussing such issues about nine and a half years after an incident like the grounding of the Braer. That surely is something on which all Members can agree.

11.21 am

Mr. Desmond Swayne (New Forest, West): First, I thank the hon. Member for Orkney and Shetland (Mr. Carmichael) for seeking the debate, and congratulate him on securing it and on the command of the subject that he demonstrated in his speech. I thought that it was an excellent summary of the issues involved and I look forward to the Minister's response to the points raised. I have a constituency interest of my own. I represent the western part of the New forest, which has the western Solent as its seafront: an environmentally sensitive area, which includes the Lymington marshes and Hurst spit. I also go to Pembrokeshire every year for my holidays and the Pembrokeshire national park coastline around Fishguard is close to Milford Haven, so I am concerned about the pollution issues raised by the debate.

I will begin by asking the Minister a question that I hope he will be able to answer. A satellite tracking system for identifying oil spills was trialled between August 2000 and August 2001 by the Maritime and Coastguard Agency. It considered the trial to be a success and intended to let a contract for its implementation. Will the Minister tell us what has happened since August of last year concerning that trial?

Satellite tracking systems are one of several measures that could be used in the fight against oil pollution of maritime habitats and the consequent damage to biodiversity. That system has been developed over several years and is used successfully in other parts of the European Union—I understand that it is used by the Danish Admiralty. The Department of Trade and Industry and the MCA are aware of those developments. The company that provided that technology believes that as well as allowing for oil spills to be swiftly tracked and dealt with, there would also be a significant deterrent value, if it were combined with potential prosecution, in the maritime industries if we were prepared to use such technology quickly to punish culprits.

Oil pollution can have a very serious impact on marine biodiversity. After the oil spill from the motor tanker Braer, to which the hon. Member for Orkney and Shetland referred, 1,538 corpses of 26 different species of bird were washed up in January alone, including 857 shags, 203 black guillemots and 96 long-tailed ducks. Similarly, following the spill from the Sea Empress in mid-February 1996, 6,900 oiled birds of 28 species were collected up to 1 June that year, including approximately 3,495 that were dead or that subsequently died. Those included 1,818 dead common scoters and 1,416 dead auks, predominantly guillemots or razorbills.

The implementation of marine environmental high-risk areas would allow controls to be placed on tanker traffic. Routeing tankers and other vessels carrying dangerous cargoes away from those environmentally sensitive areas or treacherous shipping lanes can reduce the risk of chronic pollution from shipping and from major oil incidents. Approved shipping routes would make it less likely for ships to collide with each other, run aground or get into other difficulties. Environmental sensitivity in the classification of those marine environmental high-risk areas would be based on a number of criteria, including wildlife, landscape, geology, fishing and the economy.

It is worth bearing in mind that operational pollution—day-to-day operational incidents or illegal discharges—accounts for more than 73 per cent., almost three quarters, of incidents, compared with the large, headline-hitting oil spills. Most of those day-to-day incidents occur in harbour and estuarine areas, most of which are environmentally very sensitive. That more insidious form of pollution is in effect as damaging as, if not more damaging than, the large incidents that stick in the headlines.

The old Department of the Environment, Transport and the Regions commissioned a report on the identification of marine environmental high-risk areas in December 1999. I understand that there was some controversy over the methodology used for identifying such areas and that the Royal Society for the Protection of Birds had some reservations about that, but I do not want to get into that controversy. What we need is significant action to expedite the implementation of such marine environmental high-risk areas. It is now eight years since Donaldson recommended the setting-up of those areas. How far along the time scale for their establishment are we? I understand that a new consultation is shortly to begin. Can the Minister say something about that and the methodology to be used in determining the areas concerned?

I conclude by putting in a plea for the Bill of my hon. Friend the Member for Uxbridge (Mr. Randall), which has completed its stages in this House but awaits consideration in the other place. The Marine Wildlife Conservation Bill would help to fill the gaps, which mean that nationally important wildlife sites in the marine environment in the territorial waters of England and Wales do not receive the protection that they need. At present, significant areas around the United Kingdom coast are not covered by the Merchant Shipping (Prevention of Oil Pollution) Regulations 1996 because they lie within the baseline of our 12-nautical-mile territorial zone. If the Marine Wildlife Conservation Bill were enacted, it would highlight marine areas of national importance and could help to deal with pollution issues. Perhaps the Minister will state his estimate of the likely progress in the other place of the Bill promoted by my hon. Friend.

11.30 am

Mr. Michael Weir (Angus): I congratulate the hon. Member for Orkney and Shetland (Mr. Carmichael) on securing the debate.

It is certainly no surprise that the debate has revolved around the Braer disaster. Indeed, it would have been more of a surprise if it had not done so given his

[Mr. Michael Weir]

constituents' feelings about the matter. Spookily, when I came to London last night I switched on my television and watched an old episode of "Drop the Dead Donkey" that was originally shown at the time of the Braer disaster. The characters were debating whether to send a TV crew to Shetland to obtain film of double-headed lambs being born. Obviously, that is over-the-top satire, but it shows the real and potential impact on our environment and traditional industries of disasters around our coastline such as that involving the Braer.

Indeed, the hon. Member for Orkney and Shetland made a point about Shetland salmon farmers. They enjoyed a premium for their product until the Braer disaster that they have been unable to reclaim since. That situation worries many in Scotland's traditional industries such as farming, fishing and tourism, which take place in rural areas such as Angus. In promoting those industries we rely heavily on Scotland's reputation for a clean natural environment. Every time that that is brought into doubt, it can impact heavily on those industries. To be fair, that effect is not confined to Scotland. In west Wales, for example, very similar concerns are felt in Ceredigion and other areas. Indeed, Alaska was badly damaged following the Exxon Valdez disaster.

Unfortunately, the potential for disaster is real, and the Braer was not a one-off. The hon. Member for New Forest, West (Mr. Swayne) reminded us of the Sea Empress incident at Milford Haven and the hon. Member for Orkney and Shetland briefly referred to the multitanker Ascania incident. That incident, which took place in the Pentland Firth, was potentially extremely serious. A chemical tanker caught fire in its engine room, 200 people in Caithness had to be evacuated and a no-fly zone had to be established because of the danger of an explosion. The tanker was eventually towed to Scapa Flow—it is strange how everything ends up in the constituency of the hon. Member for Orkney and Shetland. In that case, it was lucky that an environmental disaster did not occur, but it could have been catastrophic.

Given that 90 per cent. of the UK's overseas trade and 7 per cent. of our internal trade is carried by sea, a huge number of ships are plying our waters and it is not surprising that there is potential for a disaster. Add to that our position astride the world trade routes from America to Europe, and it is obvious that a huge amount of shipping passes through Scottish and UK waters.

Pollution in our waters has long been a problem. There was the notorious dumping of munitions at Beaufort's dyke off the south-west coast and the recent example of German nerve agents, which were dumped off the Danish coast after the last war, leaking into the sea. To be fair to the Government, action has been taken after incidents involving tankers such as the introduction of the port marine safety code after the Sea Empress incident. In the United States, the Oil Pollution Act 1990, which specifies that all oil tankers must have a double hull, was introduced following the Exxon Valdez disaster. In the European Union, single-hulled ships will be outlawed by 2015.

There is a problem with pollution once it reaches the coast. A key recommendation of both the Donaldson inquiry into the Braer and the inquiry into the Sea Empress was for local authorities to have a statutory duty to plan for and undertake shoreline clean-ups following marine pollution incidents. That was mentioned in the National Audit Office report to which the hon. Member for Orkney and Shetland referred. It states that the Government

> "should consider the case for taking powers to require all coastal local authorities to have up to date oil spill contingency plans consistent with the National Contingency Plans, so that the United Kingdom as a whole is properly prepared to deal with maritime pollution incidents in compliance with international conventions."

The Convention of Scottish Local Authorities supported that recommendation. What thought has the Minister's Department given to it? What discussions have been held with the devolved authorities, which will obviously have a say in what happens in Wales and Scotland? A critical question relates to the likely resources that will be forthcoming to allow local authorities to develop contingency plans. It is no good putting an onus on local authorities without providing funding to take plans forward.

The problem is not only that oil is a potential pollutant to seas. Only this morning, there was a story on the radio about a dispute between Greenpeace and the Environment Agency about the categorisation of nuclear waste that is being transported by ship from Japan to Sellafield. Because the agency does not consider rejected MOX plutonium to be waste, fewer controls apply to it, even though it is the first time that such material has been shipped since 11 September.

In addition, there is concern about the state of the ships that transport waste to Sellafield. There are particular worries about corrosion on one of the ships of the Pacific Nuclear Transport Ltd. fleet, which is largely owned by British Nuclear Fuels. That raises yet further concerns about accidents happening on our coastline. On Greenpeace's website, a copy of a letter sent to the Secretary of State for Transport refers to the alleged corrosion on ships:

> "It is apparent that the cause of the corrosion was poor initial design of the refrigeration...and condensation removal systems. In house BNFL studies were subsequently initiated on the remaining Pacific Nuclear Fleet . . . and the European Shearwater . . . Surveys in particular of the Pacific Pintail and Pacific Teal, according to the Lloyds Register Classification Survey Dates Supplement, took place in November 2001 after the steel plate corrosion problems in the Pacific Crane were identified. It is understood that initial results of these tests indicate similar corrosion problems on all vessels."

Clearly, serious concern exists about the seaworthiness of ships that carry very dangerous cargos around our coast.

Mr. Carmichael: Does the hon. Gentleman agree that the compelling evidence, to which he refers, on the state of ships that transport nuclear waste from Japan to Sellafield makes it all the more important that there should be no consideration of a northern passage, which was spoken of some time ago, to take nuclear waste from Japan around the north coast of Russia down the west coast of Norway to the United Kingdom? That would be particularly hazardous.

Mr. Deputy Speaker (Sir Nicholas Winterton): Order. Before the hon. Member for Angus (Mr. Weir) replies, I point out that he has not spoken for an hour and eight minutes—the digital clock is in error and I hope that it will be corrected.

Mr. Weir: If Mr. Deputy Speaker insists, I shall try to keep going for an hour and thirty minutes, but the Chamber might get a bit bored.

I totally agree with the point made by the hon. Member for Orkney and Shetland. A northern route, going through the Arctic, Norway and the scenic parts of northern and western Scotland, would be disastrous. An accident on any part of that route would have catastrophic effects for the whole of the northern hemisphere.

As the hon. Gentleman said, the effects of oil pollution are a disaster for traditional industry, wildlife and the environment. However, what would be the effects of an accident with a ship carrying nuclear waste to Sellafield? They are too horrible to contemplate and would dwarf the effects of the Braer. I ask the Minister, what investigation has been made into the ships that will carry the nuclear waste from Japan to Sellafield? Can he confirm that corrosion has been found on those ships, and does he consider them suitable to carry such material? I urge him seriously to consider stopping those ships sailing into United Kingdom waters.

The hon. Member for Orkney and Shetland referred to the northern route, but these ships would take the southern route and pass the coasts of west Wales and Cornwall, where there are many sites of special scientific interest. A disaster near either of those coasts would be a national and international disaster. The Government of Ireland have already expressed their opposition to the continuing operation of Sellafield. If ships carry nuclear waste up the Irish sea to Sellafield, that problem will get worse. Any disaster would affect Scotland, Ireland, Wales and England, as well as places further afield. I urge the Minister to take immediate action to stop the trade before there is a great disaster.

Will the Minister examine the powers that the authorities in port have if they consider that a ship is dangerous or unseaworthy? Earlier this year, the Public Accounts Committee noted that the number of ships' surveyors had fallen to just 159 from a figure of 194 in 1992, and that puts an extra burden on the Maritime and Coastguard Agency. The Committee also recommended that surveyors should carry out inspections at sea, so will the Minister tell us whether any thought has been given to strengthening the inspection regime either for ships that visits ports in the UK or for those at sea?

Given the prospect of ships carrying nuclear cargos, has the Minister given any thought to the information that should be provided to ports, coastguards and the Maritime and Coastguard Agency in respect of ships carrying dangerous cargos through channels in UK waters? The hon. Member for Orkney and Shetland has already called for such information to be made available about the ships travelling through the Pentland Firth and Fair Isles channels, but it is important that information is available about the ships travelling through the channels off the coasts of Wales and between Scotland and Ireland. My main point, however—I stress it again—is that we should not allow ships carrying nuclear cargos to travel through UK waters to Sellafield.

11.42 am

Andrew George (St. Ives): I am pleased to have the opportunity to take part once again in our now regular Tuesday morning debate on shipping matters. Perhaps it should become as regular as the shipping forecast.

I congratulate my hon. Friend the Member for Orkney and Shetland (Mr. Carmichael) on securing the debate and on taking the opportunity to raise residual matters regarding the sinking of the Braer nine and a half years ago. I shall listen carefully to the Minister's reply to the important questions that have been asked.

The hon. Member for New Forest, West (Mr. Swayne) also raised some important issues. I am glad that he emphasised the importance of encouraging the Government to introduce proposals for marine environmental high-risk areas, MEHRAs. As he rightly said, they were recommended in the Donaldson report in 1994. I know that many of us are anxious for the Government to introduce such proposals.

The hon. Member for Angus (Mr. Weir) rightly emphasised the importance not only of the proper monitoring of the nuclear waste and materials that are taken by sea—we heard this morning of a potential new shipment coming to this country from Japan—but of protecting the coastline. Coastline protection is crucial, because pollution at sea too often washes up on the shore. I come from a part of the world that, arguably—perhaps not even arguably—has the most beautiful coastline in the country and includes the Isles of Scilly and the far west of Cornwall. I know from regular visits to the shoreline that the vast bulk of pollution comes from shipping and not from beach users. Only last year I joined volunteers at Praa Sands in my constituency who were collecting rubbish as part of the "Keep Britain Tidy" campaign beach-clean week. The vast bulk of the rubbish collected on the beach came from the sea and not from beach users, which emphasises the importance of recognising that oil pollution is not the only issue. Many sea users use the sea as a rubbish ground and everything goes over the side. Spillage of oil, whether deliberate or accidental, is not the only hazard to wildlife because many other forms of pollution are a threat.

The hon. Member for Angus referred to one of the recommendations from the research into the foundering of the Erika on the Brittany coast in 1999 and the importance of introducing double-hull oil tankers. Many of us believe that the deadline, which has been put back to 2015, is worryingly far distant. What progress has the Minister and his Department made in ensuring that Britain takes a full and responsible role in meeting that deadline and working in the international sphere to ensure that the timetable is met?

As the hon. Member for New Forest, West rightly said, MEHRAs were recommended in the Donaldson report. The hon. Gentleman also said that the Government set up consultation on that in December 1999 and closed it in April 2000, but the result of that consultation has still not been published. We have been informed that there will be further consultation this summer, if we ever get a summer, and I should be grateful if the Minister would provide information in his reply on the timetable for implementation. Furthermore, in relation to MEHRAs, the hon. Member for New Forest, West gave the impression that

[Andrew George]

he was sure that powers and sanctions would be attached to the designations. Many areas around the United Kingdom want powers and sanctions to go hand in hand with the designations and I would be grateful if the Minister would indicate what sanctions, regulations and powers there are likely to be. Many local authorities are anxious to ensure that MEHRAs are backed up with the sort of sanctions and powers that can ensure that the environment is not simply noted but properly protected.

On compensation, I acknowledge that both internationally and in the United Kingdom, compensation arrangements and safeguards have certainly been improved and increased for oil spillages. That subject has already been adequately covered, but not all noxious or hazardous pollution at sea comes within the orbit of regulations on oil spillage. For instance, on 26 March 1997, when the MV Cita sank on the east coast of St. Mary's on the Isles of Scilly, it was carrying 145 containers; it also had 95 tonnes of fuel oil on board. The ship was German owned, registered in Antigua and insured by a Hamburg company that was not a member of a shipping insurance protection and indemnity club. In fact many of the containers were owned and insured by various people in different countries.

The pollution effect on the Isles of Scilly was such that the Government Departments responsible had to bear a bill of at least £200,000. Five years later, the Isles of Scilly council still has to find in excess of £80,000, which it had to borrow from reserves. Given that the council has a turnover of £2.5 million per annum, that had a significant impact. Although we all support and wish to uphold the principle of the polluter pays, it is too often the case that ships are owned by one nation and registered in another and that responsibility for the cargo is spread among several. As a result of the grounding of the Cita, the Government and the Isles of Scilly council have been chasing compensation in the German courts for the past three years, but without success. Will the Minister say what action can be taken to ensure that such irresponsibility—it is effectively piracy at sea—is brought to book?

I draw the Minister's attention to a point raised last week—the mention in the Queen's Speech of May 2001 of a proposed safety Bill. The Government announced their intention to increase the number of parties who would be liable in the event of a marine pollution incident in order to improve claimants' access to compensation Since then, we have heard no more. Will the Minister say when the Government plan to introduce such legislation?

My hon. Friend the Member for Orkney and Shetland drew attention to the National Audit Office report published last month. That report introduced a number of measures—I hope that the Minister will respond to them—including the establishment of appropriate contingency plans. I also raised another matter last week in relation to sea safety. It was the suggestion of sharing resources—in this case, surveillance aircraft—with other regulatory bodies; I am certain that the Ministry of Defence and the Department of the Environment, Food and Rural Affairs will have the opportunity to share resources in relation to fisheries protection. Another of the Committee's recommendations was to bring protocols on hazardous and noxious substances into UK law.

We should give the Minister ample opportunity to respond to the many matters that have been mentioned, so I shall not say much more except to give the House some good news. In my experience, it is not always necessary for the Government to introduce further regulation to drag a reluctant industry in the direction of taking more responsibility for the marine environment. I commend BRITMEPA, a voluntary organisation known as the British Marine Environment Protection Association, which is a division of the Sea Safety Group. I have been in touch with Captain A. P. Starling Lark, who is largely responsible for establishing that new, voluntary organisation and hopes that similar organisations will be established in other maritime countries. I am sure that the Minister is aware of that. It wants to work with the Government and throughout the industry by establishing the highest possible environmental standards in maritime industries.

11.55 am

Mr. Jonathan Sayeed (Mid-Bedfordshire): First, I congratulate you, Mr. Deputy Speaker, on your award of a knighthood—once a knight, and at your age.

The hon. Member for Orkney and Shetland (Mr. Carmichael) is to be congratulated on having secured the debate. It follows very neatly last week's on maritime safety, because those who offend against maritime safety are usually the same people who offend in terms of pollution. Pollution at sea is no respecter of sovereign jurisdiction. It can affect some 950 million people who rely upon the marine environment for their primary source of protein. Half the UK's biodiversity may be found in our seas and the UK economy relies on shipping for 95 per cent. of its visible trade.

Shipping is an international industry requiring international regulation. Accidental or deliberate discharge can damage a local area both environmentally and economically. Therefore, the reconciliation of sustainable marine discipline with the market freedom of global trade is both a national and an international imperative. Ships can constitute an environmental hazard to the marine environment in three ways—through operational pollution, accidental pollution and physical damage.

Operational pollution can occur through oil and oil wastes, chemicals and noxious liquid substances, sewage, garbage, anti-fouling paints, foreign organisms and even engine transmissions and noise. The majority of those discharges are governed by the International Maritime Organisation's international convention for the prevention of pollution from ships, which covers both accidental and operational pollution. It also provides for the designation of special areas where even tighter standards apply. All waters around the United Kingdom, including the North sea and the English channel are designated in that way.

Accidents such as collision and grounding can result in large quantities of pollutant being released into the marine environment. A vessel going aground, anchors and propellers, certain trawling activities and the operation of ships have the potential physically to damage and disturb reefs, banks, coastline, marine habitats and marine life.

The international convention on oil pollution preparedness, response and co-operation of 1990 provides a global framework for international co-operation in combating major incidents or threats of marine pollution. The international safety management code applies to most international shipping companies and trading vessels and obliges shipping companies to establish an environmental protection policy, which must be periodically audited both internally and externally. Both are useful and valuable measures, which must be made to work, but we should also remember that the IMO has no power to make Governments or industry take the necessary action. It operates by way of agreement and consensus, which gives rise to accusations of tardiness, but those accusations are misplaced.

The principal responsibility for enforcing regulations lies with flag states, whose efforts are supplemented by port state control. There are doubts about whether UK port state control inspections of foreign flagged vessels are adequately enforcing compliance with international standards, as well as doubts about whether we are doing enough to reduce operational discharges from ships by detecting and deterring through the prosecution and fining of those who continue to discharge illegally.

The evidence is clear. In 2000 alone, a total of 743 discharges from vessels and offshore installations were identified in the UK pollution control zone and national waters. In 2000, the annual total of 34 oil discharges from oil and chemical tankers was 89 per cent. greater than the 1996–99 mean annual figure of 18 discharges. I recognise that aircraft surveillance plays a significant role in spotting infringements, that we share satellite information with other states that are contracting parties to the Bonn agreement, and that the Maritime and Coastguard Agency is also conducting research into the tagging of oil-contaminated discharges to help identify those responsible. I am sorry to say, however, that the figures clearly show that matters are getting worse, so I welcome the Government's declared commitment to reducing the risk of marine pollution by taking pre-emptive action through international and domestic forums, as well as the emphasis on an ecosystem-based approach and integrated stewardship. Those are grand words, but what, specifically, are the Government going to do?

Two national initiatives are especially positive. They arose from Lord Donaldson's recommendations in 1994, following the inquiry into the Braer oil tanker incident in 1993, about which the hon. Member for Orkney and Shetland spoke knowledgably. The first is the computer assisted shipping traffic database, released in March 1996, on ship routeing in UK waters, and the second is identification of marine environmental high-risk areas, based on a dual assessment of shipping pollution risk and environmental sensitivity.

I urge the Government to expand the provision of year-round emergency tugging vessels for UK coasts. Although I acknowledge that things have improved, four emergency tugs for the whole of the UK, where some 300,000 major ship movements occur each year, is still too few. Will the Minister explain why the COAST database has not been expanded to include non-routine traffic, such as naval vessels, fishing vessels and offshore traffic to mobile drilling units?

The UK's national contingency plan, published in 2000, set out how the relevant local, national, harbour and offshore authorities in the UK will respond to marine incidents. I ask the Minister to comment, however, on the criticisms from the National Audit Office on 12th June 2002. The Comptroller and Auditor General highlighted structural flaws in the contingency planning of some coastal local authorities, in particular in Wales. There, local authorities struggled to deal with the aftermath of the release of 72,000 tonnes of oil from the grounded Sea Empress in February 1996. The NAO noted that no statutory duty is placed on local authorities to plan for and undertake shoreline clean-ups following marine incidents. May I suggest, perhaps oversuspiciously, that that may be because the Government would then have to fund an additional responsibility of local authorities?

Is the Minister aware that a gap is likely to ensue between provisions for contingency plans for oil pollution and the ever-increasing danger of chemical pollution? Have the National Audit Office's cost-saving recommendations for the sharing of counter-pollution equipment or the contracting out proposals been considered by Government? If so, what answers have the Government reached?

Turning to the harmonisation of international standards, will the Minister confirm that the anti-foulant organotin will not be used after 1 January 2008? If that is the case, why is it still being marketed as a biocide for ships? Will the convention for the control and management of ships' ballast water and sediment be adopted in 2003? Can the Minister explain why the international convention on civil liability for pollution damage caused by bunker oil, adopted in 2001, is still awaiting implementation? Is he confident that all single-hulled tankers will be eliminated completely by 2015, which is already an extended date?

The Exxon Valdez in Alaska and the devastation of the Galapagos Islands hit the headlines and caused a global environmental shockwave. However, it is the small daily incidents, minor accidents and regular discharges by those who flout the law that we need particularly to address and avoid. That is especially true in the UK, which is on some of the world's busiest waterways, the pollution of which would impact directly upon our biodiversity.

Accidents are a product of human fallibility and error and are not subject to absolute prediction or guaranteed prevention. Yet measures can be taken to limit the likelihood of occurrence and to mitigate the degrading environmental consequences. Preventive action is the only option for a disease that has no cure. It is all very well for a national authority to look outwards beyond its frontiers to international agreements, but such agreements will count for little unless local authorities are able to act effectively. Global thinking and effective local implementation are the key to safer seas and sustainable development.

12.07 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): First, I add my congratulations to the former occupant of the Chair, Sir Nicholas Winterton, on his knighthood. I look forward to you, Mr. Deputy Speaker, receiving a similar award for the outstanding work that you, too, have done for this House.

[Mr. David Jamieson]

I congratulate the hon. Member for Orkney and Shetland (Mr. Carmichael) not only on raising the matter but on doing so in his usual well-studied and courteous manner, which always goes down well in the House and will probably guarantee him good, proper and fair answers to his questions. He referred to this being a weekly debate, although unlike the hon. Member for St. Ives (Andrew George) he did not propose that it should be as regular as the weather forecast. However, we seem to be covering some ground and I welcome that, because maritime-related issues have received little attention from the House during the past 10 years.

The hon. Member for Orkney and Shetland raised the importance of clean seas, particularly in his constituency. He mentioned fishing and tourism, diving and sea farming and the hon. Member for New Forest, West (Mr. Swayne) talked about sea birds in some depth and those are all very important matters. He also mentioned the two aspects of maritime pollution—chronic problems and acute problems. The acute problems, such as major sinkings and oil spillages, tend to attract most public attention, but it is perhaps the chronic problems that need the most careful attention. As the hon. Gentleman said, they play a greater role in the scheme of things over the longer term.

The hon. Member for Orkney and Shetland referred in some detail to the Braer, which is important to his part of the country and his constituency. The Government have learned many lessons from that incident and the hon. Gentleman gave us credit for that. Much action is being undertaken and I shall run through some of our measures if I have time.

Some time ago, the hon. Gentleman kindly invited me to the Shetlands. I can now confirm that, all being well, it will be my considerable pleasure to enjoy the customary hospitality of the Shetland Isles in August. I have heard the hon. Gentleman's request for a meeting, and we shall see what we can do on that front.

The hon. Gentleman mentioned the Braer investigation and said that new evidence had come to light as regards the logbook. The marine accident investigation branch carefully examined the new allegations and drew two conclusions. It said that at least some of the new evidence presented by Dr. Wills was already known to it and that none of his evidence challenged the version of events that was revealed during the investigation.

The basis of Dr. Wills's argument was that he had obtained copies of the logbook that was kept by the loading terminal, not the ship, while the Braer was embarking her cargo of light crude oil. The logbook referred to steam line problems on board, and the marine accident investigation branch examined the issue carefully. It concluded, however, that despite that entry in the logbook ashore, the overwhelming evidence from other sources suggested that the problem lay with the feed water system. The difference between those two findings was crucial.

I shall now run through some of the questions that hon. Members have raised, and if I have time, I shall make some more general points about maritime pollution. The hon. Member for Orkney and Shetland asked the Government to reconsider pressing the international oil pollution compensation funds to release the Tulloch report, but it would not be wise to do so. We must remember that the UK is not only a claimant, but a contributor to the funds, and a precedent set in this case could have ongoing repercussions for future cases. In other words, I have heard what the hon. Gentleman has said on the matter.

Mr. Carmichael: There is a distinction to be drawn here. If this case sets a precedent, it might not be a bad one. All the litigation and claims have been dealt with, but there is still a lingering doubt about whether the IOPC acted properly. It is surely in everyone's interests—not least the IOPC's—that doubts about its conduct are removed and that can be done only by releasing the Tulloch report.

Mr. Jamieson: I have heard what the hon. Gentleman says, but we perhaps differ on the issue.

The hon. Gentleman also asked about a further independent inquiry into the Braer incident. The MAIB is independent of my Department and the chief inspector reports directly to the Secretary of State. The hon. Gentleman holds Admiral John Lang in high regard and I am satisfied that his advice to us is entirely independent, and I accept and very much appreciate it.

The hon. Gentleman asked about the green award and we are interested in any scheme that encourages higher environmental standards. The port waste reception directive, which we are in the process of implementing, enables ports to apply lower charges to ships on the grounds of good environmental management.

I started by talking about the difference between chronic and acute problems, and it as well to put the issue in context. The most up-to-date information that we have was published by the joint group of experts on the scientific aspects of marine environmental protection. That report gives the following figures for maritime pollution: land-based discharges plus atmospheric inputs from land industry sources contribute something like 77 per cent. of all pollution in the sea; dumping from land is responsible for another 10 per cent.; and 12 or 13 per cent. derives from maritime transport.

The hon. Member for St. Ives is pulling a quizzical face, as if he had actually learned something today. When he visited the beaches in his constituency, he may have seen fluttering copies of "Focus" rather than things coming in from the sea. He was talking not about pollution but flotsam; it may be that that flotsam was sea based, but there are more insidious things contained within the sea than on the surface. I hope that those statistics are of assistance.

The hon. Member for New Forest, West referred to the Marine Wildlife Conservation Bill. The question of prosecution for oil pollution landward of the UNCLOS—United Nations convention on the law of the sea—baseline will be addressed through amendment of the legislation. [illegible] Bill is not relevant to the issue, as it is not designed t[illegible]rform such a function—the solution lies with the relev[illegible]erchant legislation.

The hon. Gentleman also mentioned satellite tracking. The Maritime and Coastguard Agency's trials of satellite monitoring have been successful and it intends to offer a contract for satellite sensing over key areas of the sea, both inside and outside the United Kingdom counter-pollution zone.

The hon. Gentleman made a further point about the areas in which prosecution could take place. There seems to be some misunderstanding of that matter. The Merchant Shipping (Prevention of Oil Pollution) Regulations 1996 apply in areas seaward of the baseline out to the full extent of the United Kingdom pollution control zone, which is 200 miles beyond that baseline. Illegal discharges of oil in the internal waters landward of the baseline, including estuaries, can be prosecuted under section 131 of the Merchant Shipping Act 1995. I hope that that clears up the confusion.

Mr. Sayeed: The Minister may remember that last week I asked him a question about the Maritime and Coastguard Agency, which he was unable or unwilling to answer. There is not a single master mariner in a senior position in the MCA, which is run by people whose expertise is shore based rather than former practitioners at sea. Does the Minister think that the MCA would be assisted if it employed people who had been master mariners and who know what happens at sea?

Mr. Jamieson: I am grateful to the hon. Gentleman for raising that issue. In the debate last week, he cast doubt on the competence of the MCA. This House is the place in which to ask such questions and when we make a robust attack on any organisation, we must make an equally robust check of the facts.

The hon. Gentleman said that there was not one master mariner among the MCA senior management, but I am informed that one of the senior managers in that organisation is Captain John Garner, who holds a master mariner certificate. He has commanded container ships and ferries and has considerable experience at sea. In addition, Maurice Storey, the chief executive, has spent a total of 45 years in the industry, both landward and at sea. Alan Cubbin is a qualified naval architect and has been in charge of the safety operation and policy role for more than 20 years. John Astbury has been all the way through the shipping industry, from the very bottom to the very top. That shows that the MCA has within it enormous competence and experience, which is borne out by my day-to-day experience and contact with such an excellent organisation. The hon. Gentleman has clearly not done his homework and I now give him an opportunity to withdraw his comment that no master mariner is involved in the management of the MCA.

Mr. Sayeed: Although I had checked the details about Captain John Garner, I accept what the Minister has said and, on that basis, I withdraw my remarks. Mr. Storey, however, worked for Stena for many years, but he was shore based.

Mr. Jamieson: I am pleased that the hon. Gentleman has withdrawn his comment. He will be interested to know that Maurice Storey spent some time at sea, too. I recommend that he visits the MCA, as I have done. I am sure that he will find Maurice Storey most welcoming and helpful. Such a visit would increase the hon. Gentleman's knowledge and experience substantially.

The hon. Member for Angus (Mr. Weir) drew attention to the transport of nuclear material around our coasts. It is most important that all such transportations comply with the International Maritime Organisation's requirements. We are sure that the joint IMO and International Atomic Energy Agency code for irradiated nuclear fuels is happening. It is a matter to which my Department attaches great importance.

The hon. Gentleman referred to local authority clean-ups. We have not had discussions with the devolved Administrations, but we have with local authorities in general, which already have the powers to prepare such plans. We know that, of the 170 coastal local authorities, all but one either have plans or are currently reviewing them.

Mr. Weir: The Minister referred to the transport of nuclear waste, but he did not answer my specific question—whether the Department is looking into the claims regarding the ships that will be travelling to Sellafield next month. Furthermore, has he held discussions with local authorities about the financing of such schemes?

Mr. Jamieson: Individual ships would be involved in any implementation of the regulations. A considerable amount of money goes to local authorities in respect of their civil contingency plans. Such planning matters are the responsibility of what is now another Department and that is probably discussing them as we speak.

The hon. Member for St. Ives has a nice chunk of coastline in his constituency. I have holidayed there regularly and it is a fine coastline—perhaps it compares fairly well with the coastline in Devon. He asked about double hulls. I am sure that he is relieved that the United Kingdom is doing its part in phasing out single hulls in line with the timetable set by the IMO. The hon. Gentleman also asked about the safety Bill. We are seeking parliamentary time in which to introduce it and we are currently bidding for the third Session. We welcomed the report of the National Audit Office. We considered it well founded and soundly thought through and we are now looking carefully at its recommendations.

Pollution from ships is another important matter.

Andrew George: The Minister is moving on from some of my questions. The hon. Member for New Forest, West (Mr. Swayne) and I referred to the timetable for MEHRAs and the likely plans for the powers and sanctions to support them, and I should be grateful to the Minister for any information that he could give about that.

Mr. Jamieson: Yes. Perhaps I can deal with that a little later, but I can tell the hon. Gentleman that we will issue a consultation paper this autumn on that matter to discuss potential protective measures, including the routeing measures that he mentions.

I should say again that the pollution that we suffer in the sea is, in fact, largely land based and not from ships. Nevertheless, when shipping causes pollution, the effects can be acute and absolutely devastating. The hon. Gentleman is probably too young to remember the

[Mr. Jamieson]

Torrey Canyon incident. *[Interruption.]* He says that he does remember it; he is rather older than he looks. I certainly remember what happened in March 1967. As the hon. Member for Orkney and Shetland said, the Braer incident occurred in January 1993, and the Sea Empress incident took place in February 1996.

The United Kingdom has about 10,000 miles of coastline and we are adjacent to some of the world's busiest sea lanes, such as the English channel, which adjoins my constituency and that of the hon. Member for St. Ives. It is estimated that there are about 400 vessel movements a day through the Dover straits. Consequently, we have made preventing and deterring pollution one of our highest priorities.

I shall list some of the things that we are doing. First, we are very active internationally. Shipping, by its very nature, is an international industry and international controls are required to regulate it. That is best achieved through the International Maritime Organisation. We ensure that we play an active and influential role in the IMO. We work vigorously in the IMO to achieve tighter rules and standards that apply to discharges from ships under the major international convention controlling marine pollution—the international convention for the prevention of pollution from ships, which is commonly known as MARPOL.

We played a leading role in persuading the IMO to agree to designate the north-western European waters, including the North sea, English channel, the Irish sea and other UK waters, as a special area under the MARPOL annexe that covers the prevention of oil pollution. We also played a leading role in persuading the IMO to designate the North sea as a special area under the MARPOL annexe that covers the prevention of pollution by ship's garbage—an issue raised by several hon. Members. In that way, the disposal into the sea of oil and garbage is governed by much more stringent limits than those for other marine areas under international law. That recognises the fact that our waters deserve greater protection from pollution.

We are also a party to the international oil pollution compensation regime. It is worth remembering that, at the time of the Braer and Sea Empress incidents, the limit under that regime was approximately £51 million, which was increased to its present level of approximately £118 million in 1996. In October 2000, we secured a further rise to approximately £180 million from November 2003 and we are doing more. We are preparing a draft protocol that will provide states with the option to join an additional supplementary fund, with a view to reducing still further the likelihood of claims being deferred in part until it can be shown that the total claim is met in full.

The UK took a high profile during the 1996 IMO diplomatic conference, which successfully adopted the hazardous and noxious substances convention, under which a compensation fund similar to that applying to oil tanker pollution will be introduced.

Mr. Sayeed *rose—*

Mr. Jamieson: I will not give way again. I have given way to the hon. Gentleman, and I want to make some general remarks.

The hazardous and noxious substances convention will require compulsory insurance and provide a right to take direct action against the insurer, making it much easier for claimants to recover their losses.

On the domestic front, we have taken steps to deal with the risks of shipping polluting our seas and coasts on a statutory and a non-statutory basis. We know only too well from the Braer, Sea Empress and Erika incidents how much damage can be done to the marine environment in a major accident. In his review of salvage intervention held in the wake of the Sea Empress incident, Lord Donaldson recommended that ultimate control of any salvage operation involving a threat to the environment must be exercised by the Secretary of State's representative for maritime salvage and intervention.

This has been a very helpful debate with some excellent contributions. I hope that we will have further opportunities to unpick and unfold some of the very important issues concerned.

Mr. Sayeed: Can the Minister explain—

Mr. Deputy Speaker (Mr. Edward O'Hara): Order. The Minister has concluded. We will proceed with the next debate.

Sunday Working (Scotland)

12.30 pm

Mr. Malcolm Savidge (Aberdeen, North): On 20 June the Leader of the House said, in response to my business question, that this matter was

> "a very serious issue of principle . . . of immediate concern to his constituents."—[*Official Report*, 20 June 2002; Vol. 387, c. 429.]

I would add that the subject is of immediate concern to the constituents of MPs across Scotland—and, as the question asked last Thursday by the hon. Member for East Antrim (Mr. Beggs) so amply illustrated, across the United Kingdom. Equal rights for employees throughout the UK should be a concern of all Members of the British Parliament.

The company Argos is exploiting a loophole in the law whereby a protection afforded to shop workers in the rest of the UK does not at present apply to Scotland. That is the protection that makes Sunday working voluntary. Argos is offering staff the stark alternative of doing compulsory Sunday working or facing the sack. The anomaly in the law probably goes back to the time of Stanley Baldwin and the Shops Act 1936, which extended only to England and Wales, probably because Sabbatarianism was so strong in Scotland at the time that it was not felt that protection was needed there.

Whatever the reason, when the Shops Act 1950 went through, it too applied to England and Wales, and so did the Sunday Trading Act 1994 and the Employment Rights Act 1996, although there was separate legislation that applied to Northern Ireland. In the mid-1990s, the Conservative Government had the support of Opposition parties in passing those two Acts. They intended to ensure that shops had the flexibility to trade on Sundays and shoppers had the flexibility to shop on Sundays, but that shop workers had protection so that those who objected in principle to working on Sunday would not be forced to do so.

I shall spell out the present legal protection. Shop workers employed on contracts that do not oblige them to work on a Sunday should be allowed to refuse to work on a Sunday without fear of dismissal, redundancy or any kind of detriment. Indeed, the law goes much further, and says that shop workers on a contract that expects them to work on a Sunday should be able at any time to give the firm three months' notice that they wish to opt out of that, and refuse to work on Sundays in future, without any detriment.

That is the legal situation in England, Wales and Northern Ireland. As the Leader of the House said,

> "Although that is not the law in Scotland"—[*Official Report*, 20 June 2002; Vol. 387, c. 429.],

trading companies have accepted that, as an "issue of principle", they should apply the spirit of that law to their employees in Scotland. Argos did precisely that in the mid-1990s, allowing its staff to sign an opt-out clause of the kind permitted under the 1994 and 1996 legislation.

Why, then, is Argos now rewarding staff who between them have given many years of loyal service to the company with an ultimatum of compulsory working or the sack? First, that is appalling staff relations. Secondly, it is an affront to freedom of religion at a time when, I am glad to say, we accept far more the right of people of non-Christian religions to have their religious observance recognised. Surely we should not be seeing people persecuted for Christian beliefs.

It is probably true to say that people's deep feelings about Sunday are best shown in films such as "Chariots of Fire", which represented the deep feelings that Eric Liddell had about running on Sunday. Although such feelings are less common in Scotland now than they used to be, they still exist and the rights of the people who hold them deserve to be respected.

However, even people with more liberal opinions object to the idea of being forced to work on Sundays, when that means days and times of the company's choosing. Other groups, too, have the right to enjoy Sunday in the way that they wish. For example, couples often find that it is the one day when they are both off work together. That is particularly true for families, as it is the day that children are most likely to be off school. In our society, carers and those with family responsibility tend to be women, so I would argue that the company's proposal is sexually discriminatory. Indeed, the Union of Shop, Distributive and Allied Workers tells me that almost all, if not all, the staff who have made complaints about the move are female.

The company's proposal is discriminatory in another way. It clearly discriminates against people simply because they live in Scotland; it could not be introduced anywhere else in the United Kingdom. It is also a denial of human rights. The legislation was passed between 1994 and 1996 under a Conservative Government, with the support of other parties, and the company's proposal is surely against all this Government's core beliefs—our beliefs that we should support faith communities, be family-friendly, oppose discrimination and uphold human rights.

Not only I but many other Members of Parliament, Church leaders and people in the media have all contacted Argos, and I want to say something about its response. First, the company said that it had made the move because it needed more workers on Sundays. Internal monitoring and comments from customers had suggested that those working on Sundays were less experienced, and therefore gave a less good service than the Monday to Friday staff. Does that apply only in Scotland, or has the move been made just because of a legal loophole in Scotland?

Mr. Russell Brown (Dumfries): My hon. Friend, like me, has been in contact with the company and with USDAW. Does he agree that the underlying fact is nothing more than a desire to cut costs for Sunday working? The company has not been short of staff in any of its 37 stores in Scotland, and it has always had quality staff. This move is penny pinching. By manipulating the contractual system, Argos will achieve small savings at the end of the day.

Mr. Savidge: My hon. Friend is absolutely right, and I will expand on that point later. Is not the threat of the sack an extraordinary reward for the people whom the company says are its best staff?

Argos has also said that in some of its stores, people will be expected to work only one Sunday in nine. However, in another store, people will be expected to work one Sunday in two. If staff are confronted with a

[Mr. Savidge]

press-gang attitude and decide to leave the company—I am told that that could happen—what guarantees are there that there will not be a greater need to push other staff into working on Sunday more and more regularly? What protection will they have from a company that is prepared to alter their contracts arbitrarily? What will protect them from working more frequently on Sunday, or from alterations to the number of hours that they are expected to work?

Argos claims that other companies have introduced similar measures. USDAW says that it knows of no other company that has tried to force existing staff, on pain of dismissal, into compulsory Sunday working. Argos claims to respect the religious observances of its staff, but does not say how it proposes to do that.

Argos says that it has gone in for consultation but, contrary to its agreement with the union, it engaged in no prior consultation with USDAW. Argos claims that 97 per cent. of staff are accepting its proposal on a voluntary basis. That figure sounds rather like those votes that used to occur in communist dictatorships, does it not? Such dictatorships would claim that 97 per cent. voted yes, which was usually the result of a mixture of coercion and imagination. I suspect that is what applies in this case.

To use the word "voluntary", when one actually means compulsory Sunday working or the sack, is to use that word in a way that would fit fairly well into Orwell's "Nineteen Eighty-Four". USDAW has a collective grievance from 69 of the staff who objected totally. If we work out the arithmetic based on that, the company would have to employ more than double the staff it actually has in Scotland for the 97 per cent. figure to be remotely possible. Leaving aside the fanciful arithmetic, and pretending that the 97 per cent. figure is not an arbitrary invention, we must ask why on earth, if 97 per cent. of the staff were prepared to work voluntarily, the company is threatening hundreds of their best and most experienced staff with the sack? Surely, as my hon. Friend the Member for Dumfries (Mr. Brown) suggested, a very slight increase in financial reward would resolve the problem immediately. I gather that Argos only offer time and a half, whereas the wages councils used to recommend double time for Sundays. Possibly a very slight adjustment to their additional payment might resolve the problem.

Mr. Terry Duddy, the chief executive of the company, wrote to me in moving terms:

> "We pride ourselves on dealing with staff with fairness and respect, and believe our actions have shown this."

However, the company document that deals with this matter speaks of "week 22 to week 34", which refers to giving staff notice on week 22 and having all matters resolved by week 34. That makes precisely 12 weeks—a period that has been chosen for a reason. Under present contractual notice, staff who have worked for less than four years for the company can be dismissed in four weeks. Staff who have worked for over 14 years—who may have given decades of loyal service to the company—have to be given 12 weeks. The company is saying—in its caring fashion—that it wants to ensure that the staff who have worked longest for the company are out at the end of the 12 weeks, without further consideration.

Steve Farndale, the Scottish area manager, sent an intranet message to his store managers concerning the changeover:

> "Bring your . . . problems in a big bag . . . and I'll bring a big bin."

Let us consider the treatment of individual staff. A mother who wanted to spend time with her daughter was told, "You can find someone else to watch over her." A daughter who wanted to give respite care to an aged and very infirm parent was told, "That can be done any day." Having read several such comments, I find the company's attitude callous and outrageous. The basic human decencies such as maternal affection, care for sick parents or personal convictions are treated as if they are sins against the corporate greed of the company. Although the company claims that in truly exceptional circumstances it may give a temporary stay of execution to staff not wanting to work compulsorily on Sundays, it makes it clear that such individuals should be brought back in every month so that their personal circumstances could be reviewed, to see whether the company finds them acceptable, and obviously it can continue to put pressure on them.

I find it appalling that staff who have given faithful Monday to Friday service for years should have that sort of intrusion into their personal lives. It is not really "Nineteen Eighty-Four"; it is a more a reminder of the 19th century. If not actually slavery, the atmosphere is similar to that of Victorian domestic service. I was going to say it was Dickensian, but that would be unfair. Even Scrooge at his worst allowed Bob Cratchit time off without making intrusive personal enquiries into his family circumstances and demanding a regular update on whether Tiny Tim was really all that ill.

Argos says:

> "We pride ourselves on dealing with staff with fairness and respect",

but the message to the managers said:

> "Bring your . . . problems in a big bag . . . and I'll bring a big bin."

Argos says that it prides itself on treating its staff with fairness and respect, yet it treats them worse than the firm of Scrooge and Marley.

If Argos persists, we will need to change the law. Perhaps we should change it in any case, to bring Scotland in line with England, Wales and Northern Ireland. If the company does persist, we will not need to take retrospective action to resolve the problem because the law in England and Wales, if extended to Scotland, would give staff on Sunday contracts the right to opt out within three months. We may nevertheless want additional clauses stating that the right to opt out should be immediate where coercion has taken place, and that there should be a right to reinstatement. However, I hope that that will not be necessary.

Even at this late stage, I appeal to Terry Duddy to consider whether he really wants to nurture the public image of a cheating bully who has worse staff relations than Ebenezer Scrooge. I ask him and his senior management to listen to Church leaders, the Government, Parliament and all parties. Already, early-day motion 1498 has been signed by 150 hon. Members, and I suspect that it will receive the support of many more. I ask him to think about his staff, the level of morale that press-ganging creates and how many experienced staff may feel forced to leave. He must think of the good will of his customers and the public. The whole group of Great Universal Stores—which includes Kays, Marshall Ward, Choice, Innovations, Home Free and Burberry's—must ask itself whether it is worth losing public good will through being associated with discrimination against families, carers, women, Christians, Scots and those that work in Scotland, and through infringing human rights.

Compulsory Sunday working is objectionable to the British Parliament and the British people. It is illegal in the UK, except in Scotland. Perhaps we need to extend that legal protection to Scotland but, in the meantime, we urge and expect all companies throughout the United Kingdom to abide by the spirit of the law.

12.46 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): I congratulate the hon. Member for Aberdeen, North (Mr. Savidge) on securing the debate. It was also a great pleasure to arrive early enough to hear the Under-Secretary of State for Transport give an eloquent and clear exposition of Government policy in the previous debate.

I am a member of USDAW and I acknowledge and record the support that it gives to my constituency. I share the concern that the hon. Member for Aberdeen, North has for the interests of retail workers. We have introduced several measures to protect the rights of workers that were neglected in the past. We are a Government who always encourage employers to treat employees fairly and in a spirit of partnership. Indeed, we have made available £5 million to support projects that promote partnerships between employers and their employees.

Employers who fail to heed the needs and wishes of their employees are unlikely to be able to recruit and retain a committed work force, which is so essential in these days of fierce competition. I always deplore any attempt to coerce employees to adapt to unwelcome work practices and patterns, particularly when it involves Sunday working. We recognise that many people do not wish to work on Sundays, whether it be for religious reasons or so that they can spend time with family and friends. Good employers will always respect that.

The hon. Member for Aberdeen, North represents a part of the United Kingdom that has a tradition of respecting the Sabbath. When the Olympic committee ordered Eric Liddell to compete on a Sunday, he refused. What makes Argos think that it can compel his spiritual successors to work on a Sunday, against the Christian convictions that they hold so dear? Almost every other national chain of stores has avoided doing that and has secured the voluntary co-operation of workers who do not object to Sunday working. Why is Argos—a reputable company—acting in such an insensitive way?

Of course we recognise that many people want to go shopping on Sundays. Many people have such busy lives that Sunday may be the only day on which it is possible for them to shop. Employers want to cater for that, and the law does not stand in their way.

Sunday shop opening was deregulated in England and Wales in 1994. Parliament responded to the public's wish to shop on Sundays and the desire of employers to meet the public's needs, but declared that that should not be at the cost of the third group in the partnership, people who work in shops. The law is clear on Sunday work. Although there is no general protection against having to work on Sundays, as with other general terms and conditions of employment, whether employees can be asked to work on Sundays will depend in most cases on what has been negotiated in their contracts of employment by themselves or by their representatives. That is equally true whether employees work in England, Scotland or Wales, and is true in most sectors of the labour market.

The Government have done more in five years to protect workers' rights, through legislation and a 21st-century partnership with employers, than any previous Government. We restored trade union rights at GCHQ within 13 days of coming to power and we brought in statutory procedures for trade unions to obtain recognition in organisations with more than 20 employees.

The hon. Member for Dumfries (Mr. Brown) praised the quality of shop staff in his constituency and I join him in praising the dedicated work by shop workers throughout the United Kingdom. It may help hon. Members if I spell out the rights of workers in more detail and set them against any attempt to coerce them to work on Sundays. Our landmark national minimum wage, which is now supported by all parties, has benefited 1.5 million workers; the automatic entitlement to four weeks' paid annual leave under the working time regulations has transformed the rights of more than 3 million people; and 400,000 part-time workers now benefit directly from fair treatment for part-time work. I hate discrimination, and at a stroke we abolished discrimination against part-time workers. To support the weak against the strong, from September 2000 we have given a worker attending a grievance or disciplinary hearing the right to be accompanied by a colleague or trade union official. Since 1 June 1999, the qualifying period for making a claim against an employer has been increased from one year to two.

Protection for whistleblowers came into force on 2 July 1999. Agreements to waive the right to claim unfair dismissal in fixed-term contracts were abolished on 25 October 1999. We increased maternity leave to 18 weeks on 15 December 1999, and next year we are taking that up to 26 weeks, when standard maternity pay will also go up to £100 a week. Fathers will also get an automatic right to two weeks' paid paternity leave at the same rate. Last year, we shortened the qualifying period from two years to one.

Sunday shop opening has been legal in Scotland for many years and is widely accepted. Sensitive employers have respected the diverse traditions of various Scottish communities and various religious beliefs. Such citizens do not expect to be asked to work on Sundays, and their contracts do not provide for Sunday work. The hon. Member for Aberdeen, North explained that USDAW reached an understanding with a number of large retailers in Scotland, including Argos, when Sunday shop opening was legalised in England and Wales in 1994. The understanding was that those employers would honour the spirit of the special protection given to shop workers in England and Wales. It is greatly to be regretted that Argos appears to have changed its stance.

[Nigel Griffiths]

I warn any employer that seeks to change employees' contracts unilaterally that whether employees can be required to work on Sundays depends on what has been negotiated and agreed in their contracts of employment. Once those contracts have been agreed employers are not free to vary their terms whenever they feel like doing so. A contract is legally binding on both employer and employee. If an employer changes the terms and conditions of a contract without an employee's consent, that employee can consider making a breach of contract claim.

Mr. Michael Weir (Angus): I appreciate what the Minister is saying. Does he realise that many Argos workers are simply not in a position to reject unilateral changes, because their stores are in areas in which it would be difficult to find alternative employment? They are in a weak economic position, so will he not consider legislation to solve the problem?

Nigel Griffiths: I have every sympathy with the hon. Gentleman's comments and he is right. We must protect the weak against the strong, but there is not time to protect the Argos workers who are facing problems now with legislation, which, as he knows, takes months and sometimes years to take through Parliament. There is no tap to turn on legislation at a click of the fingers. We are discussing today the sensible proposals put forward to see whether that company, and any other company that is considering taking the same path—I know of none—will see sense and recognise that when workers are represented and have legal rights, which I have spelled out, it may face legal action on the contracts that it wants to vary. If employees are dismissed for refusing to accept a variation of contract or simply for refusing to work on Sundays if their existing contract does not require that, they can make a claim under our unfair dismissal legislation.

Mr. Russell Brown: Because of my contacts with USDAW, I have been pressing that point. Employees will be able to make a claim for unfair dismissal, but it is strongly suspected that the company will merely give the excuse—it is an excuse and nothing more—of overriding business considerations or a changing business environment. Those considerations and that environment have not changed, and there is something more underlying the issue.

Nigel Griffiths: My hon. Friend makes a good point. The evidence for a change has not convinced him, the hon. Member for Aberdeen, North or USDAW. I would have thought that that would severely weaken the position of a company seeking to change the terms of contracts, and lead to a possible legal challenge. That is why I hope that it will be possible for Argos to sit down in a spirit of conciliation with representatives of its work force and hon. Members of all parties who are concerned for their constituents, and reach a sensible agreement.

Existing legislation provides an essential framework to ensure that employees are decently treated. Any shop worker in Scotland who is dismissed for refusing to work on Sundays, if they have worked for a year, can go straight to an employment tribunal under the unfair dismissal legislation, thus avoiding court action—although that door will not be closed. In addition, all employers would do well to note that the 1998 working time regulations provide for all employees to have a rest period of at least one day a week or two days a fortnight and limit the number of hours that they can require employees to work to an average of 48 in any week. That ensures that everyone can have the minimum break from working necessary to protect their health and safety, and enables them to spend time with their family.

I want to make it clear that the Government deplore any attempt to coerce employees into Sunday working. I hope that the employer whose actions prompted this debate will listen to the hon. Members who have spoken today, to Church leaders in Scotland, to the mood of local communities and to its work force. I warn the company that shop workers in Scotland are not defenceless or without possible redress if they are ill treated by employers for refusing to work on Sundays. I join the hon. Member for Aberdeen, North in asking Argos to seek an amicable solution and uphold the traditions of a company that was much respected hitherto.

Health Services (Oxfordshire)

12.59 pm

Mr. Boris Johnson (Henley): I am pleased that time has been found for this debate, although I am sorry that no other Oxfordshire Members of Parliament have seen fit to attend the proceedings. Perhaps they will join us in due course.

Adjournment debates tend to begin with a whinge about health care, develop into a wail and wind up with a general howl of protest. Let me vary the routine and start with an unrivalled success story which I hope the Minister will appreciate. In about a month's time, the first brick will be laid of the new Watlington hospital in my constituency. It will be marvellous—the type of place in which all hon. Members might hope to wind up, spending our last days gently pottering around in its gardens, looking at the lovely flowers of south Oxfordshire.

There will be 60 beds—some national health service, some private. A quarter will be for the use of mental patients, a quarter for convalescence, a quarter for long-stay elderly patients and a quarter for respite care—to give a break to disabled children's parents who are at the end of their tether. There will also be a brand new NHS GP surgery.

The whole project has NHS approval. I am sure that the Minister will be especially pleased to know that the project has so far been accomplished without spending a penny of public money. Two and a half years ago, the Government closed the small cottage hospital in Watlington—a move bitterly resented by the local population. They have responded magnificently, thanks to the tireless work of Sir Charles Farrell and many others. Donations have been collected, both large and small, and the people of Oxfordshire have raised £1.5 million to reverse an ill-judged closure by the Government. I am sure that the Minister will want to join me in congratulating all those responsible for that achievement. At the risk of tempting him into a departure from Labour's approved ideology, I invite him to agree that it shows what private enterprise can do in the field of health care.

The real question is why the people of Oxfordshire felt so ill-served by their hospitals that they wanted to rebuild one at their own expense. I firmly believe that Westminster Hall debates are not a time for scoring party political points. I do not want to attack or undermine the many health care professionals in my constituency who do a fantastic job in difficult circumstances. However, one reason why it was necessary to build again at Watlington was the shortage of care home beds. We all know that care homes are closing throughout the country at a prodigious rate, thanks in large part to the detailed provisions of the Care Standards Act 2000. In Oxfordshire, half the care homes are predicted to close by 2007.

The closure of care homes is producing the phenomenon of bed blocking in our hospitals, when elderly patients cannot leave and impede the arrival of other patients. At the John Radcliffe hospital, the biggest and most important in Oxfordshire, 46 beds are currently blocked. A further 36 or so are blocked in Oxfordshire's various local hospitals.

There are currently 80 beds in the John Radcliffe that are closed altogether, making it difficult to get in. One GP in my constituency told me yesterday that she had a patient with jaundice whom she could not get into the John Radcliffe. Although he was not, as far as she could tell, in imminent danger, he was in pain and distress and she wanted him to be seen. She could have put him on the cancer list because, according to Government rules, people with cancer must be seen within two weeks—if not actually treated, because one might have to wait a lot longer for that. However, she was not sure that he had cancer, so he had to wait and wait.

Another Oxfordshire GP, Dr. Tony Vernon of Wallingford, recently revealed that he had been unable to get patients into the John Radcliffe because the ambulances meant to be taking them there were not available—they were queuing up outside the hospital supplying trolleys because there was a shortage at the accident and emergency department. From January to March, 84 patients had to wait more than 12 hours in A&E at the John Radcliffe. Sometimes that service is closed, and people cannot get into A&E at the hospital—the biggest hospital serving Oxfordshire—because it is on what is called a divert. People are diverted to as far away as Stoke Mandeville.

When people like me make such criticisms of dedicated health care professionals, it is important that we take account of the problems that they face. A single explanation for the problems of the John Radcliffe may tell us why beds are not only blocked, but closed. We talk about a shortage of beds; the bed is physically there, but it is unavailable for use. The explanation is a shortage of nurses.

There is a 13.6 per cent. shortfall in the nursing strength at the John Radcliffe hospital. That is about 300 nurses short in a crucial hospital that serves many people in my constituency. Of the 1,250 nursing posts in Oxfordshire, 377 are unfilled. That is why beds are not only blocked, but closed. That is why general practitioners find maddening delays in putting patients into secondary care, and broadly why one in 20 planned operations is cancelled on the day of the operation. It is why the A&E seems to be in such a crisis.

The problem of recruitment is at its worst in the south-east, and retention of nurses is also difficult. One in eight registered nurses left the national health service in the year to March 2001 in the south-east region, the area most badly afflicted by wastage. Why is it so difficult to recruit and retain nurses in the south-east? Why is it necessary to try to recruit nurses from the Philippines and other countries, as the Radcliffe has been forced to do? As the Minister will have seen, that has prompted protests from some third-world countries, which have said that they are being denuded of health care workers.

The pat answer is the cost of housing. It is certainly difficult to live on a nurse's wage in Oxfordshire. Does the Minister agree that there is not only too little pay, but too little flexibility in pay? The south-east region has a discretionary weighting of between £400 and £600. That hardly competes with the London weighting of £3,000 for a nurse.

Oxfordshire certainly needs more money. In 2001, the Department of Health instructed Oxfordshire to make cuts in its hospital budget of £7 million. The cuts that we

[Mr. Boris Johnson]

are all aware of in Oxfordshire social services have a knock-on effect on our hospitals, as I have tried to explain. Is it not also true that the NHS trust could be given more freedom to recruit and reward nurses without having to use the "one size fits all" national pay scales?

Does the Minister agree that, in a diverse economy, with house prices fluctuating wildly between Oxfordshire and Renfrewshire, it does not make sense to give nurses the same basic pay across the board? Does he agree that it is time to start to move away from national pay scales? I hope so. It is unfair to impose consumerist disciplines on the NHS without giving it the freedom to respond. For instance, Tesco has answered the housing crisis in the south of England and Oxfordshire by building housing for its workers. Should the NHS also have such freedom?

Funding is a problem in Oxfordshire, but it is not the only problem. The John Radcliffe has been told by the Government that it is officially a failing hospital on their Egon Ronay or Michelin-style survey of performance indicators. It scored nul points—it got nought. That was demoralising for the people working in the hospital. Whatever the failings of the John Radcliffe, it does not make sense to stigmatise a hospital in that way and to blame its managers, unless they have the freedom to solve the problem. They should have more freedom to recruit nurses, and more flexibility in pay.

I conclude with an angry correspondence between a GP and a consultant. The consultant is a constituent of mine, the GP is not, and I shall keep their identities private. The GP has written a furious letter about a patient who suffers from osteoarthritis. I shall quote long extracts from the exchange, because they give a flavour of what is going on in the NHS in my constituency. The GP wrote:

"I would be grateful if you would urgently look into the case of this now 60 year old man, and explain to me why progress in his care has been so slow. I referred him to you on 10 April 2001. He had significant osteoarthritis affecting both hips, 'unusual for a man of this age'. He was offered his first appointment with you in March 2002. That is 11 months after the original referral and well outside I believe any reasonable guidelines. As I was so concerned by this I wrote to you on 15 June last year and he was seen by your physiotherapist in December. She confirmed my findings, noted his 'considerable disability', and agreed with me that he 'warrants surgical intervention'. He has heard nothing more. In summary therefore I have a relatively young man with major bilateral hip disease, barely able now to walk, and seen in the 13 months since I referred him by a person who, whilst extremely skilled in her field, was only able to confirm my initial view, that he requires surgery. Such patient management makes a mockery of NHS waiting list guidelines and I would be grateful if you and your Chief Executive could explain to me what has happened. For the sake of my patient, I would be grateful if he could be called in immediately for your assessment and that he waits no longer for his surgery than as if he had been seen in Outpatients after no more than the usual delay."

That is a stinging letter for a GP to write to a consultant, and the consultant was very wounded. He wrote a long reply, defending the delay and trying to explain what went wrong. It would be to our advantage to hear his concluding paragraph:

"I cannot tell you how depressing it is replying to letters such as yours. You state, 'Such patient management makes a mockery of NHS waiting list guidelines and I would be grateful if you and your chief executive could explain to me what has happened'. Surely you must realise that 'NHS waiting list guidelines' make a mockery of patient management. Ridiculous and unachievable 'targets' set for political gain place an unsustainable strain on everybody involved in patient care in this Trust. In that I include not only all those who interface directly with patients but also our excellent management team who have to produce figures showing that we have met the 'Targets', or face dismissal. You must appreciate that meeting 'Targets' diminishes clinical flexibility. The harder we are driven to meet 'Targets' the less able I am to treat someone such as your patient quickly because we cannot risk not treating someone else within a specified time."

There we have two angry health care professionals—a GP blaming the consultant for the delay in seeing his patient and the consultant blaming the system of targets and quotas that gets in his way and prevents him from dealing with patients according to need.

If we are to improve health care services in Oxfordshire, we cannot rely on the charity and beneficence shown by the people of Watlington in rebuilding their own hospital at their own expense. We also need a fairer spending assessment for south Oxfordshire and we should stop castigating health care professionals, such as those in the John Radcliffe, without giving them more freedom to run their own lives, to recruit nurses as they see fit and to treat patients according to need, not according to some Whitehall-imposed system of targets and quotas. I thank the Minister for listening to me so patiently and in such splendid isolation this afternoon. In the absence of any other Oxfordshire Members to make the case for health care in my constituency, I look forward to hearing his response.

1.15 pm

The Parliamentary Under-Secretary of State for Health (Mr. David Lammy): I congratulate the hon. Member for Henley (Mr. Johnson) on securing today's debate, during which he has brought his usual robust and avuncular style to the Chamber.

The issue of health provision in Oxfordshire is vital to the hon. Gentleman and his constituents. I am pleased to be here today to put on record the developments in the Oxfordshire health system and improvements that have been made since the Under-Secretary of State for Health, my hon. Friend the Member for Salford (Ms Blears), last debated this subject in February, on which occasion I know that the hon. Gentleman also contributed to the debate.

As the hon. Gentleman will be aware, this Government introduced the NHS plan and the initiative "Shifting the Balance of Power". Our policy of devolution has positioned the NHS, for the first time since its inception, in such a way as to allow local service providers to meet local needs and demands without unnecessary interference from centralising agencies. The hon. Gentleman should acknowledge that initiative, as well as the fact that we are devolving power to local primary care trusts, as some of his comments give the impression that there is nothing but central diktat from Richmond house. That is not the case, and I encourage the hon. Gentleman to look at the documents, if he has not already done so.

PCT management teams have specific local knowledge and expertise, and are now responsible for improving health, securing the provision of all health services and integrating health and social care. They will become the cornerstone of the NHS—local organisations that are best placed to ensure that the local health service really reflects the needs of the local community. I hope that the hon. Gentleman will agree that that amounts to a considerable shift from the days when, if a bedpan fell on the floor in an NHS hospital, its echo could be heard in the corridors of Whitehall.

I understand the hon. Gentleman's eagerness to ensure that there is continued support for the John Radcliffe hospital in Oxford, and I am keen to echo his sentiments. He raised the issue of spending, and one would have thought that he would have voted for increased investment in the NHS in Oxfordshire during the passage of the National Insurance Contributions Bill. However, when I checked this morning, I was surprised that the hon. Gentleman voted against extra investment for the NHS in Oxford.

Mr. Johnson: Perhaps I should clarify my remarks on spending, because the Minister may not have been attending as closely as he should have been. My point is that Oxfordshire has been ill-served compared with other parts of the country. The spending on health in Scotland is about £1,100 a head, compared with £450 a head in Oxfordshire. That is gross discrimination against the people of south Oxfordshire. I am not necessarily calling for a vast increase in public spending. I am merely saying that there is bias against an area that is unjustly perceived as well-heeled. The area includes many pockets of deprivation, but the standard spending assessment is skewed against Oxfordshire.

Mr. Lammy: The hon. Gentleman nevertheless raises the issue of investment and shows that he does not believe in extra spending on public services in his constituency. That is important, because when the Government came to power in 1997, spending in the Oxfordshire health authority was set at £236 million. The figure for 2002–03 was £445 million, which represents a massive estimated real-terms increase of 77 per cent. The per capita figure in 1997 was £449. Spending is now £805 per head of population in the area.

I accept what the hon. Gentleman said about regional variations in funding, but it is important to the people of Oxfordshire that extra money should be made available year on year. Over time, and with the necessary reform, that will alleviate some of the problems that he mentioned.

I return to the John Radcliffe hospital in Oxford. I appreciate that people living in Oxfordshire would have felt alarmed when they saw their local hospital receiving a zero rating in September last year. I accept that in some cases that may have been demoralising for the staff. I understand why the hon. Gentleman raised that issue, but the Government feel that it is important that patients know the manner in which their local acute hospital is performing and where there is room for improvement. I do not believe that it is some form of Michelin or Ronay restaurant guide; it is much more important than that. I want to take the opportunity to reassure the hon. Gentleman that the Government are committed to supporting the Radcliffe through increased funding and with the advice and support of Government organisations such as the NHS Modernisation Agency in tackling the specific areas identified for improvement. This is not just rhetoric. We have backed our statements with real increases in funding specific to that hospital, which has seen an increase from £167 million to £312 million.

Mr. Johnson: I am terribly grateful to the Minister for giving way, but since there is no one else to whom to give way I hope that he will not mind too much if I intervene. It is common ground that there is a case for more health care spending in Oxfordshire. Will he say whether he thinks it is a good idea to allow flexibility in nurses' pay and will he answer the consultant's complaint about targets and the unreasonable way in which his clinical priorities are being distorted?

Mr. Lammy: The hon. Gentleman raises the issue of targets, and I understand much of what was said in that letter, but I repeat that it is democratically important that the people of Oxfordshire should know about the state of local services and whether there is room for improvement. Establishing that a hospital has a zero rating can be done only by assessing the various services, and that sometimes includes setting targets. That assessment shows us where the hospital needs to go; it helps the Government, the local health authority and the primary care trust to assess need, and I therefore believe that it is democratically necessary.

It is important when talking about health provision in that area to mention the good things that are going on, and I know that the hon. Gentleman would have done so if he had had more time. For instance, the hospital's A&E department has been redeveloped at a cost of £9.5 million, and it is due to reopen in April 2003. The hospital has purchased a new magnetic resonance imaging scanner, which is due to be operational this summer. We have expanded the hospital's capacity. There is a new trauma unit, and £7.5 million has been invested to provide an extra eight beds for trauma services. Another £1.8 million has been spent on the intensive care and high dependency units. It is important to raise issues specific to that hospital.

We need also to mention the other things that are going on there, including the private finance initiatives. For instance, the Nuffield orthopaedic centre has a PFI of £23.6 million, and the Radcliffe infirmary another of £25 million. They should be on track by 2007, along with the £8.5 million physical disability unit at the Nuffield orthopaedic centre. That is happening in the area surrounding the hon. Gentleman's constituency in west Oxfordshire, alongside the problems that exist in the hospital.

Mr. Johnson: My constituents in Watlington would be very cross with me if I did not extract some word of congratulation from the Minister. He spoke of the many wonderful scanners and the new A&E that were provided by the NHS. All hon. Members would support those. Might he not thank the people of Watlington for having overturned the Government's senseless decision to close its cottage hospital, and rebuilt it at their own expense?

[Mr. Lammy]

Mr. Lammy: The hon. Gentleman does that very convincingly. It supports the principle of shifting the balance, giving local people the freedom to make decisions. It is not for me, as a Minister in Whitehall, to—

Mr. Johnson: Congratulate them?

Mr. Lammy: To dabble too much in such decisions. If the local people have chosen to have a hospital in that area, I wish them the best of medical services in the years ahead.

The hon. Gentleman raised the important issue of the recruitment and retention of nursing staff. I am aware of the challenges faced by local health systems and—ultimately—the Government in that regard, especially in the more prosperous south-east. It is not all doom and gloom. Between September 1999 and September 2001 there was a net increase of 20,740 nurses working in the NHS, which met the NHS plan target three years ahead of schedule.

The hon. Gentleman condemns targets. Only by introducing targets can we ensure that nurses are recruited and sent to places that need them. Between September 2000 and September 2001, the number of qualified nurses working in the NHS rose by 4.3 per cent., the biggest increase on record, and the number of qualified allied health professionals rose by 4 per cent., a higher increase than in the previous year. The number of NHS consultants has risen by 5.7 per cent., the largest increase on record.

Under the NHS plan every member of staff in the NHS is entitled to work for an organisation that can provide and demonstrate its commitment to a range of flexible working conditions, including flexible working patterns, team-based self-rostering, annual hours and flexitime. The "Improving Working Lives" standard, launched in October 2000, sets out a model of good human resource practice against which NHS employers will be kite-marked. The Oxford Radcliffe Hospitals NHS trust is confident of reaching that standard within the next few months.

Working within departmental guidelines, steps have been taken by the trust to recruit nursing staff from the Philippines and other parts of south Asia. Since February 2001, 320 nurses have been recruited from overseas and a further 100 are expected from the Philippines later this year. Those nurses have needed time to adapt to life in this country and the trust rightly offers additional language support. The extra nurses will be an invaluable resource to help to reduce the pressures faced by the local health system. They have proved to be a huge success and many are progressing—

Mr. Johnson: Will the Minister address the question of moving away from national pay scales, which are such a bar to flexibility?

Mr. Lammy: I have made it clear to the hon. Gentleman that this is about local arrangements. It is about shifting the balance to local need and it is right that such decisions are made locally by primary care trusts and the strategic health authority, not by central diktat from Richmond house. That is the thrust of Government policy, and as the nurses come in and settle down, the hon. Gentleman will find that there are improvements in his constituency.

The Government recognise—in turn, the hon. Gentleman must recognise that we do so—that the high cost of living in the south impacts on the ability of NHS organisations to recruit and retain staff. That is why we introduced the "cost of living" supplement, which nurses in Oxfordshire have received since April 2001. Other innovative schemes are in place to give health professionals better access to housing, and a great deal of work has been done to support family-friendly policies and flexible working.

Foreign Language Teaching

1.30 pm

Mr. Chris Bryant (Rhondda): It is a delight to serve under your chairmanship for the second day in a row, Mr. Deputy Speaker. I think that today I shall do so for slightly longer than yesterday, but only just.

I am delighted to have secured the debate—it looks as though it may not be much of a debate, however, as so few other Members are here—not least because I believe that modern foreign languages are essential to our economic and cultural future. The global economy in which we live requires global people who can speak foreign languages as well as their mother tongue. International trade provides 30 per cent. of the gross domestic product of the United Kingdom. If we are to be a successful economy, English, Welsh, Scottish and Irish people must be able to speak more than English alone. Of businesses in the UK, 44 per cent. say that the lack of the ability to speak a foreign language dramatically affects their chances of securing exports.

I also believe that a modern language can dramatically improve job prospects for young people. I am concerned that the job prospects of young people in my constituency who grow up unable to speak a foreign language will be affected by that. Learning a foreign language early in life gave my father and me opportunities, in Spain and Belgium as well as in the UK, that changed the fortunes of our family.

We need to get away from the myth that teacher and translator are the only jobs that speaking foreign languages enables people to get. The truth is that most hotels in Cardiff need people who speak the mother tongues of visitors to the city. We should be able to greet people who come to the UK even if they do not happen to speak English. Manufacturing, sales and marketing are affected as well. In a range of jobs, the ability to engage in a decent business conversation in a second language—the language of the host country that one is visiting—can only assist our economic chances.

Having spent two years working in Brussels, the European Union and the BBC, and having seen Members of the European Parliament at work, I believe that a political class that speaks a variety of modern languages can be far more effective in Europe than one that speaks only its mother tongue. In the past, the UK delegation has been able to say only "Kall ispera", or a couple of words of French or Spanish. That has meant that it has not been able to bat as well on behalf of Britain as it might have done had it had mastery of another language.

Lest we become too utilitarian in the analysis of the importance of modern foreign languages, it is important to remember that many world languages have come to the UK during the past 40 or 50 years. Our country now has many people who speak the languages of south Asia fluently as a second or even a first tongue, which has provided us with another economic advantage. Also, the exposure to other cultures that being able to speak a foreign language can bring can only enhance one's understanding and enjoyment of life. The ability to read "Don Quixote" in Spanish, "Madame Bovary" in French or great works in Arabic or Mandarin can only add to the rich tapestry of life.

We have a problem in the United Kingdom because not enough people learn modern foreign languages, and it is a crying shame that we come last in the European table of those who speak them. It is also a problem that only one in 10 people continues to study foreign languages after the age of 16, and that few 14-year-olds have the required ability in languages.

There are many reasons for those problems, not least the fact that English has become the world language and, in many cases, the language of business. There is undoubtedly a feeling around the world and in this country that English is enough. We are not exposed enough to foreign cultures, and we mainly encounter American culture—in English, even though Spanish is a significant language in large parts of the United States.

We have remarkably few role models who speak or make a point of speaking foreign languages. I know that Kylie Minogue is Australian, not British—

Hywel Williams (Caernarfon): She is Welsh.

Mr. Bryant: Her mother may be from Maesteg, but that does not quite make her Welsh. She was also nominated for Welsh woman of the year two years ago, but that was a bit of an overstatement. Kylie tried to speak French in one of her recent songs, but I do not think that the words "Votre disco a besoin de vous" will be enough to encourage young people in Britain to start studying a modern foreign language.

We need role models in the political class, and it would be interesting to know how many Cabinet Ministers and shadow Cabinet Ministers could engage in a full business meeting in a second or third language. We also need cultural leaders who can express themselves in foreign languages, and who make a point of doing so. They could give that expertise to schools and colleges throughout the country and increase the profile of modern foreign languages.

We have another problem in that historically, we have focused on French to the exclusion of all other languages. I have French friends who maintain that it is the most precise language in the world, which is why it is still the language of diplomacy. When one reminds them that the French words for "worms", "glass", "green" and "towards" all sound the same, however, their argument falls apart. Of course, French is still useful in some parts of the world, but we must surely diversify the modern foreign languages taught in the United Kingdom.

Spanish has become one of the great world languages, and it provides enormous opportunities in Latin America and other parts of the world. I suspect that one reason why British trade with Latin America over the past 50 years has not followed the same pattern as that of France, Italy and Spain is that remarkably few British people still speak Spanish. That is despite the fact that one in four Britons goes on holiday to Spain every year—although ordering fish and chips in Spanish is remarkably difficult. Surely, we should also pursue a deliberate strategy of ensuring that more of our young people learn Japanese, Arabic and German. We must make those languages common currency in the United Kingdom.

We also have a problem because there are not enough foreign language teachers at primary and secondary school level. That is particularly important at primary

[Mr. Bryant]

school level, because many teachers have a genuine interest in languages, and with a bit of work, could be brought on enough to start teaching Spanish, German or other languages. Historically, however, that work has not been done, and we have tended to start teaching languages quite late in children's school lives.

That brings me to another problem. Across the UK, the style of teaching modern languages is not quite right. When I was at school, we used "La Langue d'Aujourd'hui" to learn French—a very dull book that bore no resemblance to modern life. My French teacher had, I think, only just heard of Edith Piaf, and when he played Edith Piaf records to us, that was him exposing us to modern French culture. That was not the 1960s; I was at school in the late 1970s and early 1980s, when Edith Piaf was long dead. Similarly, in Spanish language teaching it sometimes seems that the teachers have heard of Julio Iglesias but not Enrique.

There is a task still to be done in changing the way in which we teach modern languages, so that learning them is about being able to communicate with people, not acquiring a set of statistics and learning a set of rules about the way in which another language works. Learning languages should be seen as having a use in life.

There are problems if we start language learning too late. It is clear that until the age of about seven or eight, we all have a remarkable ability to pick up language. We are then remarkably "sticky", and it will stick to us.

Hywel Williams: I agree entirely with the drift of the hon. Gentleman's remarks. Does he agree that we do not have an inherent inability to learn language, and that the statement that we are bad at languages in Britain is entirely wrong? The case in point is the half a million people in Wales who speak Welsh and English, and live their daily lives through the medium of a second language.

Apart from the problems that the hon. Gentleman has already identified, such as role models and an emphasis on poor teaching methods, does he agree that there is a more fundamental issue concerning the power relationships between languages—power that is propped up by Governments, broadcasting, the media, business and so on? We need to be much more aware of such things.

Mr. Bryant: The power of language is an issue, and a further issue is the complacency that we who speak English feel about the need to speak other languages because we see so many people, such as Dutch and German people, who seem to speak better English than we do. It is important for us to recognise that the future of the English language probably lies more in the hands of those who do not speak it as a first language than in our own hands. Americans have changed the English language far more than we have, and I suspect that Hispanics speaking English will dramatically change English, just as Chaucer changed it, and as the Normans who came to England before him dramatically changed it, when it was their second language.

A problem across the whole of the United Kingdom is that by the age of 14, many young people seem to see languages as a subject only for the most able students, or only for girls. That again involves issues of power. The Government have already looked at that problem in some depth, but I think that we need to focus on it in the future, too.

We have some specific problems in Wales, not least because the figures for the learning of modern foreign languages in Wales are even worse than those for England. During the past five years there has been a dramatic fall in the number of students in Wales studying modern foreign languages of any kind at GCSE—from 49 per cent. to 39 per cent. That is worse in Welsh-medium than in English-medium schools. In English-medium schools, 41 per cent. of pupils do such subjects at GCSE, but in Welsh-medium schools, the figure is only 33 per cent. If only one in three students at a Welsh-medium school is learning a modern language other than English and Welsh, we are providing ourselves with a long-term problem.

Furthermore, we should also think about languages outside the normal run of European languages: 11,600 people in the UK studied for a GCSE or an A-level in one of the four major south Asian languages last year, but of that 11,600, only 72 were in Wales. There may be all sorts of reasons for that, not least the ethnic diversity and make-up of communities elsewhere in the UK compared with those in Wales. None the less, in a global economy, that will give us a long-term problem.

The university of Glamorgan no longer has a modern languages department at all. We are now producing a vicious circle in Wales whereby fewer students do GCSEs, fewer do A-levels, fewer go on to universities because there are fewer opportunities to do so, and so fewer will become modern language teachers, which is a long-term problem in the making. A particular danger for Wales is that we may become a nation that is very good at speaking to itself, but not good at speaking to the rest of the world.

Although I wholeheartedly support the campaign to ensure that everybody has a choice of language in which to conduct their daily life and be educated, and I generally support the Welsh language, it is a worry to me that we are currently unable to capitalise on the natural benefit provided by bilingualism, and fewer of our bilingual students are learning a language that they can use outside Wales.

Hywel Williams: Will the hon. Gentleman give way?

Mr. Bryant: If the hon. Gentleman is quick.

Hywel Williams: There might be a problem in terms of the percentage of people learning a foreign language, but the quality of that learning varies. It is undoubtedly the case that if one has two languages it is easier to acquire a third one. Does the hon. Gentleman agree with that?

Mr. Bryant: I am afraid that that flies in the face of the figures. Whereas people in England seem to have decided that English is enough, the figures show that many young people in Wales have decided, perhaps for economic reasons, that English and Welsh are enough. I am arguing that a nation that can speak only to itself is setting itself terrible economic problems for the future. I do not want to undermine the support for the Welsh language, but I do want to encourage greater support for other modern languages. If foreign languages become a poor relation in Wales, our economic future will be bleak.

I shall look at some of the solutions before the Minister replies. It is clear that we need to raise the profile of modern foreign languages. I know that the Government have worked to do that, but we have further to go. We need to get across the belief that English is not enough—and in Wales, that English and Welsh are not enough. One route that we could investigate is having a single figurehead to bring coherence to our strategy across the UK. Somebody in every local authority could back up such a UK languages tsar. No local authority in Wales has anybody dealing specifically and solely with modern foreign languages.

We need to build on initiatives such as the Spanish language officer who has been appointed in Wales to help schools, and is paid by the Spanish Government, as a means of increasing co-operation between countries. We need to increase the number of exchange programmes to allow young people to be exposed to other cultures. It is only by immersion in another language that one has an opportunity to acquire it as a working language.

Broadcasters have an important role to play. I remember trying, not very successfully, to learn Russian many years ago, thanks to the BBC programme "Dosvidanya Lyeta"—one can tell how poorly I got on.

Mr. Deputy Speaker (Mr. Edward O'Hara): Order. At this point I must remind the hon. Gentleman that foreign quotations should be translated into English. There may be people present who can translate, but others may not be able to do so.

Mr. Bryant: "Dosvidanya Lyeta" means "Goodbye Summer", and it was the name of a series of programmes aimed at enabling people to learn Russian.

We have remarkably few foreign language films on television. It would be excellent if Welsh language films such as "Soloman and Gaynor", which was part Yiddish, part English and part Welsh, were shown not only on S4C but to a wider market.

We need to start earlier. The recent experiments in Welsh primary schools were not all that successful, and they need to be followed up and examined to find ways of extending the diversity of the languages taught in primary schools to ensure that every young person has the opportunity to learn foreign languages by 2012—a goal to which the Government aspire.

Specifically, we need to capitalise on bilingualism in Wales. English and Welsh are not enough, and we need to ensure that more of our business leaders speak modern foreign languages in Wales. I wonder whether some objective 1 money should be specifically targeted at increasing the number of business leaders, especially in small and medium-sized enterprises, who have modern European languages.

My final point is a simple one. We need to capitalise on the resources that we have throughout the whole United Kingdom. Three institutions that have served us extremely well across the years in terms of modern foreign languages are under-utilised. First, the Defence School of Languages has an extremely strong record in giving defence personnel and others ability in foreign languages, which is vital in all the peacekeeping roles that we play throughout the world. Secondly, there is the diplomatic service's languages centre, and thirdly, there is the World Service. We could capitalise better on all three of those institutions, and give Britain a stronger future as a multilingual nation.

1.50 pm

The Minister for Lifelong Learning and Higher Education (Margaret Hodge): I congratulate my hon. Friend the Member for Rhondda (Mr. Bryant) on securing time for a debate on language teaching and learning in the United Kingdom. I have to say that I am personally passionate about the importance of language learning. I was fortunate enough to have learned four languages by the time I was five years old. That has stood me in very good stead; one never forgets them, and can then build an ear for languages. I dare not try too much after what has been said, but I can even manage the odd Arabic sentence. One is something along the lines of, "Bukara ei mish mish", which means "Tomorrow we shall have apricots". That underpins the debate, in a sense, because one puts off all decisions until the next day.

I came to Britain with my family when I was young, so I know the importance of being able to communicate across linguistic and cultural barriers. That is not just about promoting economic prosperity, as my hon. Friend said, but also allows one to make oneself understood and promotes intercultural understanding, tolerance and international citizenship. I think that that is crucial.

We have made a lot of progress in Britain since the development of a national strategy for languages, which arose out of the Nuffield report and inquiry in May 2000. We have now set out some of our ambitions to improve this country's performance at languages over the next decade. Alongside our Green Paper on the agenda for 14 to 19-year-olds, we published a paper about language learning. Some of the issues that my hon. Friend raised related to higher education, but higher education and the training of teachers cannot lie in a vacuum; they have to be built from the blocks underneath. That me[illegible] establishing, as he said, a culture and lifelong interest in language learning right through from primary school and into secondary school.

We have set out our ambitions in the pamphlet "Language Learning". At present, we estimate that something like one in five primary schools have some sort of language provision. We want all primary school children to be entitled to study a language by 2012. We have started putting the building blocks in place. The Teacher Training Agency is now funding specific places for primary French initial teacher training.

Hywel Williams: Will the Minister give way?

Margaret Hodge: I will, but I am very short of time.

Hywel Williams: Would the Minister agree that having two languages is an aid to learning a third, or does she agree with the hon. Member for Rhondda that two at one time is quite enough?

Margaret Hodge: My personal experience was that I was not muddled by having four. Very young children

[Margaret Hodge]

can adapt quickly to language learning, so I am keen that they do so as early as they can. I support the initiative of our Department to base it in the primary curriculum. There are also 141 specialist language secondary schools. Each secondary specialist school will be expected to link with another five schools as part of the functions for which it receives its additional resources.

We are developing virtual links with schools in other countries through the use of the information and communication technology to which my hon. Friend the Member for Rhondda referred. In Europe we have signed an agreement with the Spanish to try to develop an internet link for schools and the teaching of language to facilitate some of the deficits in our ability to provide a cohort of language teachers. We are trying to address the issue of transition from primary to secondary. We want to increase the number of people studying languages in further and higher education and in work-based training, and we want to increase the number of people who teach languages.

I shall pick up one point made by my hon. Friend. He said that the university of Glamorgan had closed its modern foreign languages department—but it has adopted a new approach. My hon. Friend said that we should look at innovative ways in which languages can be taught. What the university has done is interesting. It has established a unilang centre in which it has invested substantially in a state-of-the-art, self-assessment, tutor-supported language-learning facility which is open to all students, whatever they are studying, to learn at their own pace and at a variety of levels. Students can have assessments and gain credits for language studies, but without the pressure of working to specific deadlines. I hope that my hon. Friend will support such initiatives.

Mr. Bryant: My biggest worry about the unilang proposal and the general route of providing a little modern language teaching alongside another course, which many universities are taking, is that it will not provide teachers in the long term.

Margaret Hodge: I accept that unilang will not provide teachers, but it will provide the facility for individuals to learn a language that they can use in their jobs and in the wider cultural community.

The difficulty that we face in the United Kingdom is that English is, to some extent, the lingua franca of the 21st century. My hon. Friend referred to that fact, and I accept that it is true. To give one instance, students from outside Europe who are studying in France may take their degrees in English. The purpose of that is to attract international students and compete with British universities. Although the French would not like to admit to that, it is the reality, and it shows the strength of English. That is why United Kingdom students are reluctant to study modern foreign languages at degree level. They simply do not need them to the same extent as in the past. It would be wonderful if more of our students could quote freely from Molière to Goethe, and from Dante to Cervantes, but they must be convinced that it is important.

My hon. Friend referred to the research by the Languages National Training Organisation last year which revealed the important fact that 20 per cent. of employers said that they had lost business because of a deficit in language skills, and 45 per cent. reported that language or cultural issues were a barrier to international trade. We must build on that as we try to encourage more young British people to learn a whole range of modern foreign languages.

I have recently reviewed the Socrates Erasmus programme, and we import twice as many people to study here as we export to study in foreign universities. I hope that simplifying the fees and student support arrangements, talking to some of the agencies and so on will help to increase mobility.

There is a shortage of language teachers. In January 2002 there were 190 vacant modern language posts in secondary schools in England—about 1.2 per cent., down from 1.5 per cent. We are trying to tackle that with training bursaries and golden hellos, which have led to an increase, but we are also finding that students who undertake a modern languages degree, whether that is a single or joint honours degree or part of a joint degree with another subject, do not necessarily move into language teaching. We must be constantly vigilant and take whatever initiatives we can to encourage more and more people to do that.

I hope that in my very brief response I have demonstrated to my hon. Friend and to the Chamber the importance that we place on learning modern foreign languages. A huge range of challenges must be addressed. There are exemplars of good practice and achievement throughout the education system, but there is also evidence of pupils losing interest and dropping languages at key stage 4. We must work to keep young people engaged in language learning from an early age, and we must demonstrate the value of language competence, not least the future employability benefits that are open to language graduates. We must look at flexible and innovative ways of delivering language in the curriculum. That is the reason for the action we have taken to date—

It being Two o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Wednesday 3 July 2002

[SIR MICHAEL LORD *in the Chair*]

Sikhs

Motion made, and Question proposed, That the sitting be now adjourned.—*[Jim Murphy.]*

9.30 am

Mr. John Randall (Uxbridge): Perhaps I should start with the Punjabi greeting "Sat Sri Akal". It is a great privilege to have been able to secure this debate in Westminster Hall. I should declare my interest as the vice-chairman of the all-party group on Punjabis in Britain.

This is the third Adjournment debate that the group has initiated and it is almost exactly a year since the last one. The previous two debates were initiated by my constituency neighbour, the hon. Member for Hayes and Harlington (John McDonnell), who is an acknowledged expert in the subject. In introducing the debate, I pay tribute to him for setting up the group in the first place, and for his continuing hard work. We hope that an annual debate will be held to report on the state of play of the status of Punjabis and the problems affecting them in Britain. I also thank the researcher for the group, Iqbal Singh.

A month or so ago, we held an event next door in the Jubilee Room to celebrate Vaisakhi. Several hon. Members from both sides of the House attended. It was agreed that because so many people attended and it was such a crush, an alternative venue would have to be found in future years to cater for its popularity. It was a wonderful opportunity to discuss problems and reasons to celebrate. This year, we were privileged to see a memorable folk dance performed by some girls from the Guru Gobind Singh Khalsa college in Essex. We were also addressed by Inderjit Singh, who many people hear giving his thought for the day on the "Today" programme. When I drive in from Uxbridge and listen to his words, I find them inspirational as I set out for another day in this place.

A privilege and advantage of becoming a Member of Parliament is the opportunity to find out more about one's community. In Uxbridge and the London borough of Hillingdon, we have a large and diverse community. I find it instructional and enjoyable to find out about my area and the people who share my community. With particular reference to Punjabis and Sikhism, I have been able to learn out about my fascinating community under the tutelage of the hon. Member for Hayes and Harlington—I very nearly said my hon. Friend, and I would certainly like to be considered a friend outside the immediate confines of the Chamber.

The Vaisakhi celebrations commemorate the event in 1699 when Guru Gobind Singh declared the Khalsa nation in the Punjab. The Sikhs have always managed to combine the spiritual and the political while living in harmony with the groups that surround them. The Indian sub-continent is as diverse an area as any in the world, so that has not always been easy. Sadly, to this day it is a very difficult and complicated situation, which is why it is important for anyone dealing with such matters to tread carefully and ensure that all sensibilities and sensitivities are understood.

It is not to be questioned that for many years Sikhs and Punjabis in general have played a leading role in the economic life of this country. I say rather flippantly that as someone who has been in a family business for a long time, and sports a beard—unusual in the Conservative ranks—I find myself greatly at ease in the Punjabi community. However, there are questions, and I am delighted to see other members of the all-party group present in the Chamber. I am sure that they will raise some of them if they can catch your eye, Mr. Deputy Speaker. There are some pressing issues that need to be aired.

I am delighted that the Under-Secretary of State for the Home Department, the hon. Member for Leeds, Central (Hilary Benn), is here to reply to the debate. This might be his initial debate in Westminster Hall, and I am delighted to be here. This debate is primarily about Sikhs in Britain, and I will not dwell on internal matters in the sub-continent. However, there is one issue. The British Government have arranged for a consular office to be opened in the Punjab, but we are still awaiting clearance from the Indian Government to go ahead with that. That move was widely welcomed by the Punjabi community in this country.

The principle concern of many people is that although Sikhs have been accepted as a religious group, they have not been granted the status of an ethnic grouping. That matter is beginning to cause a certain amount of irritation and anxiety—perhaps that is the fairest way to put it. One problem is that until that is recognised it is impossible to know how many Sikhs are living in the United Kingdom. In response to a parliamentary question from my hon. Friend the Member for Beaconsfield (Mr. Grieve), the Minister for Citizenship and Immigration said that there were no accurate data available. The Government can give estimates, but without a clearer picture it is difficult to find out how much—if any—discrimination is taking place, or how successful the community is in public life.

Since 11 September, sadly, attacks and hate crimes have been committed, not exclusively against Sikhs, but against Muslims and Hindus too. In fact, they have been committed against anyone who seems to look little different from those who committed those horrendous crimes, which we all condemn. I am not saying that any of those crimes are less or more terrible whether they are committed against Hindus, Muslims or Sikhs, but it would be useful to have some idea of the incidents to provide an estimate of the level of them. Various assurances have been given over time, but, unfortunately, it has not so far been possible to make progress.

There are sensitivities and there is a debate in the community, but the time has come to push the matter forward, notwithstanding the need for wide consultation within Sikh communities in Britain and elsewhere. We must not leave it in the long grass for ever.

Bob Spink (Castle Point): I thank my hon. Friend for bringing this important debate to the Palace of

[Bob Spink]

Westminster. It is long overdue and I welcome it. Perhaps because he did so, I received a letter today from the Commission for Racial Equality dated 2 July, which states that the

> "CRE recognises Sikhs as an ethnic, as well as religious group and obviously so does the law".

Does my hon. Friend welcome that?

Mr. Randall: I certainly do. That is why we are trying to advance the case and to ensure that any muddied waters are cleared. However, as I said, we must be aware of the sensitivities.

The Sikh community, because of its nature, has always been able to assimilate easily and to merge into its community. I know, as do other hon. Members from their constituencies, that it is a positive force in this country and that it is asking only for a level playing field—a request that we often hear in this Chamber. It does not want positive discrimination or to be regarded as a special case. It wants equality and I hope that we can move towards that today.

9.43 am

John McDonnell (Hayes and Harlington): There are three Sikh salutations. The first is "Sat Sri Akal". The second, which is usually used in the Gurdwara, is "Waheguru Ji Ka Khalsa", to which the response is "Waheguru Ji Ki Fateh". The third is a cheer, "Bole So Nihal", which usually follows a speech—

Mr. Deputy Speaker: Order. For interest, hon. Members should not quote in foreign languages unless a translation is given immediately afterwards.

John McDonnell: Certainly, Mr. Deputy Speaker. That is exactly what I was coming to.

"Bole So Nihal" is a cheer, which normally comes from the congregation, the Sangat, in support of the speech made by the previous speaker. It is a cheer with a sense of solidarity and a renewal of the congregation's commitment to the statements made by the previous speaker. I am sure that many Sikhs throughout the country who listened to the speech of the hon. Member for Uxbridge (Mr. Randall) will be saying, "Bole So Nihal" and will respond with "Sat Sri Akal".

It is a statement that was needed because each year we have sought a debate on the Sikh community—the Punjabi community—in Britain and each year we have been able to provide a progress report in that debate on the work of the all-party group on the Punjabi community in Britain. The first debate was on 7 March 2000, and we established the all-party group from that debate. That was on the advice of many organisations in the Sikh community that were seeking a clearer voice in Parliament, which they felt could work on their behalf.

I pay tribute to the many hon. Members in previous Parliaments who have spoken up on behalf of the Sikh community, in particular the current Minister for Transport and my hon. Friend the Member for Wolverhampton, South-East (Mr. Turner) who continuously through previous Parliaments raised issues affecting the Sikh community and gained positive responses from Governments of both parties.

In July 2001, we secured the second Adjournment debate on the Punjabi community and took stock of the progress that we had made. At that point, we felt that, in general, there was still an outstanding issue of recognition. We raised the issue of status during that debate, and I echo the view expressed by the hon. Member for Uxbridge: there is a sense of frustration at the lack of movement on that subject. That is the issue that I should like to address.

Sikhs make up the largest section of the Punjabi community in Britain and we must clearly address the status of Sikhs in law and, more importantly, in the practice of government and public bodies. By status, I mean not just formal status but standing generally. The first issue to be addressed is identification, and what formal status is awarded Sikhs in the legal, governmental and administrative systems of this country. The path to the formal recognition of Sikhs in this country and internationally has been difficult and tortuous. Race legislation in this country and elsewhere has for a long time been fixated on a definition of race, racism and racial discrimination based predominantly on skin colour and descent.

Mr. Dominic Grieve (Beaconsfield): Does the hon. Gentleman agree that apart from skin colour and descent, when one actually looks at the categorisations used, they are almost an imperial relic in some cases, simply categorising individuals according to the geographical dominion or country from which they came during the time of the empire?

John McDonnell: I agree with the hon. Gentleman entirely. The whole debate about racism and race definitions in this country is based around that colonial legacy.

Race and racism have become biological issues, rather than ones of cultural identity. In addition, there has been some confusion because the identity of many groups was often narrowly defined as based on religion rather than cultural identity. That has meant that legislation in Britain and internationally did not necessarily afford Sikhs the protection necessary to maintain their cultural identity and practices, free from discrimination. Sikhs have often remained invisible in law and therefore slipped between the cracks of legislation intended to protect people against racism and racial discrimination in this country.

In Britain, a House of Lords decision in the Mandla *v.* Dowell Lee case addressed how the term ethnic was to be interpreted in section 3 of the Race Relations Act 1976. The view of the noble Lords Fraser and Templeman was to advocate a broad construction to include cultural and historical identity. Lord Fraser said,

> "I recognise that 'ethnic' conveys a flavour of race but it cannot, in my opinion, have been used in the 1976 Act in a strict racial or biological sense. For one thing it would be absurd to suppose that Parliament can have intended that membership of a particular racial group should depend on scientific proof that a person possessed the relevant distinctive biological characteristic. For another thing, the briefest glance at evidence in this case is enough to show that, within the human race, there are very few, if any distinctions which are scientifically recognised as racial."

Lord Fraser and Lord Templeman went on to define an ethnic group as based on a range of references to cultural identity and, therefore, brought the Sikhs into the scope of the 1976 Act.

The problem so far has been the practical implementation of that interpretation of the 1976 Act. The issue causes frustration in the community and, I believe, in the House as well. I welcome the letter from the CRE that has been received today, which includes an explicit interpretation of the judgment, but we must move forward to practical implementation of the law.

We should congratulate the Sikh groups in this country and in Canada. They raised the question at international level and raised the status of Sikhs in the run-up to the United Nations world conference against racism, racial discrimination, xenophobia and related intolerance, which took place in Durban, South Africa last year. The conference was the culmination of two years of preparations, regional meetings, expert seminars, non-governmental organisation representations and conventions, which were held in Europe, Asia, Africa and the Americas. Sikh groups in this country participated thoroughly in the preparatory work.

The concentration of the UN initiative on the sources, causes, forms and contemporary manifestations of racism gave the Sikh community the opportunity to challenge the narrowness of the traditional biological definition of racism—the post-colonial definition—and to try to gain an acceptance of their cultural identity. Many Sikh organisations from this country and elsewhere laid bare the forms of discrimination that Sikhs faced, especially in employment practices and partly in education. Article 67 of the final conference declaration sought to encompass Sikhs in the development of international and national anti-racist policies and programmes. It states:

> "We recognize that members of certain groups with a distinct cultural identity face barriers arising from a complex interplay of ethnic, religious and other factors as well as their traditions and customs and call upon States to ensure that measures, policies and programmes aimed at eradicating racism, racial discrimination, xenophobia and related intolerance address the barriers that this interplay of factors creates."

A breakthrough was made at international level to arrive at a definition that would include the Sikh community.

Mr. Oliver Heald (North-East Hertfordshire): Obviously, it is important that the Sikh community should be treated equally with other racial and religious groups. Does the hon. Gentleman believe that the UN decision means that that will happen?

John McDonnell: A process of practical implementation at national and international levels is required. I want to make several recommendations on the sort of programme of practical implementation that the Government could assist in introducing.

Where do the developments in British law and in international discourse leave Sikhs in our community, and what are the next steps that we should take in this country to implement the general thrust of the decisions by the Law Lords and the UN? First, we should recognise that Britain has a real opportunity now to lead in the debate in the European Union on reviewing existing national and EU legislation, policies and practices to consider whether and to what extent they fail to provide adequate protection for the rights of Sikhs and to ensure their full and effective participation in all spheres of life. I would welcome the British Government's raising at the EU level how the UN article will be implemented, and I would welcome a joint ministerial initiative with the European Commission to prepare a report in response to the article in the UN declaration and then to consider what changes in international and national legislation may be required.

Secondly, following on from the point of the hon. Member for Uxbridge about the sensitivities of the issue, consultation must be undertaken in a prompt, effective and inclusive way with Sikh organisations in Britain to determine the development of the national action plan resulting from the UN conference. That would enable us not only to raise the profile and understanding of the issue, but to agree a detailed programme of action.

Thirdly, a key element of the action plan is the development of ethnic monitoring. We have learnt this morning from parliamentary questions about the inadequacy of existing monitoring systems. It is important that we monitor the policy programmes of central and local government and other public bodies in their relationships with the Sikh community. That includes employment, appointments to public bodies, the practices and policies of public bodies towards Sikhism and an understanding of Sikhism by public bodies in the interpretation of policies.

Fourthly, later this year the all-party group is planning to launch an annual consultative conference with the Sikh community in Britain. The aim is to bring together the widest range of Sikh community organisations in the history of this country to ask them what issues they want the all-party group, Parliament and the Government to address, and to work with them on a detailed programme. I ask the Government to lend their support to that initiative by providing Ministers to speak to the consultative conference and, maybe more importantly, sending their civil servants to listen to the debate in the conference.

Finally, the all-party group has an excellent track record of success on issues raised on behalf of the Sikh community. They have included, for example, the reintroduction of visa appeals, the establishment of visa facilities in the Punjab—there are some difficulties, but the matter has been agreed in principle and will come about—opposition to appeal charges and the development of the Guru Nanak Sikh school as the first state-funded Sikh school in the country. We have supported the campaign for the right to wear the kirpan—I thank the Minister for Transport for his help in overcoming the problems at airports—raised human rights issues in India, supported the protection of Sikh heritage and supported the work of Susan Strong at the Victoria and Albert museum. We have lobbied Governments on peace in the Punjab, the militarisation of the Punjab, the landmines issue and the nuclear threat. The group has had many successes and we aim to continue that work and to energise the debate on the future of the Sikh community in Britain. There is so much more for us to do, but there have been many Sikh successes to celebrate in politics, law, business, sport and the arts in this country.

I ask Members to go and see "Bend it Like Beckham", which was directed by Gurinder Chadha. It was filmed in my constituency at Yeading football club and celebrates both modernity and tradition in the Sikh community. Our role is to protect Sikhs against

[John McDonnell]

discrimination and unfair treatment, but it is also positively to celebrate the strength of a society in which cultural identity is protected, respected and celebrated.

9.57 am

Mr. Peter Luff (Mid-Worcestershire): It is a great privilege and pleasure to follow two speeches with which I agree completely. I congratulate my hon. Friend the Member for Uxbridge (Mr. Randall) on initiating the debate and pay tribute to the hon. Member for Hayes and Harlington (John McDonnell). This is one of those rare and happy occasions on which hon. Members can be in almost total harmony, which is good.

I must declare my interest as chairman of the Conservative parliamentary friends of India, a group that seeks to represent all the diverse groups from the sub-continent. In the middle of the jubilee year, it is worth recalling that one of the Queen's greatest treasures is the Koh-i-noor diamond, which is a Sikh artefact. That issue was raised by the hon. Member for Hayes and Harlington in his speech in July last year, but we do not want to get into an Elgin-like discussion about the diamond's future. He said last year that Punjabi is the second most widely spoken language in the United Kingdom, which indicates the scale of the presence of the Punjabi and Sikh community. I look forward to joining representatives of the Sikh community later today when they present a petition to Downing street about the issue that we are debating today.

I do not regard myself as an expert on Sikhism, which my hon. Friend the Member for Uxbridge and the hon. Member for Hayes and Harlington clearly are, and I do not know very much about the law, but I know something about natural justice. Given what the hon. Member for Hayes and Harlington said about the 1983 judgment, the time has come for natural justice to take priority.

The 1983 judgment, about which I shall say more towards the end of my remarks if I have time, accepted that Sikhs are a definable ethnic group under the Race Relations Act 1976. That was the unanimous judgment of the five judges participating in the hearing. It is important to remember that we do not need a debate on that. British law has already been decided. The challenge nearly 20 years on is to make sure that it is fully implemented. In some ways, that is difficult because the actions of the British Government can be interpreted in different ways. I am in favour of proper recognition of Sikhs to enable such discrimination to be dealt with effectively by British society and its law.

There are separate states in India, but the Government's decisions do not apply across the board. If the Minister were told by his colleagues in the Foreign and Commonwealth Office to be cautious on those grounds, I hope that he would dismiss such fears. We want to give effect to natural justice for British citizens. As my hon. Friend the Member for Uxbridge said, matters have become more acute since 11 September. Yesterday, a leading member of the Sikh community told me of the many upsetting and disturbing incidents that he has experienced since then.

We must face up to the fact that the British do not know a great deal about faith and religion these days. We are a secular society. The average British citizen does not know much about his historic Christian faith, never mind being able to distinguish between Hindus, Muslims and Sikhs. We face a challenge. People who have clearly defined visual characteristics—as practising Sikhs have—are likely to be a target for particular hostility. That is the experience of the Sikh community. In the post-11 September environment, we have to do even more to address its worries.

I welcome early-day motion 1464, which was tabled by my hon. Friend the Member for Beaconsfield (Mr. Grieve) who is to respond to the debate on behalf of the official Opposition. It wants British law to recognise Sikhs as a separate ethnic group. The best estimate of the number of Sikhs that their community can come up with is 700,000. Sadly, we do not have an accurate figure. The early-day motion urges the Government to give guidance so that public authorities are left in no doubt that Sikhs should be monitored separately to avoid unnecessary discrimination under the Race Relations (Amendment) Act 2000. I agree strongly with spirit of the early-day motion, which was why I was happy to add my signature to it.

The problem came to a head during the census last year, when Sikhs were not identified as a separate ethnic category on the form. To be fair to the Office for National Statistics, the pressure for the inclusion of Sikhs grew a little late in the day to enable them to be accommodated. However, the ONS ought to have realised that the 1983 judgment meant that Sikhs should have been defined separately. I hope that the next census form will do that, and that the ONS can make such a commitment early on.

The census form included a write-in campaign and respondents were allowed to identify separate categories. I believe that a significant number of members of the Sikh community took advantage of such an opportunity. I have been told that the Office for National Statistics may have to re-examine the forms with the possible view of listing the Sikh community separately after the event, because of the many write-in identifiers. If that takes place, it would be an interesting development. I hope that the Sikh community will be identified separately at the next census, as a result of which we shall have an accurate idea of the size of the community.

Given that other hon. Members wish to speak, I shall not labour the House of Lords judgment, but it is tremendously important that people understand how clear cut it was. A headmaster refused to admit a Sikh boy to his school unless the boy removed his turban and cut his hair. Not surprisingly, that was unacceptable to the boy and his father. A court action failed, and an appeal failed. Rightly, the Commission for Racial Equality took the case to the House of Lords, and was, in effect, the appellant. The judgment of Lord Fraser of Tullybelton stands most careful reading today. I recommend it to hon. Members. I have the website address for the full judgment if they require it. As the hon. Member for Hayes and Harlington highlighted, Lord Fraser said:

> "I recognise that 'ethnic' conveys a flavour of race but it cannot in my opinion have been used in the 1976 Act in a strict racial or biological sense."

Lord Fraser then defined separate characteristics, and it is worth putting them on record:

> "For a group to constitute an ethnic group in the sense of the 1976 Act, it must, in my opinion, regard itself, and be regarded by others, as a distinct community by virtue of certain characteristics."

He defined the characteristics of such a community as: a long shared history; a cultural tradition of its own; a common geographical origin or descent from a small number of common ancestors; a common language, not necessarily peculiar to the group; a common literature peculiar to the group; or a common religion different to that of neighbouring groups. Interestingly, he includes

> "being a minority or being an oppressed or a dominant group within a larger community, for example a conquered people (say, the inhabitants of England shortly after the Norman conquest) and their conquerors might both be ethnic groups."

He drew heavily on British history, which is right and proper given the thorough integration of the Sikh community into British life.

Lord Fraser quoted the opinion of a county court judge, who said:

> "The evidence in my judgment shows that Sikhs are a distinctive and self-conscious community. They have a history going back to the fifteenth century. They have a written language which a small proportion of Sikhs can read but which can be read by a much higher proportion of Sikhs than of Hindus. They were at one time politically supreme in the Punjab."

Lord Fraser then concluded, crucially:

> "The result is, in my opinion, that Sikhs are a group defined by a reference to ethnic origins for the purpose of the 1976 Act, although they are not biologically distinguishable from the other peoples living in the Punjab. That is true whether one is considering the position before the partition of 1947, when the Sikhs lived mainly in that part of Punjab that is now Pakistan, or after 1947, since when most of them have moved into India."

That clear and categorical judgment was supported by Lord Edmund-Davies, Lord Roskill, Lord Brandon and Lord Templeman. The latter gave a thoughtful judgment of his own in response to the issues raised during the case. I hope that the Government will now move to ensure that Sikhs get the recognition and status that they deserve, and that any doubts that Sikhs may have are properly addressed. That is not a criticism of the Government, because my party was in power for a long period after that judgment.

I conclude by agreeing with the sentiments expressed by the hon. Member for Hayes and Harlington. I am afraid that I have not yet seen "Bend it Like Beckham"; I was too busy to catch it at the cinema. However, my wife tells me it is an absolutely brilliant film—although she resented going to see it on her own—and I look forward to seeing it on video. The Sikh community has contributed so much to British life and society, and to the economy, law and industry. Wherever we look, there is huge success to celebrate. If Sikhs want legal recognition, we should give it to them.

10.7 am

Fiona Mactaggart (Slough): I am grateful for the opportunity to participate in the debate. Some of my constituents want to lobby me about the Sikh agenda this afternoon; I am disappointed that I will not be able to join them, as I have secured an important meeting with the Prime Minister about the lack of housing in south-east England. I am afraid that, on this occasion, he trumps them. I am therefore glad to put my views on record, and I hope that those colleagues who will be able to speak to my constituents can share those views with them. Many of our constituents will be here this afternoon to press the issue of the ethnic monitoring of the Sikh community and the effective representation of Sikhs in public life in Britain.

I shall address colleagues—I refer to all hon. Members who have spoken, even those who have not yet seen "Bend it Like Beckham", although they should—on three crucial issues, but there are many others that I could raise. Those issues are Sikh identity, the Punjabi language and the tension between India and Pakistan. The latter is having a dangerous impact on the Punjab, and is a real problem for that part of the world. It is incumbent on those of us who could do something to reduce tension between those countries to do our best to do so.

The Punjab is being littered with mines because of the tension between India and Pakistan, and that means that the lives of children and farmers who have nothing to do the conflict and are not engaged with either side are at risk. Although I do not believe that Britain can leave the 50-year conflict to reach a conclusion, we may be able to use our good offices to ensure that our old friends India and Pakistan work together, rather than against each other.

I have many Punjabis in my constituency. The majority are probably Sikh, but a substantial minority are Muslim. Both Sikhs and Muslims are concerned about the future of the Punjab. That is an issue for which we all have a particular responsibility, because of our particular responsibility for peace.

I shall discuss the issue of Sikh identity, because we have reached a good moment to make progress. As many hon. Members know, I have pressed for more effective legislation to deal with religious, as well as racial, discrimination. It is a failure of United Kingdom law that to date it has not dealt with religious discrimination. The consequence has been that various different forms of religious discrimination persist.

The Sikh community is in some ways uniquely privileged, because of the House of Lords judgment, to which many hon. Members referred, which recognises that Sikhs should be regarded as an ethnic group. They can therefore secure protection for religious practices under the Race Relations Act—although, as the debate has highlighted, sometimes the practice has not sufficiently underpinned proper protection from discrimination.

With the changes happening in Europe and the wider global community, now is the time to confront the range of discrimination more intelligently. I welcome the current consultation on new mechanisms for dealing with discrimination. Issues raised in the debate should feed into that. The forms of discrimination that the Sikh community faces include not only discrimination on the basis of race or issues such as we have heard about recently, relating to how Sikhs have been targeted for racial attack following 11 September for wearing turbans, for example. The discrimination also includes specific limitations on religious practices by employers

[Fiona Mactaggart]

who prohibit turbans or the wearing of a kirpan, and other institutions that do not allow faith practices that are essential for the Sikh community to operate properly. We need to recognise that, do the ethnic monitoring that all hon. Members who have spoken so far support, and work in a way that can more effectively challenge those forms of discrimination.

Racists understand the situation. I remember vividly a racial attack on a schoolboy in my constituency that consisted of having his hair cut off. The consequence of that for an adherent of the Sikh faith is much more significant than it would be for anyone else, and the racists who attacked him knew it. To date, we have muttered good-will noises but have not delivered. The time has come for us to do so.

I focus finally on the Punjabi language. The hon. Member for Mid-Worcestershire (Mr. Luff) said that the Punjabi language is the second most spoken language in England. On Friday, just after I had cracked my elbow, which is now in a sling, I was privileged to attend a jubilee celebration in the Milan centre in my constituency. It was a day of music, dancing and poetry led by Sikh residents and other members of the community in Slough. I also had the privilege of making a speech although, because I had just cracked my elbow and had not been able to get to accident and emergency, it did not feel like a privilege at the time.

As I looked around the audience, I said, "I cannot do something that you can all do. I can only speak one language and all of you speak two, three or even four." When I heard all the languages that my constituents could speak, I realised some of the richness of the south Asian cultures that we celebrate today.

The Punjabi language has a wonderful tradition of poetry and communication that I am glad continues to be celebrated. There is an essential action that the Government should take to assist in that celebration—they should allow more community radio stations to broadcast in Punjabi. I want to use the platform offered by this debate to press the case for that language to be broadcast. Temporary licences are often granted to Apna Punjab radio to coincide with Vaisakhi in Slough. That is one example of how broadcasting in Punjabi can strengthen a community and grant access to vital cultural, health and other information to people who do not have fluent access to English. It can bring a community together.

Britain's great strength is its diversity. It is the joy of our country that we have learned to celebrate and include the diversity of other cultures. As hon. Members commented, during the recent sad events following the death of the Queen Mother, we saw the Koh-i-noor gleaming in the Hall next door. Although there are issues about where that diamond should rest, our national culture celebrates the cultures of many countries around the world. The Koh-i-noor is an example of how we do that. We must ensure that that continuing celebration includes reflecting those many cultures in our broadcast media as well as in events such as the jubilee celebration that I was able to attend in Slough.

10.17 am

Mr. Khalid Mahmood (Birmingham, Perry Barr): I agree with much of what has been said by hon. Members this morning, especially my hon. Friend the Member for Slough (Fiona Mactaggart) who mentioned the Punjab and Punjabis in relation to the current tension between India and Pakistan.

As we all recognise and understand, Sikhs are predominantly a proud race and have been involved in the military for a long time. Their presence in the armed forces in India—they are also present in the British armed forces—means that they suffer in two ways in any dispute: because they serve in the front line as soldiers and, as my hon. Friend said, because of the way that the geographic area that crosses both countries is divided. It was divided when we drew the lines that separated the majority of the religious sites that are now in Pakistani Punjab away from more than 2.5 million people going back to India. Those are some of the issues that link us with the heritage and people of the Sikh community in this country that we must address.

The current conflict raises issues to do with the Sikh community in Kashmir, and they must also be addressed. President Clinton visited the region a few years ago; at that time more than 30 Sikhs were massacred. When such atrocities take place, independent human rights organisations must be allowed to go there and verify what has happened. It is important for the Sikh community that such things are addressed.

I turn to softer issues. Many hon. Members have looked clinically at matters such as law and the Sikh community, and its legal standing. There are 19 million Sikhs in the world, and more than 700,000 of them live in this country. The Sikh religion has existed for more than 700 years. It has a long heritage in the Indian sub-continent, and a unique tradition and culture. It also has its own language. Such facts must be recognised.

We are debating the recognition of the Sikh community. Unfortunately, I will not support early-day motion 1464; I will amend it slightly. It rightly calls for protection from discrimination, but the provision of services for the Sikh community must also be addressed. Discrimination is an important issue, but the idea behind monitoring by local authorities is that the communities that are being monitored are catered for. Certain things must be provided to the Sikh community, particularly with regard to Sikh men, elderly care homes and the religious needs of elderly people who reside in them, and education for young Sikhs. Therefore, although negative subjects such as discrimination must be addressed, a positive approach should also be adopted so that we can address how better to service the Sikh community. That is the agenda that should be promoted.

I support this debate because I want the Sikh community to be integrated into this society. If young Sikh men and women are to feel a part of society, it is important that they are first proud of their own heritage, culture and religion. Once they feel at ease with their own identity, it will be easier for them to play a role in the society that they live in, and are very much a part of.

Sikhs play an important role in all walks of life; they work for local authorities, the police and the armed forces.

Mr. Dennis Turner (Wolverhampton, South-East): I rise to emphasise my hon. Friend's point. I assure him that the Sikh community is already playing an important role in this country. That is certainly the case in my city of Wolverhampton, where Sikhs play an important practical role in ensuring good cultural and race relations: they make a considerable contribution to the inter-faith group, and they work with the local authority and other organisations throughout the city. Therefore, we are already achieving my hon. Friend's objectives.

Mr. Mahmood: I thank my hon. Friend for that timely intervention, and I acknowledge the tremendous amount of work that he has done in conjunction with the Sikh community in his constituency. He might also have wished to point out that Gurbux Singh, the chairman of the Commission for Racial Equality, hails from Wolverhampton. I am sure that both of my hon. Friends from Wolverhampton will be proud of that fact.

The young in the Sikh community must be proud of who they are, what they are and how they exist. They have a visual presence—their religion and wearing of the turban and beard makes them easily identified—that has led to mistaken identification by several people who are illiterate about religion post-11 September. That has caused the Sikh community to be subjected to religious abuse, which is totally the wrong sentiment and demonstrates the ignorance of some people. We must clarify the issues.

If the young people understand their own heritage and culture, they may integrate further into society and play a better part in building up the multiracial and multi-religious country that the United Kingdom has become. I would support that.

It has been said—I go back to matters relating to the CRE—that the Sikh community has already been recognised as a visible community under race relations legislation. We must take forward recognition by national Government, local government and public bodies that deliver services for the Sikh community. Services must be delivered equally. Once it is defined that a community must be addressed through the census, we must find out how many Sikh people live in this country and decide how we can address their issues and fulfil their needs.

Rob Marris (Wolverhampton, South-West): Does my hon. Friend agree that there is a need for language teaching in the Sikh community? It is important to foster that not only for that community, but for the country as a whole. People who speak two languages are often quicker at adapting to an additional language than people who speak only one. If we encouraged language teaching, it would help our society as well as Sikhs within it.

Mr. Mahmood: I welcome my hon. Friend's contribution. I agree that speaking mother-tongue languages is essential for allowing anyone in this country to grasp the context of their history, culture and identity, and to play a better role in the society that we have developed. We must take forward the positive aspects of the society, and the Sikh community has done that with regard to the Vaisakhi festivals. We have a fantastic Vaisakhi festival in Birmingham—

Mr. Dennis Turner: And Wolverhampton.

Mr. Mahmood: And Wolverhampton, of course. I am sure that there is such a festival in Slough.

The way in which the Sikh community has projected itself is of credit. I wish all those who worked hard to secure the debate and hon. Members who work together on the issue well. I hope that we can continue to move forward. I tabled the amendment to the early-day motion purely because it is important to recognise such issues as delivery of services to the community. We should look not only at the negatives of discrimination, although I agree that that needs to be addressed, but, more importantly, the delivery of services to the Sikh community as a whole.

10.29 am

Simon Hughes (Southwark, North and Bermondsey): I join other hon. Members in thanking the hon. Member for Uxbridge (Mr. Randall) for ensuring that we debate these matters at this time of year. Obviously, he and the hon. Member for Hayes and Harlington (John McDonnell) come to the debate with huge constituency experience for which we are very grateful. I also thank the hon. Member for Hayes and Harlington, who has been persistent and insistent in ensuring that the agenda is pursued more widely. It has indeed been pursued very effectively.

All of us who have spoken acknowledge our gratitude to the Sikhs for their contribution over many years and at all levels of society and in the public and private sectors. They have made it in teaching and business, and, as was said earlier, in the armed forces. They have also contributed with huge distinction to the public service more widely, and to education and culture. I have shared in many Sikh cultural events. I have not yet made my visit to the cinema, but it is on my list, so I shall have to join the queue.

The Sikhs have contributed in another way as well. They have led much of the religious and moral debate recently. Sikhism has made a huge contribution in that respect. Those of us who turn on our radios at 7.50 am often hear Inderjit Singh, but the Sikh community has contributed more generally, both by putting its religious perspective in a multi-faith context and by organising its own events.

Let me also thank the community for all the hospitality it has offered my colleagues and me over the years. I was privileged to attend the great festival event that took place at the Albert hall a couple of years ago, and also the great festival event in Birmingham, so I have seen the community at its proudest and best.

The debate is particularly well timed because of the lobby organised by the Sikh community that will take place later today. Like others, I shall talk to friends, colleagues and constituents during the day. I pay tribute to the hon. Member for Beaconsfield (Mr. Grieve), who prepared for the debate by tabling a series of questions. I shall let him pursue them at greater length, as I expect

[Simon Hughes]

he may wish to; but I hope that the Minister realises that the answers given so far have been inadequate and that following the change of personnel in the Department we shall hear better answers.

A statutory instrument has been tabled. My colleagues and I have prayed against it, and are hoping to debate it shortly. It concerns the implementation of the Commission for Racial Equality code of practice. I prayed against it not because I oppose it—indeed, I promoted it, and organised events in the House to ensure that the consultation worked well—but in order to secure a debate about its effective operation at local level. I hope that we can discuss it with various ethnic groups in the next few days, before Parliament rises for the summer recess.

A number of points have been made by members of other parties, including the hon. Member for Mid-Worcestershire (Mr. Luff), some of which I do not disagree with. I certainly agree with the hon. Member for Slough (Fiona Mactaggart) that until peace and justice exist in the Punjab, there will not be happy Punjabi communities here or anywhere else. It makes me sad that, more than half a century after the partition of the Indian sub-continent, the international community has still not seen fit to use diplomatic and other pressures to resolve the problem. We seem to react only when tension mounts in India and Pakistan. The world gets excited then; but when the tension lessens, it seems to lose interest. I hope that we do much better in the near future, so that there can be a fair resolution.

I hope that the Minister will take seriously the criticism that at present we have no adequate information about the Sikh community here. The questions asked by the hon. Member for Beaconsfield, among others, could be answered if the Government set their mind to it. It is not possible to plan services and respond to the needs of a community without knowing the facts and figures—not just how many people there are, but where they are in terms of, for instance, different areas of public services.

The hon. Member for Hayes and Harlington and I were involved—he more than I—in ensuring that the Irish were included in the last census as a separate ethnic category. Hon. Members may remember that under the categories of ethnic group, there were only three in the white section, of which Irish is one. In the Asian-British section at the moment one has to be Indian, Pakistani, Bangladeshi, or of any other Asian background in a generalised way, and people can write in their own descriptions. I do not think that the census is anything like adequate yet because, if we think about the situation in our cities and local authorities, it does not give us the authoritative breakdown that we need to be able to plan services and respond to communities. There is no other authoritative local government census. For a 10-year period that is the only census we have, and it does not suffice. Although I realise that it is not his Department, I hope that, when the last census figures are produced later this year, the Minister will work with other Departments in ensuring that the next time we plan the census we have a more comprehensive set of options, which would include Sikh as an option in the Asian community section

The CRE is being helpful, and encouraging local authorities to conduct ethnic monitoring that goes beyond the census. I hope that all local authorities will sign up to that. I am sure that is the general wish. Of course, they can do that, but in the interim before the next census they may have to make their own calculation of the number of adults, retired people and young people, so that planning and provision can be arranged.

May I add to what the hon. Member for Slough said about the urgent need to get on with the second half of the equality agenda? We have at last updated the Race Relations Act 1976. I was privileged to be part of that process and to be involved in deliberations on the Race Relations (Amendment) Act 2000. That is all good and proper, but we have not yet returned to the separate, but holistic consideration of religious discrimination. Some of us did not want that to be part of the anti-terrorism legislation. I think we were right to remove it from the legislation. Terrorism and discrimination should not be seen as related issues, but religious discrimination does need to return to the agenda. Guarantees against religious discrimination are hugely important.

It is very important that we allow people to learn and speak Punjabi when they want to. There is a big danger. We had a debate some years ago in Committee under the Conservative Government about second languages in schools. We must retain the view that was canvassed then that it is perfectly acceptable for one's second or third school language to be an Asian language rather than a European one. It is much more practically useful for many people—white people as well as those of Asian origin—for their immediate second language to be the one that many in their community use so that they can trade, work and have good community relations. I hope that we can look again at the way in which we increase language teaching and give that an equal priority.

I end with the point that my Sikh friends make to me most often. The importance of recognition is not just to end discrimination, but to ensure that there can be full participation of Sikhs in the community. Whether one keeps the five Ks; whether one wears a turban; whether one wears a kirpan; whether one wears a tunic; whether one wears a bangle; all those things may produce a difference of perception. At worst, they can produce overt racism and antagonism, but unless we allow people who are sometimes second or third generation, or mixed race by background, to have as strong a link with their cultural hinterland as they do with their adopted country, they will feel driven back into a cultural ghetto. We want to share the benefits of the Sikh faith and tradition. To do that, all Sikhs in this country have to participate fully and feel proud and able to do that. That is why the issue is important, and the demands of the community must be heeded. They are not unreasonable; the community makes them persistently, but with good cause.

10.39 am

Mr. Dominic Grieve (Beaconsfield): First, I thank my hon. Friend the Member for Uxbridge (Mr. Randall) for having raised this matter. It will perhaps come as no surprise to note that, looking around the Chamber, there is a geographical concentration of Members of Parliament from the west of London. The hon. Members for Slough (Fiona Mactaggart) and for Hayes and Harlington (John McDonnell) are here, as is my hon. Friend the Member for Uxbridge. Earlier, I think that my hon. Friend the Member for Maidenhead (Mrs. May) was also present.

My constituency has a growing Sikh community, which is a reflection of Sikhs' economic success. They are now spread throughout the country and, through that, my interest in the matter has been awakened as I become aware of some of the issues that they face. I hope that today will provide an opportunity for the Minister to reply to some of the concerns that have been raised.

I am a lawyer and I started by looking at the Mandla case. As my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) so rightly summarised—I shall not repeat his words—the Mandla case said in the clearest and most unequivocal terms not that the Sikhs are a religious group but that they are an ethnic minority. I take that, therefore, as my starting point, because it means that Sikhs should be the full beneficiaries of all the provisions of the 1976 Act. There is a separate issue about the extent to which religious discrimination should be tackled in this country and I endorse what the hon. Member for Slough said on that point. We are going to wish to tackle that subject, but I want for a moment to concentrate on the here and now—the extent to which that protection, which was perhaps not expected or anticipated when the Act was passed in 1976 but which the courts quite clearly spelled out, has been made use of in practice.

From looking at what the CRE and the Government have said—I make this point with no hostility to the Minister, because the subject goes back to long before the Labour Government came into office in 1997, although I think that it has continued since—it seems that although recognition of Sikhs as a distinct ethnic minority group has been granted, the issue has always been slightly brushed under the carpet. That has happened on the basis that people can avail themselves of that recognition if they wish, but the Government and those there to promote good race relations do not seem to be very concerned about looking at the issue in great detail.

The hon. Member for Southwark, North and Bermondsey (Simon Hughes) was correct when he said that I was going to turn to my parliamentary questions. They were the next thing at which I looked. The answers that I have obtained during the past fortnight have been very illuminating—or not, as the case may be. First, although I acknowledge that a wide variety of people consider themselves to be Sikhs, some of them fulfilling all the criteria of the group and others not wishing to do so, which is one of the elements of diversity in our society, it is clear that the Sikh community in this country is very distinctive and has an ethnic and religious cohesion. Nevertheless, the Government have very little idea of how many Sikhs are in the United Kingdom. The Sikh community believes that there are about 700,000. If that is correct, it makes them one of the largest ethnic minority groups—not a group so small that it cannot be monitored adequately. Even if the Government are right with their figure of between 350,000 and 500,000 Sikhs, that still suggests a woolliness that will affect awareness of what the problems confronting them might be. That needs to be addressed.

Even more telling was the response to the question that I asked the Cabinet Office on how many public appointments are held by Sikhs. The answer, from the Minister in that Department, was:

> "My Department does not collect data on the number of Sikhs appointed to public appointments. It collects diversity data for public appointments on the following criteria: Bangladeshi; Black-African; Black-Caribbean; Black-any other; Indian; Pakistani; Chinese; mixed ethnic background; any other Asian; White; or any other ethnic background."—[*Official Report*, 25 June 2002; Vol. 387, c. 835W.]

I must say that when I read that, the point that the Sikh community is making immediately struck me. Looking back to my own past, I have Jewish forebears. The Jewish community in this country has never asked for monitoring, for reasons connected with their extraordinarily successful integration into this country's life. However, if my forebears who came to this country from eastern Europe in the 1830s had found a similar regime to help them as exists now, they might have been a little surprised if the then Government had decided to collect information on ethnic diversity on the basis of whether they were Ukrainian, Austro-Hungarian or from the Russian empire. That highlights the extent to which the Sikhs have been rather airbrushed out of existence by the Cabinet Office process. They see themselves as a distinctive community, and they are recognised as such under the race relations legislation. I believe that we could do better.

Many of the Sikhs whom I have met in the past few weeks have said that they sometimes feel that the categorisations derived from the colonial past mean that they do not enjoy the distinctive identity, monitoring and recognition that they merit. After all, they say, there are many hundreds of thousands of Sikhs, not just a few thousand, even if the Government do not have accurate statistical evidence. They say also that they are British Sikhs. One has only to meet members of the Sikh community to see the extent to which that is correct. Therefore, the classifications given by the Government—I am sure for the best historical reasons—no longer match the reality of the Sikhs' position in this country.

Hon. Members have made the point this morning, in their very helpful contributions, that the events of 11 September have meant that the Sikh community has been the target of acts of racial violence. I think that five gurdwaras were attacked, and there were other instances of violence against Sikhs and members of other ethnic minority communities in this country.

Clearly, that heightens the sense of concern. I do not want to be confrontational, because the Government's intentions are benevolent, but can we not move matters along a little? I should be grateful for an assurance from the Minister that the Government will look at the issue again, and get rid of the increasingly untenable definitions with which Departments are working with regard to ethnic minority issues.

I also hope that the CRE will show more flexibility. It also has been somewhat sclerotic and worried that greater concessions would open floodgates elsewhere. I do not understand that argument: in a pluralist society, communities that are large enough and have a separate identity ought to get the recognition and monitoring that they need, precisely because they need services.

[Mr. Dominic Grieve]

I can tell the hon. Member for Birmingham, Perry Barr (Mr. Mahmood) that I fully understand his criticism of the early-day motion, but I worded it very carefully. I wanted to concentrate on the legal issue that I believe to be untenable in terms of the race relations legislation. I share his desire that service provision should be better targeted.

Mr. Mahmood: I agree with what the hon. Gentleman has said, but might it not be possible to table another early-day motion that we can both support?

Mr. Grieve: I am sure that, if the hon. Gentleman were to table another early-day motion, I should be happy to consider it.

I want to hear from the Minister, so I shall take up no more of the short time left. Will the Minister say when the Government will meet representatives of the Sikh community? We hoped that that would happen a week or two ago, but the meeting seems to have been put off until 31 July. Will the Minister assure us that the meeting will take place and that the needs and representations of Sikhs will be addressed properly?

I look forward to a positive response from the Minister.

10.49 am

The Parliamentary Under-Secretary of State for the Home Department (Hilary Benn): First, I join other hon. Members in congratulating the hon. Member for Uxbridge (Mr. Randall) on initiating the debate and on the thoughtful speech with which he kicked off the discussion this morning. I also wish to associate myself with the expressions of appreciation for the work of the all-party group on the Punjabi community in Britain, and for the work of my hon. Friend the Member for Hayes and Harlington (John McDonnell) in establishing the group. He follows in a long tradition of hon. Members who have taken an interest in the position of the Sikh community, including someone whom I knew for many years, Sid Bidwell, the former hon. Member for Southall, who was especially distinguished in that regard.

The hon. Member for Mid-Worcestershire (Mr. Luff) described this debate as one of those all too rare occasions in Westminster Hall when there is a large degree of consensus. In my own relatively limited experience, that is not such a rare occurrence. I have often said that it is as if we enter a parallel universe when we come through the door of this Chamber.

Fiona Mactaggart: No, it is normal.

Hilary Benn: Indeed. We enter a parallel universe in which reason, knowledge and understanding predominate, rather than struggle to make themselves heard, which is what tends to happen in the main Chamber. As this debate demonstrates, it is reason, knowledge and understanding that underpin the diversity mentioned by so many hon. Members, and are the best protection against the type of ignorance that led to the attacks on members of the Sikh community in the wake of 11 September and will help us to grapple with our attempt to understand the nature of our society.

The hon. Member for Beaconsfield (Mr. Grieve) made a good point. We are struggling to make the categories that we use to try and understand more about the nature of our society match the reality of its increasing diversity. It goes to the heart of answering the question, "What is our identity?" and it becomes more difficult to answer that question as we become more diverse. We must recognise that we are developing a process.

The Sikhs are a people with a long and proud history. That history led them to fight against the British, to fight alongside us in two world wars, and to continue to serve in armed forces around the world, as my hon. Friend the Member for Birmingham, Perry Barr (Mr. Mahmood) mentioned. I too have seen "Bend it Like Beckham" and it is wonderful, but, since we are in cultural mode, I would like to mention an interesting photographic exhibition currently run at Wellington Arch, on the history of service by the Sikh community in the armed forces.

The estimates of how many Sikhs are in Britain vary from 350,000 to 700,000, as the hon. Member for Beaconsfield suggested. Their history has led a large number of Sikhs to make their home in Britain and become an established part of our increasingly diverse society. That history led the historian J.S. Grewal to say:

> "The Sikh people subscribe to the idea of cultural coexistence. They can live in other cultures and don't really entertain hostility towards any people at all. This is the contribution they have made to world civilisation."

In every walk of life, Sikhs have contributed immensely to this country's social and economic well-being. It is especially appropriate that today we have an opportunity to celebrate and value that economic, cultural and social contribution to the stability and prosperity of British society as a whole.

Our relations—in the collective sense—with the Sikh community are extremely important, and all of us will continue to strive to improve them. Indeed, my right hon. Friend the Home Secretary may have had the example of British Sikhs in mind in a recent speech when he spoke about

> "providing a warm and lasting welcome to people who then become part of the country, have a sense of belonging, take on citizenship and work as we all should to ensure that that citizenship leads to mutuality and inter dependence."

All of us have a great deal to learn from the Sikh faith's teachings of the values of tolerance, equality and concern for others. Those are values that all hon. Members share.

I will now turn to specific points made in the course of the debate by the hon. Member for Uxbridge and others. My hon. Friend the Member for Hayes and Harlington referred to previous debates acknowledging progress that is being made. Many of the questions legitimately asked in this debate about our lack of information about the nature, make-up and number of the Sikh community will shortly be answered when we get the results of the 2001 census because, as hon. Members will be aware, that census was the first to include a question on religion. The religious categories are as follows: "none"—interestingly—at the top;

Christian; Buddhist; Jewish; Muslim; Sikh; and "others". Therefore, we will have the most complete data that there has ever been on the nature and make-up of the Sikh community.

That is the most significant single step that has been taken to learn more about the nature of that community. It will give us information about the size of the Sikh population—which will be measured by how many people identify themselves as Sikhs by ticking the appropriate box in answer to the religious question—as well as about household structure, type of accommodation, health, educational attainment, and employment. Those are the kinds of information that national Government and local government need to ensure that the services that are provided meet the needs of that community, in all its shape and forms.

As several hon. Members have said, there is also a write-in opportunity under the ethnic group category. I was lobbied by the substantial Kashmiri community in my constituency; it wanted to have separate recognition within the ethnic group classification. There was also a campaign to get a write-in in that section so that the word Sikh could be written under the Asian or Asian-British category. The ONS has said that it will look at all of the write-ins and endeavour to produce information based on what they provide. That will give us more of the sort of detailed information that we all want.

The listing of Sikh as a religion in the census will put the Sikh community in a very different position from all the other groups that were campaigning for separate recognition within the census, because it will provide us with many figures that we do not currently have. I hope that the next time we discuss this matter, I will be able to give the answers that are sought by the hon. Member for Beaconsfield—to whom I am about to give way.

Mr. Grieve: I am grateful to the Minister for giving way. I want to spare his blushes. Even at the Home Office, the ethnicity data currently use the 2001 categories of ethnic groups. As an effort should be made to keep one's one house in order, are steps going to be taken on that, so that Sikhs who are working in the Home Office can be identified properly?

Hilary Benn: That question points to an important issue that must be addressed by this society. The CRE code gives Sikhs the same status as other ethnic and racial groups. The hon. Member for Castle Point (Bob Spink)—who is no longer present—quoted from a letter from the CRE chairman. That letter confirms the legal recognition of Sikhs as both an ethnic and a religious group. Several hon. Members have referred to the Mandla *v.* Dowell Lee case. Therefore, Sikhs have the same status as all other ethnic and racial groups within the statutory code of practice, with regard to the duty to promote race equality under the Race Relations (Amendment) Act 2000 that came into force by order on 31 May.

The CRE produced the code and the related non-statutory guidance. It shares the view that the fact that case law has established Sikhs as an ethnic group for the purposes of the Race Relations Act 1976 does not of itself justify it receiving different treatment from the many other ethnic and racial groups in the UK. However, the statutory code of practice encourages authorities, in using the same classification system as used in the 2001 census, to recognise, as the code does, that authorities may choose to collect more detailed information to reflect local circumstances. Indeed, I would expect them to do that.

I confirm that Lord Filkin will meet representatives of several Sikh organisations on 31 July to discuss these and other matters, and I hope that that will give an opportunity for people to respond to many of the other points that have been raised in the debate, including those that were made by my hon. Friend the Member for Hayes and Harlington on the UN declaration and the ways in which its principles can be taken forward. I will ensure that Lord Filkin has a chance to read the debate before he takes part in that important meeting.

Trade Unions

11 am

Anne Picking (East Lothian): Thank you, Mr. Cook, for the opportunity to begin this Adjournment debate on the relationship between the Government and trade unions. I have been a Member of this place for a little more than a year, Mr. Cook—

Mr. Deputy Speaker (Mr. Frank Cook): Order. I would be remiss in my duties were I not to remind hon. Members that the House, in its wisdom or otherwise, decided when establishing the parallel Chamber that the four senior members of the Chairmen's Panel would be addressed as Mr. Deputy Speaker when they occupied the Chair.

Anne Picking: Forgive me, Mr. Deputy Speaker. I did not know that because I have been in this place for only a little more than a year and this is my first Adjournment debate. Whoever advised me on the issue will feel my wrath later.

My securing the debate is poetic justice, because I would not be here to represent the good people of East Lothian were it not for the trade union movement. I come from a solid, committed and staunch trade union background. My family is steeped in the history of the principles of trade unionism, and I come from the dynasty of Moffats who founded the Scottish National Union of Mineworkers. Before I started work, my dad's advice was to join the union. The importance of those words strikes me only now. Then, I simply did as I was told—people did what their dads told them—without realising the significance of the advice.

My dad knew, but I did not, that if I joined a union I would have protection, a safety net, pals, workmates and, most importantly, support. When someone becomes a worker, with no knowledge of the real world, they enter a new situation in life and become part of a new regime. They look for a friendly face and want to be part of something. They want to belong, so they join a club called a trade union. Then they learn about a collective voice and how it can influence change. All I want is a commitment from the Government to utilise the sheer effectiveness of that powerful and positive part of today's work force.

I dissociate myself from elements in the trade union movement, and the Labour movement as a whole, who choose to play games, refuse to move on and want to relinquish meaningful dialogue with the Government. However, I expect the Government to uphold the values of the trade union movement, the spirit in which it was formed and the fundamental role that it has achieved to influence society and government.

This place is the heartland of democracy, and it is bulging at the seams with the likes of lawyers and members of the intelligentsia. There is a place for such people here but, equally and arguably even more so, there should be a place for trade unionists such as me who have lived in the harsh front line. I was a nurse and I had to make decisions that affected people's lives. I have worked in Scotland, England and Northern Ireland, the majority of those years during the Thatcher reign. I use that word because she reigned supreme, with contempt and no regard for the workers and their representatives, the trade unions.

I joined the Confederation of Health Service Employees as opposed to other unions because it represented all health workers, not only the supposed elite—the clinicians. All the workers were equally important in my union. I could not do my job effectively as a nurse if the wards were dirty or the patients were not fed, and the team element is crucial. We had to work collectively to succeed, and we did so during the dark days of Thatcher, who tried systematically to dismantle and destroy our movement.

It was divide and conquer, and Thatcher picked a few of us off, but she could never shut down the movement. The miners and steelworkers are almost gone, but their legacy remains intact. The workers still have rights, and employers and Governments must respect that. They should nurture and value the work force, who are their greatest commodity. It should not matter whether someone is a high flier with degrees and qualifications that they could paper the wall with; all members of working teams should be valued equally. It is unthinkable that workers under this Government should be treated differently or unfairly because of the job they do, and any two-tier work force scenario is unacceptable.

I applaud the concept of people being paid the right rate for the job, and it is just that they have the right to be rewarded for specialist knowledge, ability and skills. When workers' rights are determined by the job that they do, however, those responsible are guilty of gross discrimination. I hope that my hon. Friend the Minister will lay my concerns to rest in the interests of working together, true partnership and healthy relationships.

The trade union movement is at the core of this Government, and it founded the Labour party. As a member and past president of Unison, I ask the Government for fairness, not favours, and for an open door, and that they do not simply forget where they came from.

11.6 am

Mr. Andrew Robathan (Blaby): First, I congratulate the hon. Member for East Lothian (Anne Picking) on securing the debate. This is a fortuitous time to discuss the partnership between Governments and trade unions, and I hope that few hon. Members think that there is no place for decent representation of the work force or for trade unions that look after their workers without becoming politically motivated. Similarly, I hope that we value everyone in the workplace. Whatever job they do—however menial or high-powered—everyone in society has a role, and I think that I speak for every member of my party when I say that.

There has been a long and fruitful partnership between the Government and the trade unions. Indeed, as hon. Members will know, yesterday's edition of *The Times* notes that

> "it was in order to protect railway workers that the Labour Party had been established . . . It was the railwaymen of those days who took the lead at the Farringdon Hall meeting of February 1900"—

102 years ago—

> "in the effort to set up a Labour Representation Committee".

Sadly, the long and fruitful partnership between the Government and the trade unions ended this week. The National Union of Rail, Maritime and Transport

Workers—the railway workers' heirs—broke its link with the Government, and I am sure that we all share the grief of those involved.

I want to focus on the links between the Deputy Prime Minister and the RMT, which go back 47 years—almost half the life of the Labour party. Sadly, he resigned from the RMT last week because he was furious that it had attempted to dictate how MPs voted. It is reasonable, however, to ask how long it has been attempting to do that.

Jimmy Knapp, now sadly deceased, was head of the RMT for 15 years, and was very vocal in leading strikes on the railways in the 1980s. He was also very politically motivated against the Thatcher Government. He once wrote to me—I do not know why, because I was not even a member of the Conservative party at the time—that it was important to have guards on trains. That was a union issue, and there are good reasons for having guards on trains. I had travelled to Kent the previous day, and the guard spent the entire journey with his feet up, reading the *Beano*. When I asked for his help, he looked at me as if I was mad, and went back to reading the *Beano*. Leaving that to one side, however—[*Interruption.*] Labour Members' mutterings perhaps reflect their sympathies for the people with their feet up reading the *Beano*, which I have not read for many years.

I return to the close relationship between the Government and the RMT. In 1970, the Deputy Prime Minister moved into his flat at Clapham common. Naturally, the union wanted to support its sponsored Members and gave them subsidised accommodation in what is now Maritime house—it was then National Union of Seaman house.

Jim Sheridan (West Renfrewshire): Does the hon. Gentleman agree that the relationship between the RMT and the Deputy Prime Minister and the question of who receives money and who does not has come to light only because of legislation introduced by this Government? Tory Governments never introduced legislation to bring transparency and show who influenced the Tory party.

Mr. Robathan: I am glad that the hon. Gentleman raises that point about legislation, because he is factually incorrect. The requirement for declarations under the Register of Members' Interests goes back long before 1997. That is one of the points that I wish to discuss.

On the subject of legislation, the hon. Gentleman may be interested to hear that newspaper reports say that the Deputy Prime Minister stands to benefit by some £15,000 under the Rent Acts (Maximum Fair Rent) Order 1999. That is not bad for a relationship between the Deputy Prime Minister and the union that is supposed to have ended.

In 1974, the Deputy Prime Minister moved from the flat that he took in 1970. He has a controlled tenancy that costs £220 a month. He does not use that flat, but he retains it. I wonder sometimes, when Labour Members go on about homelessness, whether they think that someone who has grace and favour homes in Admiralty arch and in Dorneywood in Buckinghamshire—

John McDonnell (Hayes and Harlington): On a point of order, Mr. Deputy Speaker. It is the normal practice of the House that a Member who raises another Member's personal circumstances or even mentions his name in the House gives notice to that Member so that he can respond. Will you clarify whether that practice has been followed in this case?

Mr. Deputy Speaker: That practice is the normal courtesy, but there is no rule in Standing Orders or in "Erskine May" requiring a Member so to do. It would be most unusual for reference to be made without prior notice being given, but it is not necessary for the Member to be present to hear that reference.

Mr. Tony Lloyd (Manchester, Central): Further to that point of order, Mr. Deputy Speaker. Your ruling is informative, but may we ascertain from the hon. Member for Blaby (Mr. Robathan) whether he took that step, which you describe as not obligatory, but usually followed as a matter of courtesy?

Mr. Deputy Speaker: I must inform the House that it is not up to the Speaker or Deputy Speaker to tell Members what to say. However, I am sure that note has been taken of hon. Members' comments and that, if they are patient, they will hear something to that effect.

Mr. Robathan: I am happy to answer. On many occasions, I have let the Deputy Prime Minister know that I am raising the issue, but he has not attended when I have done so. When I met him in a corridor recently and said, "Good morning, John," his only response was to say, "You—" I shall not say exactly what he said, because he was not particularly polite. In fact, I do not think that he is particularly interested in the fact that I have raised the issue. It is in the public domain, however, and it was in yesterday's newspapers—and, I suspect, today's. The person involved is not a menial Back Bencher, but the Deputy Prime Minister. The issue is one of national interest.

John McDonnell: Are we to understand from what the hon. Gentleman says that he did not inform the Deputy Prime Minister that he would raise the issue in debate?

Mr. Robathan: I do not have to answer that question, but the hon. Gentleman is right to suggest that I have not done that. It is interesting that Labour Members are so sensitive to the issue. Perhaps they, too, feel extraordinary guilt—

John McDonnell *rose*—

Mr. Robathan: Sit down. Perhaps Labour Members feel guilty that, while they rabbit on about homelessness, one among their number earns more than £100,000 a year, has two grace-and-favour residences and his own house in Hull, but still sees fit to accept a controlled tenancy from a trade union worth £15,000 a year.

John Robertson (Glasgow, Anniesland): Will the hon. Gentleman give way?

Mr. Robathan: Go on, I'll let you have a go as well.

John Robertson: Does the hon. Gentleman agree that his contribution, which, so far, has lasted eight minutes, is a personal attack on the Deputy Prime Minister and has nothing to do with trade unions?

Mr. Robathan: I am sure that if I were out of order, the Deputy Speaker would have pulled me up. Labour

[Mr. Robathan]

Members keep raising points of order and I have given way to them. I have nothing against the Deputy Prime Minister. *[Laughter.]* Hon. Members laugh, but perhaps they should try to justify the situation in which house prices are rocketing because of shortages. Indeed, they have referred to that.

John Robertson: Is it a trade union matter?

Mr. Robathan: I shall return to the matter in hand—the relationship between trade unions and the Government.

Mr. Deputy Speaker: I am most grateful.

Mr. Robathan: The Deputy Prime Minister, the Leader of the House and others have resigned from the RMT because, they say, they were put under pressure to abide by rules dictated by Mr. Crow, the new leader of that union. What did Mr. Crow expect, when he asked them to pledge support on four issues: renationalising the railways, repeal of anti-union laws, scrapping of the part-privatisation of the London underground and actions to halt job losses in the shipping industry? He said that he would support 14 left wingers who pledged support for the RMT's manifesto, although I do not know whether any are present. Perhaps the hon. Member for Hayes and Harlington is one.

John McDonnell: If the hon. Gentleman is about to distort the process of the RMT's discussions with the Labour party and Labour MPs, I am happy to intervene and explain what went on. That might take a few minutes, if you are happy for me to do so, Mr. Deputy Speaker. The relationship is not one in which any Member of Parliament has been browbeaten, threatened or bribed in any way. I also suggest that, as a matter of courtesy, the hon. Gentleman should have informed the RMT members who are part of that group that he wanted to raise the matter, so that they could be present and respond.

Mr. Robathan: I would have spent the past week writing to members of the Labour party. That is an absurd comment, and I look forward to the hon. Gentleman telling us in his speech whether he has received RMT sponsorship.

In responding to interventions, I have made all my points except to say that it is extraordinary and bizarre that, under this particular Government, with their partnership with trade unions, a man who is paid well over £100,000 a year is able to accept such a benefit and that the Labour movement is not appalled by such behaviour.

I draw the analogy with the Conservative Government allowing people to buy council houses. What would have been the response if the Minister involved lived in a council house and was able to buy it at a knockdown price? Yet, the Rent Acts (Maximum Fair Rent) Order 1999, introduced by the Deputy Prime Minister, has allowed him to benefit from the controlled tenancy of his flat to the tune of some £15,000 per year. One or two Labour Members look a little wry. Perhaps they are thinking about the Labour movement's long partnership, since 1900, with railway workers, trade unions and the Labour party—now the Government—and wondering whether that is what is was all set up for.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. I have no wish to restrict the tone or the extent of the debate, so long as comments are kept within its title. However, a number of hon. Members have written in about catching my eye. Time is limited. It is now 19 minutes after 11 o'clock and we normally allow the three Front Benchers 30 minutes before we conclude. I ask all hon. Members to restrict their comments and make them pertinent, and to resist the urge to allow meaningless interventions, although, as they will not know that an intervention is meaningless until they hear it, they should resist taking any.

11.19 am

Mr. John Lyons (Strathkelvin and Bearsden): I welcome this Adjournment debate, and I thank my hon. Friend the Member for East Lothian (Anne Picking) for introducing it. I want to focus on partnership working in the United Kingdom in the private and public sectors; it is more relevant to employees than the partnership between the leaders of the Labour party and of the trade unions. People are interested in what partnership means to them in their place of work and they want to know how effective it can be.

Partnership has brought positive achievements in industrial relations: it has been very successful in such a short time, its strength lies in the fact that it embraces employers and employees, it has mutuality at its centre, it relies on trust and it is embraced by employers' organisations as well as the Trades Union Congress, the Scottish Trades Union Congress and the Wales Trades Union Congress, so it has the broad support of trade unions and industry.

The objective of partnership working is to improve industrial relations, and we would all welcome that, irrespective of where it happened. Partnership is about trying to develop a workplace culture; it is about learning and about facing issues jointly rather than trade unions and employers working against each other. I compliment the Department for Trade and Industry on its efforts to encourage employers and trade unions to work together on the many issues faced by British workers in the private and public sectors. People want to discuss the issues that affect them—the balance between work and life, flexible working, hours of work, pay, and everything else that would normally be on the agenda for discussion between trade unions and employers. They welcome the fact that the Department of Trade and Industry is prepared to fund employer and trade union efforts to confront such issues.

Partnership working is a step change from the industrial relationships of the 1980s and 1990s, and it has allowed us to move away from the struggle and mayhem that characterised industrial relations in the 1980s. I welcome that change.

Mr. Gareth Thomas (Harrow, West): My hon. Friend refers to the difficult industrial relations climate of the 1980s, and he may be aware of a throwback to that time in a case that came before the European Court of Human Rights—a number of trade unionists claimed that their employers discriminated against them. Does he welcome the court's ruling, which was made yesterday, that they were discriminated against for refusing to sign individual contracts or to give up collective bargaining? Does he share my view that the Government must urgently consider what action needs to be taken to prevent further discrimination against trade unionists?

Mr. Lyons: I welcome that decision, and I welcome the fact that trade unions can challenge such infringements throughout the UK, and not only legally. Yesterday, in a debate in this Chamber, we heard about workers being forced against their religious or individual beliefs to work on Sundays. It is important that we counter that in parallel, both in legal terms and in the workplace.

I am interested in partnership working because it moves on from the jargon of human resource management and the agenda of the 1980s and 1990s. It secures mutuality between trade unions and employers—each should recognise the other, which is the key to partnership working. The evidence so far confirms that major benefits will be available in the private and public sectors for those who use partnership working. It can be used in the private sector, and a range of public sector employers are involved, such as local government, the health service and even the voluntary sector. That is to be encouraged.

I would never come to such a debate claiming that partnership working faces no problems. The opposite is true. A new system of industrial relations will of course have problems, but it should not be rejected because of them. The problems should be examined and investigated to clarify how systems can be improved.

A survey on partnership working in the health service was conducted in the Greater Glasgow area at a hospital in a constituency neighbouring my own. A lot of my constituents work there and it is probably typical of large acute hospitals in major UK towns and cities. The survey found several positive features: it confirmed that staff enjoy working in the health service, that they like the work that they do and that they enjoy the atmosphere of the hospital. It also confirmed that they are happy, overall, with communication, which is the key to partnership working.

We must not fall into the trap of working from the top down and saying to people, "That's your instruction, now get on with it." Managers must listen to employees—there needs to be a reverse system through which information can flow from the bottom to the top, so that managers can be told where things go right and where they go wrong. It is good that that has been highlighted and that there is a focus on it.

Staff referred to partnership working, as they do not just want memos every other day about what the employer would like to happen. They want face to face meetings with managers so that there can be a two-way process and genuine dialogue between employees and employers and between trade unions and employers. Through such dialogue, managers can listen to the views of those who are to some extent the experts—the people who deliver the service or the product. That must be taken on board.

The health service is in good fettle, because partnership working is increasing every day, every week and every month and there is a secure work force situation. However, the survey points not just to successes, but to difficulties. Staff are critical, saying that there is not enough training and development in most hospitals, and that training and development seem to revolve around people's expertise and knowledge of a particular job. The survey confirms that people want a much broader approach to education in the work force. They believe that lifelong learning should be not just jargon for managers, but realistic for everyone in the health service.

Partnership working is being employed across the UK in every part of the health service and of local government and in major parts of the private sector. People want greater awareness of it. There is no point establishing forums in either the public or the private sector and expecting people to sign up to them. People have an expectation, which they want confirmed by their employer, that partnership is essentially about listening and mutuality between employer and employee.

Under partnership working, nothing is imposed—there is discussion and agreement. People will feel much safer in that situation. The fact that the TUC, the STUC and the WTUC have signed up to partnership working is its greatest strength, and I shall continue to support it. The DTI should come to the House and brief Members about partnership working so that they can tell their constituents how important and valuable it is.

Several hon. Members *rose*—

Mr. Deputy Speaker: At the risk of displaying my anxiety, I remind the House that there are only 32 minutes left before I must move to the Front-Bench winding-up speeches. Hon. Members should bear that in mind in determining the length of their contributions and the number of interventions that they permit.

11.28 am

Hywel Williams (Caernarfon): Thank you, Mr. Deputy Speaker. I will try to be brief. I begin by declaring an interest, as a former member of the National and Local Government Officers Association, the National Union of Public Employees and Undeb Cenedlaethol Athrawon Cymru—I must make that clear for *Hansard*. My family has a tradition of union membership. My grandfather was a shop steward at the quarry of Chwarel Carreg y Llam, and, in the way that we do such things in Wales, he was known not by his proper name of John Williams, but as John yr Undeb—John the Union. I take particular pride in that.

During this and other debates, we shall hear hon. Members sitting to my right say that new Labour is in hock to the unions. May I leap to new Labour's defence and make it completely clear that new Labour is in no way the unions' special friend? That was confirmed by no lesser a personage than the Chancellor, when he spoke about vested interests on the *Today* programme on 26 June. He said that he would take on

> "vested interests ... whether it's the unions themselves or the other restrictive practices that exist in our economy".

[Hywel Williams]

I find it odd that the Chancellor groups unions with other restrictive practices, but I am sure that he can explain himself. I hope that those few points have put an end to the reprehensible accusation that new Labour is the friend of the unions, and I now turn to more serious matters.

To illustrate my argument, I shall refer briefly to new Labour's Employment Relations Act 1999 and its operation in respect of an industrial dispute at Friction Dynamex in my constituency. I understand that this is the first time that new and welcome provisions in the Act relating to the protection of employees in a legitimate dispute have been put to a practical test. I say "welcome", and that is entirely the case in general, but the particular issue here, which the sacked workers have had to face, is the rule in the 1999 Act that allows an employer to sack workers in dispute after eight weeks—the so-called eight-week rule.

I do not intend to go into detail about the case, especially as it is the subject of investigation by an industrial tribunal, but after lengthy, fruitless and, some would say, pointless negotiation with the employer, the workers went on a legal strike—one week out, one week in. The workers are not hot-headed extremists. I know many of them personally and they are responsible people, some of whom have been employed at the factory for as long as 35 years. The union was always ready to negotiate seriously, but when the workers returned to work—I accompanied them early that morning when they decided to go back—the employer came to the gate to lock them out personally. The strike continued and the union continued to press the case and tried to negotiate, but got no serious response, and the workers were all sacked after eight weeks. That is how the situation stands after 63 weeks on the picket line.

The workers are out. They have the overwhelming support of the community and of others from trade unions and political parties far and wide. They are waiting for their case to be heard by the tribunal, but that will not happen until October, so the practical effect of the eight-week rule, introduced by new Labour, is 63 weeks on the picket line and a wait until October.

The question for us to consider is how the eight-week rule came about. The aim of the Act, according to the Secretary of State in the White Paper, is to

> "promote the best of modern employment relationships in all our companies, encouraging a culture of fairness and trust in the workplace."

Like previous speakers, I commend that aim. According to the Prime Minister, the Act was introduced to

> "replace the notion of conflict between employers and employees with the promotion of partnership—"

Another laudable aim. At paragraph 4.22, the White Paper states:

> "Government believes that in general employees dismissed for taking part in lawful organised official industrial action should have the right to complain of unfair dismissal to a tribunal."

However, it contains no mention of a timeframe for dismissal.

The Government called for views to be expressed. The opinion of the Confederation of British Industry is direct, as it specifically suggested that

> "any legislation in this area must specify that the fairness of dismissal should be assessed solely against established criteria, and not in light of whether the industrial action itself was justified."

In other words, the particular circumstances of the case should not be taken into account. The CBI proposed that employers should be able to put their employees on notice of, say, 28 days, but that further participation in the strike would lead to dismissal. That proposal is the first mention of a time limit in relation to industrial action. The TUC, however, argued that dismissing a striking employee should be automatically unfair. Which side prevailed?

In a letter to the CBI and the TUC, the Secretary of State for Trade and Industry said:

> "We will also provide protection for those engaged in lawfully organised official industrial action. It will be automatically unfair to dismiss employees for the first eight weeks of the action."

The period was not 28 days, but it certainly was not unlimited. The Secretary of State continued:

> "Thereafter dismissal will be fair provided that the employer has taken all reasonable procedural steps to resolve the dispute."

That is how the situation lies for the Friction Dynamex workers.

The Secretary of State's statement is the first available confirmation that we have found that the Government have adopted the eight-week timetable for unfair dismissal. Although he gave no reasons for their decision, and although there was little debate in the Chamber or in the other place in 1998, the timetable is one component of the White Paper on which the Government requested views. As I have outlined, we knew who was in favour of a time limit, and it was certainly not the unions.

I should make it clear, however, that there has been much criticism of the eight-week rule from some Labour Members, and I commend them for their consistency and their commitment to a just system.

I end my brief contribution with a quote from Bill Morris, general secretary of the Transport and General Workers Union:

> "It is regrettable that the employers' amendments, clearly designed to wreck the principles of fairness and social justice in the workplace, have been accommodated."

They were accommodated by a new Labour Government and by the former Secretary of State, the right hon. Member for Hartlepool (Mr. Mandelson), who is the architect of the new Labour project.

11.36 am

David Hamilton (Midlothian): I, too, shall be brief. I may be one of the 16 Labour Members mentioned by the RMT, but I still have not been informed about that and, like most people, I have only read about recent events in the papers. The differences between various trade unions and the leadership of the Labour party and the Government will continue, because that is how things will be. The unions are there to a do a job and to protect the interests of the people they represent, and that is as it should be. Let us go back a bit, however, and think about the trade union movement.

I come from a mining background, and I spent 20 years in the coal industry. I came through a national dispute and was sacked for my troubles. It is laughable for Opposition Members to talk about trade unions being political, because the Conservatives took political decisions to take out trade unions. When the Conservatives were in opposition in 1979, the Ridley report said that they would have to take one or two trade unions out to defeat the trade union movement, and they knew that opposition in the House would not be enough. They had to take the trade union and labour movements out because they saw them as the real offenders.

The Ridley report made it clear that the dockers' union posed a problem because it could stifle the country, and the Conservatives realised that legislation would have to be changed so that it could not do so. The miners were identified as the vanguard of the movement, and unfortunately for me—or perhaps not, given that I am here in this place—I was one of the casualties.

Mr. Robathan: Will the hon. Gentleman give way?

David Hamilton: I might come back to the hon. Gentleman later.

In fact, the hon. Member for Blaby (Mr. Robathan), or perhaps it is Blabby—[Hon. Members: "Blaby."] Perhaps it is Blether, but never mind. The hon. Gentleman said that trade unions should deal with the workplace and nothing else. Let us consider four issues—health and safety, wages, better hours and better pensions, and workers' rights. With the exception of wages, every one has been and must be debated in the House. Indeed, some hon. Members used yesterday's pensions debate to focus on workers' rights, workplace pensions, wages and conditions. The House will always be inextricably linked with the rights of ordinary working people.

On health and safety, hon. Members may recall the Samuel commission of 1926. The House had to legislate for miners to work shifts of seven and a quarter hours, because employers were making them work much longer. Even in the 1970s, however, miners were killed at Markham Main colliery. They were not even being paid a penny some of the time, because their terms and conditions made it clear that the walking time and winding time involved in going down the pit belonged to the employer, not the employee.

Health and safety legislation must be passed by the House, and it exists to protect workers who are not protected by trade union rights.

Mr. Robathan: I entirely agree that trade unions should have a role in representing their members on matters such as health and safety, but the hon. Gentleman seemed to defend a position in which dockers could stifle the country and override a democratically elected Government. That is a strange position to take.

David Hamilton: It is not a strange position, and the matter is clear. Employees are entitled to be represented, and the people they elect represent their interests. If the conditions that they work under are so bad that they feel it necessary to go into dispute, that is their right. The hon. Gentleman and some Governments would have that right withdrawn, but this Government would not. Like many Labour Members, I would fight tenaciously against the imposition of any such changes.

I have mentioned better hours, conditions and pensions, but workers' rights are instrumental in establishing how fast the movement can work. The Government still have a long way to go, although they are showing signs that they will consider other necessary changes. The relationship between trade unions and the Government will survive, even though trade union leaders and Ministers come and go, as will politicians, sometimes quicker than they think. The 6 million trade unionists in the movement are what matter. We should never forget that Labour Members at least are here to represent those people's interests outside the workplace, which are as important as their rights in it.

Mr. Deputy Speaker: I advise hon. Members to disregard the times on the Annunciator, which I understand are normally controlled by radio signals from Rugby. For some reason, those Rugby signals must be offside, so we should go by the times on the other clock.

11.41 am

Mr. Tony Lloyd (Manchester, Central): I always assumed that the times were controlled by radio signals from the Deputy Speaker.

I congratulate my hon. Friend the Member for East Lothian (Anne Picking) on initiating this important debate. Many issues in our society come down to the basic rights of individuals to be members of trade unions, and to work collectively with their fellow workers.

Before I come to the meat and drink of my speech, I want to say to the hon. Member for Blaby (Mr. Robathan) that his constituency has a rather appropriate name, as it could be pronounced "Blabby". I do not think that it would be out of order for me to say that his speech was contemptible—but that will be a matter of opinion.

My hon. Friend the Member for Harrow, West (Mr. Thomas) referred to yesterday's decision of the European Court of Human Rights. I hope that the Minister will reflect on that judgment in his winding-up speech. The court held that it was an erosion and a breach of the human rights of individual workers for employers to insist on negotiating individually and buying out the right to collective bargaining.

That judgment is important, as it establishes at the highest legal level the legitimacy of collective bargaining as a way to promote the rights of individuals. They are better served not by negotiating on an individual basis, but by operating collectively. I hope that the Minister will suggest what the Government intend to do about that, as legislation is needed if we are to bring our law into shape to match the judgment.

I want to pick up part of the good speech made by my hon. Friend the Member for Midlothian (David Hamilton). It is absolutely legitimate for trade unions and trade unionists to campaign politically. It would be an outrageous abuse of their rights in a free society if that position were eroded. It is right and proper that everything that the trade union movement does that

[Mr. Tony Lloyd]

reflects on the needs of its members is translated, where necessary, through collective action that brings matters to the House of Commons, and a legislative conclusion.

Health and safety is a fundamental example of why that has to happen. A Labour Government introduced the Health and Safety at Work, etc. Act 1974, which was a pioneering piece of legislation. It established a basis for partnership and the roles of the safety representative and the safety committee. Where it has been put into operation, it has been possible to measure the reduction in accidents and injuries in the workplace as a result of that partnership working. In a company that has both safety representatives and a safety committee, the accident rate is something like half of that in equivalent organisations without such a system.

Partnership works. When trade unions are trusted and are seen as part of the process, not only health and safety but many other areas become manageable. Work-related injury and illness cost the country some £19 billion. We have a huge motivation to make sure that the health and safety partnership works not just well—as it does in many cases—but better, so that we can reduce both the human tragedy and the economic cost.

Other hon. Members want to speak, so I shall curtail my remarks. The Government have introduced a statutory role for union learning representatives. That sensible decision was resisted by the official Opposition, which saw it as a terrible thing. The brutal truth is that unless trade unions are part of the process of upskilling the country, we shall suffer from the malaise of a low-skilled work force. One in five of the British work force have serious problems in that they lack basic educational skills. Previous Conservative Governments deserve a lot of condemnation for the way in which they eroded standards in our schools, and more for the fact that they are not prepared to support the role of the union learning representative in upskilling and building the educational skills base of the work force.

Mr. Philip Hammond (Runnymede and Weybridge): Will the hon. Gentleman give way?

Mr. Lloyd: If the intervention is very brief.

Mr. Hammond: To be fair, the hon. Gentleman should remind the Chamber that the position of the official Opposition is that we acknowledge the value of union learning representatives where they are appointed by consensus between the employer and the unions. What we doubt is the efficacy of imposing them by legislation.

Mr. Lloyd: Those are weasel words. Opposition Members pretend to use the language of co-operation, but will do everything they can do to prevent it from operating in practice.

The Government still have a lot to do if they are to provide a level playing field for employers and employees. The review of the Employment Relations Act 1999 and the implementation of the draft directive on information and consultation must be meaningful and give real rights to people at work. If they do not, the Government will be failing people who deserve better from us—those who have supported us for many years through the trade union movement. They need our help and it is legitimate for us to give it.

11.48 am

Jim Sheridan (West Renfrewshire): I congratulate my hon. Friend the Member for East Lothian (Anne Picking) on having secured this important debate. We have a track record of representing workers in the workplace, particularly in difficult times. Trade unions are like democratically elected Governments—they are the legitimate voice of workers in Britain. If we did not have trade unions, we should be looking for a way of inventing them. I am proud to say, as a member of the Transport and General Workers Union—

Mr. Hammond: Will the hon. Gentleman remind us what percentage of workers in Britain are members of trade unions?

Jim Sheridan: I do not have those figures. *[Interruption.]* There are about 6.6 million people. I shall cover that point later in my contribution.

I am proud to say, as a member of the TGWU, that no organisation other than the trade union movement would have survived the pernicious attacks on it by the Conservative Government, which are the reason why there are only 6.6 million union members in Britain.

I, too, come from a manufacturing background, and I am proud of it. I was fortunate to work for a company that recognised the benefits of working with a responsible trade union. That company came through difficult times and worked along with the trade union to ensure its long-term security, and I am proud to say that it still exists and is growing.

The benefits of trade unions are collectiveness and, most importantly, unity in strength and numbers. After the pernicious attacks by Conservative Governments, even today there is anecdotal evidence of companies continuing to discourage people from joining a legitimate trade union. Current employment legislation is welcome, but it should be enhanced.

The hon. Member for Caernarfon (Hywel Williams) mentioned the case of Friction Dynamex. That is a disgraceful dispute; what those workers have been put through should be highlighted at every opportunity, and I hope that my hon. Friend the Minister will take that on board.

Mr. Alistair Carmichael (Orkney and Shetland): Is the hon. Gentleman aware of the situation on many merchant ships that are coming under the red ensign as a result of the tax benefits that the Government have introduced? Workers on merchant ships and ferries work under contracts that exclude the right to join a union. Does he not think it ironic that a Labour Government should give tax breaks to bring in shipping, but not protect workers' rights?

Jim Sheridan: To be honest, I am not aware of that situation, but I am sure that the Minister will consider the question.

I return to the point about employers discouraging employees from joining trade unions. There is anecdotal evidence in my constituency of trade unionists handing out leaflets outside the factory gates, only for the director or supervisor to tell employees, when they go inside the factory gates, that if they want to join a particular union the management will help them fill in the forms—and then give them their jackets on their way out. That is why only 6.6 million people have joined trade unions in Great Britain—they are actively discouraged from joining a trade union because of the fear of being sacked.

The Government have created an environment in which people are happy to join a trade union provided that they do not get the sack for doing so, but it is still important that the Government give some thought to what the trade unions are saying. Trade unions should influence the Government by argument, not through how much money they give the Government, the party or individual Members of Parliament.

11.52 am

Mr. Bill Tynan (Hamilton, South): Thank you for calling me, Mr. Deputy Speaker; I was beginning to think that I was going to miss the opportunity to say what a pleasure it was to participate in the debate. Now that I have that opportunity, I congratulate my hon. Friend the Member for East Lothian (Anne Picking) on securing this important debate. The *Official Report* record of the debate should be essential reading for every trade unionist in the country, because it puts into context the difference in viewpoint between the Opposition parties and the Labour party.

There is a need for partnership between the trade unions and the Government. I make no apologies for having been a member of the Amalgamated Engineering and Electrical Union, as it then was—it is now Amicus—since 1964. During that time I have been a shop steward, a convenor of a large factory and a full-time union official. I know better than most the need for trade unionism for the people of this country. I was a full-time union official during the dark years of Thatcherism, and I welcome the fact that the Labour Government treat workers with fairness, after the vindictiveness with which Tory Governments treated them. Conservative Members may smirk, but I can give them an example.

I remember a small factory called Craven Tasker Trailers in Cumbernauld, in which the union had many members—I sympathise with the constituents of the hon. Member for Caernarfon (Hywel Williams) in this regard. Most employees in the plant had worked there for 30 to 35 years. They were affected by the legislation passed by the Tory Government. I do not blame Thatcher, I blame the Tory Government for the legislation, because it was very vindictive towards ordinary people—not the union leaders, as was alleged. It affected the conditions in which ordinary people worked. They often found themselves under pressure to accept a standstill in wages or a deterioration in conditions. They also had to accept, if they were trade union representatives, that they could be targeted by the Government or their employer. That was the tragedy and unfairness of that time.

The employees of that small company decided to go for a wage increase, and were put in a position where they had no alternative but to take strike action. We went through the tortuous process of giving the name of every individual employee, letting the company examine that list and then seeking agreement from the trade union executive for the strike to take place. That is what had to happen. The employees then decided to take strike action. Within two days, every one of them was dismissed—35 years of service down the tube. I was so upset as a union official that I asked to meet the managing director. I met him and his answer was, "They betrayed the company."

The employees were on strike for 12 months. I went to the picket line every day and I remember the despair in their faces. We should think about that when we consider the fairness of the relationship between work forces and the Government. I am delighted with what has been done, and with the progress that this Government have delivered; I have a list of 19 points, but I do not have time to go through them all. However, it is important to recognise what has been done. My hon. Friend the Member for East Lothian said that there was more to be done to ensure that the people of this country and their conditions of work are protected, and I think that we can do that.

However, I do not believe that any trade union has the right to dictate to Members of Parliament what they should support. Unions should have the right to campaign on their issues, on wages and conditions—but to tell an MP that he or she must support a particular line is the wrong way for a trade union to act, and I deplore it.

There is a need for partnership between the Government and trade unions, and in the workplace. That happens in many workplaces, but there are still bad employers who abuse their work forces. Those work forces need our support and our help. It is essential that we recognise that fact, and that trade unions are given an opportunity to defend their members and the weapons to do so, because they need weapons on occasion.

It is essential for those on the Front Bench to make it clear exactly where the Labour party stands on this issue. We need to go further with trade union legislation, but that should be done on a fair basis, recognising people's need for membership of trade unions and the potential for partnership.

11.58 am

Dr. Vincent Cable (Twickenham): I add my congratulations to the hon. Member for East Lothian (Anne Picking), not merely on introducing an important subject but on the way in which she did so. I have sat through many debates in this Chamber in which the opening speaker has gone on for 35 or 40 minutes. She said what she had to say in six minutes, which is an example to us all.

There are two debates going on here. One is a practical debate about modern trade unionism and employment rights, which is where we should be concentrating our energy. The other is a separate, parallel debate about the politics of the matter, and what I think is still called the Labour movement. The British structure has been in place for a century, since the break up of the Liberal party in the first part of the 20th century. The unique link between the trade union movement and one political party is very odd. That is not how unions operate in the rest of Europe, where

[Dr. Vincent Cable]

there is a multiplicity of political associations and links with the Church, or no links with any parties at all. It is an odd relationship, which, frankly, is becoming embarrassing and out of date on both sides. I shall leave that to Labour Members to resolve because I want to return to the essentially practical issues relating to modern trade unionism.

The trade union movement has changed out of all recognition during the past 20 years, for two basic reasons: first, as a result of a process of legislative reform, which started under the late Barbara Castle and was carried through by Conservative Governments. As in many other areas, the Conservatives went to excess, but many of the reforms had to happen—as most trade unionists privately acknowledge. Secondly, and probably more important than legislative reform, is the change in the economy. Less than 20 per cent of the labour force is now employed in manufacturing industry and mining, and most people now work in the service sector. There is hardly any manufacturing in my constituency. Everyone works in services, especially information-based services, so trade unions have had to come to terms with a very different environment and make themselves relevant in that environment. The more forward-looking trade unions and the TUC are doing that.

Trade unions now perform three key roles. The first, which was mentioned by the hon. Member for Strathkelvin and Bearsden (Mr. Lyons), is the development of the concept of partnership working, initiated in the 1980s by the engineering unions, when they were trying to make sense of conflicts in the car industry and other engineering industries by trying to adopt a more positive approach to productivity improvements. That helped to turn round the car industry. It is the new philosophy on the manufacturing side of the trade union movement, and it is very welcome.

Trade unions are also beginning to realise that their real role is defending individuals in the workplace, because in most companies, even fairly well-managed companies, there will be unfair dismissal, abuse and discrimination. At my surgery last Friday I heard about a typical case, in which the employer at an American-owned factory in the nearby constituency of Brentford and Isleworth disowned its final salary pension scheme. It closed the scheme to existing members and then, when they retired, their entitlements were halved. That basically amounts to stealing, and it is an appalling situation, but the employees were not unionised. They were relying on their trustees, who were ineffective. That is precisely the sort of situation in which a trade union, with proper professional back-up, can help workers.

The third positive advance, which has been led by the TUC, is understanding—this was not understood 20 years ago—that economic stability and a low inflation environment are in the interests of trade unions. We now have lower unemployment than we have had for a generation, partly because we have low and predictable inflation. The trade unions have supported the policies that produced that situation. They have also supported the principle of Britain being part of an open economy within Europe and the rest of the world. That is very different from the attitude of many French or American trade unions, which have led the protest against international trade. In all those respects, the British trade union movement has played a constructive role, although often in very quiet ways.

In certain areas, trade unions have achieved significant advances in the past few years. The most important of those is the introduction of the minimum wage. I admit that I was critical of that concept, having seen how it operates in other countries, such as France, where a high minimum wage is applied rigidly, undoubtedly causing relatively high rates of unemployment, especially among younger workers. Many of us feared that if that system were transplanted to Britain, it would cause considerable damage, but the minimum wage has been introduced in a consensual way, taking into account the economic consequenees, and has been positive. We want the minimum wage to be extended to younger workers, but the way in which it has been introduced is a credit to all the three partners involved.

There has also been a welcome advance in relation to parental leave and recognition of the need for flexibility for families. I welcome that change. As the hon. Member for Manchester, Central (Mr. Lloyd) emphasised, the trade unions have been increasingly involved in learning and skills activities, which is also welcome. Evidence shows that trade union officials are now much more actively involved in supporting individuals with grievance procedures. They now have that right, which is an important advance.

In several respects, the Liberal Democrats would like employment rights to be enhanced. The first, which the hon. Gentleman also touched on, is consultation. Many of us were shocked last year by how the Vauxhall redundancies were announced. There was no warning or consultation, and people heard about losing their jobs over the radio. That was unacceptable. Clearly, we have to fashion a British solution, not merely some Europe-imposed general practice. An entitlement to consultation seems an essential employment right, and we strongly support that principle.

Similarly, more can be done to enhance labour rights in connection with work flexibility. That may come through in statutory instruments following the Enterprise Bill, but the principle of workers being entitled to flexibility and being able to pursue through an arbitration procedure cases in which an employer is unreasonable seems a necessary extension of workers' rights.

The old unionism is still around, and it is a problem in two regards. We experienced the first last year—it has now died down—through the action taken in public services, especially on the railways. I do not apportion blame to Stagecoach or the RMT—they were probably both responsible—but the action almost brought the rail system to a halt. The fact that a relatively small group of people can bring the infrastructure of the country to a halt is wrong. I support the principle of legislation to deal with public sector strikes through compulsory arbitration. That would not lean to one side or the other, but would prevent such disruption on a large scale. On that issue, we disagree with some of the more militant trade unions.

My final point relates to the politics of the subject, and to what I said earlier about the trade union movement. A situation in which one political party relies on heavy funding from one interest group is becoming increasingly obsolete, just as it is wrong for a party to rely on big business donations. One of the reasons why the Government pursued business donations was that they did not want to become over-dependent on the trade unions—and they had got themselves into bed with some questionable business people.

That is not in the interests of the Government or the public. We want comprehensive reform of the system of political donations, so that parties are state funded, topped up by small private donations without any vested interests involved. If that system was cleaned up, there would be an end to the acrimonious and unhelpful debate about political influence, and the trade unions could get on better with the job of defending their members, which they are increasingly showing that they can do in a modern economy.

12.8 pm

Mr. Philip Hammond (Runnymede and Weybridge): I too congratulate the hon. Member for East Lothian (Anne Picking) on securing the debate—but I am not entirely sure that her success will have been greeted with such glee in the Treasury, the Department of Trade and Industry and No. 10.

Some of the debate has struck me as taking place in a time warp. The hon. Lady spoke of the Government having the trade union movement at their very core, and the hon. Member for Caernarfon (Hywel Williams) regaled us with stories of picket lines. However, it has been an interesting debate. At first glance, there is a temptation for the Opposition to treat the debate as a bit of private grief between the Labour party and the trade unions—a lovers' tiff, as the Labour party tries to face both ways at once, with the Liberal Democrats snapping at its heels, hoping perhaps to pick up some titbits.

The Government have performed a rather cynical balancing act as they have attempted to extract money from both sides, but that has inevitably started to alienate both sides. The trade unions, unsurprisingly, feel that they have substantially funded the Labour party's remarkable electoral success, and they expect a commensurate influence on policy. Business people believe that they have bent over backwards to nurture a relationship with the Government over the past five years, but they have finally realised that there is nothing in it for them. That was illustrated by the Chancellor's lack of consultation with business before the Budget blow on national insurance contributions was announced.

We could treat this matter as a private grief, and I could recite the litany of embarrassments that the Government have suffered recently. My hon. Friend the Member for Blaby (Mr. Robathan) has already referred to the Deputy Prime Minister's problems, and to the RMT's blatant attempts to control the behaviour of Members whose constituency parties are receiving financial support. A few days ago, even the secretary general of the TUC described the Prime Minister as "bloody stupid"—a view that Conservative Members share. Something is afoot when even a moderate TUC secretary general makes such a comment about a Labour Prime Minister.

People who take £9 million of funding from an organisation to fight an election, and win it, should, if they are sensible, expect the organisation to come knocking at their door—and also expect that, whatever they do, it will be hard to satisfy entirely.

Mr. Lloyd: The relationship between the trade union movement and the Labour party has always been crystal clear, because it has always been published. The unions take part in Labour's conference and any money given is recorded. In the context of his example, can the hon. Gentleman tell us what the Conservative Government gave to the foreign shipowners, or to others whose records have never been published, who contributed to the Tory party when it was in government? Does he agree that we should publish those records to answer that question?

Mr. Hammond: I do not think that the fact that the situation is transparent and open makes it right—*[Interruption.]*. I shall deal with the issue of business contributions in a moment.

Mr. Robathan: The hon. Member for Manchester, Central (Mr. Lloyd) is incorrect: agreements between constituency parties and trade unions do not have to be declared. That is how the Deputy Prime Minister managed not to declare his links with RMT even while he was Transport Secretary.

Mr. Hammond: I am grateful to my hon. Friend for that information.

My point is that a party that takes £9 million from an organisation to win an election, which it then wins, should expect the organisation to have demands and to want to influence policy. One can also expect that one demand will lead to another. The Communication Workers Union forced the Government to back down on the threshold value for liberalisation of postal services after a confrontation at the 1999 Labour party conference. Earlier this year, a disenchanted CWU worker wrote to the *The Guardian*:

> "I object to the claim that Tony Blair has done favours for anyone who makes a large donation . . . Our union, the CWU, has donated more than £1m in the last year and he has done sod all for us."

The Labour party has sought and procured donations from business, but they have come from individuals in business, not organisations; the party has not secured donations from representative business organisations. In scandal after scandal in recent years, we have seen how the Labour Government repay their debts to individual business donors—through specific favours to individual companies or entrepreneurs, such as through exemptions from legislation, clearance of takeovers, public sector contracts, peerages and jobs in public and quasi-public bodies.

Unfortunately, we cannot treat the matter simply as private grief because when the Labour party decides, for whatever reason, to bend to the demands of its trade union paymasters, British business and British working people will pay Labour's election debts. As the support for the Labour party from business and the middle England floating voter erodes, Labour will clearly be driven back into the arms of its traditional supporters in the trade unions.

Jim Sheridan: I hope that the hon. Gentleman will address the problem that workers are concerned about in Britain. In the unlikely event of a Tory Government being re-elected, what changes would he make to current employment legislation? Would he change it or would he keep it?

Mr. Hammond: That is an interesting point. If the hon. Gentleman had been a member of the Committee considering the Employment Bill and had listened to what employer and business organisations are saying, he would have a sense that the measures that have been introduced are just about tolerable for business to carry on functioning effectively and competitively with our European neighbours. We have reached the point at which the imposition of further inflexibilities in the labour market will take us down a route that leads to a substantial loss of competitiveness, which will ultimately lead to job losses. That would not do anybody in this country any good.

I want to step back and talk about the two distinct groups that I perceive in the trade union movement. We often talk about the unions, but it seems to me that there are two distinct groups. I am happy to agree with the hon. Member for Manchester, Central (Mr. Lloyd), who said that private sector unions have, for the most part, changed the way in which they operate. They engage constructively with employers in most cases, and play a constructive and important role in the workplace on issues such as education and health and safety. That part of the equation is generally working well. Nowadays, private sector unions seek to create, through pressure in Brussels and Westminster, a legislative and regulatory environment that moves the framework within which they negotiate at workplace level with employers further and further in their favour. That is a legitimate political objective for organised labour and that is the way in which they go about it. The problem, as the hon. Member for Twickenham (Dr. Cable) said, is that that movement is associated with a single political party in this country.

The Employment Relations Act 1999 has barely bedded in. The Employment Bill, which gives further concessions to the trade union agenda, has not even finished its passage through the House, yet the Government are trumpeting their review of workers' rights. We need to know whether that is simply a sham to silence dissent from the Government's trade union supporters, whether the Government are simply stalling for time, or whether their serious intention is to impose further burdens on business that will have long-term damaging effects on the UK economy. Given the Government's position, I was not surprised to hear John Monks saying that the unions were back in business.

I would never suggest that unions do not have a legitimate role to play, and I have had that debate with the hon. Member for Manchester, Central, who is an expert on those matters, during the progress of the Employment Bill. I should also like to state, for the record, that abuse does go on in the workplace. I have said to the hon. Gentleman before that where abuse is taking place we will support measures to deal with it. We are not in the business of defending abuse, but we are in the business of defending British business—and, ultimately, British workers' jobs—against the imposition of further inflexibility that will reduce competitiveness and our opportunity to compete in world markets.

It will be said, and has been said, that many of the measures that have been introduced are simply "catching us up" with the situation in our European competitor countries. Labour practices are quite different in many European countries, and Germany has 4 million people unemployed. The hon. Member for Midlothian (David Hamilton) spoke about miners and dockers, but where are those jobs now? They have gone, because they were priced out of the market by uncompetitive practices and labour inflexibility.

Mr. Tynan: Will the hon. Gentleman give way?

Mr. Hammond: No I will not, because I only have one minute left and I want to give the Minister plenty of time.

By contrast, the public sector unions have a different agenda, of attempting direct control of Government policy. Having got the Government elected in 2001, while keeping very quiet during the election campaign, they immediately popped up demanding what was, effectively, a veto over Government policy. I do not know which is more serious, the threat to British business and jobs from the relentless pressure to pursue the unions' costly agenda of employment protection legislation, or the threat to British democracy posed by their demands to have a veto over the policy of an elected democratic Government. What is certainly true beyond doubt is that as the Government's honeymoon with the middle England floating voter and with the business community comes to an end, they will be driven increasingly back into the arms of their traditional paymasters in the trades unions.

I shall finish with a short quotation that I heard on Radio 4 last week. Mr. Crow of the RMT said of the Labour party:

> "We set it up; we paid for it."

The trade union movement continues to pay for the Labour party. It paid for the election victory in 2001, and now British business, consumers, public service users—and, ultimately, workers—will pay Labour's election debts.

12.21 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): Does that speech not make you feel nostalgic, Mr. Deputy Speaker?

I congratulate my hon. Friend the Member for East Lothian (Anne Picking) and pay tribute to her work in the public sector, which underpins so much of the quality of life that we enjoy in this country. She set a high standard with her contribution, which my hon. Friends followed. They spoke with deep knowledge, experience and conviction on this important issue. I am a lifelong trade unionist and a member of the T and G and of Union of Shop, Distributive and Allied Workers, and I welcome the many constructive comments made by my hon. Friends and other hon. Members.

The job of Government is to govern in the interests of the whole country, and to build a strong, stable economy and inclusive society that spreads prosperity and provides opportunities for all. Partnerships are vital to such work, in helping to make policy, deliver change and understand needs. By working together, we have proved that we can achieve more than we ever could have achieved by operating in isolation. By sharing work, ideas, responsibility, burdens and benefits, we can resolve difficulties and disagreements and strengthen and broaden relationships.

The Government need good, effective and mature partnerships. We must work effectively with all our stakeholders if we are to work effectively for them. The fruits of co-operation are the 1.5 million jobs that have been created since 1997. The casualties of conflict were the 3 million-plus people unemployed in the 1980s. As my hon. Friend pointed out in her opening remarks, partnerships are emphatically not about favours to friends or to any of the stakeholders, but about fairness; otherwise, partnerships will not work.

Our vision at the Department of Trade and Industry is prosperity for all through successful business, world-class science and innovation and labour markets that promote fairness and flexibility. Every month, I visit world-class UK firms. Last week I was at the Institution of Mechanical Engineers awards presentation. I gave a keynote speech and met the winners of the manufacturing excellence awards for 2002. We work in partnership with business, employees and consumers to make the UK the most prosperous place in the world.

We already have the fastest growing economy of the G8 countries. To achieve our economic prosperity, we must drive up UK productivity and competitiveness and close the gap with our international competitors. Only in that way can we create more of the high-wage, high-skill, value-added jobs that we want. We know that that is a big task, because we know that our competitors are not standing still.

There are ever more challenges in the world in which we work. It is changing faster and more, with new technologies, ways of working, competitors and ideas. I saw new exciting ideas at Elvingston science centre in East Lothian, which I visited with my hon. Friend a short time ago. It is a showcase science park for micro businesses.

If we are to succeed in our aim of improving prosperity for all, we must face the challenge in partnership with business, workers, trade unions, investors, educators and many others. In that way, the partnerships can benefit all of us. They all have a crucial role in raising productivity and competitiveness individually and collectively. As a Department, we must focus on areas where we can make the greatest difference.

My hon. Friend spoke of her concern about a two-tier work force, and I am informed that if staff must transfer, the national health service private finance initiative schemes will not be approved unless the Transfer of Undertakings (Protection of Employment) Regulations 1981 are fully applied and staff are offered broadly comparable pension terms, which must be approved and certified by the Government Actuary's Department. The Department of Health is involved in discussions about the possible wider effects of contracting out, and a work programme to take that forward has been agreed by the Government.

My hon. Friend the Member for Manchester, Central (Mr. Lloyd) and other colleagues referred to the judgment of the European Court of Human Rights. The initial reading of the judgment suggests that it does little direct damage to the law on union recognition, but it strongly suggests that the law providing protection against detriment on grounds of trade union membership needs to be tightened. The Secretary of State will shortly launch a review of the Employment Relations Act 1999, which will allow us to consult on the appropriate response to that judgment.

We the DTI realise that we must ensure that there is fairness in the workplace. Trade unions, business and other stakeholders realise that we must raise our game. We must work harder at the key relationships, including those with trade unions, to deliver the increased productivity and competitiveness to which I referred earlier. That does not mean handing the DTI over to business interests. It means ensuring that everyone who can make a positive contribution is given the chance to do so.

Improvements in productivity and competitiveness are not an arid, mechanical exercise to raise industrial efficiency. We know that people's lives are improved by providing social and economic opportunities. For the Labour Government, the labour market is the point where our two overriding ambitions meet most starkly: our ambition for a dynamic, successful economy and our quest—indeed, our passion—for social justice.

The Government are often accused of being obsessed with the work ethic. As a Scot, I make no apology for that. The Labour party was created, with no small help from the trade union movement, to lift people out of poverty through the provision of work. I have seen at first hand in my constituency, as have other hon. Members, how unemployment destroys people's health, undermines their families and destroys community cohesion. I have no doubt that jobs are vital to social inclusion and social justice.

When we came into government, we were clear about our policy towards the unions. It was not to turn the clock back to the 1970s. We knew, and I believe that most unions knew, that some of the reforms of the 1980s were necessary. The unions had to modernise and reform to meet the challenges of a changing economic environment, just as individuals in business had to change. Some of the key reforms—for example, pre-strike ballots and the outlawing of secondary action—were supported in the trade union movement, and some unions had the option of a pre-strike ballot written into their rule books before legislation was introduced. However, we all know about aspects of the Conservatives' reforms that were vindictive and counter-productive. Some of my hon. Friends have spoken with deep and personal knowledge about them.

The Conservatives sought to marginalise the unions and to deny legitimate workplace representation. This Government recognise that unions have a valuable role to play in the economy and in society. That is why this Government have done more in five years to protect workers' rights through legislation than any other Government. We restored the right to join a trade union

[Nigel Griffiths]

at GCHQ within 13 days of coming to office. We introduced statutory procedures enabling unions to obtain recognition in organisations with more than 20 employees. With measures such as our landmark minimum wage, which has helped 1.5 million people and is now supported by all parties, the automatic entitlement to four weeks' paid leave, and help for the 400,000 part-time workers who now directly benefit, we have shown that our commitment is to working people—

Mr. Eric Illsley (in the Chair): Order. We must now move to the next debate.

Cancer

12.30 pm

Mrs. Marion Roe (Broxbourne): As a former Chairman of the Select Committee on Health—I chaired it for five years, during which time we undertook an inquiry into breast cancer services—and as a current chairman of the all-party group on breast cancer, I am pleased to have an opportunity to speak about the important subject of cancer prevention. It is an issue that is often neglected, and remains in the shadow of treatment and care for cancer patients. Unfortunately even the medical profession does not always give it much thought, yet it is probably the factor that could have the largest impact on the lives of the British public if more people knew how to reduce their risk of developing cancer.

People are increasingly concerned about cancer, taking a fatalistic "que sera sera" attitude. Recent press discussion about genetic links' making cancer more likely in some families than in others has added to the fear surrounding the disease. In fact, only about 2 per cent. of cancers have any genetic link. It is more likely that common lifestyles and diets in families lead to higher incidences in some families than in others.

Although it is true that cancer is the biggest cause of death in the world, with more than 10 million new cases and 6 million deaths every year, it is not as out of control as we think. According to the World Cancer Research Fund, up to 40 per cent. of cancers are preventable through diet and lifestyle alone, and the figure rises to 70 per cent. if giving up smoking is included. In global terms, that means that appropriate diets could prevent more than 4 million cases of cancer each year. Keeping alcoholic intake within the recommended limits would prevent up to 20 per cent. of cases of cancer of the aerodigestive tract, colon, rectum and breast. So this is by no means a disease to which we must resign ourselves, although currently many people do not have an opportunity to reduce their risk because they have no access to the relevant information.

An expert report called "Food, Nutrition and the Prevention of Cancer: a global perspective" reviewed more than 4,500 leading research studies from around the world in the field of diet, nutrition and cancer. It was commissioned by the World Cancer Research Fund to provide up-to-date, reliable advice for individuals on how to make the changes that can protect them from cancer. The report is currently being updated, and is an ideal source of information for policy makers and opinion formers. Unfortunately there is a surplus of inaccurate information all around us, from a variety of ill-informed sources, about healthy eating and eating for health. The public feel inundated with information but are unaware of the health benefits of eating a diet rich in vegetables and fruits and low in fat and salt.

Here is an example of good promotional practice. Cancer Research UK has teamed up with Tesco, the supermarket chain, whose headquarters are in my constituency, to promote the "five a day" campaign to the chain's 16 million customers. By actively promoting the "five a day" message, we can encourage people to improve their diet and protect the long-term health of their families. The Government and other organisations are also involved in major "five a day" initiatives.

However, how often do we see people who have given up smoking because they are afraid that they may develop cancer, but who still pile salt on their food and eat a diet high in red meat and fat or low in fresh vegetables and fruit?

Prevention is the only sensible approach to cancer. It benefits not only individuals but families, communities and national economies. The nation's health needs to improve and we can improve only if everyone, including the Government, co-operates to broadcast information such as that in the expert report to as wide an audience as possible.

As a result of the report's conclusions, the World Cancer Research Fund drew up a set of recommendations for cancer prevention that are straightforward to understand and are used by people who are concerned to reduce their risk of cancer. Many health professionals also find the recommendations an invaluable guide for advising patients on cancer prevention.

Nurses' close relationship with communities and patients means that they are ideally placed to promote healthy living. Their work ranges from that of the school nurse who gives advice on healthy eating to that of the public health nurse who explains to men in pubs about testicular cancer. Nurses work with minority groups to raise awareness of specific cancers and practice nurses play an essential role in early detection by screening and monitoring.

The trouble is that although the World Cancer Research Fund runs an extensive education and communications programme, it cannot possibly provide information to the whole population. It needs Government support in the cancer prevention arena to make progress. Its recommendations are:

> "Choose predominantly plant-based diets rich in a variety of vegetables and fruits, pulses and minimally processed, starchy staple foods.
>
> Avoid being underweight or overweight and limit weight gain during adulthood to less than 5 kg (11 pounds).
>
> If occupational activity is low or moderate, take an hour's brisk walk or similar exercise daily, and also exercise vigorously for a total of at least one hour in a week.
>
> Eat 400-800 grams (15-30 ounces) or five or more portions a day of a variety of vegetables and fruits, all year round.
>
> Eat 600-800 grams (20-30 ounces) or seven or more portions a day of a variety of cereals, pulses, roots, tubers and plantains. Choose minimally processed foods and limit the amount of refined sugar you eat or drink.
>
> Alcohol consumption is not recommended. If consumed at all, limit alcoholic drinks to less than two drinks a day for men and one for women.
>
> If eaten at all, limit intake of red meat to less than 80 grams (3 ounces) daily. It is preferable to choose fish, poultry or meat from non-domesticated animals in place of red meat.
>
> Limit consumption of fatty foods, particularly those of animal origin. Choose modest amounts of appropriate vegetable oils.
>
> Limit consumption of salted foods and use of cooking and table salt. Use herbs and spices to season foods.
>
> Do not eat food which, as a result of prolonged storage at ambient temperatures, is liable to contamination with mycotoxins.
>
> Use refrigeration and other appropriate methods to preserve perishable food.
>
> When levels of additives, contaminants and other residues are properly regulated, their presence in food and drink is not known to be harmful. However, unregulated or improper use can be a health hazard, and this applies particularly in economically developing countries.
>
> Do not eat charred food. For meat and fish eaters, avoid burning of meat juices. Consume the following only occasionally: meat and fish grilled in direct flame, cured and smoked meats."

For those who follow the recommendations, dietary supplements are probably unnecessary and possibly unhelpful for reducing cancer risk. The recommendations are consistent with guidelines for preventing other major diseases such as heart disease and strokes, and if followed will provide a healthy diet and lifestyle that will not just prevent cancer, but make people feel much better.

There is a consistent pattern showing that diets high in fruit and vegetables decrease the risk of many cancers. There is also conclusive evidence showing a link between being being overweight and higher cancer risk. In particular kidney, endometrium, colon, prostate, gall bladder, and postmenopausal breast cancers are all linked to being overweight. More than 90 per cent. of cancers have a hormonal link, and levels of hormones are all affected by overeating and being overweight. Changes in diet could prevent up to half of all cases of breast cancer and three out of four cases of stomach cancer.

The European prospective investigation into cancer and nutrition is the largest study of diet and health ever undertaken and is aimed at providing reliable information on dietary factors and cancer risk. Researchers in 10 European countries have together recruited a total of half a million men and women to the study. Cancer Research UK is providing core support for the UK arm of EPIC, which is being co-ordinated by two centres, located in Oxford and Cambridge.

In conclusion, my questions to the Minister are simple and straightforward. What are the Government's intentions with regard to cancer prevention education? Do the Government agree that cancer prevention is an important area to promote, and how do they plan to do that? How do the Government plan to make prevention of cancer a more integrated part of health service policy? I look forward to the Minister's reply.

12.42 pm

The Parliamentary Under-Secretary of State for Health (Ms Hazel Blears): I am very grateful to the hon. Member for Broxbourne (Mrs. Roe) for raising the extremely important issue of cancer prevention, and for focusing on the links between a healthy, nutritious diet and the cancers that she mentioned.

The area is very important and does not always receive the attention that it should, but I have a sense that it is becoming increasingly important and increasingly well known amongst the general public. We have an opportunity today to put some of those issues on the record and raise them even higher in the general consciousness.

As the hon. Lady said, cancer is clearly a major cause of mortality and morbidity in England. Every year, 200,000 people are diagnosed with cancer and 130,000 of those people lose their life to the disease. It is a major issue for us in this country, as it is internationally and globally. More than half of the deaths occur to people under the age of 75, so we are not just talking about elderly people approaching the end of their life. This is clearly an issue for many in the prime of life.

[Ms Hazel Blears]

There are also very wide inequalities in who gets cancer. People from deprived and less affluent backgrounds are more likely to get some types of cancer, and are more likely to die from them once they have been diagnosed. It is a very important issue for all of us. Since 1997, the Government have pledged to cut the death rate from cancer in people under 75 by at least a fifth by 2010. That is a very challenging target for us to meet. For all the families concerned, it is an incredibly important priority. In particular, we are aiming to improve the health of the worst-off, because they are more likely to suffer.

In the NHS cancer plan, we set out a comprehensive strategy to bring together prevention, screening, diagnosis and treatment, so that the whole service would be outlined within the plan. We shall try to set standards for each of those elements, because all parts of the process are equally important. It is pointless to have the most wonderful treatment in the world if we do not also focus on prevention and on getting to the causes of cancer, as the hon. Lady so ably outlined.

Preventing cancer is a key component of our approach to meeting the target for reductions. We recognise that unless we get prevention right we shall not reach the targets that we have set. Engaging the public and the professionals is absolutely key. I strongly feel that, in addition to getting the message across and dealing with health promotion, we must engage people in wanting to change their eating habits, in stopping smoking and in changing their whole lifestyle. Evidence has shown that it is not enough for Ministers to issue edicts and good advice. We need to engage people in realising why they need to change, and what they can achieve for themselves, so that they have a sense of being in control and taking responsibility for their health.

The hon. Lady rightly raised the role of smoking in causing cancer. That is pretty widely understood now. Smoking causes about a third of cancer deaths, and half of all lifelong smokers will die from their habit. Those are astounding figures. We have set tough targets on tackling smoking, and we have put a particular emphasis on trying to reduce smoking among the less affluent groups, and particularly among manual workers. Smoking has, in recent years, been more prevalent among such people than among professional groups, who have reduced smoking to a greater extent.

We have backed up the targets with pretty impressive investment. It is acknowledged in this country that we are world leaders in helping people to give up smoking. We do so through clinics, helplines, and one-to-one counselling sessions, which are incredibly popular across the country. Research shows that some 80 per cent. of smokers want to give up; only a small proportion of people want to continue. We therefore have a real responsibility to help people to give up.

We have put £46 million into public education about smoking to try to keep the message in the public consciousness. We also introduced a Bill to ban tobacco advertising, which is making its way through the House and the other place. The Bill will make good our manifesto commitment to ban tobacco advertising. Our action on tobacco is bringing about results. Between April and December last year, smoker services helped nearly 80,000 people give up smoking. That is a pretty impressive figure. Those people were followed up four weeks after they quit, and they were still not smoking then. Sometimes people relapse, and it is important that we give them a second, third and fourth chance to give up smoking, as that seems to be working.

The hon. Lady focused on the less-known relationship between cancer and diet. The link between cancer and smoking is now pretty well established in the public consciousness; another task is to get the link between cancer and diet equally well known in the wider community. There is good evidence to show that dietary factors account for about a quarter of all deaths from cancer. Dietary changes could prevent up to a third of cancers from occurring. Increasing consumption of fruit and vegetables is the most effective prevention strategy for cancer after reducing smoking. People who do not regularly eat fruit and vegetables are at greater risk of several common cancers, including colorectal and stomach cancers, as the hon. Lady said.

Eating at least five portions of fruit and vegetables a day could lead to reductions of up to 20 per cent. in deaths from chronic diseases, including heart disease and strokes as well as cancer. That is good news all the way. If we can get people to have a much better diet, not only will we strike at cancer, but we will make big inroads into heart disease and strokes. There are also less tangible benefits, including the fact that people will feel better in themselves. We need to get that message across.

Consumption of fruit and vegetables in the United Kingdom is pretty low. It is among the lowest in Europe. Although we recommend that people eat five portions of fresh fruit and vegetables a day, average consumption is just three portions a day for adults and two for children. We therefore have a long way to go. One in five children—20 per cent.—eat no fruit at all in an average week. That is a pretty damning statistic, but we are doing something about it, and I am optimistic for the future.

As in the case of smoking, there are wide class differences in people's access to fresh fruit and vegetables. Better-off professional groups eat about 50 per cent. more fresh fruit and vegetables than those in unskilled social groups. A big inequality issue is involved in this case, too, but we are making progress.

We have set up the "five a day" programme to improve access to and consumption of fruit and vegetables. The programme has several different strands. Like the hon. Lady, I was recently in a supermarket and was pleased to see that supermarkets are beginning to market their goods in relation to "five a day", trying to connect fresh fruit with processed foods and trying to give the idea that people can make a healthier meal than they have in the past. Encouraging manufacturers to be imaginative in making the programme attractive to people is important. Simply giving worthy advice will not be effective, but it is possible to affect people's shopping habits.

The new opportunities fund has made available £10 million to build on the success of the pilots that we launched in disadvantaged communities. Primary care trusts have introduced 66 new programmes in local neighbourhoods to try to make it easier for people who live in poorer areas to access fresh fruit and vegetables.

At one pilot site, in Sandwell, it was revealed that few shops in the area sold fruit and vegetables. A home delivery service was therefore set up. It attracted 200 regular customers and within about seven months average monthly household spending on fruit and vegetables more than doubled, to more than £10 a month. There was an increase in average daily consumption for everyone, from one and a half portions to three portions. That delivery service worked. People wanted to eat fresh fruit and veg, but had no shops in their local neighbourhood, and if they did not have a car, found it difficult to travel. We shall build on such pilots as we roll out the new opportunities fund resources.

We are also trying to introduce a good communications programme to spread the message and promote health. We have a "five a day" logo, which people can easily recognise when out shopping and making choices.

The big push is the free fruit in schools scheme. As I said, one in five children eat no fruit in a week, which is why we decided to concentrate on that. We started with pilots and are achieving incredibly good results. Teachers have said that the children talk about the fruit and look forward to it. There was some scepticism at first about whether children would want to eat fruit, but more than 80 per cent. are taking it up and enjoying it.

The scheme has challenged misconceptions about the way in which children view fruit. Given the opportunity, in an attractive setting, with good quality fruit, they want to take part. In virtually all the schools, teachers have welcomed the scheme as supporting their teaching and learning materials. Concerns were expressed about whether it would be an extra administrative burden on teachers, but teachers have welcomed it and incorporated it into much of their health education for children.

The national school fruit scheme is being expanded on a region-by-region basis. It has £42 million from the new opportunities fund. In the current school term, the entire west midlands region is coming on line, which will mean that about 250,000 children in almost 2,000 schools will have free fruit. From the autumn, the next regional push will be in London.

In a new innovation, we are testing the inclusion of vegetables in the scheme. From this week, 7,000 children in Sheffield and Merseyside will eat carrots or tomatoes—little cherry tomatoes, I believe, which are quite attractive—one day a week. If that goes down well, we shall consider whether vegetables can be introduced more widely. There is a widespread conception that children do not like vegetables, but if they are well presented and easy to eat, we have a real chance to change attitudes in the longer term.

The direct support of providing fruit is backed up with curriculum and teaching materials designed to encourage lifelong habits of eating fruit and vegetables in young children. It is not a one-off or just something that they do at school; they take it home with them and, I hope, influence the wider family.

The national healthy school scheme is a big programme. It is aimed at young people, in particular. It emphasises the need to consider a healthy lifestyle as a whole—not only diet, but smoking and the other issues raised by the hon. Lady, such as alcohol consumption. It is important to get across to adults the message about safe levels of alcohol consumption, too.

Regular physical activity is a key issue. It can reduce the risk of certain cancers, particularly colon cancer. We have recently announced that, with Sport England and the Countryside Agency, we shall be setting up nine physical activity community pilot schemes—one in each region—to test innovative ways to involve people in sport and active recreation, so that they can benefit from physical activity. One pilot scheme will focus on free swimming for young people. I am looking forward to when the bids come in and if hon. Members have imaginative ideas for their regions, I encourage them to ensure that they are submitted. Obesity can contribute to postmenopausal breast cancer, as the hon. Lady said, and endometrial cancer. A low-fat and low-energy diet with plenty of fruit and vegetables can lower the risk of such cancers and, together with physical activity, can make a major impact on obesity.

The hon. Lady mentioned alcohol. Its misuse is thought to be a major cause of about 3 per cent. of all cancers, especially cancer of the mouth, the larynx and the oesophagus. As the hon. Lady knows, our alcohol strategy is on track and it will be implemented by 2004. The cancer plan has brought our work together. It provided a commitment to ensure that we considered skin cancer, too, because that is all too common in the United Kingdom. Each year, there are 40,000 cases of skin cancer and about 2,500 people die from malignant melanomas. We must get the right message across to the community. Prevention is central to our strategy, in respect of not only cancer, but coronary heart disease and strokes—all those avoidable deaths, which are such a tragedy for the families involved.

It is difficult to persuade people to change the way that they live. We are all creatures of habit and, when we get into bad habits, it is difficult to get out of them. The public are well educated and they ask us for information. We must supply it. We must ensure that patients and young people—indeed, the whole community—feel that they are partners in their own care and share responsibility for it. They can make a difference to their health. That will have huge spin-offs; it will not only have a direct effect on diseases, but give people a sense of ownership of their own health condition. If people take control, that will provide health benefits. Such an agenda is becoming increasingly important to us all.

I encourage hon. Members to convey strong messages to their communities. We should take every opportunity to carry out health promotion work on public platforms and work with partners, in supermarkets, in manufacturing, or when we visit schools and talk to young people. The average daily consumption of fruit and vegetables in Greece is nine portions a day, yet our average is three portions for adults and two for children. The task before us is considerable. If the standard of our diet can reach some of the better standards of European countries, perhaps we shall experience their sunshine and that might do us some good, too. People in this country will benefit enormously from improving their

[Ms Hazel Blears]

diet. The Government are determined to do everything that we can to invest in such areas, and in exhortation and persuasion. I hope that it will make a significant difference in cancer cases and the whole range of avoidable diseases.

Mr. Eric Illsley (in the Chair): Before commencing the next debate, I should like to point out that the annunciators have broken down. Hon. Members should not rely on them for timings. The digital clock on the wall is still working.

Traffic Calming

12.59 pm

John Mann (Bassetlaw): Time may have stopped here, but the debate about road humps is only just beginning to gather pace. I note from *Hansard* that in the past 10 years there has been virtually no debate on the issue in the House of Commons or the other place. Road humps have spread like a plague across the estates and mining villages of Britain, and I assure the Minister that residents throughout the country are increasingly up in arms about that.

I tabled a parliamentary question yesterday and was referred to the "Road Safety Compendium" on the internet and in the Library. I am extremely familiar with every document in that compendium in relation to road humps—I have a copy of each document and have read and analysed them all. One interesting factor is how little research has been done on the issue over the years, in this country or abroad.

I wish to make it clear that I do not oppose traffic calming or the reduction of speeds—far from it. I have campaigned vigorously in my constituency for the introduction of speed cameras on the A361, for example, where, sadly, a significant number of people have died in car crashes. One irony is that the county council that introduced road humps in my area and other parts of Nottinghamshire is the one that refuses to bring in speed cameras because it does not believe in their effectiveness or that the case for them has been proven. I hope that the Government will make it impossible for local authorities to opt out. When the local community and the police want speed cameras, they should have them on death roads such as the A631. However, that is not the purpose of this debate.

The compendium to which I referred makes great play throughout of the requirement for consultation on the effectiveness of any traffic-calming method. I congratulate the Minister and the Government on their home zones initiative, which takes the concept of consultation far further by involving the community in the design of road safety. It is noticeable that home zones are both popular and effective and I would welcome them in my area. Sadly, that is not what we have.

I did a poll of the residents of Manton village and 1,836 households responded. Of those, 97.7 per cent. were in favour of the removal of the road humps and 1.8 per cent. were against. Such majorities are unheard of these days, even in North Korea or Cuba. The view of the local people is clear and goes beyond the advice given to me by officials in the Department for Transport, who tell me that they would normally expect approximately a third of the population to be hostile to traffic calming. In my constituency, in essence, three thirds are opposed.

Road humps are not only a local problem. On 30 April, *The Times* reported on the front page that the social exclusion unit was going to introduce road humps specifically on council estates throughout Britain. Following that report, I invited the social exclusion unit to my constituency, and its members were in the Manton estate on Friday. They witnessed the problem. One hundred and twenty different sets of road humps were ~~put into one~~ mining village in 1995.

I have analysed the statistics on accidents, which show only that statistics can be used in many ways. More than a quarter of accidents happened not in the village but on the main road, which does not surprise me. I especially like to see road safety on main roads. More than a quarter of the accidents happened on one main road, not inside the village, but the statistics were used as the rationale for introducing road humps.

Sleeping policemen were used. The Royal Automobile Club wrote to me this morning and it is interesting that it does not differentiate between sleeping policemen and cushion humps, but I shall for the purpose of this debate because there is a crucial difference. People in Manton do not demand sleeping policemen everywhere, but they are comfortable enough with them. On one road with sleeping policemen, the number of accidents reduced from seven to one. That is the most effective reduction on any street in the entire village.

I oppose speed cushions rather than other forms of road hump. They were developed in Germany and introduced in 1992. They were meant to assist the emergency services while reducing vehicle speeds. In other words, they are especially designed to allow emergency service vehicles to pass down main roads quickly. Transport advisory leaflets Nos. 498 and 198 specifically relate to the fact that such vehicles can straddle the humps.

Let me outline my objections, the first of which is discomfort. In mining villages such as Manton, which has been plagued by road humps, a disproportionate number of people have back complaints because people who have worked down the pit are more likely to have a back complaint. The irony in Manton is that the pensioner bungalows are at the top end of the estate, and pensioners who do not drive and must use the bus are those who are most vigorous in leading the campaign against speed humps, rather than motorists. The question of discomfort is not to be taken lightly, especially in mining villages and estates throughout the country.

I have raised my second objection with the county council. Why do these humps get stuck in mining villages and estates? I do not find them in private housing estates in my area, which are the wealthier estates. My objection is precisely to the attempt to dump more of them in working-class areas, which the social exclusion unit allegedly—according to *The Times*—attempted to pursue. That exacerbates local opposition.

Mr. Anthony Steen (Totnes): Will the hon. Gentleman give way?

John Mann: May I make further progress?

My third objection relates to cars' ability to straddle speed humps. Not only emergency service vehicles straddle them; cars also do. Cars go to the centre of the road or drive around the humps. Bollards must be put on pavements and cyclists cannot get through. The plague on estates today is motor cycles. What do motor cycles do? They go through the middle of cushion humps or use them as take-off ramps. The key point is that the humps do not work.

The speed humps are not intended to be sited at pedestrian crossing points. However, their built-in design features mean that the most vulnerable pedestrians use them as crossing points because they often create a central reservation. Consequently, pensioners and young children use them as a halfway point when crossing the road. People not only go against the Government's advice to cross at the humps, but are attracted to crossing there. Indeed, the question whether pensioners could sue if they trip over the humps might be more important as they start to take action against the authorities that put the humps in.

All the guidance fails to incorporate the fact that there are fewer people with garages on these estates. Therefore, there is more on-street parking, but the guidance makes virtually no reference to that. Officials visit the Manton estate to make their reports on vehicle speed during the day when no cars are parked on the streets. They should see the streets in the evening when they are packed full of cars. Motorists cannot take the humps as they are meant to because of parked cars throughout the estate. That is a fundamental design flaw of the speed cushions. Owing to the guidelines, more speed cushions are required than other forms of traffic calming, such as chicanes or sleeping policemen.

I mentioned motor cycles because drivers of stolen vehicles are not keen to slow down for speed humps. Indeed, if such obstacles are in the way, they add to excitement, which has been a particular problem. The damage that the humps cause to cars is not high in terms of road safety considerations, but I tell hon. Members that many of the people who live on these estates cannot afford to repair broken exhausts, but they get two or three of them because they have to cross those humps. The speed at which they cross the humps does not alter the risk of their exhausts breaking. That is my contention—and that of many local people. Indeed, some people suggest that cars are more likely to be damaged if they go over them at slow speeds—for example, 10 mph. That is another design flaw. No research has been done on that, but it should be done.

My next objection is based on empirical evidence. It is more comfortable to drive over these cushion humps at a higher speed. I demonstrated that—although I did not drive faster than 30 mph, because I am an elected politician. I drove over the humps at 10, 15, 20 and 30 mph with people from the social exclusion unit. They may reach their own conclusions, but they, like me, were able to make comparisons, and it is more uncomfortable to drive over those humps at 15 than at 20 mph, and at 20 than at 30 mph: and yet they are meant to reduce speed. On Manton, there is no evidence that the speedsters slow down. It is the pensioners and other safer drivers who reduce their speed and get maximum discomfort, but they were going slowly in the first place.

I shall now discuss noise and emissions. Those are not major considerations, but the stop-go of traffic that is caused by the humps leads to people objecting to the noise, and to emissions, which is an important factor when we bear in mind the Kyoto emission targets. People ask, "Why should we have to put up with all this, when the wealthier private estates do not have any cushion humps?" Such factors reinforce local public opinion.

The humps were designed for the emergency services. In my area, those services—such as the ambulance service—submitted letters objecting to the scheme because it slows down emergency vehicles; it makes them travel at an average speed of about 15 mph. There

[John Mann]

are 17 road humps on the journey from the top of the estate to the bottom, where the pensioners are, and there are 17 of them on the journey back. That adds about eight and a half minutes to the journey time of emergency service vehicles. Some of my constituents are seriously affected by that—such as a woman with a broken back who has to go over those 17 road humps to get to hospital. In the light of such situations, it is hard for the authorities to win their case on this particular type of traffic-calming scheme.

Not only the ambulance service is hostile to that scheme. In Nottinghamshire, we have the absurdity that the wheel axis of the fire engines is too small for them to be able to straddle these road humps, so that, in our authority, the humps fail to do what they are designed to do. Therefore, the fire service is also delayed—and, consequently, it also objects. The police are hostile too, because of the effect of the humps on their response times.

Having driven the people from the social exclusion unit over 500 humps in a car, I thought I had better make sure that they fully appreciated the situation, so I took them on a bus. Therefore, they enjoyed the pleasures of travelling on the bus routes of Manton. It is not for me to speak on their behalf about whether they were convinced of my case, but they have a full picture of how uncomfortable it is to sit on the back seat of a Stagecoach Mini-hopper as it goes over the humps on that estate. Local people who have to use the buses because they do not have cars are particularly angry.

The people from the social exclusion unit also witnessed the beautiful irony that the buses could not pass along all the roads because cars park next to the road humps and use them as a safety protector, and because of the bollards that have been put up to stop people driving around them. Bus drivers have to knock on doors to ask the owners of cars to move them so that the buses can get through. That is not funny for someone who is driving an ambulance to an emergency.

The final indignity is the one that has got people going the most. There are 20 road humps on the journey from St. Paul's church to the cemetery in Worksop. I imagine that the person who is being carried in the hearse is no longer able to complain about that, but the families in the cortege also have to cross those humps. Some funeral directors are now refusing to allow their limousines to take people from Manton, because the vehicles suffer the same kind of damage that the ambulance and fire services have reported to me that their vehicles suffer. That makes the funeral directors the most hostile people to this scheme.

There are alternatives. I have proposed a 20 mph zone, I should like to see the use of sleeping policemen where necessary and I should be happy with chicanes, as used in Manchester and recommended in the United States by the emergency services. Crucially, I should like to see consultation on and expansion of the home zone concept, which is currently only an option for local authorities.

My recommendations are that 20 mph zones must be more easily available and that school governors should have the power to incorporate them into their school travel plans. That would be a major breakthrough. School travel plans are currently voluntary. Let us make them compulsory so that road safety is enforced on schools, not optional. It is often in schools on estates that school governors—some of whom might not be in place—have not had the time or the inclination to bring in school travel plans, unlike in more middle-class schools. Let us make those compulsory.

Let us have home zones as the recommended form of traffic calming. Let us have the powers of the emergency services strengthened in any consultation. Let us make funeral directors statutory consultees. Let us have the question of on-street parking re-examined and its impact reassessed in the departmental advice notes. That is a fundamental flaw in the current position. Finally, I suggest that the notorious and hated cushion hump be banned forthwith from every council estate and every mining village in Britain. That is what the people want, and if we have the people on our side, road safety will go forward.

1.16 pm

Mr. Anthony Steen (Totnes) *rose*—

Mr. Eric Illsley (in the Chair): Order. I can only call the hon. Gentleman if he has obtained the permission of the initiator of the debate.

Mr. Steen: Of course I have done that. It would be wrong of me to stand up without the normal courtesies. I am most grateful to you, Mr. Illsley, and to the hon. Member for Bassetlaw (John Mann). I thought that he put his case brilliantly and I am delighted that he secured the debate. I support everything that he said, and have just one or two points to add.

My personal life is bedevilled by road humps, bumps, rumble strips, raised ribs in the road and signs in south Devon that say it is 300 yd before the 30 mph speed limit, then 200 yd before the 30 mph speed limit and then 100 yd before the 30 mph speed limit. Speed restrictions are increasingly encroaching into the countryside. There are mini-roundabouts, maxi-roundabouts, road widening schemes and road narrowing schemes. You name it, Devon has it.

There are different types of hump, different sizes, different shapes, different angles, different widths and different elevations. Some are as steep as Everest, some deceptively slow in their angle. Cars can keel over like a boat in a force 8 gale, and being in a maritime constituency, one constantly thinks one is in a boat rather than a car when one hits traffic bumps.

There is an enormous cost to the council tax payer. Each hump or bump costs about £1,000—money that could be spent on social services. Instead of having hot meals on wheels, elderly people now have deep-frozen meals sent to them on one day of the month, which they have to store and go on eating for the whole month, to save money. What is that money being spent on? Traffic humps at £1,000 a time. I am totally opposed to the traffic hump. It is destructive to the vehicle, noisy for people living nearby and of no consequence in stopping traffic. The situation is like that of King Canute. We cannot hold back the traffic by putting in traffic humps or bumps.

I shall briefly mention Totnes, the central town in my constituency. Quite simply, our planners in Devon have too much money and too much time. They spend their time devising new planning schemes to slow down or reverse the traffic. At the moment, the traffic goes up Fore street, as it has for about 300 years. Now there is a plan to turn the traffic and have it going down the street with rumble strips, and little flower-beds in the middle of the main road. The planners want there to be various places for cars to park. They want to reverse traffic flows and hold exhibitions to explain matters to everyone. Very simply, market towns do not need traffic bumps. They need a hopper bus that goes round and round the town every five minutes and a big field to park cars in. Instead, there is an attempt to spend more and more public money on slowing down the traffic.

As the Minister comes from Devon, he will know that in Devon the planners are doing everything that they can to slow down traffic so that one day they will create one huge jam 100 miles long of solid metal overheating in the sun.

I look forward to the Minister's response to what has been an excellent debate. I have much more to say, but I will say it to him in private. In the meantime, will he please relieve constituents of these menacing humps? If they were in a piece of science fiction, they would not stop growing.

1.19 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): I too congratulate my hon. Friend the Member for Bassetlaw (John Mann), not only on securing the debate but on the forceful way in which he made his points. I must say that I would not like to get on the wrong side of him.

Mr. Steen: You are.

Mr. Jamieson: Well, hon. Members have not yet heard what I have to say. Anyway, my hon. Friend is a doughty fighter for his constituents and, as always, proved it today on behalf of Manton.

My hon. Friend tabled a question for yesterday's Question Time, but unfortunately it was not reached. If it had been, we might have been able to rehearse some arguments for today. He says that in his area road humps have spread like a plague, but I think the biggest plague on the roads is death. Each day an average of nine people die on the roads, and about 10 times as many are seriously injured.

The debate eventually turned into what was almost an attack on local authorities, which are responsible for introducing traffic-calming measures. The hon. Member for Totnes (Mr. Steen) said that his authority was getting too much money. I made a note of that: I am sure that members of all parties in his local authority will be interested to learn of his view, and we shall certainly take account of it in the next spending round relating to local transport plans. My Plymouth constituents will be very pleased to receive some of the money that the hon. Gentleman thinks should not be spent in his area.

My hon. Friend said that road humps got stuck on housing estates. The fact is that it is on such estates that most accidents occur, especially those involving young children. Analysis of road casualty figures shows that the poorer and more disadvantaged people are—especially elderly people and children—the more likely they are to be killed or seriously injured on the roads. I do not know my hon. Friend's constituency very well, but I have some knowledge of it, and I believe that it contains some very poor areas. Middle-class children are involved in such accidents less often than poorer children, who are injured in collisions while travelling to and from school.

I accept that road humps are sometimes inconvenient. My hon. Friend, who made some good points, says that the local authority has not taken proper cognisance of local people's wishes.

John Mann: Will the Minister give way?

Mr. Jamieson: Certainly.

John Mann: According to statistics, all child deaths in the area have occurred on major roads. The biggest irony is that on Retford road—the main road that runs alongside the Manton estate, the road on which the estate was built, the road to the pit—there is no traffic calming, but that is the road on which young people have died. There have been no child deaths on the estate. I have no objection to road-safety and traffic-calming measures on estates or main roads, but the main problem is the absence of local support—and that is partly because all the humps are dumped in the side streets rather than on the main roads.

Mr. Jamieson: My hon. Friend and I are in agreement: road-safety and traffic-calming measures should be introduced where there is a need for them. Where children and other vulnerable people are seen to be at risk, traffic-calming measures of whatever kind should be established. Speed safety cameras, for instance, should be installed in areas where there is excess speeding leading to casualties, rather than being put just anywhere on our roads. That too is a determined policy of this Government.

The experience of my hon. Friend is not shared across the country, although I am sure that it is the experience of people in his area. I can speak of my constituency and the many other areas that I have visited in my capacity as the Minister responsible for road safety. In my area, one of the worst roads through a council estate that was built in the post-war years, in the 1950s and 1960s, had a horrendous accident record. Again, mainly elderly people and youngsters were affected. Traffic-calming measures—humps and chicanes—have been installed on that road. If I proposed that they should be removed, there would be a riot in that area, because people know that there would be a return to the deaths and injuries of some eight or nine years ago, before the measures were put in place.

My hon. Friend also mentioned vehicle damage and discomfort. He said that claims had been made that road humps caused damage to vehicles and injury to vehicle occupants, especially professional drivers and the disabled. Complaints of that type have been made many times since road humps were first introduced, but no firm evidence has emerged. As a result, the Department has commissioned research by the Transport Research Laboratory into vehicle damage and the possible creation of physical problems. The project is due for completion in September 2003, and I am sure that my hon. Friend will be interested in its outcome.

[Mr. Jamieson]

Combating excessive and inappropriate speed is a complex issue that does not have just one solution. I believe that my hon. Friend and I agree about that. The Department undertook and published a fundamental review of speed policy two years ago. Its recommendations were accepted by the Government and incorporated into the road safety strategy. The speed review concluded that speed limits should be set at levels that are safe, suitable for the road function and at levels most likely to be respected by drivers. Motorists are less willing to comply with limits set at inappropriate levels. We are working on improving information and guidance to local authorities on setting local speed limits.

Obviously, we would like drivers voluntarily to stick to the speed limit. Unfortunately, experience shows that the majority are reluctant to do so unless there are proven traffic-calming measures in place that persuade them that a lower speed is appropriate.

Mr. Steen: Will the hon. Gentleman give way on that point?

Mr. Jamieson: No, I will not. The hon. Gentleman has had long enough, and I need time to respond.

We accept that traffic calming—road humps, speed cushions and speed tables—is not a panacea or the only answer to the problem. However, the clear evidence that we have from around the country, from people in local areas and on local councils, is that they are successful and effective safety measures for reducing vehicle speeds in some areas. Their effectiveness is more prevalent in the urban areas to which my hon. Friend the Member for Bassetlaw referred. However, I accept his point that it is not just a matter of setting a speed limit. Local authorities can bring in 20 mph zones, which may be humped or subject to other measures. Such zones may be far more acceptable to the people who live in the area.

My hon. Friend mentioned home zones. I am sorry that he does not have one in his area. I had the pleasure of opening one in my constituency on Friday that, I must admit, involved certain changes to the road surface. It is now extremely difficult to drive at more than 10 mph in that area, and the zone has the total, absolute support of the whole of that community, because they do not want their road used as a rat run, nor do they want people coming from outside using their roads and putting them and their children at risk and in danger.

The Government have operated several pilot projects. We have put £30 million into the home zone scheme for this year. I suggest that my hon. Friend do some lobbying to get one in his area. The beauty of the home zone concept is that it is very much led by the community. In my area, the people of the community decided what they wanted. The number of flower-beds has increased, and the improvements to the area are substantial. I remind my hon. Friend and the hon. Member for Totnes that the local authority must decide on road humps, although I accept my hon. Friend's point that they can be inappropriate. If they are inappropriate, he needs to beat a path to the door of the local council in that area and make those points very forcefully. The good news is that his local authority has had a very substantial increase in funds through the local transport plan. It has received about £15.3 million in the year 2001–02, which is an increase of 120 per cent. That will give Nottinghamshire county council the opportunity to use some of that money to create the sort of zones that people want and accept.

Mr. Eric Illsley (in the Chair): We now come to the next debate.

Gypsy Sites (Kent)

1.30 pm

Hugh Robertson (Faversham and Mid-Kent): May I start by thanking you, Mr. Illsley, for sparing the time to preside over the debate this afternoon, and through you, thank the Speaker's Office for granting me the debate? I also thank the Minister for taking the time this afternoon to respond on behalf of the Government.

I greatly regret that it was necessary to bring you here this afternoon, Mr. Illsley. The issues that will be raised were raised in a letter that I wrote to the relevant Secretary of State, enclosing the arguments from Maidstone borough council. One letter was sent on 30 April, and the second was sent on 19 June. I greatly regret that neither letter has been acknowledged or responded to. That is the reason why we are here this afternoon.

The aim of the debate is to correct an injustice, which has been caused by a change in the Planning Inspectorate's attitude to gypsies. It is important to start with one qualification. I am not in any way against gypsies, nor are the overwhelming majority of ordinary people. It is quite right that they should enjoy the same rights and protection under English law as anyone else. However, they now have a de facto range of rights under planning law that is simply denied to ordinary residents, which has been caused directly by the actions of the Planning Inspectorate.

I raise the matter as a constituency MP. I do so on behalf of the residents of Lenham road in Headcorn, the residents of Sutton Valence and Chart Sutton, and several councillors who have come to see me, deeply concerned about the issue. However, it is not simply a problem in Faversham and Mid-Kent. It is a problem throughout Kent, and is just rearing its head on the Isle of Sheppey in the northern part of my constituency. Since the debate has been tabled, several of my colleagues in the House have seen me about the issue to point out that it is a problem across large areas of the south-east. I have been asked to raise it by all levels of government in Kent.

The leader of Kent county council wrote to me last week and said:

> "I am deeply aware of the public's growing concern about gypsies in Kent."

The director of development services and the deputy chief executive of Maidstone borough council—not a Conservative council—wrote to me and said:

> "I can only presume that advice which the Inspectorate is now receiving from the Government is leading to the very lenient approach . . . Local residents are being severely disadvantaged."

A representative of the parish council in the area in my constituency most affected, Headcorn, wrote and said:

> "My council"—

that is Headcorn—

> "is very concerned that it is the Government Department which is causing the increasing problem of the concentration of gypsy sites. My council is dismayed at what appears to be a change in planning policies by the Inspectorate in favour of those with gypsy origins. There is clear discrimination against other residents."

So what is the background to the problem? Kent has traditionally been an area popular with gypsies. It is largely rural, or was in the past. It has beautiful countryside—after all, it is the garden of England—and has plentiful casual labour, particularly in the seasonal fruit-picking industry. There has therefore always been enormous pressure for sites, particularly across the Weald. One can see that in areas like Yalding, Headcorn, Sutton Valence and Chart Sutton. As a result, Maidstone borough council, which only covers a small part of the Weald, has 44 per cent. of the private gypsy site provision in the county of Kent—a staggeringly large proportion.

These days Kent is, of course, no longer a predominantly rural county supported by an agricultural economy. Furthermore, Government policy is encouraging housebuilding across Kent. It is now less easy to support the lifestyles of the gypsy community and far less easy to explain to existing householders why gypsies should be a special case.

Maidstone borough council, which has 44 per cent. of the gypsy site provision across Kent, only covers a small part of the Weald. Its particular problem is further exacerbated by the fact that the whole of the northern part of the borough, in effect the north downs, is an area of outstanding natural beauty. Government policy specifically discourages the provision of gypsy sites in such areas, and there is enormous pressure on the very fragile environment on the Weald. Despite that, Maidstone borough council has fulfilled the requirements of Government circular No. 1/94. In the 1993 local plan and the December 2000 borough-wide local plan, it set out criteria-based policies to indicate how it would provide for gypsy sites.

The problems in the last couple of years are threefold. First, gypsies have started to buy land, move on to it illegally and gain planning permission. They have been able to do that because the Government planning inspector is now granting permission and overturning the borough council's decisions.

Secondly, a large number of gypsy caravans are moving on to land owned by a gypsy who has permission for only one caravan. One can see that problem at the moment in places such as Redhill stables on the Lenham road in Headcorn and Pear orchard in Yalding. The lives of residents in those areas are being made a misery.

Thirdly, large numbers of gypsy caravans, often numbering 30 or 40, are moving to Kent and camping illegally on private land. The High Court is not allocating enough time for urgent hearings to allow local borough councils to evict illegal occupiers of private land.

I want to focus on the first of those problems this afternoon, the consequences of which are obvious. The countryside where gypsies stay is ruined. Remember that that part of the country is well known as the garden of England. The quality of life for existing residents declines very quickly. I have constituents who are unable to open their windows during the summer because a gypsy site across the road burns tyres all day long. House prices in those areas suffer and fall very quickly, for the obvious reason that people do not want to buy houses with gypsy sites around them.

[Hugh Robertson]

I regret to say this, but there has been a certain amount of low-level intimidation of residents. An old-age pensioner, who is just over 90, objected to a gypsy site next door to his house and found a knife on his doorstep the next morning. Two old-age pensioners live just off the Lenham road, opposite a gypsy site that allows two rottweilers to roam free. The rottweilers came across the road and through the hedge, and nearly killed the pensioners' pet terrier. The pensioners are now afraid to go out in their garden during the summer. Also, of course, the crime rate has risen.

The cause of those problems, which is very clear to me as the constituency MP and to local parish councillors, the borough council and Kent county council, is simply the actions of the Planning Inspectorate. We have reached a stage at which Maidstone borough council is unwilling to take any form of enforcement action against gypsies because it knows that it will lose on appeal.

The evidence for that is not only in the letters, about which I have talked this afternoon, that have been written to me, but in a parliamentary written answer from the Department for Transport, Local Government and the Regions, which disclosed that in 1996 only 19 per cent. of appeals were allowed by the inspectorate. In 2001, that figure had risen to 57 per cent. The reason why the figure increased is clear: the inspectors are accepting planning policy arguments against the granting of permission, but are allowing planning appeals for reasons such as the Human Rights Act 1998 or personal circumstances relating to individual gypsies.

An extremely good example of that is the recent appeal decision in the case of Greengates, Lenham road, Headcorn, Kent. The inspector, Miss Katie Peerless, states:

> "Therefore, I consider that, on balance, the proposed development conflicts both with Development Plan policies designed to protect the countryside and Special Landscape Area and also those aimed at providing suitable sites for gypsy caravans. If no other material consideration were found to outweigh the presumption against the proposals, then the appeal would be dismissed."

However, she goes on to allow the appeal.

That flies in the face of Government planning policy guidance notes, which indicate that personal circumstances will seldom be such as to set aside development plan policies. Furthermore, I very much doubt that the Human Rights Act was ever intended to set aside planning policies that have evolved through the full democratic process, or to provide for what amounts to positive discrimination in favour of an ethnic group.

I therefore ask the Minister to accept that the change in the actions of the Planning Inspectorate over the past three or four years has favoured gypsies. Evidence of that is in the findings of Kent county council, borough councils throughout the Weald, parish councils and in my observations as a constituency MP. If that is not enough, it has also been proved in a parliamentary written answer. I ask the Minister to accept that that situation is unfair to existing local residents. There can be no reason why gypsies should be allowed to develop housing in a manner denied to non-gypsy people. That must be unjust.

Has there been any change in the Government guidelines given to the Planning Inspectorate? If there has, when was it announced? If there has not, I ask the Minister to undertake to write to the inspectorate and ensure that the correct guidelines are properly interpreted in future. That will place both gypsies and local residents on an equal and fair footing under planning law.

1.42 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Mr. Tony McNulty): I congratulate the hon. Member for Faversham and Mid-Kent (Hugh Robertson) on securing the debate, and on raising some important issues about gypsies and the planning system, particularly in relation to Kent. I hope to deal with many of his points.

The Government recognise that gypsies have a right to pursue their lifestyle and are committed to ensuring that the planning system treats members of that community as fairly as everybody else. The notion, spurious or otherwise, that the planning system provides de facto rights to any particular group, or that such rights exist for the gypsy community, is a nonsense. At best, the hon. Gentleman has offered casual empiricism as evidence of that; at worst, he has provided one parliamentary answer, which I suspect has been taken wholly out of context. He would have been better served to have gone through each and every case covered by the parliamentary answer to find some substance to give me, but substance came there none.

I repeat that no de facto rights have emerged over recent years in relation to the treatment of gypsies or anybody else under the law. The hon. Gentleman himself alluded to the fact that the root of much of our current planning policy is in Government circular No. 1/94 on gypsy sites and planning, with the emphasis very much on the "94". The legal and statutory framework for dealing with gypsies in this country under the planning system has been, and remains, that outlined in the 1994 circular.

I am not disparaging of the experience faced by the hon. Gentleman's constituents—I have heard of similar cases on numerous occasions and have experienced them in my own constituency. However, I was almost waiting to hear mention of the lone gunman on the grassy knoll in what became a nasty, over-politicised conspiracy theory about everything shifting since Labour came to office. From what I know of the hon. Gentleman, that is utterly unworthy of him. If there are difficulties with the reaction of the communities in his area of Kent to what prevails under the planning system, there are better ways of raising them than the way in which he did so, which was wholly and utterly unworthy.

Hugh Robertson: Will the Minister give way on that point?

Mr. McNulty: Once.

Hugh Robertson: The Minister should accept—he almost said so, but not quite—that at no stage did I say that that had occurred as a result of the 1997 election. I merely gave the figures that the Minister's own

Department had produced, showing that in 1996 19 per cent. of appeals were allowed and in 2001 that figure had risen to 57 per cent. I went on to say that I had been asked to raise the matter by parish councils, borough councils and Kent county council. If the Minister thinks that I dreamt it up last night as a clever political scam, he is simply mistaken.

Mr. McNulty: I do not want to be overly contentious, but if that is the best the hon. Gentleman can do, he is, at best, naive and, at worst, duplicitous—

Mr. Deputy Speaker (Mr. John McWilliam): Order.

Mr. McNulty: I beg your pardon, Mr. Deputy Speaker. The hon. Gentleman is, at worst, misguided. He cannot quote at length from Headcorn parish council saying that it is a huge conspiracy and has changed since Labour came to office, and then quote from Maidstone borough council, which said in a totally and utterly disreputable way—I shall check up on that when I leave the debate—that it is not bothering with enforcement any more. Is that supposed to be serving the community in the Maidstone borough? The council, not the Planning Inspectorate or the Office of the Deputy Prime Minister, should be ashamed of itself. It has fiduciary, public policy and other duties, and the letter of the law to carry out and should do so. I shall check in *Hansard* to see what the hon. Gentleman said. If Maidstone borough council's policy, explicit or otherwise, when it should be enforcing eviction powers is that it cannot be bothered because it might lose on appeal, that is to its shame. It is irrelevant to me what its political persuasion is.

Mr. John Baron (Billericay): Will the Minister give way?

Mr. McNulty: No, I will not. It is common courtesy in this place when intervening during a 30-minute debate to give notice to both sides in advance. I have had no such notice from the hon. Gentleman, so I shall not give way.

Mr. Deputy Speaker: Order. It is actually common courtesy to give notice to the hon. Member introducing the debate, the Minister and the Chair.

Mr. McNulty: Absolutely, and that has not been forthcoming, so I will not give way.

The key point is that the regulatory framework remains as it always has been. There is no positive discrimination towards any group in the planning process and to say so with such flimsy and casually empirical evidence undermines not only the hon. Gentleman, but the Planning Inspectorate. I had the great pleasure, as one of my first duties only last week, of visiting the Planning Inspectorate and I looked deep into the bowels of the machine to see what it does. I have nothing but the highest regard for it.

There are three key elements in our policy on gypsies and travellers. All are about to come to fruition and one that has already done so is the announcement of this year's round of the three-year plan for gypsy site refurbishment grants, because we are keen to obviate the need for anyone to move on to unauthorised and illegal encampments. Secondly, because it has been less than clear what provision is required for the community, two bodies of research will probably be published before the summer, which we hope will inform not just local government but central Government. Thirdly, in the very near future, as part of the three prongs of policy on travellers, we shall issue renewed and updated guidance, which the hon. Gentleman should read at his leisure with great care and attention. I hope that within that new guidance the notion of rights and responsibilities for all parties will be clear and explicit.

Those three elements will not only inform how we go forward but enable us, working with responsible local government, to deal with the issue with a degree of parity all round. I am very pleased that the hon. Gentleman started from the premise that he has no objection, violent or otherwise, to the gypsy community. Implicit in his remarks was the recognition that it has the same rights as every other community. However, the issues of illegal, unauthorised encampments and of where some members of the community buy land are very real.

The Planning Inspectorate's powers are determined in accordance with the requirements of section 54A of the Town and Country Planning Act 1990, as amended, which states that applications and appeals should be determined in accordance with the development plan unless material considerations indicate otherwise.

If planning permission is refused by the local planning authority or an enforcement notice is served in order to remedy a breach of planning control, there is a right of appeal to the First Secretary of State. That right of appeal is an integral and long-established part of the planning system. Given that, by definition, someone always has to lose an appeal, there will always be aggrieved parties. However, having had 11 years' experience on a planning committee, I would suggest that planning authorities and everyone involved would like the world to be as clear cut as the hon. Gentleman seems to suggest it should be.

The vast majority of appeals are transferred to inspectors to determine on the First Secretary of State's behalf. When inspectors are instructed to hold inquiries on behalf of the First Secretary of State, or appointed to determine appeals, they stand in the shoes of the First Secretary of State and must have regard to his policies. Each inspector, in exercising the duty of making a recommendation or determining an appeal, is technically a tribunal.

It is a basic principle that in an appeal or other case in which an inspector is instructed or appointed, there should be no evidence or policy advice relevant to the case before the inspector that is not also available to all the parties.

The Planning Inspectorate has an impressive reputation in its handling of planning appeals. The integrity, impartiality and fairness with which each appeal is handled are widely acknowledged. Every issue that is a material consideration in assessing a proposal, whether of local or national importance, is taken into account by an inspector at appeal stage. As I said, the hon. Gentleman knows that I cannot refer specifically to any of the cases that he has outlined.

[Mr. McNulty]

Through the inspectorate's work, disputes between individuals and public authorities are resolved taking into account the provisions of the Town and Country Planning Act 1990, as amended, any other legislation relevant to the inspectorate's casework, the First Secretary of State's policies and, where relevant, the development plan.

Government policies on relevant areas of environmental concern—not just those directly related to town and country planning matters—may also be taken into account. It is for the inspector to weigh up often conflicting considerations and to make a decision. It is very much a balancing exercise and one that the Planning Inspectorate carries out in an extremely fair and robust fashion.

Inspectors bring their own experience, expertise and common sense to bear in interpreting and weighing the evidence before them. Like the decisions of judicial tribunals, inspectors' decisions or recommendations must flow from the evidence before them, not from any external source. In all cases planning inspectors are fully briefed on the circumstances of the appeal proposal and will visit the site to familiarise themselves with its location and surroundings. Each decision is reached, therefore, only after careful consideration of all the relevant planning issues, including the likely effect of the proposed development on the surrounding area, and taking into account the views of the local planning authority and local residents.

The Planning Inspectorate aims for the highest quality in the way that it handles casework and in the speed and quality of its decisions. The Franks principles of openness, fairness and impartiality continue to be the watchwords under which all decisions are taken. However, as nearly all decisions go against at least one of the parties involved in the appeal, the inspectorate knows that it will also receive complaints.

I have explained my absolute confidence in the integrity of the planning inspectors and the way in which the inspectorate handles planning cases. I do not feel, therefore, that there is any need to write to them in the terms suggested by the hon. Gentleman. I say that as someone who has been on the wrong end of what I considered to be perverse decisions during my 11 years as a councillor on a planning committee. I do not, even as a Minister, speak out of any great love for the inspectorate—I simply recognise its objectivity, integrity and, above all, professionalism.

As the hon. Gentleman may know, the Advisory Panel on Standards in the Planning Inspectorate—APOS—is an independent body that advises the First Secretary of State on the maintenance and enhancement of professional standards in the Planning Inspectorate. Members are volunteers drawn from the legal, surveying, planning, architectural, engineering and other relevant professions.

In advising the First Secretary of State, the panel investigates issues that may impinge on the quality of Planning Inspectorate decisions, such as the number of planning inspectors and their training and administrative support. The latest annual report to the First Secretary of State confirmed that the ministerial target on quality for the year 2000–01 had been met. It concluded that the inspectorate

> "demonstrated to us their commitment to maintaining, and where possible, improving their standard of service across the very wide range of activities—99 per cent. of their casework was free from justified complaint."

To answer the hon. Gentleman's suggestions, therefore, I do not believe that various de facto rights have been merged, and there is no legal context in which that could happen because of inspectorate decisions. The inspectorate does not exercise positive discrimination on behalf of the Government or of its own volition, and, given the flimsy evidence presented in the debate, I see no virtue in writing to it in any capacity.

As I said at the beginning, I fully recognise the gypsy community's concerns about site provision, with all that flows from that, and the real dislocation and hardship that illegal and unauthorised encampments can cause.

In conclusion, I suggest that the hon. Gentleman looks to his own lights and to the assorted authorities—from Headcorn and Maidstone to Kent county council—that serve the same area that he does. He should remonstrate with them, and get them to use their powers under the law as effectively as they can.

Question put and agreed to.

Adjourned accordingly at four minutes to Two o'clock.

Westminster Hall

Thursday 4 July 2002

[SIR ALAN HASELHURST *in the Chair*]

Ofsted

[Relevant documents: First Report from the Education and Skills Committee, Session 2001–02, on the Work of OFSTED, HC 437, and the Government and OFSTED Responses thereto in the Second Special Report from the Committee, Session 2001–02, HC 688; Second Report from the Committee, Session 2001–02, on Standards and Quality in Education: the Annual Report of Her Majesty's Chief Inspector of Schools for 2000–01, HC 699, and the Government and OFSTED Responses thereto in the Fourth Special Report from the Committee, Session 2001–02, HC 1003; and Fourth Report from the Committee, Session 2001–02, on the Appointment of a new HMCI, HC 830.]

2.30 pm

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Pearson.]*

Mr. Barry Sheerman (Huddersfield): It gives me great pleasure to introduce a debate on not one but three reports on Ofsted. They are the products of a great deal of hard work by the Education and Skills Committee. I say that with extra feeling, as we have only just finished the final session of an inquiry into student finance, which I suspect will be the subject of debates in this Chamber and on the Floor of the House. The report will be published next Thursday. Today, however, we are discussing the fruition of another part of the production process of a busy Select Committee. It was a great privilege, last Thursday, to have a Supply day debate on the Committee's individual learning accounts report; now, in this much more intimate and comfortable Chamber, we are discussing the Committee's three reports on Ofsted.

The Select Committee takes its responsibilities for Ofsted very seriously. The responsibility that Ofsted and the chief inspector of schools have to the House of Commons and to Parliament has been a matter for debate for some time, but it has been clearly established over the past five years that the chief inspector, representing Ofsted, is responsible to Parliament through the Select Committee. Indeed, that has been accepted by the Prime Minister and successive Secretaries of State. It is an important part of our parliamentary responsibilities. Having established that, we have to take our responsibilities ever more seriously, because Ofsted is a growing business.

I was checking—or rather, I should be truthful and say that my research assistant was checking—the number of people employed by Ofsted over the years. I was astonished at the numbers. In 1995–96 the Department for Education and Employment had 6,528 employees; on 1 February, the Department for Education and Skills had 5,425—nearly five and a half thousand civil servants. In 1995–96 Ofsted had 511 staff; but on 1 February, it had 1,494 full-time employees. That is a dramatic increase.

There has also been a dramatic increase in Ofsted's budget. In 1993–94 Ofsted spent £46 million; this year it plans to spend £197 million—a real-terms increase of £150 million, or 240 per cent. That does not mean that Ofsted has grown for the sake of it; it has been given a great deal more responsibility. Hon. Members will know that its remit now runs into early years education, teacher education, further education, prison education and education in the independent sector. We parliamentarians should appreciate the size of the organisation that we are charged with overseeing. It makes our job of scrutiny ever more important.

At present, we meet the chief inspector twice a year to discuss his annual report and his conduct of the job and Ofsted's development under his charge. The meetings are slightly different, but it is important to get that contrast.

I suspect that with the growth of Ofsted we will have to consider whether there is enough scrutiny. You will know better than most, Mr. Deputy Speaker, that a pioneering change in our constitution will begin the week after next, when members of the Liaison Committee will have their first meeting with the Prime Minister. That will happen twice a year from now on. The Committee will ask the Prime Minister questions about his role and his conduct of his office for two and a half hours. That is a breakthrough and a welcome change in parliamentary responsibility, activity and scrutiny.

However, considering the growth of Ofsted, we should not be content with the current arrangements. Having established two meetings a year, we should examine innovative ways of establishing a better relationship. One of the best ways of doing that is dealt with in one of the reports—changing the manner of the appointment of the chief inspector. This is not a comment on David Bell, the newly appointed chief inspector; it is question of what the Committee believes is the right way to appoint a chief inspector.

We have said from the beginning that the process should be more open and transparent, and should be handled differently. In a previous report, we called for a process by which the Committee evaluated the candidates and had a clear role in choosing the new chief inspector. That process could be refined and some of us would even argue—I am not sure that I dare say this, and I am looking round at my colleagues to find out whether they agree—that the Chairman or a member of the Select Committee should be on the appointing committee, as a step towards a different system.

Mr. David Chaytor (Bury, North): I am grateful that my hon. Friend has chosen to focus on this issue so early in his introduction to the debate. The recent report by the Modernisation Committee about the future role of Select Committees, which now almost have a job description, extends their brief quite significantly. Does my hon. Friend think that in that report an opportunity was missed to include in their new role across-the-board responsibility for hearings on major public appointments relevant to each Committee?

Mr. Sheerman: I thank my colleague on the Select Committee for that intervention. I was coming to that, and he saved me from making a long reference to it.

[Mr. Sheerman]

There have been some missed opportunities, but most Members are aware that the Liaison Committee has been taking a strong leadership role in the regeneration and renaissance of Parliament through its powers of scrutiny and much else. For our Select Committee and its relationship with Ofsted and other major educational quangos, we believe that that kind of scrutiny is important right across the piece. That is why I started with the constitutional part of the Ofsted report and the question of getting the relationship right.

The main purpose of a Select Committee is the scrutiny of the Executive. We start with that, and if we get that wrong we do nothing well. That is why our Select Committee, as soon as a new Committee was formed with a new Chair after the election, set itself to re-establishing the importance of the scrutiny role and placing it at the heart of our existence. That is why we called in all six Ministers, starting with the Secretary of State.

The hon. Member for Harrogate and Knaresborough (Mr. Willis) will smile a little at that, because it took us 10 months to get through the process, only for there to be ministerial changes. I am sure that the present Under-Secretary of State for Education and Skills, my hon. Friend the Member for Enfield, Southgate (Mr. Twigg), who is with us today, is looking forward to being scrutinised shortly by the Select Committee. It is an interesting and vital process, and my hon. Friend is right about the importance of such matters.

Mr. Phil Willis (Harrogate and Knaresborough): In naming me, the hon. Gentleman has given me an enthusiasm for the job. I shall compliment him later on the fact that Ofsted is being held to account more than in previous years.

One issue that particularly concerns me is how we judge the accuracy and veracity of inspectors' work. That issue does not appear in the report, although the present arrangements are dismissed in the evidence given by Professor Fitz-Gibbon of Durham university. Inspectors judge individual lessons, and base their judgment of the school on an amalgam of those lessons. It is important that there is independent research into their methodology and into assessments, accreditation and the accumulation of information in what is, after all, a judgmental process. Why did the Committee not feel that it was important to ask the chief inspector to carry out such research, as Professor Fitz-Gibbon and her colleagues suggested?

Mr. Sheerman: As usual, the hon. Gentleman has made a rather good mini-speech in his intervention. I know where he is coming from, and I shall talk about his concern in a moment, once I have set it in the context of the next part of my speech. I shall not keep hon. Members long, because many of my colleagues want to speak in this short debate.

I want to establish the constitutional background to what we do, and to explain how big Ofsted is and what role it plays. I shall then explain why it is so important that we get our scrutiny right.

The Government have continued the growth of Ofsted, and it is an expensive item. As I said, it has nearly 1,500 employees, not including the many on short-term contracts who inspect schools. It is much bigger than is suggested by the figures that we have given or by the budget in its entirety; it is an enormous operation.

What is the purpose of Ofsted if it does not work, and does not improve schools? It was introduced so that we could assess the quality of teaching, education and the teaching and learning experience in the classroom, but if it does not do that, and does not help to raise standards, why do we have it? That is the crucial question that we must all ask. If it does not drive up standards, we have every right to say that it is a poor use of taxpayers' money.

When Professor Fitz-Gibbon and many of her academic colleagues wrote to us suggesting that there should be a royal commission, it was refreshing, in a sense, because we like to have a good relationship with the academic community. Indeed, we spend a lot of time during inquiries hearing evidence from academic experts, and we have just taken evidence from a whole range of them in our inquiry into student financing and individual learning accounts. However, we were a little peeved by the request for a royal commission, because there is no need for one if we are doing our job well. That request therefore renewed the energy with which we come to our job, and we are ever more vigilant in the questions that we ask.

The hon. Member for Harrogate and Knaresborough said that we did not ask all the right questions when we last saw the chief inspector. Our questioning will change, although our track record on questioning the chief inspector and calling him to account is not bad. Nevertheless, we do not get everything right. Some people believe that we questioned a former chief inspector a little too hard and too vigorously, because he resigned the next day—although that was nothing to do with our inquiry or our questions, although we ask hard questions. We persist with our interrogation until we have the answers that we require.

From our investigation, we believe that there is a fair case for saying that the introduction of Ofsted and its growth, expansion and operation has been in the plus column of the accounts of the national education system. The process of evaluation and inspection has helped the Government to be more competent and focused in their knowledge of the quality of education, and has helped to provide the information that the Department for Education and Skills can then act on to drive up standards.

I make no apologies; it is our remit to scrutinise increasingly. If the empire becomes larger and larger and we cannot see a benefit from the process to the taxpayer, the consumer and, most of all, the student, it is our job to make a loud noise about that. We listened carefully to Professor Fitz-Gibbon and her colleagues. We will ask them to talk to the Committee so that we understand the arguments even better and our questions can be even sharper in future.

I come from the old management school that used to say that if something could not be measured, it could not be managed. I think that it still believes that. We all have to face the tremendous drive to know what is out there in our education system and to measure it, so that we know how children are doing. We must know the level of literacy and numeracy. If children cannot read and write, they cannot fulfil their potential for all the other things that they could do in their lives. It is a barrier to making their lives complete. I make no excuse for supporting programmes under this and the previous Administration that were meant to find out what the educational situation in this country was, evaluate it, measure it and then have targets to drive standards up. Ofsted should be judged on whether that process is successful.

Ofsted will not get everything right. We must carefully watch its interesting transition from focus on one aspect of education to involvement in many more aspects. It is always dangerous when an organisation triples in size, budget and personpower, so this is a difficult time. We have to see whether the transition works. Whenever there is even the smallest mistake that involves an examination board and siren voices call for only one body, I am always resistant. In walks of life in which I have been involved, it is sometimes dangerous to have one national body that covers everything.

Mr. Willis: There is only one Ofsted.

Mr. Sheerman: That is an aside. I am aware that Ofsted is in a transitional period, and that the role of the Select Committee on Education and Skills is to monitor that carefully.

I do not want to speak for much longer, but it would be unfair if I did not mention the appointment. It was clear that some of our colleagues were irritated about the appointment process. That is not a criticism of the new chief inspector, but even if we put all the arguments about greater transparency and more involvement with the House of Commons and our Select Committee to one side, more experience on the panel that interviewed, assessed and chose the new chief inspector—someone from the private sector, for example—would have been an advantage. To us, the experience did not look broad or diverse enough.

That is not a criticism of David Bell, the new chief inspector, with whom we have had our first meeting. We wanted to meet him early in his career to build the relationship and hear about his aspirations. The interview that we had with him for this report is clearly different from the interview with Mike Tomlinson for the previous report. Mike Tomlinson had been in Ofsted for a long time, had a long track record as a deputy and fulfilled an interesting role. It is no secret that Chris Woodhead was a more combative, controversial and sparky character—*[Interruption.]* Perhaps that is an interesting use of the word "sparky". Mike Tomlinson was more competent and agreeable, and led Ofsted well.

As Chairman of the Select Committee, however, I valued the relationship that we had with Chris Woodhead. He did an enormous amount of work in establishing and developing Ofsted. The Select Committee had its run-ins with him, both under me and under the two previous Chairs, and we disagreed about some of the things that he said that did not seem to be supported by the evidence. The only consistent source of disagreement between the Select Committee under three different Chairs and Ofsted under Chris Woodhead's regime was when what he said was not based on inspection or evidence, but on things that Ofsted had not worked on. In other respects, we had a creative relationship, and I pay tribute to that part of his work.

Jonathan Shaw (Chatham and Aylesford): I should point out to my hon. Friend that the damage caused by the way in which the former chief inspector would shoot from the hip spread further than Ofsted alone. An Ofsted inspector told me that he was once driving to a school when he heard Chris Woodhead shooting from the hip on the radio. The head teacher from the school also heard the chief inspector's comments, which clouded the whole inspection.

Mr. Sheerman: My great friend and colleague is trying to distract me from giving a balanced evaluation of the former chief inspector. Everyone knows that he and I had disagreements, but I am trying to be fair about a former public servant. He had great strengths but he had weaknesses as well, to which we would refer when we met—we did not keep our objections secret. He ran a different kind of regime. When Mike Woodhead took over—

Mr. Willis: Will the hon. Gentleman give way?

Mr. Sheerman: No, I am enjoying this.

Mike Woodhead—sorry, I mean Mike Tomlinson—softened the role of Ofsted. As my hon. Friend rightly said, it did no good to anyone that the staff of schools found Ofsted inspections the most frightening, worrying and stressful experience of their entire lives. There was something deeply wrong with that. Mike Tomlinson's regime introduced a different kind of charisma and a new approach. His inspections had a lighter touch. The Select Committee certainly thought that it was unnecessary to put the fear of the Almighty up a teaching body—a group of professionals—to get results.

Mr. Andrew Turner (Isle of Wight): Does the Chairman of the Committee agree that the fear of the Almighty was not necessarily injected by her Majesty's chief inspector? In some cases, the inspection process inspired fear because head teachers, governors or local education authorities were so afraid that their school would fail.

Mr. Sheerman: Yes, there were institutional aspects. No one can take a totally relaxed view of an Ofsted inspection—there is a great deal of stress involved in any Ofsted inspection, even now. However, getting the balance right is important. The person at the head of the organisation can send a message about the balance, and make it clear that he wants a creative relationship between a group of professionals who are desperate to do their job well to provide good quality education and teaching in the classroom. In any organisation, that message from the top makes a great difference, and the transition to Mike Tomlinson changed that message.

Of course, David Bell is unproven, and we must watch carefully to see what happens. He says that he does not go in for the heroic style of leadership, and that is, in a sense, refreshing. However, it is important to get the balance right and not to put the fear of the Almighty into everyone in the belief that that is the way to get the

[Mr. Sheerman]

best out of them. I come from a school of management that regards scaring employees to death as an idea from the 19th century.

Most productive modern companies in the private sector do not scare their employees to get the best results. It is important to encourage them, to build their confidence and self-esteem, and to work as a team. Every successful company in the private sector and every organisation in the public sector works best when that sort of positive attitude prevails. I am looking to David Bell to create a constructive relationship and achieve a balanced approach to the job. Of course he will not be a pushover or a soft option. We expect the chief inspector to know what standards he wants to see in the educational establishments of our country—

2.56 pm

Sitting suspended for a Division in the House.

3.11 pm

On resuming—

Mr. Bill Olner (in the Chair): We may resume now. I call Mr. Sheerman.

Mr. Sheerman: It is a pleasure to have you in the Chair, Mr. Olner, but I was about to conclude my remarks when we were so rudely interrupted by the Division.

The Committee was somewhat spoiled during our recent individual learning accounts report because we realised how good a relationship we could have with a Minister. I am not sure whether I should say this in this Chamber, but when we received the ministerial responses to the report, they were of such a high quality and so frank in exchanging serious views that it seemed that it was the then Under-Secretary of State for Education and Skills, my hon. Friend the Member for Wentworth (John Healey), rather than civil servants, who was writing the stuff. Now, whether we are reading the Timms or the Miliband version in response, we get the feeling that they were written by civil servants without much ministerial input. We would have preferred to be at the level that we attained during the discussions on individual learning accounts, so we were a little disappointed.

We took a long time to take evidence and made some intelligent comments. Those on the Opposition Benches might take me up on that idea, but in the first meeting with the new chief inspector we spoke about the appointment process, pupil behaviour and attendance, teacher recruitment and retention, teacher work load, supply teachers, specialist schools, local authority inspections and penalties for parents who do not sent their children to school. Indeed, we were prescient in some ways, because shortly after we asked the chief inspector whether the penalties for parents who did not co-operate in sending their children to schools were sufficient, we saw the remarkable case of the unfortunate woman who was imprisoned for that.

Although I am in favour of strong, appropriate pressure—I know that the hon. Member for Harrogate and Knaresborough disagrees—and believe that severe penalties must be handed out to people who do not co-operate in sending their children to school, there are alternatives. I prefer the Australian system of depriving people of their liberty at weekends. It is better process, because it does not take the people away from their family during the week or stop them earning money. The range of penalties must be expanded. As a former shadow Minister for prisons and police, the last thing I want to see is people being sent to prison unnecessarily. It does not do any good—although I know that the courts are forced to do that in some cases.

Mr. Willis: Will the hon. Gentleman give way?

Mr. Sheerman: No, I want to finish what I am saying.

I have one last comment, and I shall give myself one more minute to speak. Our Committee has had seminars to try to chart the way of adding value as a Committee. We do not want to produce reports that do not add value.

This week, we spent two hours with academics, civil servants, people from Ofsted and others discussing the crucial issue on which Ofsted reported yesterday. What happens to children when they go to secondary school at the age of 11, bright and full of potential? They seem to lose interest in education between 11 and 14. What is going wrong in the education system? Yesterday's report was valuable, and we shall take up that issue when we next see the chief inspector.

Our job is to evaluate the use of taxpayers' money. That is what the job of a scrutinising Committee should be. If Ofsted does not drive up standards, we, not a royal commission, should be first to tell the House and the public. Diversification and plurality, with specialist schools and foundation schools, are the fashion with the Government. If that diversity does not improve standards, we should be the first Committee to say that it is not working—but the jury is out on that.

People can rest assured that the Education and Skills Committee will continue its positive scrutinising relationship with Ofsted, and we look forward to many more positive engagements with it.

3.15 pm

Mr. Mark Simmonds (Boston and Skegness): It is a great pleasure to participate in my first debate in connection with the Select Committee on Education and Skills. I had hoped to participate in last week's debate on individual learning accounts, but unfortunately the time scale was truncated, and I was not allowed to do so. It is also a great pleasure to follow the hon. Member for Huddersfield (Mr. Sheerman), the Committee Chairman, whose adroit footwork has enabled many reports to be produced with the full support of all members of the Committee, across political parties. That is a credit to him and his skills as Chairman.

Ofsted is a large subject, and the reports that we are debating cover many issues, but I shall concentrate on the relationship between Ofsted and schools. Ofsted has been a tremendous success in improving standards in schools. The size of Ofsted's role in improving standards

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is debatable, and more analysis needs to be done, but the principle of external inspection is sound and provides quality assurance.

Whether Ofsted provides value for money is another debate. Let us consider successful schools in particular. Three or four inspectors may spend up to a week in a school telling the school what it already knows. Is that good value for money, particularly when public resources are in such demand in so many sectors?

Liz Blackman (Erewash): Does the hon. Gentleman acknowledge the role of the light-touch regime in that regard?

Mr. Simmonds: Yes, I do. I shall say more about that later, but my view is that the light touch needs to become even lighter. More emphasis should perhaps be placed on schools with weaknesses, to prevent some of them from going into special measures, and on schools that are in special measures, to enable them to come out of that situation faster.

I welcome the maturing of Ofsted that has taken place, particularly under Mr. Tomlinson, and the reduction of the burden on schools. The report summarised that by saying that Ofsted had become more responsive, more supportive, better informed and better co-ordinated. However, the evidence taken by the Committee from Mr. Tomlinson, and, more recently, Mr. Bell, was that they felt that the current relationship between Ofsted and schools was satisfactory or almost perfect. I detected a sense of incredulity when they were told that schools did not take the same view.

Let me describe the feedback that I am receiving from schools about the so-called lighter-touch regime that came into existence relatively recently. First, schools believe that they have a "them and us" relationship with Ofsted inspectors. It is not a partnership, and this creates an atmosphere of animosity which, although perhaps not as great as it has been, still exists.

Secondly, Ofsted inspectors have often been described as intransigent. They do not always listen or take on board points made by the teaching staff.

Ms Meg Munn (Sheffield, Heeley): Is the hon. Gentleman not generalising? We have also heard evidence that other schools have found the process helpful and supportive. Indeed, there are probably as many different types of Ofsted inspector as there are types of member of the Select Committee.

Mr. Simmonds: I accept what the hon. Lady says. She is quite right to say that that I am generalising, but my point is that the Ofsted inspection process, as it exists today, is not perfect. Improvements could be made to the process, and I do not think that it is unreasonable for me to point out some of the current failings. I agree that the process is more positive than it has been. However, if the process had the same vigour as it started with all those years ago, we would not need this light-touch approach. One statistic that illustrates that point is that nine out of 10 primary schools that have gone through their second Ofsted inspection are significantly better than when they were first inspected. If there had been a loose, light-touch inspection in the first place, we would not be seeing such a high percentage in that category.

There is also the belief that Ofsted is stuck on concentrating too much on paperwork before, during and after the inspection process. Many schools and local education authorities have said to me that if the full implementation of the paperwork processes that Ofsted requires of schools were put into operation 100 per cent. of the time, it would detract from the core focus of teachers in schools, which is providing learning and educational facilities for their pupils. That is primarily a function of time.

Liz Blackman: May I jog the hon. Gentleman's memory? I understand that [illegible] pursued this line of questioning when Mike Tomlinson came before the Select Committee, and Mr. Tomlinson described in detail ways in which the paperwork was being considerably reduced, and returns could be made online. Does the hon. Gentleman accept that there is merit in that?

Mr. Simmonds: I am delighted that the hon. Lady has read the Select Committee's evidence. Mike Tomlinson referred to 34 areas in which reductions had been made in the bureaucracy demanded of schools that went through the Ofsted process. However, more can be done, and I think that it is right for us to look at ways in which further reductions can be made. I shall say more about that later, if I may.

The report forcefully made the point that the Asssociation of Teachers and Lecturers commended Ofsted for its continuing awareness of the unduly demanding nature of inspections. However, it says:

> "more needs to be done to ensure that schools stop wasting time and effort in excessive pre-inspection paperwork."

I agree with that and look forward to Ofsted's analysis of bureaucracy, which it promised when it came before the Select Committee, and how it can be further reduced, in conjunction with the Minister and his colleagues at the Department. I hope that that will include an analysis of how effective the prescriptive literacy and numeracy hours have been, and the correlation between prescriptive hours and the raising of standards in those areas, because prescription takes away the freedom and innovation from which many schools, particularly primary schools, would benefit.

I wonder whether orders have come to the inspectors from above, either from the Department or the heads of Ofsted. Schools believe that Ofsted inspectors are now much more pleasant to teachers. Although that is a positive step, I suspect that it is not necessarily a function of the Ofsted process, but has happened because the Government do not want any more good teachers to leave the profession, given the present retention crisis.

It cannot be right for schools to spend days and weeks preparing for Ofsted inspections, which distracts them from what they are supposed to be doing and inevitably creates a false impression when the inspectors arrive at the school. There must be scope for successful schools to have a lighter-touch inspection regime than exists at present. I am extremely sympathetic to the argument that unannounced visits and inspections would add a useful tool to Ofsted's armoury, as the school would be seen as it really is, rather than the polished and prepared school that the school governors, teachers and pupils would like it to appear.

[Mr. Simmonds]

I welcome the Ofsted drive to allow more current teachers to be involved in the inspection process. Although that has proved complex as teachers are taken out of the classroom in other schools to take part in inspections, it allows professional development and the exchange of best practice between schools, which did not happen enough in years gone by. It also gets away from the "them and us" dynamic, which still exists, and creates a more positive way forward.

Although I welcome the experimentation in getting feedback from pupils in schools, I question whether they will tell the truth or say how they really feel rather than what they want the Ofsted inspectors to be told. I accept that local authorities should be brought into the loop to discuss a school's performance prior to its Ofsted inspection, although I have heard schools, not necessarily in my constituency, complaining that since the local education authorities are being inspected by Ofsted, they appear to be more interested in passing their own inspections than they are in giving a good and proper service to the schools for which they are supposed to be responsible. I accept that LEAs need to be brought further into the Ofsted inspection process before the inspection, as should other interested parties, as the report states—but there was no mention of bringing parents into the process. If there is one group of people who have an inherent interest in a school's performance—its dynamics and its educational processes for their children—it is the parents of children at the school.

Jonathan Shaw: The hon. Gentleman is, of course, aware, that there are parents consultation meetings prior to school inspections.

Mr. Simmonds: I am aware of that and I thank the hon. Gentleman for pointing it out. However, more could be done with parents in a more formal way, perhaps on the first evening of the Ofsted process or when the inspectors are at the school.

I shall draw my remarks to a close by asking the Minister to encourage the Ofsted process, but to stop trying to micro-manage schools, because most teachers are well aware that the Ofsted process has benefited their schools. However, they—especially the more successful ones—would prefer a lighter touch, and they want to be allowed to teach. There is a direct correlation between the potential and the desire of central Government to micro-manage as many schools as possible and the reluctance of teachers to remain in the education system. It is one of the main, fundamental reasons why many teachers are being driven out of the profession. I plead with the Minister to stop micro-managing, and to support a lighter Ofsted regime.

3.28 pm

Ms Meg Munn (Sheffield, Heeley): I, too, welcome the opportunity to contribute to this important debate. Hon. Members have talked about the benefits of school inspections and the importance of quality and raising standards, and the hon. Member for Boston and Skegness (Mr. Simmonds) gave us a good outline of the principle of external inspection.

I particularly welcome the improvements that Mike Tomlinson, the previous chief inspector, described in a letter to schools in September. He paid particular attention to the need to cut bureaucracy. There was a clear emphasis on the importance of not preparing material especially for an inspection. Now that we are some years down the road, we are right to expect schools to have policy statements already in place. Some years ago, I was a governor of a school awaiting its first inspection. As hon. Members will know, at least a year's notice is given, and there was much activity to produce many documents specifically for the inspection. The situation should be different now. Schools are used to the requirements, and it is a matter of Ofsted going in and seeing what is there, rather than there being excessive preparation.

Like the hon. Member for Boston and Skegness, I welcome the involvement of practising teachers. However good Ofsted inspectors may be, many have been out of direct teaching for some time. They do not experience the immediate pressures that teachers face daily as they deal with a range of issues, and therefore have a different perspective. Including practising teachers wherever possible can add to the process a realism about the range of tasks that teachers must perform, the issues that they face and all the other requirements that members of the Government and some Opposition Members would like teachers to fulfil.

I differ from the hon. Gentleman in that I welcome the importance attached to seeking the views of pupils. I believe that skilful Ofsted inspectors could talk to young people about their school and teachers and get sensible opinions. They may not get a full impression if they spend only a short amount of time with them, but if the discussions are conducted properly, they could make an essential contribution to the process.

Valerie Davey (Bristol, West): I welcome my hon. Friend's contribution. As she knows, the Select Committee took formal evidence from members of the Youth Parliament for the first time, which proved to be a valuable experience. I understand that Ofsted took evidence from young people only once. Does she endorse my view that such evidence should be more widely taken?

Ms Munn: I certainly do, and I agree that it should be part of the inspection. It is important that Ofsted inspectors not only listen to young people, but examine how well schools involve young people in all their processes. Evidence shows that schools do better if they have school councils and other processes for engaging young people in what goes on. More is achieved and behaviour is generally better.

Mr. Andrew Turner: Does the hon. Lady agree that an Ofsted inspector may be more successful in getting a representative view from pupils, rather than a self-selected one? I regret to say that those pupils who came before the Select Committee were articulate but unrepresentative, as more than half of them were from grammar schools, and more than half were doing politics A-level.

Ms Munn: They were clearly unrepresentative. As we know, politics remains a minority interest in most parts of the country.

Jonathan Shaw: Surely it is up to Ofsted inspectors how they consult children or young people in a school. It is not for the Government to prescribe the method. The discussion could be formal or informal. Any Ofsted inspector worth his salt would know whether the wrong children were being selected for such a consultation.

3.34 pm

Sitting suspended for a Division in the House.

4.4 pm

On resuming—

Ms Munn: For those who can remember the intervention of my hon. Friend the Member for Chatham and Aylesford (Jonathan Shaw), the answer is yes, I entirely agree.

We are pressed for time, so I shall move on to other issues that the Select Committee considered. In common with my hon. Friend the Member for Huddersfield (Mr. Sheerman), I welcomed the change in tone when we met Mike Tomlinson. Ofsted should be challenging, but most teachers and schools want improvements in teaching and attainment, so the process should be supportive and challenging rather than confrontational.

Our hearing with the new chief inspector was positive and I particularly welcomed the opportunity to explore the gap between the best and worst performing schools. I referred during the hearing to Myrtle Springs, a school in my constituency, which was involved in special measures. The school found its recent Ofsted inspection helpful and supportive of the improvements that were already beginning to take place. The school was commended for its approach and its hard work.

The school is raising standards, but because of the area and range of children attending, we should recognise that it is unlikely to appear high up in the league tables. The school works well with children with learning difficulties, using the learning mentors introduced by the Government. One concern raised with me by the head teacher is that league tables often lead to the labelling of schools as either good or bad. Whatever we say about that, the children begin to feel it themselves, which takes us back into the cycle of issues about aspirations, expectations and self-fulfilling prophecies. It is a problem that we must tackle.

I asked David Bell how schools that were good at tackling problems such as social exclusion—including helping pupils who had been failing elsewhere to achieve positive results—should be reported. I shall refer briefly to his response, which was not necessarily what I was looking for:

> "It is a very, very important policy issue and therefore OFSTED has an extremely important role in reporting. I just held my fire yesterday and perhaps you will forgive me if I hold my fire on this one because it is a very serious issue and I think it is one that I want to study within OFSTED."

I told him that I would ask the same question next time, and he said that he would prepare for it. I hope that the issue will stay on his agenda.

We have heard some positive reports about schools coming out of special measures. I have experienced the joy of writing to several head teachers in my constituency to say well done—well done to head teachers, teachers, parents and children in building a partnership to lift schools out of special measures and to provide pupils with real hope of educational achievement.

Other schools facing serious weaknesses, however, do not secure the early intervention and help necessary to prevent them from going into special measures. Is Ofsted going into schools often enough? Is a combination of Ofsted reports and local education authority oversight of schools necessary? Some believe that LEAs should not have much of a role in schools, but I disagree because they can provide important external support. Some LEAs have not been doing that job, which is why I welcomed Ofsted inspections of them. But there is a question of how we can help those schools with serious weaknesses. I hope that the issue will be addressed by both the Department for Education and Skills and Ofsted.

Finally and briefly, I want to refer to early years. That did not appear in the chief inspector's report for 2001–02 because it is a new area that Ofsted has taken on. A number of us on the Education and Skills Committee, particularly those of us who come from a social work background, were concerned about what would happen when Ofsted took over the inspection and regulation of child minders. The previous regime looked at child care and the other issues that are important to children's early development in such a way that they did not get lost in what could become an over-riding education agenda. While obviously—

4.10 pm

Sitting suspended for a Division in the House.

4.25 pm

On resuming—

Ms Munn: That suspension allowed me briefly to support Bradford's bid to be city of culture, which I am sure will please my colleagues from Yorkshire.

On early years, finally, the Select Committee raised the issues of physical chastisement by child minders and smoking. Those matters have often been discussed at length. I shall not do so today; I do not want to be interrupted again. I hope that in future reports, the Select Committee will pay more attention to issues relating to early years.

Several hon. Members *rose—*

Mr. Bill Olner (in the Chair): Order. Hon. Members have indicated that they wish to finish as near to 5.30 pm as possible. Unfortunately, there have been four Divisions in the House, and others are threatened. So that I can call as many hon. Members as possible, I ask the remaining speakers to be reasonably quick and sharp.

4.26 pm

Paul Holmes (Chesterfield): I should declare two interests. First, as a member of the Education and Skills Committee, obviously I am delighted to be present to

[Paul Holmes]

discuss the report. Secondly, I was a teacher for 22 years, and more importantly, I was subject to two Ofsted inspections in five years. One was only just over 18 months ago, so it is very fresh in my memory.

In the light of that, I shall deal mainly with some of the concerns about Ofsted inspections and accountability that were discussed by the Committee with the then chief inspector, Mike Tomlinson. There has undoubtedly been an improvement in the approach of Ofsted since Mr. Woodhead moved on. There is a more positive approach, but it must be said that the Ofsted process is still judgmental, rather than developmental.

In Committee, the hon. Member for St. Albans (Mr. Pollard) asked Mr. Tomlinson about the stress, fear and trepidation that he had witnessed when inspections took place in a school where he was a governor. Mr. Tomlinson told the Select Committee that schools actually welcomed inspection and that

> "returns from school had teachers expressing overwhelming satisfaction with all aspects of inspection."

I had to disagree entirely with that, based on my experience of two inspections, and on the experience of many colleagues and friends from other schools. Other members of the Committee also disagreed, on the basis of evidence gained from visiting schools in their constituencies. I can confidently say that I have never met a teacher who welcomed an Ofsted inspection, whether they, their department or their school had a glowing report or a bad one.

Why is that? We have heard several reasons from hon. Members. We have heard about "shooting from the hip", although thankfully that seems to have ended with the departure of Mr. Woodhead. Another reason is the work load involved in preparing for an inspection. The report and Mr. Tomlinson's evidence to the Committee dealt with ways in which Ofsted was trying to reduce the amount of preparation involved, although if a school is to be judged on the basis of a snapshot inspection, it will inevitably do a great deal of preparation in an attempt to get a favourable judgment.

Many teachers lack confidence in the inspectors. There is a view that those who can, teach; and those who cannot become Ofsted inspectors or possibly—I shall say it before any colleague suggests it—Members of Parliament. Furthermore, there is a feeling that inspectors come to a school with preconceived images and agendas, based simply on mounds of statistics. It is felt also that inspectors apply a universal yardstick to all schools, with little recognition of different levels of social deprivation, or of the fact that some schools have many more pupils with special needs or behavioural difficulties than other schools in more favoured or more selective situations.

There is a perceived lack of consistency. There is a widespread impression among teachers, which my experience backs up, that too much depends on the particular team of inspectors that visits a school or, within a team, which subject inspector a teacher happens to get. Teachers can have very different experiences, depending on the approach and the personality of an individual, instead of the approach being consistent.

Above all, as I mentioned at the start, Ofsted is perceived as judgmental, not developmental. I recall working with Her Majesty's inspectors in the 1980s. When they visited a school, they quickly and perceptively diagnosed a department's strengths and weaknesses in one day. They outlined the weaknesses but, unlike Ofsted, they said, "This is how we will help you to tackle them in the forthcoming weeks and months." Ofsted descends from on high, passes judgment and disappears until the next time.

How could the chief inspector say in his evidence to the Committee that all teachers welcome inspection? Yes, teachers can argue with inspectors during the week about the judgments that they pass on them as individuals in the classroom, on the department and on the school. However, partway through the week, teachers are reluctant to do that because the inspector has to return, watch more lessons, further examine the department and write his conclusions before the end of the week. There is therefore a natural reluctance to antagonise. Teachers can complain about the report that they read at the end of the week, but it is not the final version. The inspectors will go away and write that. Again, there is a fear of rocking the boat.

When teachers complain during or after an inspection, how responsive and accountable is Ofsted? The famous Summerhill school had to spend £140,000 on an expensive court case to force Ofsted to take into account evidence from pupils and thus save the school from closure. How many state schools have the ability and the funds to do that? Comber Grove primary in Southwark had a good Ofsted inspection in 1996 and a devastating inspection in 2000.

Mike Kent, the head teacher, wrote about his experiences in an article in *The Times Educational Supplement* in 2000. He said:

> "By Friday, we were devastated. The team, it seemed to us, had read the documentation, noticed the previous year's SATs results were slightly down, and come in to prove we were falling apart. Older members of staff had suffered particularly. One was so distressed that by Friday she couldn't speak to me on the telephone. Younger teachers, never having experienced an Ofsted, were appalled that evaluations could be carried out in such a manner, and the governors were bewildered and angry. People who knew our school simply couldn't believe what we'd been through. At the end of the inspection, I told the registered inspector we would make a formal complaint. I was astonished by the number of letters and calls I received. Our experiences weren't unique. I replied to them all, asking one question in particular: did you complain? Just one school had. The others felt that as the nightmare was over for another four years the best plan was to forget it, pick up the pieces, and get on with the job.
>
> The head who'd decided to complain warned me that I was in for a long haul, with little chance of success. I'd need to complain to the contractor, then, if still dissatisfied, to Ofsted, then to the complaints adjudicator, and finally to the ombudsman . . . I began to understand why Chris Woodhead had proudly stated that schools were happy with their inspections because only 3 per cent. had ever complained."

Fourteen months later, Mike Kent had battled through a complicated complaints process, which required him to ring Ofsted time and again to inquire what was happening to the complaints and when he would receive a reply. He had to nag Ofsted constantly. At the end of that 14-month battle, more than half his complaints were upheld. However, the damage had already been done.

Ofsted inspections continue to need reforming, especially if the chief inspector believes that teachers love to see his cohorts crossing the school's threshold. The inspectors appear to be learning from some mistakes, and there are welcome comments in the report. However, do they apply the same lessons to inspecting further education colleges?

The evidence that the Association of Colleges submitted to the Select Committee conveyed great anxiety about, for example, inspections that focus on A-level and equivalent provision and give far less weight to the wide range of other work undertaken in further education. The association was worried that Ofsted inspectors did not allow for the relatively different and often lower academic ability in the intake of FE colleges, and castigated some colleges for failing to produce good enough results when compared with some other national yardstick that did not apply to them.

The association was worried about the sheer weight of the clerical work load, the burden of inspection and preparation for it; the same old complaint as that made by schools. It also complained that Ministers used the first Ofsted inspection reports to attack colleges for failing. Those attacks were based on only half a dozen early inspection reports, when the next 60 or more painted a different picture. However, we should not blame Ofsted for Ministers shooting from the hip, with their technical educational jargon of bargepoles and toilets, or at least not now that Mr. Woodhead has moved on.

I hope that Ofsted will take note not only of the Select Committee report, but of what has been said during today's debate. Ofsted might be judged to have moved from the "failing" to the "improving" category, but there is still much room for improvement.

4.34 pm

Mr. David Chaytor (Bury, North): I want to reiterate some of the points that have been made about the improving performance and changing perception of Ofsted in recent times, due to the efforts and skill of the previous chief inspector, who recently moved on to other responsibilities. That is evidenced by the new inspection guidelines, which he produced in March 2002 and which will be implemented in September. Those guidelines will bring about a significant change in the culture and practice of Ofsted inspections.

Having said that, I have great sympathy with the comments made by the hon. Member for Chesterfield (Paul Holmes), who obviously speaks from the heart, as well as from his recent direct experience. We should give careful consideration to what he said, particularly about the fact that Ofsted has not traditionally been able to comment at much length about a school's context. He referred to the enormous difference between schools, in terms of their catchment areas and intake, including their proportion of statemented children and children on free school meals.

Another important factor, however, is a school's budget. Just as schools vary according to their intake, they vary according to their budget. I speak with particular feeling on this issue because the primary and secondary schools in my constituency are now, and have always been, among the worst funded in the country, entirely because of the iniquitous education standard spending assessment, which we hope will show some improvement on 1 April 2003.

In any inspection or any judgment of the quality of an institution, the budget available to that institution must be a defining factor, yet, to date, Ofsted has not been able to comment on a school's budget.

Mr. Graham Brady (Altrincham and Sale, West): Will the hon. Gentleman give way?

Mr. Chaytor: Happily, as long as the hon. Gentleman is quick.

Mr. Brady: I do not differ from the hon. Gentleman in his aspiration for a fairer funding assessment for education authorities, which is important. Does he accept, however, that there is no direct correlation between the funding of schools and their performance? Ofsted should perhaps take an interest in that and consider the achievements of some schools that have very little.

Mr. Chaytor: No, I do not accept that there is no direct correlation, although I accept that schools with a similar level of funding vary in performance. By and large, if we compare like with like, the best funded schools are also the high achievers.

I do not want to labour the point, but criterion No. 10 of the new inspections framework, which will commence in September, relates to other specified features of a school, thereby providing an opportunity for Ofsted, if it wished and if the Government endorsed it, to make specific reference to the way in which the funding of a school impacts on its performance. I ask my hon. Friend the Minister to consider that point.

I pay tribute to my hon. Friend the Member for Huddersfield (Mr. Sheerman), the Chairman of the Select Committee, who has so skilfully compiled the report. The Government's response was generally sound, with one exception: its response to the section on further education was only two lines and one word long. That is indicative of the fact that further education is the most marginalised sector of the education system. Whoever wrote the Government response—it is in the name of the new Minister for School Standards, but I do not attribute any blame to him—ought to have given a more considered response to that section of the report.

It is significant that Ofsted's response is more detailed and helpful than that of the Government. Perhaps the Select Committee report is unique in having a dual response. I pay tribute to those responsible for Ofsted's response, which I found especially constructive.

The Chairman mentioned the Select Committee's involvement in the appointment of the chief inspector. I want to endorse the importance of the role of Select Committees, and the need to extend it. We are all acutely aware of the fragility of our democracy and the fact that our Parliament is less effective on many issues than it ought to be. It does not assert itself as frequently as it ought to, and our constitution does not give it the powers of Parliaments under other constitutions.

[Mr. Chaytor]

If we review the role of Select Committee, as we have recently, it would be valuable to give them a role in the appointment process of the heads and chief executives of major Government agencies. That would invigorate our democracy and increase transparency and accountability. I ask all hon. Members present to consider that further. If in the near future we come to another report from the Modernisation Committee about the extension of the role of Select Committees, the time for that idea may eventually come.

I want to focus on Ofsted and evidence. In theory and largely in practice, the beauty and value of the inspection system is its ability to collate evidence. I want to add a question mark as to how that evidence is used, and to dwell on the selectivity of some of it. An example is provided by a section from the chief inspector's report on the performance of small sixth forms, although one could use other examples from it. Some hon. Members will know that I take a great deal of interest in that subject.

The striking feature of small sixth forms compared with larger ones—the criterion or threshold that the chief inspector's report chooses is 100 pupils—is the direct relationship between the size and the A-level point score. The chief inspector makes some extremely critical comments about the performance of small sixth forms. I simply point out that the evidence is concrete, and that it is not the first time that it has been documented. It was documented over many years, long before Ofsted existed. How are we acting on it? I do not see an enormous drive to build on the evidence provided.

Similarly, the inspector's report has a section on prison education. Members of the Committee might admit that we did not pick up on the subject. We discussed it, but we did not pick up on it specifically when preparing our report. The evidence on the subject is also pretty damning, yet what we doing about it? That was an oversight on the Committee's part; we should have given it more attention. Also, the Department should now build on the evidence and raise the profile of prison education.

In contrast, other matters on which evidence has been collected have been acted on. The classic example would be evidence on specialist schools, which was highlighted in the White Paper on schools last autumn, albeit selectively as it suggested that all specialist schools performed at a higher level than non-specialist schools, although the evidence did not quite say that. We now have a programme that is extensively promoting specialist schools.

Similarly, some areas that do not appear in the report seem to merit serious investigation. I draw attention to Question 12 on the Order Paper for today's Education and Skills Question Time; my hon. Friend the Member for South Thanet (Dr. Ladyman) asked about the performance of grammar schools in Kent. Performance in selective areas is enormously important to many hon. Members and to many thousands if not hundreds of thousands of parents, but it does not appear as evidence in the Ofsted report.

The main issue that I want to flag up is Ofsted's essential role in collecting evidence. We have to be uniform in our approach; we cannot require Ofsted to collect evidence on some things and not others. When the evidence is documented and is indisputable, we have to translate it into policy uniformly and coherently. We cannot be selective about what evidence we choose to translate into policy.

Many head teachers, teachers and parents are concerned about what happens once a critical Ofsted report has been completed. A universally glowing report is less of an issue, but if criticisms have been made, the school is left to pick up the pieces, and many teachers and head teachers feel isolated when dealing with the problems. They say, "Oh well, Ofsted inspectors came in, they told us what was wrong and they went away. We did not see them again. We were left to deal with it by ourselves." That, however, is the system. Ofsted has no role in continuing the process of school improvements once it has completed its inspection.

I question whether that is entirely satisfactory and whether Ofsted should continue to be involved if it has made a critical inspection. It comes back to the point about how we deal with critical evidence. I am not entirely sure whether we have the mechanisms in place to use that evidence to improve the school as quickly as might otherwise have been the case.

My final point builds on the question asked by the hon. Member for Chesterfield about the challenge to Ofsted by Summerhill. A document that I think was given to all members of the Select Committee—I am not familiar with the details—flags up another important issue. We are moving to a system with more diverse schools, particularly in secondary education; we are actively promoting diversity between institutions; under the Education Bill, we are giving greater autonomy to certain categories of school to develop their ethos, to opt out of the national curriculum and to vary pay and conditions. Has Ofsted kept pace with that? How will Ofsted deal with that diversity?

Summerhill is an extremely diverse school, but it presented a challenge for Ofsted because the off-the-shelf inspection package clearly did not work. I hope that the Minister and the newly appointed chief inspector will take on board the fact a bog-standard inspection method cannot deal with a diverse framework of schools.

4.48 pm

Mr. Andrew Turner (Isle of Wight): I apologise to the hon. Members for Bury, North (Mr. Chaytor) and for Chesterfield (Paul Holmes) for missing their speeches. I had an engagement that I could not miss.

It should be remembered that Ofsted is one of the great educational achievements of the Conservative party. I am pleased to recall that it was introduced by my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke). I also acknowledge the action of my noble Friend Lord Patten in appointing Chris Woodhead, who was certainly the best-known chief inspector of schools. The origins of Ofsted are lost in the mists of time, but it does us no harm to remember that it is another of the achievements of the Conservative years that the current Government have taken on board.

Ofsted's role in inspecting LEAs has not had much coverage in the parts of the debate to which I have listened. I happen to work for the Grant Maintained Schools Foundation, which proposed in a report in 1997 that Ofsted should inspect LEAs. I do not know whether that had any effect on the incoming Labour Government, but it was the right way for them to go. Such inspections recognise the important role that LEAs play in supporting and, sometimes, in failing and undermining schools. I am glad that the Government have built on those Ofsted inspections. I am also pleased to have taken part in the process of out-sourcing the management of failing LEAs and building up new, more effective LEAs in several parts of the country. I hope that that will contribute significantly to the improvement of education in those areas, and that the Committee will find time to investigate failed LEAs and how they have been turned round. A range of solutions has been attempted, and some have been more successful than others. It would do no harm for us to inquire into them. I see the Minister nodding in agreement.

I echo the remarks of my hon. Friend the Member for Boston and Skegness (Mr. Simmonds), and commend the vigorous start that Ofsted made. It was quick off the mark, sharp and quick in reporting on schools. It was a bit rough and ready, and there was too much bureaucracy and paperwork, but it was necessary to make that vigorous start if the whole range of schools across the country was to be inspected in the first four years.

I congratulate Ofsted in particular on the structure that it chose for inspecting schools. It did not employ all its inspectors itself, so it was free to employ effective inspection teams from LEAs or the private sector. That was a masterly approach to inspection, because people did not get bogged down in Ofsted's culture, as I fear they sometimes did in the culture of Her Majesty's inspectorate of schools. That meant that inspection teams that did not perform effectively in the judgment of Her Majesty's chief inspector could be sidelined with no great cost to the taxpayer.

I want briefly to consider three aspects of the report and, in particular, the Government's response to the second report. First, however, I should deal with a point made by the hon. Member for Bury, North. A great diversity of schools demands more than a bog-standard inspection process, and it is important that a school sets out its philosophy, objectives and performance indicators so that Ofsted can judge it on the basis of its success in meeting its own objectives. We must assume, or at least hope, that parents who choose Summerhill school for their children know broadly what to expect. They do not expect a traditional education, so Ofsted should not inspect the school on the basis of whether it delivers one. Such an inspection process would respond to schools' autonomy and to the demands of parents and children, which would be wholly appropriate.

I want to remark on three elements of the report, the first of which relates to LEA inspections. I understand that the Government are undertaking an independent evaluation of the new organisational models in LEAs. Will that include whether they are out-sourced, in-house or partnerships, however defined? Will there be a vigorous and detailed evaluation so as to research and publish the evidence of the success of the Government's policy, which is implemented through a number of different mechanisms?

Secondly, I should like to refer briefly to teacher recruitment and retention, on which the Government display a little complacency in their response. They repeat that their

"recruitment and retention incentives strike the right balance".

Clearly they do not, because there are not enough teachers, particularly in certain shortage subjects and in certain parts of the south-east of England. I am glad that the Government are contemplating putting more resources into areas where the cost of living is high, but I ask the Minister also to consider areas such as my constituency, where recruitment difficulties arise for entirely different reasons.

The head teacher of a primary school is quite likely to have a spouse who is in the same or a similar public sector profession. If someone is unlucky enough to live in Southampton and is the head teacher of a primary school, their spouse can look for a job anywhere from Brighton to Woking, from Oxford to Axminster. If they live on the Isle of Wight, the area in which their spouse can look for a job is much reduced, so there are far fewer women in work on the Isle of Wight than in almost any other part of the country. That is a significant recruitment problem, not only in education, but for the medical profession and the private sector professions.

Mr. Chaytor: The hon. Gentleman said that there are fewer women in work on the Isle of Wight than almost anywhere else in the country. Is there not therefore a significant pool of labour from which to recruit into the public services on the Isle of Wight?

Mr. Turner: There is a significant pool of labour that can be recruited to the less skilled end of public service employment. However, my primary schools find it hard to recruit head teachers, my hospital finds it hard to recruit doctors and my local authority finds it hard to recruit the more senior professionals because there is no job for the wife or husband to go to within easy travelling distance. I hope that the Minister will address that matter.

Finally, there is the issue of pupil behaviour and attendance. The real problem is whether the head and governors of a school can take effective action to deal with pupils who do not or will not attend, or who will not behave when they do attend. I appreciate what the Government are trying to do to roll back the difficulties caused by the fact that for many years people in authority, particularly authority over children, have been undermined. However, that does not require a range of micro-management activities. Members, the Government and as many people as possible should express their confidence in those in authority, even when they occasionally get it wrong. The range of appeal systems does not express that confidence. Indeed, it expresses the opposite. It encourages parents to appeal against an exclusion, to complain and to believe that they and their children have rights to the exclusion of the rights of others.

4.58 pm

Sitting suspended for a Division in the House.

5.13 pm

On resuming—

Mr. Turner: I think that all my points have been made.

5.14 pm

Mr. David Drew (Stroud): I am grateful for being called, and shall be rapid and try to keep to my allotted two minutes. I was going to praise the Chairman of the Education and Skills Committee, my hon. Friend the Member for Huddersfield (Mr. Sheerman), but I managed to miss his erudite comments and, as he is not here now, I do not have to praise him. Therefore, I shall move even more quickly.

I shall refer briefly to value for money, and to the appendix to the memorandum from Professor Carol Fitz-Gibbon. I do not necessarily agree that there should be a royal commission. However, we should consider value for money, especially with regard to those being inspected. The point is worthy of mention—if other hon. Members referred to it earlier and I missed it, I apologise.

My hon. Friend the Member for Bury, North (Mr. Chaytor) referred to the inclusion of further education in the Ofsted regime. The vast majority of colleges are now inspected under that regime. Although that fact does not get much of a headline, it is worthy of note. It is early days, so it is difficult to gain an understanding of the importance and the impact of that, but we can comment on what the Committee said and also on the evidence, especially from the Association of Colleges. The jury is still out, but there must be some recognition of matters that cause concern, on which the Minister may wish to comment, although not necessarily today.

We must ask who is doing the inspecting and whether they have the appropriate depth of knowledge of further education. We recognise the need to see how FE works and to examine its learning strategies, but because the FE strand goes well beyond the 16-to-19 range, it must be considered sensitively. What is happening outside the modus operandi of the inspection must be included, otherwise an unreal impression will be gained of what a college is about.

It is fair to say that dialogue is needed between the Department and the AOC, and I understand that that is to take place. There is recent evidence that colleges are improving, and they are to be congratulated. If we do not get the process right, we know the damage that it will do, as it did to schools. We do not want to go through that process again with FE, in which people feel that the inspection is not a fair reflection of the work that they do and what the college is really capable of.

Mr. Bill Olner (in the Chair): I thank hon. Members for being brief, which has given us half an hour for the three main winding-up speeches.

5.16 pm

Mr. Phil Willis (Harrogate and Knaresborough): I shall take my customary brief 10 minutes.

Mr. Bill Olner (in the Chair): I see there are no lawyers present.

Mr. Willis: I shall ignore that remark, Mr. Olner.

It is good to have a debate on a Select Committee report about which there is no real contention. People accept that it is a good report, and I compliment the Committee and its Chairman, the hon. Member for Huddersfield (Mr. Sheerman), in his absence—please do not tell him—on the way in which the report was prepared. I put on record my party's thanks to Mike Tomlinson, who did a remarkable job in turning Ofsted round. We wish David Bell well as he commences his work.

There were some interesting contributions from hon. Members, but I shall not go through them one by one as time does not allow that. However, I pick out the comments of the hon. Member for Stroud (Mr. Drew) on Ofsted's inspection of further education. I think we have got it wrong; there is a basic flaw in the way in which the Learning and Skills Act 2000 set up the post-16 inspection. I urge the Chairman of the Select Committee and the Minister to reconsider that issue. It is important to examine what Ofsted and the Adult Learning Inspectorate are doing and to get inspection right.

FE continues to be marginalised in the comments that come out of the mouths of Ministers. That is to be regretted, and ultimately we will suffer as a result. The FE sector has done a remarkable job, especially since incorporation, and we should celebrate it.

There has been much talk about the royal commission and research. I agree with the Select Committee Chairman, who said that a royal commission is not necessarily needed. When it reviews its work next year, the Select Committee and the Government must ask how Ofsted knows that its conclusions are correct. Hon. Members on both sides of the House have referred to occasions when lives have been devastated and schools blighted as a result of Ofsted's work. If that is the case, we must know that its conclusions are right.

I have one question for the Minister, which he can either pick up later or put into his thought bank. Government policy and Ofsted are closely linked: in effect, Ofsted inspects the Government's policy. The hon. Member for Bury, North (Mr. Chaytor) commented on that. Few hon. Members would disagree with the view that the Government have done a good job in focusing on literacy and numeracy in primary schools, and my party would be the first to say that. However, are standards improving in primary schools because of the Government's strategies or because children, with their teachers' aid, are getting better at passing the tests? When I visit schools around the country—which I am sure the hon. Member for Altrincham and Sale, West (Mr. Brady) does, too—regrettably I see children being endlessly prepared for their SATs. That may well bring improvement in the outcomes of SATs, but does it improve the education system? That question must be answered.

Like several hon. Members, I want to talk about moving on from where we are now to where we want to be. I regretted the way in which Ofsted was introduced and felt bitterly about it as a head teacher, but my school's inspection in 1997 was one of the most fruitful experiences that my staff and I went through. I have put that on record many times. That was partly because of the registered inspector, Champac Shan, who was absolutely brilliant in informing, advising, bringing people together and listening to their complaints.

That inspector later left Ofsted because he was not allowed to work as a registered inspector in the way that he wanted. He was probably what I would describe as too developmental and should have been more judgmental, but we should move towards being more developmental. Most schools have got the message—if they have not, something has gone badly wrong—and we now need a different approach. That point was made earlier by the hon. Member for Boston and Skegness (Mr. Simmonds), and there were a few guffaws around the Chamber, which was a pity because he has a point.

Whether we want a lighter touch is not my point, and I want to leave the Minister with one thought. In the models for improving practice and achieving best practice in the private sector—not the one-size-fits-all practice, the virtues of which the hon. Member for Huddersfield was extolling—the idea of total quality management is very exciting. The Minister should examine what is happening in Londonderry, where two schools have adopted the process of total quality management. They are continually looking for small incremental improvements rather than quantum leaps, which is what Ofsted wanted in the early days. When a system is put in place that enables the organisation to improve bit by bit, the sum of those parts gives an immense feeling of satisfaction. I commend that to the Minister.

The hon. Member for Bury, North was right to comment on the changes that are occurring. We support some of the principles behind the Education Bill, which is due back from the Lords soon. The hon. Member for Altrincham and Sale, West and I supported the principle of innovation and autonomy, but if we want real innovation and autonomy, we cannot have one-size-fits-all inspection or examination systems. Whether the Conservatives want to get rid of AS-levels or we want to get rid of GCSEs is not the point. The point is that schools must be encouraged to develop their own curriculum and ways of working that make them exciting institutions. I want schools in Altrincham and Sale to adopt the international baccalaureate—or perhaps a north-west baccalaureate. I want schools to begin their AS-level work with pupils at the age of 15 rather than 16. Those changes are all possible, but not under the current regime, because Ofsted must report in a certain framework.

My last point is on special educational needs. I regret to inform the hon. Member for Huddersfield that, as far as Ofsted is concerned, special educational needs are a tag-on in schools and in further education. I compliment the Government: they have done a great deal to raise the profile of special education, as did the previous Government. The Special Educational Needs and Disability Act 2001—the new code of practice which we fought hard to get through and which the Government supported—and the amendments that were tabled have enabled us to make progress in leaps and bounds. However, we have a one-size-fits-all inspection system that does not recognise what is happening in the world of special needs. We have developed inclusion in most schools, and that has been a roaring success. Of course, sometimes it has not worked. Large groups of youngsters with hearing and sight impairments and severe learning difficulties enrich the school, but also skew it. Ofsted still reports on such schools irrespective of whether they have such kids. The Government and the Select Committee must be more rigorous in deciding what they want Ofsted to do. Ofsted is a good developmental tool, but it needs to move on.

5.26 pm

Mr. Graham Brady (Altrincham and Sale, West): Even in a commendably brief contribution, the hon. Member for Harrogate and Knaresborough (Mr. Willis) managed to raise the prospect of separate examinations for Altrinham and Sale, and even a north-west baccalaureate, which may be what the AS-level will become. The Chairman of the Select Committee, the hon. Member for Huddersfield (Mr. Sheerman), must shortly leave for another engagement, and was kind enough to apologise. I congratulate the hon. Gentleman and the Select Committee on their report, and on the hon. Gentleman's genuine commitment and determination to continue scrutinising the activities of the Government and Ofsted. I hope that he will forgive me if I note that the two Chairmen who preceded him were demoted from that position to the Government Front Bench. I hope that he will take it in good part if I say that I hope that the same will not happen to him. It is essential that the Select Committee and its Chairman focus on the scrutiny of the Department for Education and Skills, and that no other goals cloud their judgment.

In his introduction, the hon. Member for Huddersfield talked about the extent to which Ofsted has grown and developed in its work, and how much more important it is that Parliament scrutinises its work, not least from the perspective of looking after public money. As he rightly said, that is our core function. He also talked about the potential role of the Select Committee and the appointment of the chief inspector of schools. He made a compelling point when he asked why we should have Ofsted if it did not drive up standards. He was probably far from alone in the Chamber in finding in favour of Ofsted in that regard. Members on both sides have been clear that Ofsted has been a positive force overall, although there are different shades of opinion on how that work has been done at different times.

I was also pleased that the hon. Member for Huddersfield praised Chris Woodhead for his work while he was at Ofsted. As several hon. Members said, it is important to find the right balance between toughness and rigour on the one hand, and encouragement and the developmental role on the other. I am tempted to observe that perhaps Chris Woodhead was ahead of the current Secretary of State with her bargepole and Alastair Campbell with his bog standard schools in seeking to give encouragement and urge a more developmental approach.

[Mr. Graham Brady]

My hon. Friend the Member for Boston and Skegness (Mr. Simmonds) spoke about the importance of light-touch inspection. That is absolutely right. The situation of a school that is known to be good and doing its job properly is very different from that of a school that needs more intervention and assistance to improve standards. He also spoke about the importance of the rigorous start that Ofsted had made, and that point was picked up by my hon. Friend the Member for Isle of Wight (Mr. Turner). My hon. Friend the Member for Boston and Skegness praised the introduction of unannounced inspections. Again, that is positive. Much of the criticism that one hears in schools about the inspection process is about the work that goes into preparing for the inspection, rather than the inspection itself.

I was fortunate on Monday evening to be presenting prizes at Wellington school in my constituency. That local high school is a technology college and is doing fabulous things. The school recently underwent an Ofsted inspection, and the head said that when he heard that it was about to be inspected, he called the staff together and told them that they should look forward to it. He was right, at least about looking forward to the inspection's outcome, because the work of the school was found to be excellent. That is how schools should address inspection. A good school that focuses on raising standards and improving the education of all its pupils has nothing to fear from an Ofsted inspection, and frequently much to gain.

The hon. Member for Sheffield, Heeley (Ms Munn), in a very long speech—that was not entirely her fault—spoke about league tables and the inspection of child care, which are important issues. We must acknowledge that when considering league tables and the difficulties that might arise for schools that become known for specialising in children with special educational needs or in particular types of education. We must seriously consider publishing alongside existing league tables value-added information, which could address some of those concerns. Problems have arisen with the inspection of child care. In the introductory stages, there appear in some places to be significant delays in registration, and there are problems with the bureaucracy involved in processing paperwork. That must be addressed.

In the short time available, I cannot comment on all the speeches and interventions that have been made, but I always enjoy listening to the hon. Member for Bury, North (Mr. Chaytor), partly because I disagree with almost everything that he says. We must thrash out the interesting question of how schools use money and where value for money is being delivered. There is strong evidence that there is no direct correlation between the amount of money spent and the attainment of schools. If the hon. Gentleman looks at the record of his response to my intervention, he will see that he was not far from agreeing with me when he said that there was a huge divergence in performance between schools to which similar resources were devoted.

It is important that we focus on how we can derive the best value for money in the delivery of education, and how we can spread best practice and ensure that all schools do the best that they can with the available resources. At the same time, I agreed with the hon. Gentleman on the importance of a fairer distribution of resources throughout the country.

My hon. Friend the Member for Isle of Wight spoke about the great Conservative achievement of the introduction of Ofsted. In the consensual spirit of the debate, I am glad that he did so in the way that he did, because he drew attention to the areas of agreement between the Opposition and the Government. We welcome the fact that the Government have accepted the important role of Ofsted in inspecting schools and helping to raise standards. We also welcome their acceptance of our belief in increased specialism in schools, and in allowing a degree of selection in schools for that purpose. I think that Ministers' opinions in that respect differ somewhat from those of the hon. Member for Bury, North. However, I shall leave it to the Minister to deal with that.

My hon. Friend the Member for Isle of Wight spoke compellingly of the realities of inspecting a diverse range of schools. The Government are taking measures in the Education Bill to allow a greater diversity of schools across the country. We welcome that, but it will be a challenge to ensure that the right form of inspection takes place.

I should like to say something about this week's report from Ofsted and the Government's reaction to it. Ofsted's criticism of the performance of schools and of teachers at key stage three contradicts its earlier findings that at key stage three the measure of good teaching amounted to 75 per cent. but only 72 per cent. at key stage two. It seems slightly contradictory to suggest that the weakness comes in key stage three and that all problems are resolved at an earlier stage.

Ofsted must be rigorous, independent of the Government and prepared to speak out in support of standards, even when that is unpopular. I wish the Select Committee and its Chairman well in their future work in helping to hold Ofsted to account, and I am sure that it will fulfil that important function to the best of its ability.

5.36 pm

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): We have had an excellent, if somewhat interrupted, debate. I thank everyone who has taken part, and also one or two colleagues who have not taken part out of respect for the time constraints. I undertook to give the Committee the apologies of the Chairman of the Select Committee on Education and Skills, my hon. Friend the Member for Huddersfield (Mr. Sheerman), who could not be here for the winding-up speeches as he had to fulfil a prior engagement.

On behalf of the Department for Education and Skills, I congratulate the Select Committee on securing this important debate on Ofsted and on the work that it has done. The Select Committee's reports are a very valuable input into the continuing work of ensuring that inspection is of a high quality and makes a significant contribution to the vital work of improving quality and raising standards at local and national level. As a number of colleagues have said, Ofsted is a slightly unusual organisation. It is an inspectorate, enjoying independence in matters of professional judgment, as well as a non-ministerial Government Department. That is why the Select Committee is so important as a mechanism for ensuring Ofsted's accountability to Parliament.

I apologise to hon. Members if I do not respond to all the specific points raised during the debate, but I shall try to address some of them. The role that the Select Committee plays in the appointment of Her Majesty's chief inspector of schools has been discussed before. I take the point that my hon. Friend made about the composition of the selection panel. As we have a new chief inspector, David Bell, it is not a matter of priority to address the procedures for this appointment. However, the Government take seriously the points that the Select Committee has made, and we will consider them carefully at the appropriate time. My hon. Friend was right to place this in the context of a broader debate about the modernisation of Parliament and the strengthening of Parliament as an institution. It would be helpful if comments from this Select Committee were fed into other Select Committees, including the Modernisation Committee. Although there is no commitment to change, there is certainly an openness and readiness to reconsider this matter in the months and years ahead.

I am aware from the debate and the reports that the Select Committee endorses the widely held belief in the value of external inspection. Inspection is now accepted as a valuable part of education, as is Ofsted, even by Members who criticised some of its practices, particularly the early practice. Much has happened in the 18 months since my right hon. Friend the Secretary of State, who was then the Minister of State, addressed the previous debate on Ofsted in Westminster Hall. She began by paying a warm tribute to the many people in schools throughout the country whose efforts have contributed to the very good results achieved in most schools. We have seen further improvements, and they are borne out in the reports that we are debating today.

It has been widely accepted by hon. Members that it was right to give priority to the literacy and numeracy strategies in primary schools. Although we must be careful about over-testing and the burden of tests and examinations, I have no doubt from reading the reports, reviewing the evidence and visiting schools that we have seen a real improvement in literacy and numeracy standards among our primary school children. We should all pay tribute to the teachers and others who have ensured that that has happened.

There is also much to celebrate in our secondary schools. Last year they achieved the national target of 50 per cent. of pupils reaching school-leaving age gaining five good GSCEs. That is a real advance, which was achieved a year earlier than the Government's target. There are improvements in the position of our young people compared with those in other countries in tests in science, literacy and maths. A great deal more still needs to be done. Standards are rising but they are not as good across the board as they should be. The gap between the best and the worst performing schools remains too wide.

The reports from Ofsted make it clear that standards rise when schools are well led and when there is good teaching. Ofsted has told us that the standard of leadership and teaching in our schools has continued to improve. Indeed, the quality of teaching is now at an all-time high. Not only has the long tail of unsatisfactory teaching shrunk year after year, which few believed possible, but the proportion of good and very good teaching has risen.

Ofsted has a central role in our strategy for raising standards. Its role has been enhanced, which has meant a period of organisational change as a result of two significant extensions to its remit. Those are the addition of 16-to-19 education in colleges, where Ofsted works in partnership with the Adult Learning Inspectorate, and the regulation of child care. It is timely to pay tribute, as hon. Members have done, to the work of Mike Tomlinson, who stepped into the role of chief inspector at short notice in December 2000, and to welcome in his place David Bell, whose five-year appointment began on 1 May.

We have seen considerable improvements in the school inspection system over recent years, which are borne out in the debate and in the reports. Of course there is always scope for further improvement, for more flexibility and for learning lessons as we go along. We have had some important contributions to the debate about how inspection can be improved. Inspection should be challenging, but it should also be the positive, constructive experience that the hon. Member for Altrincham and Sale, West (Mr. Brady) described from his school visit earlier this week. We also want Ofsted's approach to be more responsive to schools' individual circumstances, to make more use of the findings of schools' self-evaluation, to take more account of the views of parents, pupils and other stakeholders and to be better co-ordinated with other inspection and monitoring. We want to involve schools more in what we are doing in a genuine sense of partnership.

This year, as a number of hon. Members have pointed out, has also seen the start of the second cycle of inspections of LEAs, which Ofsted is conducting with the assistance of the Audit Commission. New arrangements for inspecting local authority education services are being developed in the context of the comprehensive performance assessment. Those will build on the proportionate inspection process already implemented by Ofsted since the beginning of this year, and will deliver even more streamlined arrangements. It is important that these new processes are a success.

In the remaining two minutes, I should like to respond to one or two of the specific points that have been raised. The new role with FE is important, and it is vital to get it right. I regret that only two lines about FE appear in our response to the report, because it must be at the heart of our strategy for widening participation in education, particularly after the age of 16. FE is also vital for the 14-to-19 curriculum and for tackling some of the behavioural problems to which hon. Members referred.

The hon. Member for Isle of Wight (Mr. Turner) asked about recruitment and retention in his constituency. I shall ask his local authority to write to the Department about that matter, and I shall chase it up for him.

[Mr. Stephen Twigg]

My hon. Friend the Member for Bury, North (Mr. Chaytor) asked about prison education. We have seen some improvement in prisons and other offender institutions, but it is only a start and much more needs to be done. My hon. Friend's neighbour, the Under-Secretary of State for Education and Skills, the hon. Member for Bury, South (Mr. Lewis), has taken on that responsibility, which he takes seriously. We all want to see further advances made.

Recruitment and retention is a challenge across the country, especially in high-cost areas. Earlier this week, my right hon. Friend the Secretary of State issued the London challenge. We are developing a strategy for schools in London and, together with my right hon. Friend, I take responsibility for it. We recognise that some of the problems London faces with recruitment and retention are shared in other high-cost areas. We must take that into account as we debate the funding of local education authorities.

I apologise for not being able, in my 10 minutes, to refer to all the issues raised in the debate. However, we have had a positive and constructive discussion, and I look forward to future debates about Ofsted and the Select Committee's work in ensuring that both Ofsted and the Department are accountable.

Question put and agreed to.

Adjourned accordingly at fourteen minutes to Six o'clock.

Westminster Hall

Tuesday 9 July 2002

[SIR ALAN HASELHURST *in the Chair*]

Refrigerators

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Kemp.]*

9.30 am

Angela Watkinson (Upminster): I am grateful for the opportunity to debate the effects of the European Commission's regulation on the safe disposal of waste freezers and refrigerators. It has affected industrial and commercial appliances since October last year, but has also applied to domestic appliances since 1 January this year. Before I highlight the practical problems being experienced by local authorities in implementing the new duties, I will outline the background to the regulation.

The possibility of damage to the ozone layer from chlorofluorocarbons—that is the last time I will say that word in full—was predicted in 1974. In 1985, the Vienna convention for the protection of the ozone layer was framed to promote precautionary action. In 1997, an international agreement was reached to reduce progressively the use of CFCs and halos—the Montreal protocol to the Vienna convention. That has now been ratified by 156 countries, including all industrialised nations. Recent reports that the United Kingdom faces a growing pile of old refrigerators is perhaps the first obvious impact of the Montreal protocol. In 1999, the United Kingdom agreed to a European directive that would require all CFCs from refrigerators to be recycled from 1 January 2002.

In July 2001, it was brought to the attention of the United Kingdom Government that the directive would also cover insulating foam in the doors and walls of refrigerators. The Government have complained about the late timing of the information passed on by the European Union, but the 1 January deadline caught them unaware. The Minister stated that he did not believe there was a precedent for a delay in the implementation of the directive when the matter had already gone through Brussels. Unfortunately, the Government did not even ask for a delay in the implementation of such a worthy directive. A delay or phased implementation would have eased the many problems now being faced by waste collection and disposal authorities. Sites could have been identified for the recycling of refrigerators and other electrical goods.

The habit of refitting the kitchens of homes when they exchange hands means that many redundant refrigerators are still serviceable and in good condition. If they could be reused, the numbers requiring degassing and disposal, either by high temperature incineration or to landfill, would be reduced. In response to a parliamentary question, the Minister said that up to 3 million domestic refrigeration units are disposed of in the United Kingdom each year. A large number of them seem to be in my constituency.

Old refrigerators must be treated in one of three ways. The whole refrigerator may be disposed of in an incinerator. That process is expensive, and means that the metal elements of the refrigerator cannot be recycled. It has also been suggested that they can be disposed of abroad. However, refrigerators are now classified as hazardous waste, and thus cannot be exported. Perhaps the right hon. Gentleman will be kind enough to clarify that point when he sums up. Moreover, transport costs are very high. The best available option is that proposed by the Government: that refrigerators be disposed of in purpose-built reclamation facilities in the United Kingdom. However, the Government do not seem to have made provision for that most sensible means of disposal. Although the Department for Environment, Food and Rural Affairs has allocated £6 million to help local authorities deal with the storage costs of the refrigerators that they cannot dispose of, none of that sum is payable until the next financial year.

Mr. Michael Jack (Fylde): My hon. Friend has rightly alluded to the length of time that it took for the Government to wake up to such matters. Is she aware that the Minister received a letter dated 24 November 2000 from Dixons Group plc that alerted the Government to the ending of both the company's free take-back scheme and the export potential of those refrigerators, and to the consequences? The Government did not react to that timely warning.

Angela Watkinson: I am grateful to my right hon. Friend for his helpful intervention. I have received many letters from retailers about that very point. The potential exists for the retailer take-back method, which offers opportunities for refurbishment and resale, to take 20 per cent. of waste refrigerators from the waste stream. It is a great pity that that method is not available to the retail trade.

Mr. Jack: I am grateful to my hon. Friend for allowing me to intervene again. She may have noticed that, when I gave her that piece of information, the Minister intimated that he vigorously disagreed. In his reply to the letter that I mentioned, Lord Whitty says:

> "A number of questions have arisen during the implementation of Article 11 and we are addressing these problems as a matter of urgency."

Is my hon. Friend aware that we learned that refrigerator mountains were beginning to build up in December 2001, yet that letter was written a year earlier? Does she consider that to be a demonstration of urgency of action by the Government?

Angela Watkinson: My right hon. Friend is right, of course. Another problem is that additional costs are piling up on local authorities, which have a duty to collect redundant refrigerators if retailers do not take them back.

The Minister for the Environment (Mr. Michael Meacher): I intend to respond vigorously to all those points when I catch your eye, Mr. Deputy Speaker.

Of course we received that letter in September 2000, but I vigorously indicated my dissent because we did not need to be warned by Dixons, as I made perfectly clear

[Mr. Michael Meacher]

to the Environment, Food and Rural Affairs Committee. We were the first to raise the issue with the Commission in February 1999, about 20 months earlier. We took the initiative: we did not need any warning from retailers. The problem was that the Commission did not answer the perfectly proper question that we asked.

Angela Watkinson: Let me give an example. Essex county council has estimated that its costs are expected to be in the region of £1.68 million. So far, its predicted share of the £6 million sum is likely to be in the region of £50,000. The shortfall will have to be found from council tax, at a time when the difference between central Government grant and the spending requirements of local authorities is widening annually at an alarming rate. On the other hand, the East London waste authority, which services my constituency, has yet to learn how much funding it might be given. Havering council accepts and collects, via its bulky refuse collection service, only domestic refrigerators and freezers, which are temporarily stored at a local civic amenity site. Neither Havering nor any of the other ELWA constituent authorities accommodates commercial refrigerators and freezers. Between November and July—a period of only seven months—Havering had almost 5,000 refrigerators and freezers weighing 204 tonnes collected from its civic amenity site by ELWA collection vehicles, which required 153 vehicle movements.

A recent ELWA report highlighted the scope of the problem when it revealed the expectation that the authority would receive between 7,000 and 40,000 units. The speculative nature of the numbers involved illustrates one of the difficulties in planning that service. As the containers have to be stacked for onward shipment to Germany, closed-top containers must be used to meet health and safety and licensing requirements. A short-term contract was let, which allowed the disposal of approximately 5,500 units. However, the report pointed out that ELWA was receiving 574 units a week and that, by the end of June, more than 10,500 units would be stored at its refuse transfer station.

The report went on to identify options and associated costs for the disposal of refrigerators. The option chosen by the board of ELWA was the disposal of all units within the current financial year. That would have the advantage of clearing the RTS site as quickly as possible, and there would be no burden on future years' expenditure.

The total estimated cost for 2002–03, including storage and disposal, is between £750,000 and £1 million. Havering alone, one of ELWA's four constituent authorities, has roughly 95,000 properties. It can expect between 9,500 and 19,000 units a year, depending on the life of a refrigerator; the figures are based on a lifespan of five to 10 years. The council has to offer a free collection service to deter fly tipping, and that is an additional burden on its budget.

The guidance that outlines the legislative requirements for the collection and disposal of refrigerators is highly prescriptive. It imposes many new duties for which authorities are unprepared in both practical and financial terms. The standard that practitioners should achieve is an ozone-depleting substance loss of 15 to 25g per unit, which can be achieved by using a fully automated mechanical recovery plant with an integrated degassing unit. It is anticipated that losses in that range would certainly be acceptable from a Montreal protocol perspective.

The following requirements in the guidance involve techniques that prospective practitioners may not have anticipated: the removal of ozone-depleting substances prior to the storage of the appliance; extraction of both the oil and refrigerant in the same step; and, possibly, the pre-heating of appliances prior to degassing. Best practice would also involve degassing in a controlled environment where fugitive releases of ODS could be recovered. In the interim, the pragmatic decision has been taken that degassing can take place in the open air. Although degassing outside a controlled environment introduces an additional uncertainty regarding the overall ODS recovery efficiency from cradle to grave, it is currently considered acceptable, given the unquantified loss of ODS from handling and transport operations.

The standard licence is for the pre-destruction and storage of refrigeration equipment, including refrigerators. The conditions require the removal of foodstuffs and loose materials, cleaning, and the removal or securing of doors before the refrigerator is put into storage. That is defined as pre-treatment. The storage prior to pre-treatment, and the pre-treatment operation itself, must be undertaken on an impermeable surface. Once the pre-treatment has been done, the refrigerator can be removed to hard-standing for short-term storage of less than 12 months.

If refrigerators are stored for more than 12 months, the compressor must be drained of refrigerant and lubricating oil, and that draining operation must be done on an impermeable surface. The standard licence is to be used for the pre-destruction treatment and storage of waste refrigeration equipment only, and is not to be issued without modification in flood-risk areas.

The uncertainty about the long-term funding of that highly complex service makes it very difficult for disposal authorities to commit to long-term contracts. That is slowing down the process, and is resulting in a greater backlog than is necessary. The most immediate need is for a fast, non-bureaucratic reimbursement system, backed up by documentation, so that local authorities can forward plan with confidence. They need to be able to expand their local civic amenity sites where electrical goods can be brought for recycling, to provide proper storage facilities, and to form partnerships with refurbishing organisations such as Renew Trust.

Mr. Jonathan Sayeed (Mid-Bedfordshire): Is my hon. Friend aware that some time ago, in answer to a question of mine, the Minister said that the Government would fund any new duty imposed on a local authority? Is she aware of whether the Government have quantified how much they expect to pay local authorities, and whether they have offered funds to those local authorities to help them to prepare for what will undoubtedly be an environmental catastrophe?

Angela Watkinson: I am grateful to my hon. Friend for that intervention, because the main thrust of the debate is that local authorities are unprepared, both financially and in practical terms, to deal with those expensive new duties. The £6 million that has been promised will be spread thinly over local authorities across the country, and that will leave an enormous shortfall that local authorities will have to make up out of their council tax.

Mr. Jack: My hon. Friend mentioned the thinness of resource for local authorities to store refrigerators and the fact that the Minister estimates that the cost of disposing of the existing mound of refrigerators will be some £40 million. The trade suggests that it could be as high as £60 million to £70 million. It remains unclear who will pay for the disposal of those refrigerators, let alone what will happen in future.

Angela Watkinson: My right hon. Friend is right. Security of funding is necessary for all authorities that deal with the storage or disposal of fridges, to enable them to enter into long-term contracts. Until they can do that, there will be no lessening in impact of either the existing fridge mountain or the one gathering as fridges continue to flow into civic amenity sites throughout the country.

Renew Trust is typical of a refurbishment company that specialises in taking in redundant fridges for resale to housing associations and social services. I understand that legislation to reinstate retailer take-back is not expected before 2004. Interim measures to enable the service to be reinstated before then would greatly benefit that sector of the waste management industry. That would also prepare for the waste electrical and electronic equipment directive, which is wending its way through the European Parliament and will introduce new measures to reuse, recycle and recover all electrical and electronic equipment in order to reduce their disposal to landfill.

The lessons from the fridge disposal debacle need to be learned. The cost impact of the WEEE waste electrical and electronic equipment directive on both large and small businesses as well as waste collection and disposal authorities needs to be assessed. The last thing we want is a computer mountain that makes the fridge mountain look like a molehill.

9.47 am

Paddy Tipping (Sherwood): I am pleased to follow the hon. Member for Upminster (Angela Watkinson), who spoke properly and strongly about the problems affecting her area. It is a national problem. Between 2.5 million and 3 million fridges are discarded each year. According to the Minister, the cost of the episode is £40 million, although informed estimates from the private sector suggest that it could be much more—about £60 million to £70 million.

It is important to look at the landscape. Over the weekend, I visited Burntsump waste disposal site in north Nottinghamshire to see the piles of refrigerators. It will clearly take some time to resolve the problem.

The episode has not reflected well on any of the parties involved. Following press speculation and the Select Committee report, it is important to draw lessons for the future. In introducing the new regulation, it is important in environmental terms to achieve more than we have so far.

The Select Committee report refers to the regulation being rushed through Parliament at a breakneck speed. It took three weeks for Parliament to consider that important matter. I appreciate that that is a matter not for the Minister but for the House and the appropriate Committee, but we need to look carefully at how we deal with the increasing amount of European Union legislation on the environment in particular.

Malcolm Bruce (Gordon): The hon. Gentleman makes a good point. What emerged from consultation on fridges and end of life vehicles is that negotiations with the EU seem to be led by the Department of Trade and Industry. However, the Department with responsibility for implementation and enforcement is the Department for Environment, Food and Rural Affairs, which was not party to the process, and was not fully informed about what was agreed. Is not that an obvious lacuna, and an example of a total lack of joined-up government?

Paddy Tipping: One of the things that emerges from this episode is that several Departments were involved, such as the DTI and the forerunner of DEFRA. When discussions took place at the management committee in Brussels, it was not always clear which official and Department was taking the lead in the negotiations. However, it is significant that when the British Government, and Governments across the EU, signed up to this regulation, they did not have a clue about what they were signing up to.

Malcolm Bruce: Does the hon. Gentleman agree that there was pressure to reach political agreement before the details of the ozone-depleting substance regulation and subsequent European environmental legislation were sorted out, and that, in retrospect, that has turned out to be the Achilles heel of this approach to environmental legislation?

Paddy Tipping: That is absolutely right. One of the lessons that we can learn from this regulation is that it is necessary to involve politicians at an early stage, when things appear to be going wrong. There was a protracted discussion between the Minister's Department and officials in Brussels—I know that the Minister will tell us about that—and I believe that there were faults on both sides. However, when the Minister became directly involved in July 2001, things began to happen. I make no complaint about the way that officials worked, but it is clear that things were going badly wrong. There had been a series of discussions to try to resolve the matter, but when the Minister became involved, progress began to be made. When difficulties of this kind arise, the Council of Ministers ought to be brought back into the discussion.

Mr. Sayeed: If I heard the hon. Gentleman correctly, he suggested that other EU countries were no more ready than the UK. Is he aware that, as of October 2000, four other EU member states were fully prepared to deal with this problem?

Paddy Tipping: There is a mixed response across the EU. Some countries, such as Germany and the Scandinavian nations, were well prepared. However, some EU countries have not made the progress that the British Government have made—and we have still got problems.

I return to my point. A political agreement was reached. A technical discussion then took place about the way that the regulation was going to be introduced. Problems arose, and at the end of the day—three years after the initial discussion of the regulation—we have environmental problems, because there was a lack of proper planning in this country, and across the EU.

Two lessons must be learned from that process, and talked about further. The right hon. Member for Fylde (Mr. Jack) talked about the private sector. Companies such as Comet had spotted that there was a problem, and it tried to tell the Department about it. It might not have been pitching at the right level in the Department, but it is clear that the private sector perceived that there was going to be a problem. That lead them to withdraw the take-back scheme. Their messages should have been picked up sooner. We must also have a better and more thorough discussion about the technical nature of the problems as such regulations are introduced.

Therefore, the process of introducing the regulations is difficult, and it should be improved. I take on board the point that it is important to get this right now, because there is a great amount of European legislation that will have an impact on this country. The landfill directive will change radically, and for the better, the way that waste is disposed of in the UK. The hon. Member for Upminster mentioned the end of life vehicle directive and the WEEE directive, both of which are sitting on the Minister's desk. They present major challenges for the Government. I would like to say—and I hope that the Minister will reassure me—that we are better prepared for the introduction of that legislation, but I am slightly ambivalent about that.

With regard to the end of life vehicle directive, a decision was taken only a few weeks ago that the last owner should pay for the disposal of the vehicle. That will lead to real difficulties. I know that steps and measures have been taken to try to mitigate them, but, potentially, the problem of abandoned cars and vehicles will become another real issue for the Government. It could be the end of the road for good quality waste disposal governed by DEFRA. Similarly, the WEEE directive affecting electrical equipment great deal of potential to cause problems.

The hon. Member for Upminster mentioned the costs to local authorities. On balance, the points that she made were pretty fair. Let us examine what has taken place so far: £6 million was made available to local authorities in 2001-02 for storage costs in the first three months of this calendar year. That money has been paid to local authorities via the standard spending assessment, through the distribution mechanism. However, when one asks local authorities, "How much money are you getting to store refrigerators?", they do not know, because it is drip fed throughout the year.

I have tabled parliamentary questions asking the Minister to specify how much money has been paid to each local authority in 2001–02. I am concerned that, after pressing this matter for some time, we still do not have that breakdown in black and white. In the light of those comments, I am sure that the Minister will examine the matter and respond quickly.

The hon. Lady quite properly asked about the real costs for the current financial year. Three months into this financial year, no announcement has yet been made. We must have an announcement at an early date so that local authorities know where they stand. At the end of the day, if their costs are not reimbursed—and I doubt that they will be—they will knock on to the local council tax payer.

We need some indication from the Minister in the near future about the way forward, which, in a sense, should be to go back to what we had before. Companies such as Comet that provide new fridges should have a take-back scheme. When we refit our kitchens and buy new equipment, it makes obvious sense to have someone take the old equipment away. I would like to see a take-back scheme introduced quickly. I know that there have been discussions between the interested parties about that, and, in March, the Department issued a potential protocol for the way forward. My impression is that all the stakeholders are keen to take that forward.

Mr. Sayeed: Is the hon. Gentleman aware that, in last Sunday's "Captain Cash" column in the *News of the World*, the Minister said that he was ready to

> "announce the return of the take-back service."

The Minister added—and I hope that this is an accurate quote:

> "I hope that we get it in place within a few weeks, but certainly in the next couple of months".

In the discussions that he has had with retailers, will the Minister tell us where they will restore, refurbish or recycle the refrigerators?

Paddy Tipping: Retailers, including Comet, run schemes throughout the country. White goods are taken and refurbished. The scheme has the potential to offer refurbished goods to families with limited incomes, and alongside that is the opportunity to train people with employment problems due to such things as long-term employment or disability. We should focus on such a scheme because it is the way forward.

Unfortunately, I did not have the opportunity to read the "Captain Cash" column in the *News of the World* on Sunday. I look at only the front page of that paper to ensure that my name is not there; I never look at the inside pages. I shall peruse the "Captain Cash" column very diligently.

Mr. Simon Thomas (Ceredigion): The *Western Mail* might not have reached Sherwood yet, but if the hon. Gentleman had read it today, he would have seen a picture of Europe's largest fridge dump of 35,000 refrigerators at Newport dock. The story in the paper is more encouraging because it mentions the opening of the United Kingdom's first fridge and freezer recycling facility. If we work with such facilities, and distribution companies, manufacturers and sellers of the products, the recycling circle will be finished. The key to success will be not only the useful additional recycling for less well off families that the hon. Gentleman mentioned, but the 35,000 fridges in Newport that will be processed there by a new facility.

Paddy Tipping: The hon. Gentleman has raised an important point that leads me to the final points that I wish to make.

The Government are consulting on a protocol on a way forward: the notion of fridge recycling credit. It would help all parties involved to be told by the Minister today whether that scheme will be introduced within three or four weeks, or whether it will take longer.

Angela Watkinson: Does the hon. Gentleman agree that the additional benefit of the retailer take-back scheme is the fact that as refrigerators are carefully collected, stored and transported, and kept upright, it is more possible to refurbish and resell them? Refrigerators that come via local authority collections are not stored and transported carefully, and I understand that only about 1 per cent. have the potential to be reused.

Paddy Tipping: The hon. Lady is absolutely right. The Minister has direct experience of that because the storage mountain for his region is close to his constituency. There has been controversy about the way in which refrigerators have been stored there. If fridges are stored properly and stacked correctly, there is a much better chance of recycling and reusing them.

I turn to the point that was raised by the hon. Member for Ceredigion (Mr. Thomas). There has been much investment in Wales, and there will be much investment throughout the country. The real lesson from the story is that the United Kingdom Government have a good record on environmental matters. We have an emerging environmental industry and emerging environmental technologies. With good leadership and forethought about legislation, that technology can be developed and investment can be made. We can not only enhance the environment, but build a new environmental technology industry that can be the envy of Europe.

10.3 am

Mr. Simon Thomas (Ceredigion): I congratulate the hon. Member for Upminster (Angela Watkinson) on securing this important debate. It is as timely for people in Wales as for those in south-east England.

The background to the debate is that 2.5 million refrigerators a year are thrown out. What are the Government doing to minimise the way in which we treat those important white goods as disposable assets? We must be able to work harder with fridge manufacturers and retailers to see whether there could be more direct recycling at source, rather than having fridges go through the waste stream first and then returning as recycled material. We should consider that key point.

If a fridge still works, we should discourage people from throwing it out and encourage them to hang on to it for another year or so, rather than buy the latest cobalt blue or shiny gunmetal grey model. They should be content with their old white fridge, with alphabet magnets and poetry stuck all over it. It is sometimes environmentally more sound, because of the environmental costs of manufacturing, not to buy a new product but to continue with a slightly older one.

In our wasteful society, we have been throwing away 2.5 million fridges a year, which has a huge environmental cost. It was right and proper that the Governments of the European Union introduced legislation to try to deal with the chlorofluorocarbons found in fridges, because the link with the thinning of the ozone layer is proven. This Government had four years to prepare for that legislation but, regrettably, were not sufficiently prepared to facilitate recycling—or even incineration of fridges at designated sites, which is another option for some fridges. I am sure that we shall hear a reason for that before long.

As I said, we have been throwing away 2.5 million fridges a year, but when the legislation was introduced, we had the ability to dispose of only 8,000 a week, so we had only a 10th of the recycling capacity needed for discarded fridges. Any fridges discarded since January have either been stacked up by the local council on a farm, waste disposal site, at Newport docks or wherever, or sent to an approved facility abroad.

As I mentioned in my exchange with the hon. Member for Sherwood (Paddy Tipping), the good news, certainly from the perspective of people in Wales, is that Sims Metal has just opened the first fridge and freezer recycling plant to deal with the problem. Currently, it has 35,000 fridges, but that is expected to increase to 400,000. The plant can deal with commercial appliances from throughout the United Kingdom; it is not only for Wales. The plant is the fruit of a partnership between the private sector and the National Assembly for Wales, and Assembly money has been invested in it. An element of Government money is needed to kick-start a recycling facility to deal with CFCs from fridges.

The Government are spending £6 million to tackle the problem—that is mainly for storage costs, as we have heard—but I think that the Environment, Food and Rural Affairs Committee report estimated a cost of £40 million, which could increase to as much as £64 million. We in Wales have an interest in central Government's investing in local authorities. After all, we benefit from any increase in public spending in England through the Barnett formula and the block grant, so any investment in England to meet the demands of the hon. Member for Upminster would eventually be good for Wales—although not as good as it should be, because of the formula, but that is another debate.

[Mr. Simon Thomas]

The other positive element was touched on by the hon. Member for Sherwood: the increasing numbers of local fridge recycling schemes. There are two in my constituency. CRAFT recycles all kinds of goods and delivers them to people on benefits, those who cannot afford new goods and those with a particular need. There is a direct relationship. Such goods are removed from one household, refurbished by unemployed people or those with learning disabilities, and then sent to another household. That virtuous circle benefits the community in Aberystwyth.

Another, ambitious project involves the Ceredigion Materials Conservation Association, which is trying to recycle just about everything in the county. I am pleased that it is in line for an award at the Royal Welsh show to acknowledge its success.

Mr. Sayeed: Is the hon. Gentleman aware that, although the recycling of fridges is extremely valuable to employment prospects and gives poorer people adequate forms of cooling food and so on, there are problems? Under the regulations, not just the directive, recycling must be conducted under controlled circumstances, and is therefore extremely expensive.

Mr. Thomas: I accept that point, but facilities to engage in such control will spread throughout the United Kingdom. If we are to create the right virtuous circle in the recycling of fridges, there should be—I expect it—at least one such facility in each local authority area.

The report apportioned "overwhelming responsibility"—I think that those were the words—to the Government for the current fiasco. However, there is also confusion with the European Commission. Points were well made about future directives, and I would like some Select Committees—for example, the Environmental Audit Committee or the Environment, Food and Rural Affairs Committee—to have an increased role in scrutiny. There is a tendency for matters to be passed to European Scrutiny Committees, never to be seen again. Most Members do not involve themselves in the processes of European Scrutiny Committees or Standing Committees as perhaps they do in those of Select Committees. If they did, that might be a way forward.

In advance of the debate, I contacted all 22 unitary authorities in Wales, as I wanted to know the picture. Some 16 authorities responded, and I will tell hon. Members about some of their experiences. Interestingly, only one or two local authorities reported an increase in fly-tipping. However, they reported an increase in storage and related costs. Several authorities now charge between £5 and £10 to remove fridges. That is not a huge sum of money, but for someone who cannot afford it, that is a significant disincentive to having a fridge removed from a property, when previously a retailer may have exchanged it for a new one. Three local authorities now charge. That may be a disincentive, but they claim that there is no evidence for that. One local authority claimed that the charge was to stop hoax callers—people who call out the local authority for nonsense reasons, such as asking it to remove garden rubbish instead of the fridge.

The crucial point is that the maximum charge of £10 is met by a fee of between £28 and £30, which local authorities have to pay other contractors to remove fridges. That is a huge funding gap, which I do not want the National Assembly for Wales to fill entirely, even though recycling is a devolved issue. It is down to the UK Government and the way in which they have treated the issue. They need to propose a financial settlement for all local authorities throughout the United Kingdom. The figures that I have to date suggest that the new plant in Newport is likely to charge approximately £17 to £18 to take away each fridge or freezer, which means that local authorities there will also be out of pocket.

I am told that fridges and freezers can be recycled in Europe at about £4 to £5 per unit, which worries me slightly. First, why is it much cheaper to recycle fridges in Europe than in this country? Secondly, I worry that there will be an export of fridges from this country to Europe for processing. That entails the hazard of exporting waste, although I have no doubt that there would be a way of doing it. I am concerned that one environmental "good" will be undermined by another environmental "bad". What will be the cost in fossil fuels of transporting all these fridges to be processed abroad? We will be trying to reduce the damage to the ozone layer while increasing greenhouse gas emissions. That is like shutting the vents on the greenhouse and turning up the paraffin heater. It makes no sense to deal with fridges in that way.

I hope that the Government will consider the matter carefully and ensure that it is economically and environmentally sound to deal with fridges in the United Kingdom. We should also minimise the transport of fridges, which is an environmental cost in itself. We are not going down this route in order to incur other environmental costs.

I shall conclude with one thought about how we should deal with the problem in the long term. There is a central provision in environmental and fiscal legislation that the polluter pays. We will not solve the problems of waste and recycling of fridges until the cost of disposing of them is built into the cost of purchasing them. That should include the cost of removing and recycling the fridge, which would mean a slight increase in the purchasing price of about £10 or £15 per unit. That is not a huge amount to pay to create a cleaner, better and healthier environment. I hope that the Government will examine that solution for the medium term.

Mr. Deputy Speaker (Sir Nicholas Winterton): Before I call the next hon. Member, I should say that I want to call three further speakers. I shall start the winding-up speeches promptly at 10.30 am, because the Minister should have proper time to reply to the debate, which is important to the people of this country.

10.15 am

Ross Cranston (Dudley, North): Thank you, Mr. Deputy Speaker. I shall be brief.

There are very important lessons to be learned, and I congratulate the hon. Member for Upminster (Angela Watkinson) on securing the debate and on the dispassionate way in which she spoke. Unfortunately, some of her right hon. and hon. Friends have used previous debates as an opportunity for argy-bargy and to attack my right hon. Friend the Minister. I support him, and it is universally acknowledged that he has been a splendid Minister for the Environment, who has commitment and energy.

The European Community breached three important principles of law making in passing the legislation. The first is the principle of clarity. The regulation was not clear, and a passage in the excellent report of the Environment, Food and Rural Affairs Committee identified 23 areas of ambiguity. That is unacceptable; laws must be clear. There may be universal agreement on a policy, but unless the law is expressed clearly, it will not be effective.

The second principle is that the implications of the law must be understood, but they were not. As my hon. Friend the Member for Sherwood (Paddy Tipping) said, with other regulations and directives coming through, it is important that the implications are fully understood. One implication of which the Government did not seem to know was that some 40 per cent. of domestic fridges in this country were refurbished and shipped to Africa.

The third principle is consultation. It is vital that those affected by laws are consulted, so that the implications can be understood. We can never have perfect foresight about a law's implications, but there are definite lessons to be learned as a result of this case.

I want to speak briefly about the restoration of the take-back scheme, which has already been mentioned by the hon. Member for Upminster and ~~my hon~~. Friend the Member for Sherwood. The regulation stopped the scheme, under which retailers collected the old equipment when they delivered new fridges. That put a stop to important schemes such as that operated by the Renew Trust in conjunction with Comet. I pay tribute to both, especially Comet for supporting the scheme in a socially responsible way.

The Renew scheme had several advantages. First, it meant that fridges would be in a good condition when they were collected. As the hon. Member for Upminster pointed out, some 20 per cent. could be refurbished when they were collected, rather than the 1 per cent. of those collected by local authorities. Secondly, disposal is more manageable. The company delivers the new fridge and takes back the old. Thirdly, Renew employs and trains the long-term unemployed and people with disabilities. I have a personal interest in that, as Renew was planning to open an outlet near my constituency—just over the border in West Bromwich—at which some 30 long-term unemployed people were to be employed and taught skills of renewing disposed fridges.

My question to my right hon. Friend the Minister is about the future of the take-back scheme. My hon. Friend the Member for Sherwood mentioned the draft protocol, which was published earlier in the year and involves other stakeholders including local authorities, retailers and the Department for Environment, Food and Rural Affairs. My right hon. Friend mentioned that in a newspaper article earlier in the year. The draft protocol has been published. What progress has been made on restoring the take-back scheme?

Finally, we are not good Europeans if we sign up to any old law simply because we might agree with the policy. We must ensure that the law is clear, efficacious and practical.

10.20 am

Mr. Roger Williams (Brecon and Radnorshire): I congratulate the hon. Member for Upminster (Angela Watkinson) on securing the debate. I must say, when I was elected I was unprepared for the fact that so much of hon. Members' time was dedicated to talking about fridges—not even nice shiny new fridges, but dead fridges. Some of the exchanges at Question Time were a bit bizarre and surreal, reminding me of the dead parrot sketch so beloved of Monty Python fans. This is a dead parrot. This is a dead fridge. However, it is not just one dead fridge; we are talking about many thousands of dead fridges that are building up around the countryside.

While we have been debating the history of the problem, people in the rest of the country have been tackling the technology problems of disposing of and recycling fridges. In the few moments that I have, I will deal with a constituency issue. Mr. Cliff Matthews of Industrial Plastics Recycling of Knighton has proved himself to be able and innovative in the field. He has developed a new technique to deal with what are called dirty plastics, which are plastics that have been used for industrial and household processes. Many have said that they could not be easily recycled, but Mr. Matthews has shown that he is able to do that. He has produced recycled plastic in a quantity and quality appreciated by people looking for feed stocks in the plastic recycling field.

Mr. Matthews is critical of some of the technologies that are used in recycling fridges. He believes that the foam and the plastic in fridges are not separated prior to being fragmented and pulverised and before the degassing process takes place. As a result, after degassing the foam and plastics cannot be separated economically to be recycled. Mr. Matthews has developed a process that separates the plastics and foam at an early stage before the degassing and fragmenting take place. He can then recycle more of a fridge than is possible with current technologies. He goes so far as to claim that he can recycle up to 99.5 per cent. of the fridge. He is critical of some of the machinery that is being imported into the country for the process, because he does not believe that it can achieve an acceptable degree of recycling. He suggests that it might not even meet the requirements of the European directive on the amount of fridge material that can be recycled.

In doing such new and innovative work, Mr. Matthews has had no support from the Environment Agency for England and Wales. I have been working with him to see whether he can get a licence for his process. Far from being encouraged, he is being prohibited at almost every stage from doing his work. I have written to the Environment Agency on several occasions and have received replies. We have reached the stage where Mr. Matthews has been told that it will be at least three months before he has any chance of starting the work he wants to do.

Will the Minister ask the Environment Agency to give more encouragement to people who are doing such innovative work, often at their own cost and through investment of their own resources? The agency should also check whether the other recycling technologies meet European directives on the amount of material in fridges that is recycled.

10.24 am

Mr. Desmond Swayne (New Forest, West): Only 16 months into the last Parliament my constituent Mr. Charles Curry, an engineer by training but for a long time the editor of the *New Milton Advertiser* and *Lymington Times*—

Mr. Sayeed: God's own newspaper.

Mr. Swayne: Indeed. Mr. Curry sent a facsimile advising me that the directive would cause precisely the events that have been described this morning. If the editor of a provincial newspaper could spot this coming so many years ago, how could Parliament and the Department be unable to spot the same problem? It is extraordinary.

What on earth was the rationale for signing up to article 16? The export of fridges is a perfectly proper way of recycling them: surely sending fridges to people in Africa who want and will use them is better than having them standing leaking CFCs in sites throughout the country. What is wrong with the export trade? What is wrong with the export of CFCs from the European Union, that it should be outlawed in principle?

As for foam insulation, was it reasonable for the directive to require the recycling of the foam? Even if it was reasonable, should we have signed up to it without the capacity to implement it? We have finished arguing about whether it applies to foam because we know that it applied from June last year, so why did we do nothing about it then?

How many planning consents is the Department aware of that have been granted for recycling facilities, and what capacity for recycling fridges is likely to result from them? What will be the allocation for each local authority for the current and the next financial year? I do not expect an answer this morning, but it would be useful for the information to be placed in the Library. What is the size of the current mountain, and what estimate has been made of the number of fridges illegally dumped? How many have been exported to Germany, and what are the cost implications of exporting our recycling? How much more expensive is it to export?

Last year I received another communication from Mr. Charles Curry, who warned me about the end of life directive for vehicles. I am particularly interested because I am a collector of the Dyanne variant of the Citroen Deux Chevaux—I have had five of them. It cost me £60 to get rid of my last one. If the cost of recycling is to be borne by the last owner, how much more will it cost to get rid of the next one? I do this by choice—it is my hobby—but many people drive that sort of vehicle out of necessity, because they cannot afford a newer model. Moreover, the editor warned me that I would require a special licence for doing what I customarily do—strip one and use the parts on the other. Can that be true? Can anything so absurd be envisaged?

10.29 am

Mr. Bill Wiggin (Leominster): As I listened to the debate it struck me that the road to hell is paved with good intentions, and never was there a truer example than the Government's handling of the refrigerator crisis. They had a good idea; they liked the headline, and they signed the directive. Then they played for time, lost, and had an environmental crisis on their hands. Since then, they have been looking for someone else to blame.

The hon. Member for Sherwood (Paddy Tipping) valiantly defended the Minister by saying that things got better when he intervened. Moments before, the Minister had leapt to his feet to tell us that he had known about the proposal since 1999. At this stage, blame for the crisis must stop with the Labour Government.

10.30 am

Malcolm Bruce: I congratulate the hon. Member for Upminster (Angela Watkinson) on giving us an opportunity to have this debate, which is overdue and necessary. There has been a mixture of contributions, some from hon. Members who have been up to here with fridges for a long time and some from those who have entered the debate more recently.

First, those who devised the regulation—I think that it was under the Austrian presidency—believed that the technology was already available and being used. The difficulty was that the view in the United Kingdom, which is always laggardly in these matters, was that the technology was impossible and impracticable. Therefore, we could sign the directive because we could argue that what was proposed could not be done, whereas those who drafted the directive knew that it could and would be done and were already doing it, or planning to do it. Peter Jones of Biffa summarised the matter well in his evidence to the Select Committee on Environment, Food and Rural Affairs. He said that

> "the Government had lost sight of its own broad environmental strategy to reduce emissions, and rather than embracing the spirit of the Regulation it instead focused too closely on avoiding the burden of implementing its details".

I take issue with the hon. Member for Dudley, North (Ross Cranston) who said that the regulation was full of ambiguities. The regulation was clear—its intention was completely clear. The Government knew that, and spent an awful lot of time trying to avoid implementing it. I record an exchange between a researcher in the office of a Liberal Democrat MEP who covers the environment and an official from DEFRA. When the researcher read out the regulation, the official said, "Oh, shit!", which may be unparliamentary, Mr. Deputy Speaker, but that is what she said.

Ross Cranston: I refer the hon. Gentleman to the evidence to the Select Committee on page 102, paragraph 29, which states:

> "The Commission's table of clarifications issued in February 2000 identified 23 areas of ambiguity, including three in Article 15 (now 16) where an agreed interpretation was needed."

Malcolm Bruce: There was a discussion about it, but the Government were relying on the words "where practicable". Everyone engaged in that discussion knew that it was practicable, which is why six countries fully implemented disposal of all their fridges under the existing technology. This month, there will be a mountain of 1 million unprocessed fridges in the UK. I understand—the Minister may correct me—that we have about 600,000 fridges-worth of installed capacity. It will take well over a year to get rid of the backlog before we can even begin to address the continuing problem of more old fridges coming up for recycling.

The hon. Member for Brecon and Radnorshire (Mr. Williams) was right to say that we should be considering ways to encourage people to refurbish their fridges and hang on to them. The hon. Member for New Forest, West (Mr. Swayne) mentioned Africa. The argument was that Africa solved our problem because the vast majority of our old fridges were exported there. The problem is that when those fridges eventually died, Africa had no facilities to dispose of them. Sending our fridges to Africa did not help our objective of reducing emissions.

We must consider how we can get on top of the problem in respect of the regulation, because we have not done so yet. The cost to local authorities has been mentioned on several occasions. My office tried to analyse the financial implications of the problem. By dint of asking the industry the average cost of disposal and asking local authorities how many fridges on average they disposed of, we came up with a figure of between £60 million and £70 million a year. A spokesperson for DEFRA said that the Liberal Democrats were talking rubbish.

Mr. Swayne: As usual.

Malcolm Bruce: That was said as well. The reality, as has been demonstrated, is that the figure was approximately right.

The real worry, which the hon. Member for Sherwood rightly touched upon, is that local authorities, which are legally and practically responsible, are not being fully reimbursed for the cost of taking and storing fridges. The £6 million that they have received so far is considerably short of the total cost. In addition, they have to move fridges to an intermediate location. They then have to pay the cost of storage, and will have to transport the fridges to the place where they are eventually recycled. All that could have been avoided if we had acted early enough to get the capacity in place.

Biffa was more than willing to make an investment some time ago and in time to meet the requirement of the regulation, but it could not obtain clarification from DEFRA about whether the regulation would be applied. Mr. Jones said that the company would not spend £3 million investing in a plant if some fly-by-night character could come and steal the business away from it. It wants to be sure that the Government will back it up and enforce the regulation. There is clearly a difference of view about the timing, and about when the investment could have been in place.

The reference that has been made to the end of life vehicle directive is relevant. Here is a chance for us to get it right. There is enough lead time on that directive for us to think through what we are doing and solve the problem in advance. As I said earlier, the proposal that the last user should be responsible is bonkers and totally unworkable. The hon. Member for New Forest, West may be a responsible chap who pays to have his taken away, but hundreds of thousands of cars are abandoned every year and 15 per cent. of them are set alight. It costs on average £400 million a year to deal with abandoned cars, and that figure could well double if we apply this regulation. It will be a much more expensive problem than the fridges problem if we do not tackle it head on and in good time.

The lesson to be learned, and I quote the Secretary of State here, is to work with the flow of these European directives and regulations rather than resisting them. We are laggards in this country. I commend the Minister. I accept that he has a commitment to the environment and to implementing policies that will improve our environment and deal with recycling, and I suspect that he sometimes has frustrating experiences in Government when trying to get some of those policies implemented. On 2 May 2002 the Secretary of State said:

> "sometimes we have been forced to accept judgements that we have under-implemented in the past. The lesson for the future is absolutely clear: we must engage from the first stages of such discussion, be more certain of what commitments actually mean, and play a full part in negotiation of new directives . . . It is simply no good attempting to object when the debate is all over bar the shouting."

She is absolutely right, but I am not convinced that the way in which we approach these things has changed.

Austria, Germany, the Netherlands and the Scandinavian countries are way ahead of us in recycling, in terms of both their cultural commitment to it and their practical engagement with it. These are the people who are shaping the regulations and the directives—rightly so, because handing the task of creating a directive to the worst performer would represent the lowest common denominator rather than the highest aspiration. In a sense we should accept that other countries are ahead of us, and take the opportunity to catch up. Obviously I do not know the exact details of his constituent, but the hon. Member for Brecon and Radnorshire put his finger on an interesting point. There are advantages in being late, as long as we are committed to implementing the proposals. That means that we may be able to invest in superior, more efficient and effective technology and thus demonstrate that, late as we are, we can make a realistic contribution to solving the problem.

My plea to the Government is to start doing what the Secretary of State suggests: think things through in good time, encourage people with clear directives so that they know how to invest, and ensure that the mechanisms that we have in place will deliver the desired outcome. The desired outcome is a lot less waste, a lot more recycling and a climate in which the UK can hold its head up high and say, "We are not the worst polluters in Europe; we are setting the best example." However, there is a long way to go.

10.39 am

Mr. Jonathan Sayeed (Mid-Bedfordshire): I congratulate my hon. Friend the Member for Upminster (Angela Watkinson) on securing the debate. Although the fridge fiasco was well catalogued by the British media and the Government have been criticised by pretty well everyone, it is fitting that the House should be presented with another opportunity to discuss how we came to such a sorry situation.

The Minister for the Environment insists that his Department was given the relevant information belatedly, but we have known for many years that no other part of a refrigerator presents such a serious threat to the ozone layer as the CFCs in the insulation foam. Because of that and because the aim of the EU regulations on fridge disposal is to safeguard the

[Mr. Jonathan Sayeed]

environment against ozone-depleting substances, a requirement to extract CFCs from insulation foam was inevitable. Other countries met with ease the practicalities of dealing with insulation foam; as early as October 2000, four other EU member states had the technology with which to remove that hazard. It is therefore deeply disappointing and environmentally damaging that the Government did not ensure that the UK was similarly equipped. Had they done so, we could now have a thriving fridge recycling industry.

Ross Cranston (Dudley, North): Will the hon. Gentleman give way?

Mr. Sayeed: No, I am sorry; I have only limited time.

Even now, the UK has only one 10th of the recycling capacity needed to implement the regulation. The Minister has admitted to the Environment, Food and Rural Affairs Committee that a £20 million industry exporting refurbished fridges was destroyed under EU regulations. Up to 40 per cent. of the 2.5 million domestic fridges replaced every year used to be refurbished for that export market, or for poorer people in this country. The majority were exported, and most went to the poorest countries in the world which cannot afford new refrigerators in which to store essential drugs. However, the Government have now admitted that until Customs and Excise began to enforce the regulation to stop the export of refurbished fridges, the Government did not realise that the regulations would destroy that life-saving trade.

The Environment, Food and Rural Affairs Committee has confirmed what everyone has said all along: the current fridge fiasco has been caused by the Government's incompetence. The Government alone are to blame. The Committee said:

> "the overwhelming responsibility for mishandling the implementation of the regulation lies with the Government."

Those are the words of a Select Committee a majority of whose members are from the Government party.

The result of the Government's ineptitude is that at least 1 million fridges are piling up across the UK with few facilities to combat the problem, which will get worse. Discarded fridges are rotting and leaking the greenhouse gases that the European directive aims to have safely recycled. The Minister proceeded with the regulation without appropriate preparation and has consequently created an environmental hazard that is far worse than the one that would have occurred if he had delayed or done nothing. The Select Committee has found that the fiasco will cost the UK about £40 million, which would not otherwise have been incurred. Local authorities say that it will cost them £65 million this year alone. If we add to that the extra cost to householders and the cost for next year, we will be facing an unnecessary bill of more than £100 million.

It is imperative that the Government accept the blame for this fiasco, and learn the necessary lessons from it. Implementation of other EU directives, such as the end of life vehicle directive and the WEEE directive, is imminent. The Government must ensure that we have the ability to deal with redundant products before these directives are implemented.

When the Minister discussed matters with the Environment, Food and Rural Affairs Committee, he blamed EC officials for their tardiness in providing an authoritative ruling on whether foam was included in the regulations, but he withdrew an allegation that the European Commission was incompetent. When the Commissioner made it clear that it was the Minister who was in the wrong, the Minister blamed the waste industry for having claimed that it could provide facilities to meet the deadline for recycling foam. He neglected to say that his Department had not informed the industry of the rules under which it would have to operate. The only people who have avoided the Minister's—but not the public's—censure are the Minister and his officials in DEFRA. Even if the EU was tardy, it is an abysmal dereliction of duty not to have done what other countries did, which was to make contingency plans.

In the past, the Minister has made extravagant comments about himself. He has claimed that his performance as a Minister has resulted in the climate change programme, the Countryside and Rights of Way Act 2000, the home energy efficiency scheme, the energy efficiency commitment, and a commitment to end fuel poverty within 10 years. Most other people have a very different opinion from the Minister's about the Government's record on the environment. Carbon dioxide emissions have increased over the past two years. Labour Members have joined Conservative and Liberal Democrat Members to stop the Government scuppering the Home Energy Conservation Bill, and hurting the fuel poor.

I accused the Minister of being the environmental fig leaf for a Government who did not give a fig for the environment, and the Minister's self-congratulatory examples prove my case. Commenting on the Government's five-year record on the environment, the Minister's erstwhile friends in Friends of the Earth highlighted the importance of the environment in modern politics and the lack of political will on the part of the Government. It would be straining parliamentary language to quote what the Home Energy Conservation Partnership has said about the Minister.

DEFRA's lack of foresight has resulted in 13 million old tyres smouldering away and polluting the atmosphere, and mountains of old fridges with no means to recycle them. Unless the Minister learns from his mistakes, they will be joined by thousands of incinerated cars and millions of dumped televisions, all of which will blight what was once a green and pleasant land.

10.48 am

Mr. Meacher: There is certainly a major difference between the speech of the hon. Member for Upminster (Angela Watkinson), who presented a balanced, thoughtful and fair case about the problems in her constituency and in general, and the extraordinary rant that we have just heard from the hon. Member for Mid-Bedfordshire (Mr. Sayeed), who spoke from the Conservative Front Bench, which was the biggest farrago of nonsense that I have heard since he last spoke.

The hon. Lady made the point that the Government reacted too late. However, as I have related the facts so many times, I am astonished that Conservative Members are so unwilling to take on board what actually happened, and prefer to resort to the kind of political slapstick that we have just had from the Opposition Front Bench. I will take the hon. Gentleman through what happened.

legislation was passed in December 1998 by the Austrian presidency, which was keen to reach agreement quickly. Although the legislation was not published until August 1998, it went through in December of that year because of strong political pressure to secure early agreement under the Austrian presidency. That is one thing that went wrong. The real point is that no one—not the presidency, the Commission, or any Department in any member state—questioned the idea that the regulation applied only to the coolant circuit of refrigerators. That is what everyone believed. Prior to December 1998, when the regulation was passed, no one, including those in the waste management industry in the UK and elsewhere, asked whether it also applied to insulation foam. The UK industry raised the subject with us two months later in February 1999, and we immediately raised it with the Commission.

As I have said on nine separate occasions in the past two and a quarter years, between February 1999 and June 2001, my officials raised the matter at every management committee meeting, which was the right place to do so. They also raised it at formal meetings of the Commission, held to decide any details left unresolved in the Council of Ministers and to settle how directives and regulations should be implemented. My officials did absolutely the right thing. I have heard the Select Committee's response that "overwhelming responsibility" for the issue lies with the Government—the words have been correctly quoted—but that is the biggest travesty of the reality that I have ever heard.

Malcolm Bruce: Will the Minister give way?

Mr. Meacher: I am unwilling to do so, because I have hardly any time. This will be the last intervention that I allow.

Malcolm Bruce: The information from the European Commission says that on 1 October 2000 it was made clear that foam should be removed. It was the British Government who questioned the practicality of doing so.

Mr. Meacher: That is simply not the case. The Commission's view before October 2000, and afterwards, was that of the UK industry—that foam removal was probably not required. There was a question about whether the "if practicable" part of article 16 applied. We continually asked for certainty on that matter, because the industry needed it. It was not until we insisted, out of the normal cycle of events, on having an extraordinary meeting in June 2001 that it was finally decided, after lengthy and anguished discussions, that it did apply. We then immediately put in place all the measures that we could in respect of local authorities, the waste management industry, and investors, in order to deal with the situation.

I absolutely insist that the Government could not have done more. The only thing that my officials accept—I must say that I agree with them—is that I should have been brought into the matter earlier. I was not informed until July 2001, and in retrospect, I think that that was wrong, and my officials agree. As I have said publicly, I would have contacted the Commissioner. I would have raised the matter in Council meetings, and I believe that I could have got an earlier answer. However, on the basis of the facts that I have given, the fault lies absolutely and wholly with the Commission. There are lessons for us to learn. I do not want to get into an argument with the Commission, but I have given the facts, and I need those facts to be recognised.

The UK industry has now made the investment necessary to enable the safe disposal of fridges. I entirely absolve it of blame for the fact that seven months was too short a time for it to be able to do so before 1 January 2002. Four plants have been operating for several weeks. Another opened last week, and a further five are due to come on line this year, two of them in August. We therefore expect the fridge mountain to begin to reduce from October.

The hon. Member for Upminster asked, perfectly fairly, why we did not delay implementation of the directive. Of course we thought about that. It would have been desirable, but the directive does not have to be transposed into UK law; it is a regulation that has applied automatically to every member state from 1 January 2002. Once it had been passed—in fact, two or three years before that—it required the agreement of not only the Commission but all member states to delay its implementation. As has been said repeatedly, four member states already had the relevant technology and would not have agreed, so we could not get a postponement of the directive.

Exports have been ended—rightly, I think—because developing countries do not have disposal facilities. The object is to prevent leakage or gassing, which causes gas to enter the atmosphere and deplete the ozone layer.

I have said, and I repeat what others have said, that our best estimate of the initial annual UK cost is about £40 million. That cost will decrease as plants are commissioned—I have already said that there will be 10 by the end of the year—competition becomes established and more fridges that do not require treatment enter the waste stream.

I was asked about the retailer take-back scheme. I am keen for the scheme to resume operation. The decision to stop it was not required by the regulation, but it was a commercial decision taken partly because of the end of the export trade. The retailers said that they could not continue the scheme without adequate treatment facilities. The main barrier to the scheme is the increased cost associated with fridge disposal. I hope that we will soon be able to make a statement about funding, although any decision must be taken in the context of the spending review. Further to several meetings that I have held with the retailers, I believe that conditions required to put the retailer take-back system in place are fulfilled.

My hon. Friend the Member for Sherwood (Paddy Tipping) mentioned lessons, and there are two to be learned. I agree with hon. Members who have said that

[Mr. Meacher]

we should follow through all implementation details before passing a directive or regulation. Of course, that is right. It did not happen this time because prior to December 1998, nobody anticipated the full implications. We must learn that lesson and ensure that this situation does not happen again. The second lesson is that if there are outstanding details, the European Commission's management committee must reply promptly. I underline that several times.

It was correctly said that four member states had the technology in place at the outset. Eight member states now have plants to deal with fridges, and at least four or five have adequate capacity to handle all their waste fridges. Luxembourg hires a plant to deal with its fridges as necessary. The remaining six or seven member states are in a worse position than the UK. By the end of the year, or shortly after, we will be able to reprocess the vast majority of our fridges, and certainly 1.2 million per year by the end of next month. We have made substantial progress.

I turn to the waste electrical and electronic equipment directive—WEEE—and the end of life vehicles directive. Both directives must be transposed into UK law before they are applicable, which gives us time to implement them properly. That is the key point. We will not implement the directives until we are confident that facilities are in place. Fridges were covered by a regulation, which meant that it came into force in all member states automatically.

It is a key point that we will not have the uncertainty about each new directive that we had with fridges. The WEEE directive is subject to conciliation, and it is still going through Brussels. It will not come into force until 2004, which gives us sufficient time to deal with it. We are consulting local authorities and industry even before the directive has been finally approved.

We carried out one round of consultations in March 2001 on the hazardous waste directive, and a second round will be held later this year. Legislation is now in place implementing the landfill directive in England and Wales. There has been uncertainty about the waste acceptance criteria. Brussels has extensively delayed letting us know what the criteria will be, and they will not be finalised until a vote is taken on 23 July. We need the criteria in order to decide the different classes of landfill and what is hazardous, non-hazardous or inert. That information has still not been provided.

As the hon. Member for Gordon (Malcolm Bruce) said, the Department of Trade and Industry is leading the way on implementation of the end of life vehicles directive, but I assure him that there is the closest liaison about it. Even though both Departments are involved because of their different interests, we are working closely to ensure that the directive comes into force smoothly. The technology is already available and we do not foresee any problems.

Mr. Deputy Speaker: Order. We must now move on to the next debate.

European Union

11 am

Mr. Wayne David (Caerphilly): I was a Member of the European Parliament for 10 years. I was elected in 1989, and one of the first things that I was told when I arrived in the Chamber was that as the European Union was a democratic entity, if it applied to join itself, it would not be admitted. Of course, what was meant by that was that in those days, although the EU was strong on the rhetoric of democracy, there was little there of any substance.

However, I saw a dramatic change take place during the 10 years that I was a Member of the European Parliament, which was brought about by fundamental treaty alterations. There was the Single European Act, which Mrs. Thatcher had the good sense to support, and the treaties of Maastricht and Amsterdam.

Because of those treaty changes, the European Parliament has significant democratic powers today. It has the power of scrutiny over other bodies such as the European Central Bank and the European Commission. It has significant budgetary powers, and can have significant influence over the EU budget for non-compulsory areas of expenditure. Most importantly, it has a range of different and significant legislative powers, chiefly the power of co-decision, which the Parliament uses in a responsible and coherent way.

The powers of the European Parliament were most clearly demonstrated in 1999, when it dismissed the Santer Commission en bloc. That single act had a profound influence on the people of Europe's perception of the European Parliament. It also markedly changed the power relationship between the European Commission and the Parliament. We should remember that the European Parliament is the only institution that is directly elected by the people of Europe. National Parliaments and the European Parliament should work together in partnership.

Mr. Richard Spring (West Suffolk): Would the hon. Gentleman care to observe whether he thinks that the sense of connection between MEPs and the electorate has been enhanced or diminished by the change from first past the post to a list system of election?

Mr. David: My personal view is that the move to the unfortunate form of proportional representation that we now have was a retrograde step. I am convinced that first past the post is the most appropriate method of election in this country for all tiers of government—and that definitely applies to the European Parliament.

As well as the European Parliament, there is the European Commission. The Commission is the custodian of the European treaties. It has the sole power to initiate legislation. It represents the EU as a whole in trade negotiations, provides the administration of the EU and overrides sectional interests in the broader interests of the Community as a whole.

As well as having those significant powers, the Commission is the subject of constant criticism, not least by the tabloid press. How many times have we heard tales about square strawberries and straight bananas, attempts by the Commission to introduce fishermen's hairnets, and other nonsensical stories? When I was a Member of the European Parliament, the fishermen's hairnets story was running in the UK tabloid press, and I made inquiries of the Parliament and the Commission to see where that story had emanated from. No one had any idea. Almost in desperation, I visited a famous watering hole in Brussels called Kitty O'Shea's for half a Guinness, and lo and behold, I met the members of the British press corps joking among themselves. They had invented the story about fishermen's hairnets and sent it back to the UK, and to their amazement, it hit the front pages of the newspapers. That is a fair indication of how the irresponsible press in this country all too often misrepresents what happens in the European Union.

It is worth remembering that, although it is not faultless, the European Commission has only 17,000 civil servants—a bureaucracy far smaller than the many Government Departments in this country. The EU bureaucracy is also one of the most open that I have come across. It is often easier to gain access to Commission civil servants than it is to civil servants in this country.

The third element of the triumvirate of important institutions in the European Union is the Council of Ministers. It is there that power ultimately resides; it is there that most decisions affecting the development of the EU and the lives of European citizens are made, whether through unanimity or qualified majority voting.

Over the past couple of years there has been an increase in the influence of the Council of Ministers, particularly over the second and third pillars of the European treaties—the pillars of common foreign and security policy and the embryonic European defence and security policy, and justice and home affairs. People often ask whether the Council of Ministers is democratic. The European Council meets four times a year. It is made up of democratically elected Heads of Government, who are drawn from national states. The Council of Ministers, which makes many key decisions, is made up of national Government Ministers, elected by the people and accountable to national Parliaments. It is important to bear such matters in mind when considering democracy in the European Union.

Many unfair criticisms are made of the EU, and they are often extremely nationalistic in tone. Nevertheless, we have to accept that most people in the European Union regard its institutions as remote. Some regard them as irrelevant, and that is clearly shown by the low turnout for the European Parliament elections, not only in this country but in other EU countries. Those of us who believe in Europe and in democracy must accept that things have to change, and change radically. The status quo cannot be the way forward. I was pleased therefore that there was clear acceptance of that at the Laeken summit. A key extract from the declaration agreed by member states at Laeken is:

> "The European Union derives its legitimacy from the democratic values it projects, the aims it pursues and the powers and instruments it possesses. However, the European project also derives its legitimacy from democratic, transparent and efficient institutions...The first question is thus how we can increase the democratic legitimacy and transparency of the present institutions, a question which is valid for the three institutions."

I agree 100 per cent. with that declaration. Such a clear statement was a monumental step forward. Following that, a decision was made at Laeken to establish a convention to consider the future of Europe. The convention on the future of Europe has already begun its deliberations, and although it is early days, significant progress has been made. I hope that strong recommendations will be made to the next intergovernmental conference. The convention comprises Ministers from the member states, and representatives of the European Parliament, the European Commission and the United Kingdom Parliament. I am pleased that our representatives are already reporting back to this Parliament effectively, and I hope that that will continue.

We have a long way to go, but the situation is encouraging. I am pleased that the European Scrutiny Committee is already making a significant contribution to the debate on Europe's development, which must be held here and in the institutions of Europe. I warmly commend the European Scrutiny Committee's report to hon. Members, and I hope that they will take the trouble to read it. If it is implemented, it will have a profound effect for the better on our future work. I also hope that representations about debating the report fully on the Floor of the House will be taken up, and that there will be such a debate in the near future.

Angus Robertson (Moray): The European Scrutiny Committee published a report on the scrutiny of European business in the United Kingdom. One of its recommendations was that we should consider lifting the confidentiality of the relationship between the different Administrations in the UK. Does the hon. Gentleman agree that his colleague the Minister should listen to that suggestion and pursue it? After all, we are talking about transparency, democracy and accountability, which are relevant to the UK as well as to the European Union.

Mr. David: As I said, democracy and transparency are essential, given the relationship between the different elements of government that now exist in the United Kingdom. Our democracy is evolving internally, which means that democracy and transparency must always be scrutinised so that we have the best possible systems.

I will focus briefly on some of the changes that I would like to see over the next few months, and on how Europe might develop. This is not the time or the place to debate in detail the report of the European Scrutiny Committee, but my comments are complementary to the thrust of its arguments.

The European Union is an association of independent sovereign states that decide from time to time to pool their sovereignty in their mutual best interests. If hon. Members accept my definition of what the EU is in essence, it follows that the Council of Ministers has a pivotal role in the EU's development. I want far more coherent intergovernmental co-operation and better organisation of the Council's work. It is significant that there was a step forward in that respect at the summit in Seville. However, we have much further to go, and I hope that that issue will be carefully considered.

We must consider especially the ending of the six-month presidency of the European Council. We talk about the future enlargement of the EU and an increase

[Mr. David]

in the number of member states from 15 to 25, so it is nonsense to have a rotating presidency and, as a consequence, a shifting agenda every six months. I would like the Council of Ministers to have a more permanent chair; I would even like consideration to be given to the idea of a president—but before anyone suggests that that should be Tony Blair, I must say that my right hon. Friend the Prime Minister is already doing a good job here. No Labour Members would like him to move from his effective role in this country.

We should consider more generally the need for better organisation of the work of the Council of Ministers. It needs an annual agenda, a work programme, and, above all, a clear sense of strategic direction. We need to know where the European Union as a whole is going, not only in a few months' time, but in the years ahead. The Council of Ministers should be responsible for providing that sense of purpose and direction.

There is also a need in certain areas for intergovernmental co-operation to be strengthened, particularly in terms of deepening the common foreign and security policy and the EDSP. The relationship between the European Commission and the Council should perhaps be redefined. Inevitably, we need to look objectively at whether qualified majority voting should be adhered to or extended. There is a case for that in some areas, but in others there is not. The issue must be examined carefully, in our national interest.

One vital reform to reinforce democracy would be for the Council to make its legislation in public. In a modern democracy, it is unacceptable for the Council of Ministers to meet behind closed doors to agree legislation that will affect the citizens of Europe, including those of our country.

Another area that needs careful examination is the role of the European Commission. I am one of the people who believe that the European Commission should be more accountable; although it should retain its right of initiative, political direction in the EU should come from the Council of Ministers. The European Commission should be less of a political body and more of a civil service, taking its lead from the elected representatives on the Council.

I shall not dwell on the subject of national Parliaments, other than to say that they have an essential role in the development of democracy in the EU, in scrutiny and, vitally, in defining whether the principle of subsidiarity is applied. Subsidiarity is essentially a political rather than a judicial term.

Angus Robertson: I am grateful that the hon. Gentleman has brought up the issue of subsidiarity, because it is relevant not only to member states but to sub-state legislatures. The transfer of information is another key area. The Government have stressed repeatedly that they do transfer information, but the hon. Gentleman will be aware of correspondence from the Department for Environment, Food and Rural Affairs and the Foreign Office confirming that agendas of Council of Ministers meetings have not been forwarded. He will also know that despite the Government's assurance to the European Scrutiny Committee that that practice will end, there has been a more recent example of information not being forwarded. How can subsidiarity be properly observed if Whitehall Departments do not forward information to the Welsh Assembly, the Scottish Parliament or the Northern Ireland Assembly?

Mr. David: I repeat that I genuinely believe that the Government are willing to ensure that there is participation and accountability. However, the mechanics to achieve that aim are not always in place—and that applies to Whitehall Departments. The relationship with the devolved institutions is a developing one, and it will take time to make sure that the mechanics are in place effectively. One of the most impressive aspects of the devolution settlement is the good relationship between central Government and both the Scottish Parliament and the National Assembly for Wales. We need to build on that good will to ensure that the settlement works as effectively as possible.

As I said, the European Parliament has considerable powers and, given the complexity of the legislative processes with which it is involved, we need to ensure that its involvement is as effective and efficient as possible. It also needs more openness. The co-decision process is complex but needs to be far more transparent. The emphasis should be on that, rather than on giving the European Parliament more powers for the sake of it. We should bear in mind the fact that turnout in the previous European Parliament elections was just 24 per cent. in this country. The emphasis must be on raising the credibility and acceptance of the European Parliament, rather than arguing for it to have still more powers.

My thesis is that although the European Union is not as undemocratic as many claim, there is room for significant improvement. I hope that the convention on the Future of Europe will make proposals about how Europe can be made more democratic that are acceptable to all member states and parties. Above all, as well as arguing for democracy, we must take that opportunity to define a new vision for the people of Europe.

Perhaps we politicians should speak less about comitology, proximity and subsidiarity, and more about issues to which people can relate more easily, such as jobs, peace and the environment. That is why a good starting point for the new treaty that I hope will result from the next intergovernmental conference would be to define clearly what European co-operation is all about. If we do that, we will have a good chance of one day making the EU popular among all the people of Europe.

11.21 am

Mr. John Randall (Uxbridge): I congratulate the hon. Member for Caerphilly (Mr. David) on introducing the debate and on trying to unravel the complex and rather mysterious ways of the European system for people such as me, who are not great experts on the intricacies of that institution.

I am keen on enlargement of the European Union, because apart from anything else, most if not all the aspirant countries see it as a means of strengthening their own democracy. In recent times many of those countries suffered regimes that were far from democratic; even in today's world, those democracies could sometimes be regarded as fragile. Indeed, in my lifetime, existing members of the EU have had regimes that we would not regard as democratic. One thinks of Portugal under Salazar, Spain under Franco and Greece under the colonels. However, now it would be strange to think of those countries as not at the forefront of democracy. Not long ago some countries that hope to join the EU, such as Romania and Bulgaria, were perceived as among the most undemocratic countries not only in Europe but in the world. We must therefore make progress on enlargement and other issues.

There is, however, always a problem. If the processes are not correct, the smaller countries will feel that the large countries will overrule them. That is undoubtedly a difficult balance, as one of the Balkan countries has shown. One of the many complex reasons for the break-up of Yugoslavia was that some of the smaller republics in the federation felt that the larger two republics—Serbia and Croatia—were constantly overruling them. Again, I ask the Minister to say how the moves to admit Yugoslavia to the Council of Europe are progressing.

As the hon. Member for Caerphilly said, many British people wonder how the EU works. Some of its procedures seem so shrouded in mystery that people wonder what influence they have on it.

After an intervention by my hon. Friend the Member for West Suffolk (Mr. Spring), the hon. Member for Caerphilly spoke about elections to the European Parliament. I have never seen people so worked up about electoral arrangements: the current system of party lists seems so unfair. For the benefit of Labour Members, I should explain that one of their London MEPs wisely decided to join the Conservatives—surely there is a democratic deficit in that the individual was elected under a party list system and those who voted for a Labour MEP now have a Conservative one. They should be delighted because, like the gentleman concerned, they have realised the error of their ways. However, it is patently not very democratic when someone elected on a party list system crosses the Floor.

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): I am intrigued by the hon. Gentleman's argument. My party has always supported the single transferable vote and we accept that the existing system has major weaknesses. However, what is the difference between what the hon. Gentleman describes and the first-past-the-post system, under which many people have crossed the floor to join different political parties?

Mr. Randall: I understand the hon. Gentleman's point, but first past the post applies to constituencies and single members. Rightly or wrongly, most people do not vote for the person, but the party. Those elected always claim that they were voted in as a person. However, the system that I am describing is overtly wrong because people vote for a party, and the system does not stand up when those elected change their party allegiance. I often wonder what would happen if a by-election were always necessary when members crossed the Floor; I doubt whether they would be so ready to do so. It is largely a matter for individual Members' consciences, but if people are elected under a party system there should be no doubt about what that should entail. That is just one example of why people regard the processes of the EU as undemocratic.

The hon. Member for Caerphilly spoke about rolling six-month presidencies. I understand his point, but further questions arise about a directly elected president. No one wants failed politicians dumped into that position in order to get them out of the way. Who will do the direct electing—the whole population or a smaller constituency? How will that affect smaller countries, which might conclude that there will always be a French, German, Italian or British president? The system is so large and unwieldy that we must be careful about how we progress.

Mr. Win Griffiths (Bridgend): The hon. Gentleman raises an interesting counter-point. In a European Union of 25 or more countries, the presidency might come round to every country once every 12 years or so. As my hon. Friend the Member for Caerphilly said, we need to rethink the process and find a way, perhaps through regional blocs within the EU, to establish agreement on how to organise the presidency in future.

Mr. Randall: The hon. Gentleman makes a fair point. I am not advocating a particular system. I am not sure of the benefits of the current presidency system even with the existing number of member states. With an enlarged EU, it would become unwieldy.

I have always shied away from the complexities of the European Union and concentrated more parochially on matters that affect the United Kingdom and, more importantly, my constituents in Uxbridge. The EU's problem is that it seems distant from the everyday lives of my constituents, except when they are seemingly told that they cannot do this or must do that because of Europe. That is a spurious impression, which we in this House sometimes use as a let-out. However, if their Member of Parliament—admittedly not one of the world's greatest brains—cannot give an answer, it is difficult for the average person in Uxbridge to ascertain how decisions are made.

Time is short, and I do not want to labour the point, but if the EU is going to persuade the people of this country of the merits and benefits of membership, it must get its own house in order. For the EU to ask for reruns of referendums until it gets the right answer is more like what happens in Whips Offices than what happens in a democratic institution.

Mr. Deputy Speaker (Sir Nicholas Winterton): I call Mr. Win Griffiths.

Mr. Win Griffiths: I had not requested to speak, Mr. Deputy Speaker. I have to leave before the end of the debate, and it would not be fair on other Members.

Mr. Deputy Speaker: I have never been present at a debate of this importance in which no one has risen to speak.

Mr. Moore *rose—*

Mr. Deputy Speaker: Mr. Michael Moore will start the winding-up speeches for the Liberal Democrats.

11.31 am

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): Thank you, Mr. Deputy Speaker. Like you, I think it is a shame that there are not more willing participants in the Chamber for such an important debate. It rather weakens the argument of this place that we want more scrutiny over European affairs if we cannot muster more than two contributions before the winding-up speeches. However, that does not detract from the importance of the issue. I congratulate the hon. Member for Caerphilly (Mr. David) on once again focusing our minds on an important aspect of European business. There is perhaps nothing more fundamental than the democratic nature of the institutions of the European Union.

The EU has been in existence for close to 50 years and has evolved considerably during that period. Its original aims and objectives focused on underpinning the security of nation states that had spent much of the previous few hundred years at war with one another. It also had the desire to develop and promote prosperity within the member countries, and at all times it has been a club for democrats. As the hon. Member for Uxbridge (Mr. Randall) said, within living memory the Governments of Spain, Portugal and Greece were not suitable for membership of the EU. There were dictators at the heart of Europe, but the carrot of EU membership was important in those countries' rapid progression towards democracy. Those democracies have undoubtedly developed and are now full partners in the Union.

We hope that we are poised on the verge of significant enlargement. Many countries that were once under the shadow of the USSR are poised to entrench their democracies in the EU. Of the current applicant countries, only Turkey fails to meet the political criteria set out by member states years ago at the Copenhagen summit, and cannot expect to join until that is resolved. Those countries are rightly focused on the democratic values and institutions that allow them to become part of the EU, but as the hon. Member for Caerphilly briefly outlined, there is an unhappy contrast between the democratic responsibilities of those who wish to be part of the club and the practices of the club itself. He mentioned that in 1989 the question was asked whether the EU would be admitted to its own club—and many could still argue that point today, but I hope that we can afford to be optimistic that the process of reform will develop a momentum to tackle many of the weaknesses.

The crisis of legitimacy, which is at the heart of the EU, rightly gives rise to much soul searching. We hear a lot about the democratic deficit, the failure of accountability and the need to reconnect the electorate with a plethora of unloved European institutions. Many of the failings of those institutions have been rehearsed this morning. There is a lack of clarity about the EU's purpose, with no clearly defined mission statement and a legislative footprint some 80,000 pages high, and rising. There is no clear focus on subsidiarity, which would ensure that decisions were taken at the most appropriate level in the EU.

As has oft been remarked, there is clearly a lack of openness in key institutions. Perhaps most damagingly, there is a lack of accountability, because of the inherent imbalance both among the EU's institutions and between the institutions and member states.

Angus Robertson: Does the hon. Gentleman not agree that one of our greatest challenges is to end the perception that the EU is based simply in Brussels, rather than also being close to home, with member state Governments and devolved Governments? Ending that perception might help to change the way in which the Government work in a European context. The EU is not only over there; it is over here, too.

Mr. Moore: I agree with the hon. Gentleman. There was an unasked question about how the Scottish Parliament and other devolved institutions should relate to that idea, and I agree with the hon. Member for Caerphilly that this is clearly an evolving process. No one would accept that those relationships are fully developed, but as devolution beds down, we need to learn what the right level for decision making is.

Angus Robertson: Does the hon. Gentleman not agree that as a minimum, we should hold to the rules clearly laid out in the concordats that govern the relationship between the UK Government and the Executives of Scotland, Wales and Northern Ireland? Devolution is an evolving process, but when the relationship between Governments is governed by rules, those rules should be held to, and they should be transparent.

Mr. Moore: I must make it clear that I do not share the hon. Gentleman's view of what the devolution process might evolve into in the end, and I have no wish to see Scotland independent from the rest of the United Kingdom. However, I agree that rules should be adhered to, and I pay tribute to his sometimes lonely one-man battle against everything in Whitehall in which he feels that Scotland is not getting its share. I wish him luck in that.

Mr. Bill Tynan (Hamilton, South): Obviously it is essential that the Scottish Parliament should be deeply involved in Europe, and that Scotland should also be part of the UK. However, does the hon. Gentleman not agree that the real challenge, especially in view of the enlargement of the EU, is to connect with the people in more detail and ensure that they understand EU procedures? We do not want them to feel divorced from the decision making.

Mr. Moore: I am in danger of talking myself into a cul-de-sac in which I shall not be able to make the points that the hon. Gentleman has just made. I am grateful to him for refocusing our discussion. The hon. Member for Moray (Angus Robertson) may not agree, but because Scotland is still in the early years after devolution, we should see how its relationship with Europe develops and recognise that its future is best secured as part of the United Kingdom.

Angus Robertson: Will the hon. Gentleman give way?

Mr. Moore: I have given way to the hon. Gentleman twice already, and I want to make progress—

Mr. David Drew (Stroud) *rose*—

Mr. Moore: I shall take just one more intervention, and give way to the hon. Member for Stroud (Mr. Drew).

Mr. Drew: I apologise, Mr. Deputy Speaker, for not being present at the start of the debate; otherwise, I would certainly have tried to catch your eye.

The hon. Gentleman spoke about the isolation of MEPs. My problem is more with what happens when they come over here. I am thinking of the farce of the current so-called foot and mouth investigation being carried out by MEPs. We should examine more fundamentally the relationship between MEPs and Members of this House, because of the way in which people can trample into one's constituency without any recognition of the damage done. All the wrong impressions can be created, so is it not time to examine the relationship more carefully?

Mr. Moore: I do not want to be dragged into the hon. Gentleman's private grief. He has clearly suffered from specific difficulties, on which I cannot comment. However, those problems can emerge as democracies evolve—in Scotland, for example, because of the Scottish Parliament. Some hon. Members are unhappy about the presence of Members of the Scottish Parliament on their territory. Frankly, we all have to learn to live with one another. It would surely be wrong to prevent MEPs elected in this country from visiting parts of it to investigate important issues on a European basis.

Before I generously gave way to several colleagues, I was arguing that over many years we have lost any clear focus on what European institutions are about. The lack of openness and accountability has led to increasingly poor awareness of what is going on among EU voters and growing hostility to much of what the EU quite properly seeks to achieve. A quick glance at the Eurobarometer polls will confirm that.

The EU has several handicaps to overcome. It is necessarily distant because it is "over there". I welcome the participation of its representatives in domestic British political life as well as in Strasbourg and Brussels. Much EU argument is also necessarily technical, but perhaps the biggest handicap is that the EU has had to evolve from tackling one set of problems from a particular era to tackling another set in today's considerably different political context. It is right to scrutinise the purpose of European institutions and to realign them to tackle today's problems more effectively.

We cannot afford to be apologists for the EU, but we can dare to be optimistic. As the EU prepares to admit up to 10 new member states, we know of widespread acceptance of the need for reform, and the convention on the future of Europe is addressing that right now.

Our party is reviewing its policy towards the EU to take account of the changing nature of the European body politic. We have consistently supported the need to reform European institutions and warned of the urgent need to tackle the alarming gap between those institutions and the electorate. First and foremost, we need a clear statement of what the EU is about. We therefore vigorously support the idea of a constitution for the EU, simplifying the many treaties currently in existence, and defining and limiting its powers. If citizens are to have a stake in the European Union, the charter of fundamental rights must be at the heart of the constitution. It is vital for the institutions to make subsidiarity a reality. Decisions should be local where possible, national where necessary, and European where appropriate.

Not only should the principles be embedded in a constitution, but we should ensure that the European Parliament and national Parliaments have an ongoing role in putting them into practice. Much greater openness is required to achieve those aims. All institutions should, as a basic premise, conform to the principles of freedom of information. The Council of Ministers should meet in public when it discusses legislation. A full account of those proceedings and the decisions that have been taken should be published as a matter of course, and should be available for scrutiny in the European Parliament, and in this and other national Parliaments. We should not have the constant battle of having to table the right parliamentary questions to get information out of Ministers.

Greater accountability is also important. The leader of the country that holds the presidency should appear before the European Parliament before and after meetings of the Council. Many different views have been expressed about a rotating presidency. The Liberal Democrats are agnostic on the issue at present—we will watch how the debate develops. The annual "State of the Union" address given by the President of the European Commission should be accompanied by detailed proposals and justification for them under the constitution—particularly with regard to subsidiarity. Commissioners should be scrutinised about their proposals by the European Parliament, which should have the power to vet and veto each Commissioner, not simply the whole group en masse.

The most important aspect of the matter relates to Westminster—we too need to step up a gear. I pay tribute to the work of the Committees that scrutinise European Union activities in both Houses. However, we need to make Ministers' accountability a bigger deal. Perhaps the Minister will tell us when he expects to give evidence to the Committees on the work of the convention, and particularly on the Government's view of how Europe should look after 2004. He had an opportunity to set that out in a recent debate before the Laeken summit, and he has another opportunity to do so this morning. We are still short of specifics. As we approach the recess, and face the prospect of the convention making some key decisions before we return in the autumn, it is scandalous that we still do not have a clear picture of the specifics that the Government will propose and the position that they will seek to negotiate in the convention.

In this Parliament, we pride ourselves on being closer to those who elect us than the European Union institutions are to those who elect them. That may be one of our bigger conceits. If we are to ensure that it is true, we need to raise our collective game. We need to ensure that all substantial Government plans for the Council of Ministers are put to Committees before they are discussed in the Council of Ministers itself. Ministers should, as a matter of course, be required to attend key Committees after meetings of the Council, in order to be scrutinised on what they have been doing.

Europe is, unfortunately, largely unloved. That is partly the fault of those who represent its institutions to the outside world and partly a result of the actions of those who disagree with its very construct. That is politics. We should be ambitious for the European Union; it is a precious idea that needs fostering. However, those ambitions should relate not simply to

[Mr. Moore]

extending the scope and power of the institutions, but to reforming what we have. We should make the European Union more capable of carrying out its existing functions and more in touch with the people on whose behalf it exists.

11.49 am

Mr. Richard Spring (West Suffolk): I congratulate the hon. Member for Caerphilly (Mr. David) on securing this debate. He is a passionate enthusiast for enlargement, and I applaud him for that. I entirely share those sentiments. I also thank him for his insights based on his knowledge of the European Parliament and its workings, which are an important part of the architecture of the European Union.

A lively debate is taking place about democracy and the EU, much of it surrounding the convention on the future of Europe. We believe that reform of the EU's institutions should be based on three elements. First—this is now almost universally agreed—the EU suffers from an acute democratic deficit. The power wielded through its institutions must be made more accountable through greater transparency and greater responsiveness to people's wishes. Secondly, the principle of subsidiarity—at present theoretically embedded in the acquis communautaire but in reality ineffective—must become truly efficacious. That is a crucial point. The history of the EU has been one of working from the top down. That is no longer acceptable. The EU must now work from the bottom up.

Thirdly, it should be recognised that the member states are the fundamental constituent entities of the EU. Any reform that fails to understand that will not succeed; indeed, the first two principles fold into the third. The peoples of Europe naturally look to their national Parliaments to hold the exercise of power to account. They are also the main means for the expression of their wishes. That has become even more the case now that we have moved away from the first-past-the-post system for elections to the European Parliament. Change in Europe should flow upwards from the peoples of Europe; they should not be driven centrally. If we cleave to those three principles we can help to cure the alienation of the EU from the peoples of Europe, and reform an enlarged EU into something that delivers what its peoples want.

Angus Robertson: I know that the hon. Gentleman is well read, so I am certain that he will have read *The Scotsman* yesterday. On the issue of centralism and power exercised at the centre, was he as surprised as I was—I was delighted, although slightly confused—to read that

> "Jack Straw has dropped his opposition to Scotland having more 'independent' influence in Europe"?

Is the hon. Gentleman surprised that we have not heard anything officially from the Government on this? Does he share my hope that the Minister, who was mentioned in the article, might be able to tell hon. Members what the Government's policies are?

Mr. Spring: I am sure that the Minister for Europe will have heard that, and he will be able to confirm or deny what was reported in that august newspaper. I am sure that the hon. Gentleman will agree that leaks and spinning, rather than directly telling Parliament what is going on, is one of the Government's most unattractive characteristics.

I am sorry to say that the Government have been disappointing in their failure to find constructive solutions to the challenges that the EU faces. They have had two big ideas for the reform of the EU's institutions. One has been shot down in flames, and the other has done a magnificent job of raising the hackles of the smaller member states. The Prime Minister's proposal to set up a second chamber of the European Parliament was greeted with silence and/or embarrassment by our EU partners. The House of Commons European Scrutiny Committee rejected the proposal and the subtitle of the report by the House of Lords European Union Committee—

> "an Unreal Solution to Some Real Problems"—

spells out its unacceptability. I hope that the Government will stop promoting this impractical scheme and turn to something more constructive.

Mr. David: Does the hon. Gentleman not accept that by raising the issue of a second chamber of the European Parliament, the Government have ensured that the debate about the role of national Parliaments is centre stage?

Mr. Spring: The fact is that there is a void in the Government's practical thinking on the future architecture of the European Union. I do not accept that the Prime Minister raised the issue simply to underline the importance of national Parliaments, and I do not believe that our European partners saw it in that light either.

The plan for a president of the European Council was referred to as—I quote from the *Financial Times*:

> "someone Europe's citizens would identify as the driving force of the European agenda".

His legitimacy would, apparently, be that he would be

> "responsible to elected heads of government".

There are three main difficulties with that proposal. There is insufficient time to discuss the first, which is such a president's over-powerful and undefined role in foreign policy. The second is the matter of accountability, which was tellingly raised by my hon. Friend the Member for Uxbridge (Mr. Randall). How would that individual be appointed? To whom would he or she be answerable? How could he be sacked if member states were unhappy with his conduct? The proposed position would be influential, but at present its legitimacy would be tenuous. Those are all-important questions.

It is absolutely right that we should consider the role of the presidency in the light of the enlargement process, but it is important to ask how such a post would enhance democratic accountability in the European Union. We accept that that will be a major challenge. I hope that the Minister will answer those questions in some detail in due course. Thirdly, any proposal for reform of the European Union must take account of the different hopes, needs and fears of its larger and smaller members if it is to be workable.

To be fair to the Minister, I welcome the reform of the workings of the Council introduced at Seville. Britain played its part in bringing them forward, but it is disappointing that the Government have not spent more of their time on practical, substantive reform measures.

Mr. Drew: I am listening to the hon. Gentleman's arguments, but they would have more credibility if the previous Government, whom he supported, had not ceded economic power through the Single European Act. Would the hon. Gentleman care to wax lyrical on the dreadful mistake that his Government made in giving away economic powers? Now it looks as if we are giving away political powers too.

Mr. Spring: I hope that the Minister heard that comment. The creation of the single European market has been the crown jewel of what has happened in the European Union. An enormous trading area, which will be expanded in due course, and which has greatly benefited all Europe's citizens, has been created. I am disappointed by the hon. Gentleman's view, as I cannot think what the alternative would be. This is one instance in which the European Union as a trading bloc has particular clout in its discussions with other important trading countries and blocs. The sooner we remove the inhibitions to trade across the European Union and diminish the restrictions involved, the better. It was one of the most impressive things that the Conservative Government sought to introduce, given our commitment to the free enterprise system.

The European Scrutiny Committee's report must be commended; it is a model of intelligent analysis of the EU's failings and needs. It rightly identifies the disconnection between the EU and its peoples as a central problem. As it says, the Council's lack of openness is unacceptable, and a few television cameras will not mend that. If the Council, which should be the driving force in the European Union, cannot become accountable, the EU will never be properly answerable to its citizens. As the report says, parliamentary scrutiny needs to be fundamentally enhanced.

I was interested in some of the points made by the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) about how we could enhance scrutiny. Consideration of how that can most usefully be done crosses any party political divide.

Angus Robertson: As for cross-party unity on scrutiny, does the hon. Gentleman agree that scrutiny should also be exercised in relation to the scrutiny reserve in Parliament and the Assemblies of the United Kingdom that have a legislative role, so that where power is exercised by people elected to those Administrations, they can influence the European decision-making process more effectively?

Mr. Spring: Scrutiny in any Parliament, Assembly or council in the United Kingdom is vital to the democratic process. We are especially persuaded by the recommendation to replace civil service representation on COREPER with a senior Minister based mainly in Brussels, but answerable directly and regularly to the House of Commons. That would be a great advance in making the Council's processes accountable to national Parliaments. By taking that step, Britain could set an excellent example to other member states. I was delighted that the Council's report backed the creation of a subsidiarity watchdog. Conservatives have been pressing for such a body for some time. I am especially pleased that the Scottish First Minister backed the idea that I put to the European Committee of the Scottish Parliament when I gave evidence for its report on the governance of the EU. The hon. Member for Moray (Angus Robertson) will be aware of that. As the Scottish First Minister says:

> "The new Subsidiarity Council would be able to stop the EU from interfering in areas better handled at a more local level. The new Europe should be more diverse, less centralised".

I hope that the Minister, too, will agree with our sensible proposal.

Importantly, the Committee's report proposed that such a body should be composed of elected politicians, not judges. No one disputes that the European Court of Justice cannot help but prefer action to be taken at a European level, as it is a European body. That is clear from its poor record of enforcing the principle of subsidiarity in its judgments. The only way of making subsidiarity real is through the enforcement of that principle by a body composed of politicians from national Parliaments.

No part of the European process creates more unease among Europe's citizens than the so-called ratchet effect. Europe appears to many to be on a journey with no clear end, and with ever more powers pushed towards the centre. That end must be defined, as we need a sense of finality. That worry is not confined to Britain. The German länder are concerned about their relationship to the federal Government, and about the intrusion of central European institutions.

Two actions must be taken if such intrusion is to be stopped. First, we need the clearest possible definition of competencies. I was pleased that the European Scrutiny Committee reached the same conclusion, that what is done should be the minimum possible. Secondly, it should be clear that we shall obtain a sense of finality only when the phrase "ever closer union" is deleted from the treaties. It sums up the perception in the EU that the Union is engaged in a one-way process towards greater centralisation, regardless of what citizens want. The report of the European Scrutiny Committee was clear about that. The removal of the phrase could help to guide the European Court of Justice towards a less centralising jurisprudence, and send a signal that there had been a reappraisal of what an enlarged EU is all about.

I shall add one last point. It is widely recognised that the Community method, particularly the role of the Commission, is not democratic. Unless there is reform we will never achieve the end that we desire: a democratic and accountable European Union. I understand that the smaller member states regard the Commission as necessary to ensure that the larger states do not dominate the EU, but we believe that the Commission's role must be transformed. It must work much more as the servant rather than the master of the European process.

A European Union of nation states, with national Parliaments at its heart, is not only desirable but achievable. Indeed, we believe that only a union based clearly on member states and recognised as such will

[Mr. Spring]

satisfy today's need for democracy and reverse popular disconnection and disengagement from Europe's institutions. Archaic dirigiste structures and grand constitutional plans will not achieve that end. The Prime Minister, the Foreign Secretary and the Minister for Europe have frequently analysed correctly and persuasively the challenges facing the EU, but have totally failed to come up with specific, substantive and clear proposals to address those challenges. I hope that the Minister will take the opportunity, on behalf of the Government, to show the leadership and direction required to fill that void.

12.6 pm

The Minister for Europe (Peter Hain): I may surprise the hon. Member for West Suffolk (Mr. Spring) in the next few minutes. I agree with much of what he said. I am grateful to my hon. Friend the Member for Caerphilly (Mr. David) for initiating the debate. He brought to it the considerable expertise that he developed before coming to the House in his role as a senior member of the European Parliament and a respected leader of the Labour group. I am also grateful to the European Scrutiny Committee, of which my hon. Friend is a member, for its excellent report, to which we will soon reply formally.

The suggestion by the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) that we have not been open about our role in the convention could not be further from the truth. This afternoon I shall give evidence on the reform agenda in Europe, the Seville proposals and the work in the convention to the House of Lords Select Committee. Next week I shall give evidence to the European Scrutiny Committee of this House. Both those will be second appearances on that agenda.

Mr. Moore: I do not suggest that the Minister has not made himself available at the right moments. I said that we did not have a specific list of proposals that the House could scrutinise and debate. Have the Government plans for a White Paper on Europe, for example, setting out such proposals?

Peter Hain: We have no anxiety about openness but, as I am sure the hon. Gentleman understands, we are in the early stages of the convention. We are in the process of charting where the land lies and seeing which ideas will gain support. We are therefore reluctant to present at this stage a White Paper or blueprint to assemble coalitions of support—although that is what I seek. However, I understand the point that the hon. Gentleman makes, and we will keep the House continually informed.

The exercise of democratic control goes to the heart of people's concerns about Europe: the idea that its decision-making process is impenetrable and indistinct, and that there are no clear means by which they can influence those decisions, so Europe is something done to them, not by them. The right hon. Member for Kensington and Chelsea (Mr. Portillo) asserted in *The Times* last week that the EU was not democratic, and could never become so because it is impossible to create pan-European institutions that people in nation states with such fundamentally differing value systems could respect. I do not accept that. The scale and diversity of the EU undoubtedly present particular challenges but it is as wrong to assert that Europe has no democratic legitimacy as it is to say that we cannot improve on what we have.

Mr. Randall: I feel a bit guilty for interrupting the Minister's flow, but on the subject of democratic deficiency, does he agree that the effective disfranchisement of the people of Gibraltar does not set a good example? Is he confident that they will be able to vote for a Member of the European Parliament by the time of the next European elections?

Peter Hain: Yes.

The EU is a unique and ambitious construct, and has been remarkably successful. It has been a key factor in preserving peace in western Europe for the longest period in the continent's history. It is an engine for jobs, investment and economic growth through the single market. The EU is a force for better environmental protection, and against cross-border crime. Our security, prosperity and quality of life are enhanced enormously by common action on those and other matters.

The hon. Members for Uxbridge (Mr. Randall) and for Tweeddale, Ettrick and Lauderdale rightly referred to enlargement. Both made the important point that extending Europe's boundaries will extend the zone of democracy, stability, peace and respect for human rights. The hon. Member for Uxbridge made telling points about the fact that Portugal and Spain, as modern European democratic nations, are unrecognisable when we think of their history of fascism. The same will apply in due course to Bulgaria and Romania, about which he also made valid points.

The hon. Gentleman asked whether the Federal Republic of Yugoslavia would be admitted to the Council of Europe. The intention is that that will happen at the ministerial meeting in November. However, we and others seek further undertakings between now and then on co-operation with the international criminal tribunal for Yugoslavia in The Hague.

The structures that we have set up to deliver on Europe's ambitions are necessarily unique. For people who are used to the decision-making structures of nation states, that is unfamiliar and sometimes uncomfortable. There is, thank goodness, no single Government to elect or throw out, but that does not make the EU undemocratic. I am held to account by the House, as all Ministers in the EU are by their Parliaments. The Commission must regularly account for itself to the European Parliament and the Council of Ministers. As my hon. Friend the Member for Caerphilly reminded us, that consists of elected Ministers, representing elected Governments. The base of authority is democratic.

The EU's authority also comes from a framework of treaties that have been agreed unanimously by member states' elected Governments, and ratified by their elected Parliaments. The base of democracy is also established in that way. To the extent that the treaty provisions involve pooling of sovereignty, that has been freely accepted by elected representatives in Britain and throughout the EU. The same applies to the supranational institutions that we have established. Successive British Governments and Parliaments have signed up to those not because of a dogmatic commitment to greater European integration, but because each has believed that that was in our national interest.

Let us nail the nonsensical view that it is inherently undemocratic, and peculiar to the EU, to set up unelected institutions with their own powers. The right hon. Member for Kensington and Chelsea asserted that it was undemocratic of the European Central Bank to set the euro interest rate. However, we granted the Bank of England independence over the sterling interest rate. That has been hugely successful, and has widespread support in the United Kingdom. The principle of ceding control to independent bankers has been accepted; the question is whether they are British or European.

Whether at EU or national level, we need powerful independent bodies to implement policies decided by politicians. The Commission's determination to push through the single market programme has been a key factor in its success. Its rigorous approach to state aids has been crucial to the competitiveness of British companies abroad. The same applies to the European Court of Justice: we need a body that can enforce the obligations that member states enter into.

The basic framework and its institutions are not undemocratic, but the way in which power is exercised within that framework and by those institutions can be much better policed by democratic bodies—a point that has been made throughout the debate.

How can that happen? First, we can have a clearer treaty framework. People feel that the complexity and ambiguity of some of the treaty's provisions are ripe for exploitation. The hon. Member for Uxbridge said that he shied away from the complexities of the EU—a luxury that I do not have. I agree with my hon. Friend the Member for Caerphilly that we need to concentrate more on the practical benefits that membership of the EU brings to all our citizens in their daily lives—better job opportunities, greater prosperity, more security from the threats of crime, drug running, human trafficking and terrorism, and higher environmental standards. Air pollution knows no national boundaries. We should speak more about those practical daily life benefits rather than use the continuous Eurospeak that streams out of Brussels.

The convention on the future of Europe is currently considering how to use the treaty to state more clearly what the EU is for and where we want it to act. We also need to be aware of its limits by establishing more clearly what should be done at a European level, and what should be left to member states at national, regional or local level.

Secondly, we need to clarify through our institutional arrangements that elected national Governments accountable to their Parliaments are the principal source of the EU's legitimacy. That means focusing on the European Council and its sectoral Councils, on which elected Ministers sit. I agree with my hon. Friend the Member for Caerphilly and the hon. Member for West Suffolk in describing independent nation states as the bedrock of the EU. My hon. Friend in particular provided a good definition of EU members as "independent sovereign states who decide from time to time to pool their sovereignty".

Angus Robertson: While we are talking about independence and sovereignty within Europe, the Minister will be aware of yesterday's article in *The Scotsman*, which, under the headline "Straw backs Scotland's Euro role", stated:

> "Jack Straw has dropped his opposition to Scotland having more 'independent' influence in Europe".

A source for the Scottish Executive is quoted as saying:

> "Initially, the Foreign Office were hostile, but"

Jack McConnell

> "has now started to win them over. He has got Peter Hain on side and Jack Straw also sees the benefits."

No further details are provided in this story, so will the Minister clarify what independent influence within Europe is envisaged? Will it be direct and automatic representation on the Council of Ministers? Will it allow Scotland to nominate a Commissioner, as independent countries within Europe can? Will it mean a near doubling of MEPs, which a country of 5 million within the EU would have? Will it be real independence within Europe, or is it all a second-rate spin effort by the Scottish Executive and the Westminster Government?

Peter Hain: It is neither independence nor second-rate spin; it is not first-rate spin either, for that matter. That is a straightforward answer to the hon. Gentleman's question.

We agreed last month at Seville that heads of Government in the European Council will set an overall strategic agenda and use their four meetings a year to deliver. We must make the sectoral Councils of Government Ministers beneath the European Council much more efficient. At Seville we took a step towards that by reducing the number of Council formations.

The next stage must be to find alternatives to the stop-start effect of the six-monthly rotation of the presidency. As my hon. Friend the Member for Bridgend (Mr. Griffiths) pointed out, the EU is likely to be 25 strong in a couple of years' time, so each nation is likely to secure the presidency only once every twelve and a half years—hardly much to be pleased about. The six-monthly rotation has worked against developing a strategic agenda and consistency of expertise, as well as a mature relationship with the Commission and Parliament.

We and others have suggested different national presidents for each Council, serving a longer period—perhaps two and a half years, which is half a Commission or European Parliament term—and working together as a team meeting regularly to implement the European Council's strategic agenda under a full-time president elected by heads of Government.

The hon. Member for West Suffolk asked me to spell out how that would enhance democracy. I am happy to do so. It would enhance democracy by creating a much more authoritative and accountable head of Europe who was democratically elected and answerable to elected Governments. That individual would be elected by the heads of Government, and would regularly

[Peter Hain]

report to them. I hope that the hon. Gentleman will look at this issue on its merits, rather than in a prejudiced fashion.

One of the problems with Europe is that there is no visible authority that people can identify and hold accountable, so the decisions made in Brussels are not adequately scrutinised. We think that having an elected president of the Council would solve that problem, because that person would be answerable and accountable to elected heads of Government.

The proposal would also answer another demand. I agree with the people who talk about the need for Europe to have a much more prominent global role—for it to be taken more seriously in global affairs, as a force for good. That is important. To achieve that, we must answer the famous Henry Kissinger question, "To whom do I pick up the phone in Europe?" It is not realistic to suggest that one can pick up the phone to a president who serves for six months—or to the President of the European Commission, as some people suggest should be the case—because that individual is not accountable to elected Governments and national Parliaments. We need someone to whom President Bush can pick up the phone when he wants to find out Europe's views. That would enable Europe to play a more authoritative role on the world stage.That person would also ensure that Europe's agenda was driven through the Council more effectively than at present, so that it delivered better for its citizens—a point that was made by my hon. Friend the Member for Caerphilly.

Angus Robertson *rose—*

Peter Hain: I will give way again shortly, as I am in a generous frame of mind, after I have addressed another issue.

The hon. Member for Uxbridge made an important point—to which the hon. Member for West Suffolk added—about the sensitivities of small countries. We are very alive to that. When the membership of Europe expands to 25 countries, 19 of them will be small countries. Those countries will be in a very powerful position, not least in determining who will be elected to the presidency of the European Council, if a decision with regard to that is eventually taken—by an intergovernmental conference, because that change would require a treaty change.

I have described the team presidency with different sectoral Councils underneath it. Five countries might share those Councils to form a team presidency, which would inevitably have a majority of small countries. It is conceivable that the president will be from a small country, and the arithmetic of the situation would lead to the majority forming the team presidency. Therefore, although the hon. Gentleman is expressing concerns that exist, they can be allayed by that proposal.

Angus Robertson: I am grateful to the Minister for being so generous about interventions.

I am very sympathetic to the case that he is making for more consistency in the Council, but I have a question about how that might work effectively in practice when the different domestic political cycles of member states might make it impossible for somebody to have a full term in the convenership of the Council, or on one of the lower tiers of the Council of Ministers, because people would be elected as individuals rather than representatives of a member state. How would that work effectively?

Peter Hain: We envisage that the job of elected president of the Council would be permanent, and that the post would not occupied by a serving head of Government. Therefore, the president would not be subject to the rise and fall of any particular Administration in any particular country, although he or she would be accountable to elected Governments from time to time, as and when they were formed. With regard to the team presidency, the country concerned would still hold the presidency of, for example, two sectoral Councils.

Mr. Spring: Perhaps I misunderstood what the Minister was saying, but he said that the post would be permanent. He cannot be serious, can he?

Peter Hain: No, it would be for five years. I am sorry; I did not willingly mislead the hon. Gentleman. I thought that I had made myself clear.

Mr. Spring *rose—*

Peter Hain: I have to make some progress, although I am happy to be open. If I have the time, I will undoubtedly take more interventions.

The proposal has still to be worked through in greater detail, but the idea widely shared by other European Governments, both large and small, is that there should be an individual elected by heads of Governments for five years. That would coincide with the length of service of a Commission or a Parliament, so there would be some continuity.

We need more openness in the Council when it is legislating, and I strongly agree with criticisms in the European Scrutiny Committee's report that meeting in private is both objectionable in principle and makes it much more difficult for national Parliaments to hold Ministers to account. As the hon. Member for Tweeddale, Ettrick and Lauderdale said, we need more openness. The agreement in Seville to open Council meetings to the public for co-decision dossiers at the beginning and end of the process is a welcome first step.

I hope that we will, in due course, be able to persuade our partners to go further and open up all meetings in which the Council is legislating. We also need to strengthen the role of national Parliaments. Their principal role is, of course, to hold national Governments to account for the decisions that they take in the Council. I believe that the Scrutiny Committee does that well. We are studying the suggestions for improvement in the Scrutiny Committee's report, and will reply formally soon.

As my hon. Friend the Member for Caerphilly said, national Parliaments should have the collective role of focusing on subsidiarity. The principles of subsidiarity and proportionality are enshrined in the treaty. Europe should act only when it adds value to national action, and when it acts, it should do so as lightly as possible, leaving some flexibility in implementation to member states. However, we have no effective means of enforcing that. Subsidiarity is in principle judicially enforceable, but in practice it is primarily a political judgment about what adds value. I agree with the hon. Member for West Suffolk about that.

We need a political body to police subsidiarity, a body of representatives who will be credible, have a direct link to people, understand and respect national prerogatives, want to safeguard diversity in Europe, and have no vested interest in action at a European level. National parliamentarians fulfil those criteria. It would make a real contribution to democratic legitimacy if there was an ad hoc committee of national parliamentarians who examined the European Union's work programme and relevant proposals critically, and who had powers to make the Commission and Council think again when they were over-legislating. That would combat the sense that European institutions are arrogating ever more power to themselves.

Although the hon. Member for West Suffolk was rather sarcastic about the Prime Minister's original proposals, it was the Prime Minister who put the principle on the agenda, as my hon. Friend the Member for Caerphilly pointed out. However, I agree that elected politicians, not judges, should be the arbiters on subsidiarity.

The European Parliament also has an important role. To make Europe work, Member states take many decisions by majority vote. That makes it possible for national Ministers to be outvoted, and the powers of national parliamentarians in holding them to account can be limited as a consequence. That is one of several ways in which the European Parliament plays a key role as a further democratic check.

However, there are problems. The electorate needs to understand what the European Parliament does. I agree with my hon. Friend that we need more openness in co-decision, for example, rather than letting the European Parliament have more powers for the sake of it, as he put it. However, I also agree with him that the European Parliament has an important role to play, one of which is summoning Commissioners and questioning them closely about the implementation of the work programme and the use of budgets. We need to find better ways of explaining to the public how that is done.

I do not agree that giving the European Parliament the right to elect the Commission's President would enhance the legitimacy of either institution. The proposals misunderstand the nature of the Commission as an honest and independent broker between different interests. An election of that kind would place the President at the mercy of the largest political group in the Parliament. It is precisely the Commission's independence from day-to-day political interference that is its strength. Holding to account through regular and detailed scrutiny, yes; election, no.

The hon. Member for Tweeddale, Ettrick and Lauderdale raised interesting ideas about the European constitution. We are open to the idea of a European constitution, which would simplify the structure and establish clarity. There are serious problems associated with incorporating the charter into the treaties wholesale. It is a "motherhood and apple pie" charter, and we must be careful not to undermine our democratic decision-making procedures.

I would be happy to consider scrutiny prior to Councils. However, that would mean that we would have to meet on a Friday, and I do not think that hon. Members would want to do that—

Mr. Alan Hurst (in the Chair): Order. We now come to our next debate, which is on royal finances.

[Dawn Primarolo]

Gentleman's attention to that issue in particular, because, as he rightly said, the debate is not about whether we should have a constitutional monarchy, but about public finances. It is important to draw clear lines between private moneys in the tax system and those assets that are held by the sovereign on behalf of the nation. However, paragraph 9, under the inheritance arrangement, states towards the end that the monarchy as an institution needs sufficient private resources to enable it to continue to perform its traditional role in national life and to have a degree of financial independence from the Government of the day. That principle must be balanced with the principles on which the hon. Gentleman concentrated: transparency and paying tax in the circumstances in which other citizens do.

The basis for the memorandum of understanding is the long-standing rule of statutory construction that statutes do not bind the Crown, including the Queen in her private capacity, unless they are expressly enabled to do so by necessary implications, and legal advice has confirmed that. The arrangements in the memorandum were discussed and agreed between the Government and Her Majesty. At the time the Government said that they welcomed the Queen's and the Prince of Wales's offer to pay tax voluntarily, and that the arrangements in the memorandum were a fair and proportionate way in which to take that into account. In law, the sovereign is not liable to pay unless required explicitly to do so by an Act of Parliament. Given that the sovereign is entitled to the revenues when there is no Duke of Cornwall, Crown exemption applies also to income received by the Prince of Wales from the Duchy of Cornwall.

Since 1993, Her Majesty the Queen and His Royal Highness the Prince of Wales have paid tax on voluntary arrangements agreed with the Government. That means that most sources of income, such as private investment income money, profit and losses from farming at, say, Sandringham, Balmoral and Windsor, or from opening to the public the houses and gardens at Sandringham and Balmoral, are dealt with in accordance with the usual tax rules. However, the memorandum of understanding includes special arrangements. The hon. Gentleman asked whether income tax is paid at the usual level, and the answer is yes. Capital gains is another example. It is not a negotiable lower rate.

Income tax is paid on all private sources of income. The memorandum of understanding includes provision for calculating the private taxable proportion of the Prince of Wales' income from the Duchy of Cornwall. Tax is also paid on the Queen's privy purse income, which includes income received from the Duchy of Lancaster to the extent that it is used for personal purposes. The hon. Gentleman asked a specific point about that and I shall write to him.

The memorandum of understanding provides for capital gains tax to be paid on gains from the disposal of private assets and on the private proportion of capital gains on the assets of the privy purse. Assets of the Duchies of Lancaster and Cornwall do not belong to the Queen or the Prince of Wales and are not theirs to dispose of. The duchies may sell assets from time to time, but the policy is to apply any proceeds to maintain their capital base for the future. Capital gains are not distributed and, under the terms of the memorandum, there is no capital gains tax in such circumstances. The position is not dissimilar to rollover relief that exists within the system.

As for inheritance tax, the memorandum of understanding recognises the need for assets to pass to successive sovereigns if the monarchy, as an institution, is to continue to play its part in the nation's affairs and to have some financial independence. It therefore provides for assets to pass from one sovereign to another without the payment of inheritance tax, but if the sovereign makes gifts or bequests to another person other than the new sovereign, the normal inheritance tax rules operate as they do for all members of the community. There are no special rules for other members of the royal family. They are fully liable to tax on the same basis as the rest of us.

The hon. Gentleman kindly drew attention to the fact that the civil list annual report has been published for the first time. It now joins the annual reports on grant in aid for the maintenance of occupied royal places and grant in aid for royal air and train travel. Such documents are available for scrutiny. The audit position was endorsed by Ministers as recently as 1998 after consultation with the then leader of Her Majesty's Opposition. That reflects the clear and long-standing bipartisan policy that accounts should not be laid before Parliament, or be subject to national audit scrutiny. However, the accounts are audited in accordance with the high standards of all auditing—and how the money is spent is also thoroughly explained.

The hon. Gentleman asked whether the memorandum had been varied in any way in recent years. It might amuse him to learn that minor changes have been made to take account of the introduction of the self-assessment system. Those are the only changes. That reinforces the point that—except in the unique circumstances of transfer from sovereign to sovereign—the usual tax system operates.

The hon. Gentleman also asked about gifts received. He has not yet been given responses to a parliamentary question that he asked about that, and to a parliamentary question on a different matter, and I apologise to him for that. We have not yet received all of the information that he asked for, and we are checking what we have received, but his question will be answered. Gifts received in an official capacity belong to the nation; if Her Majesty receives a gift when she is performing her official role, that belongs to the nation. However, gifts received in a personal capacity are subject to the usual tax rules.

The hon. Gentleman asked about the art collection and, for instance, the use that is made of the revenue from entry fees into the palaces. I have forgotten the name of the charitable trust that was mentioned. I hope that the hon. Gentleman will forgive me for that, but I shall write to him about it. There are other relevant issues, such as the exact terms of the holding of the works of art on behalf of the nation, the obligation to maintain them, and the use of those monies to contribute to that.

The hon. Gentleman also asked about the surplus in the civil list. He may well have views about whether the agreement of 10 years ago should have been struck, but it was, and it must be honoured. A surplus has arisen, and I understand that it is being used to pay for maintenance of the palaces and public buildings. I believe that the contribution is about £7.5 million, and that the rest is drawn down from the surplus. However, I shall double check all of that to ensure that he receives accurate information.

I come now to the matter of the civil list and annuities. The Queen repays directly to the Treasury—and back into the Consolidated Fund—the annuities for all the members of the royal family, other than those paid to the Duke of Edinburgh in relation to his official duties. Therefore, the hon. Gentleman can see that in all respects—with the exception of the exclusion of inheritance tax due to the unique circumstances of transfer from sovereign to sovereign—the usual rules of the tax system that would be applicable to the rest of us are followed. The provisions with regard to transfer from sovereign to sovereign are a recognition of the role of the monarchy, and they seek to maintain its independence from the Government of the day.

As time is short, I undertake to double check the accuracy of my answers to the hon. Gentleman's questions and, if there are any questions that I have not answered in this brief response, I shall ensure that he receives that information. I am grateful to him for the way that he has pursued this morning's debate, and the straightforward and supportive fashion in which he has genuinely sought information on an area that is of interest to all our citizens who have celebrated the great contribution that Her Majesty the Queen has made to our nation with her and her family in this jubilee year.

Bank Holiday Pay

1 pm

Mr. David Watts (St. Helens, North): I am delighted to have the opportunity to raise this important issue on behalf of my constituents and, I believe, thousands of low-paid workers throughout Britain. I have attempted to secure the debate for nine weeks, and I am grateful to the Speaker's Office for allowing me to take a slot that became available due to a cancellation late last week. I apologise because I am full of cold at the moment, so if I break into a coughing fit, please excuse me.

I do not wish to undermine the Labour Governments' great economic achievements since 1997. We have one of the most successful economies in the world, and it would be foolhardy to do so. I am sure that the Chancellor and the Government would not allow me to do that even if I wished. However, it is possible to have both a strong economy and a flexible work force while having good working conditions without exploitation. I hope to convince the Minister that the present balance is wrong and that further attention to legislation is required.

We need stronger employment rights and regulations to protect the most vulnerable members of our communities. The Government are justly proud of their economic performance. We have the lowest levels of unemployment for 30 years and historically low rates of interest and inflation, and we have experienced sustainable growth for five years. Most workers have enjoyed the benefits of our strong economy. They have received increased pay and longer holidays, and experienced better working conditions. Good indicators of the benefits derived from a strong economy include record car sales, more people taking foreign holidays, house prices and restaurant trade.

However, not all workers [illegible] enjoyed the same benefits from our strong economy. [illegible] accept immediately that the introduction of the [illegible] wage and the working families tax credit, in addition to four weeks' holiday entitlement for all employees, have gone a long way towards improving the conditions of some of the lowest paid workers in our country. However, such measures offer only basic employment rights. In my view, British workers are still the poor men of Europe and too many British workers are paid poverty wages. They work long hours in poor working conditions and they enjoy little employment protection.

About three months ago, a constituent contacted me about bank holidays. I ran a story in the local press, and I was amazed to be contacted by several of my constituents, who were mostly such employees as security staff, hairdressers and warehouse men. Nevertheless, several middle managers and management graduates raised issues that affected the way in which they worked and the conditions under which they worked.

We hear much about the need for flexibility, and although a modern nation must have a flexible work force, that should not be used as a guise to undermine basic trade union and employment protection. Examples of exploitation that I shall outline relate to bank holidays. I was amazed to learn from a constituent that we are not automatically entitled to bank holidays. Unlike the rest of Europe, we must negotiate them with our employers. I spoke to several of my colleagues in

[Mr. David Watts]

Parliament who were equally amazed by that. It is not well known that workers are not automatically entitled to bank holidays with pay, and my colleagues were shocked that that is the case in a modern Britain.

I was also amazed to find out that workers are often asked to take the four weeks' holiday to which they are now entitled at inappropriate times. I was told about an employer who forced his employees to take their time off in January and February. The argument was that the company had few orders during that period, and it was more convenient for the employer if employees took time off then. That meant that a married man with a family had no holiday entitlement in the summer, so while everyone else was going off on their summer holidays, that gentleman and his family were not able to do so, as he had no control over when he could take his holidays. There was no mutually agreed system; employees had to take holidays when the employer wanted them to.

Mr. David Laws (Yeovil): I congratulate the hon. Gentleman on raising this important issue. Is he aware that many of my constituents were obliged to work on the recent jubilee bank holiday, or else come in on the previous Saturday to make up for it? Does he agree that that is absurd in this day and age?

Mr. Watts: The hon. Gentleman makes an important point. I intended to come to that subject at some stage, but he has highlighted the problem.

I found that many people are asked to work unpaid hours. As I come from a trade union background, I did not think that that was acceptable, but several of my constituents tell me that their employers insist that they work extra hours without pay, and they do not even get time off in lieu. The Employment Bill has just come before Parliament, and one of the issues that I ask the Minister to address in it is enforcement. It may be illegal—I think that it probably is—to make people work unpaid hours and not give them time off in lieu, but many people, including middle managers and those in their first graduate jobs, are forced to work extra hours.

I am told that a 50-hour week is not unheard of for those in the retail business who have signed contracts to work 38 hours a week. Those who have come to see me tell me that if they were to try to enforce their employment rights, they would not last two minutes, and they would lack protection. Those people are not in trade unions. As a rule, they will accept overtime without pay.

The use of agency staff is a worry for many people throughout the country. Increasingly, it is the practice for many employers to replace those on permanent contracts with agency staff. Once again, the Employment Bill deals with that, but I should be interested to know what enforcement powers the Government will have.

Finally, I shall mention the way in which many employees are kept in the dark about consultation with their companies. Employees often find themselves made redundant willy-nilly. They do not have any warning, and are not allowed to consider the issues and negotiate with their employers to discuss solutions other than closure or job losses. I understand that that issue, too, is addressed in the Employment Bill. It is crucial that the Government act to protect groups of workers who are vulnerable, and who have no trade union power or skills that would allow them to negotiate good pay and decent conditions of employment.

In addition to the issue of unpaid bank holidays, there is the fact that we are badly treated as far as such holidays are concerned. Germany has 10 to 14 bank holidays, France has 11, Belgium has 10, and Spain and Portugal have 14, but British workers are not automatically entitled to any bank holidays. The number of bank holidays and the protection given to employees as regards payment for them are issues that need to be addressed.

Employment protection needs a serious second look. I know that the Government have done a great deal and I do not want to desecrate the great work that they have done, but without good employment regulation, many of my constituents feel as though they are economic slaves, and that they have no power to influence the decisions of their employer. They believe that they are exploited and abused, and feel that they have little option but to accept the boss's offer, which is often made on a take it or leave it basis. Macho management is still alive and kicking in the United Kingdom. It is not unusual for many of my constituents to be bullied by their employers. People who come from an area of high unemployment are hardly likely to stand up to their bosses if they lose their jobs and cannot find another.

I know that people believe that regulation should not be extended. We often hear the argument that it is anti-competitive, that there are too many Government controls and too much bureaucracy, but such views should be ignored. Frankly, the people who make such claims would not accept the employment conditions faced by many of my constituents. Such people would not accept that they could not take bank holidays off, or poor pay and bad conditions. We should not take any notice of people who set double standards—they want better rights for themselves and their families but not for other people.

It is clear that the present relationship between employer and employee is unbalanced. Without trade union membership or skills, it is difficult for people in my constituency to negotiate decent working conditions. I recommend that people join trade unions. It is interesting that, on average, trade union members get six more bank holidays than workers who are not in trade unions. Once again, there is a benefit in joining a trade union. However, the people that I am talking about are often not in trade unions. They work in small companies where they are easily abused and not given the right wages and conditions.

In many areas in the north-west with high levels of unemployment, there are still some very poor employers. In such cases, the Government should do what they can to protect the workers involved. The Government have made an excellent start with the Employment Bill, but much more must be done to bring about the level of employment protection enjoyed by our European partners. I ask the Government to build on what they have achieved so far. I note—as I have on three occasions now—the benefits that will derive from the new Employment Bill, but there is now a greater need to protect vulnerable workers. The Government have done a great deal on family-friendly policies, but it is not family friendly to be poorly paid, unable to take bank holidays or told to take holidays at inappropriate times.

On the subject of bank holidays, the hon. Member for Yeovil (Mr. Laws) mentioned the jubilee. Some months ago, I was contacted by a constituent whose employer had told him that he would not be paid if he took the jubilee bank holiday off. He described that as like being invited to a party but being told, "Bring your own beer and sandwiches." When the Government announced the jubilee bank holiday, most people thought that they would be able to take part in the celebrations. Sadly, that was not always the case. I hope that when such events take place in the future, people will be able to enjoy the benefits of good bank holidays, pay and conditions.

I hope that the Minister will take my comments on board and address some of the important issues affecting many of my constituents.

1.13 pm

The Minister for Employment Relations, Industry and the Regions (Alan Johnson): It is a delight to serve under your chairmanship for the first time, Mr. Hurst. I congratulate my hon. Friend the Member for St. Helens, North (Mr. Watts)—who is with us courtesy of Nurofen—on raising the issue of bank holidays. He has consistently raised and championed this issue, and if the day ever comes when we do provide statutory pay for bank holidays, we should call it Watts payments day in recognition of his efforts.

The gist of the argument was put by my hon. Friend, but I approach it from a different perspective. We cannot isolate the issue of bank holidays from all the other protections being provided for workers in this country. He mentioned that, despite our good record, we were the poor relation in Europe. I do not agree with that description. It is true that every country in the European Union pays for some bank holidays, but not all. For example, France does not have statutory provision for payment for all its bank holidays, and if we look more widely at non-European Union G7 countries, we find the same picture.

The question in the United Kingdom is where we set the priorities. My hon. Friend, when making the argument that we are the poor relation in Europe—a notion that I hope to disabuse him of in my contribution—also mentioned that he is a trade unionist. Like me, he will recall that unlike every other European Union country, the trade union movement in this country opposed right up until the 1980s the implementation of minimum standards through the law. It opposed a national minimum wage, concepts such as the working time directive and the right to paid holidays. Like me, he will remember that, when we wore our flares and tank tops, the argument in the UK trade union movement was that those matters should be settled through free collective bargaining, that there should be no state interference in them and that civil rights at work came with the union card.

I make those points because we must put this matter in context. It is true that when we came into power in 1997 there were more bank holidays in the rest of the European Union than in the UK, and that more of them were paid. However, we also had then no national minimum wage and no entitlement to paid holidays or a union recognition procedure. In many areas, there was no protection. It was then, as now, questionable whether bank holidays should be placed further up our list of priorities.

My hon. Friend mentioned the Employment Bill. I am delighted to announce that that is now the Employment Act as it received Royal Assent at 10.25 pm last night. That will affect some of the points that my hon. Friend raised about his constituents. The Employment Act will affect individuals who felt unable to raise those grievances in the workplace, because it insists that every workplace in the country, irrespective of how many people it employs, whether that is one or 1,000, must have a statutory grievance and discipline procedure as part of the protection available.

It is illegal for workers to receive no money for extra hours, not just in civil law but in criminal law because it breaches the national minimum wage. We have not only set a national minimum wage and uprated it this morning by statutory instrument, but set up a helpline whereby the Inland Revenue—which strikes fear into the hearts of everyone, not only employers, and has cruel and unusual punishments—will pursue a case such as that described by my hon. Friend, without the employee having to approach the employer at all. Employees can ring the helpline and the rest is done for them. We have found that compliance with the national minimum wage has increased dramatically from its early days, April 1999.

As well as providing the protection for constituents that my hon. Friend mentioned, we are now ahead of most countries in Europe—in the top three—on paid maternity leave. We have uprated statutory maternity pay by 60 per cent., the largest increase since 1948.

Mr. Watts: My hon. Friend says that if someone is being asked to work longer hours than stated in their contract, they can take action by reporting that to the Inland Revenue. I want to be clear about something. If a contract says, as I understand that they often do, that someone is required to work 38 hours a week but will have to be flexible, does that element of flexibility include that person being asked to work long beyond the 38 hours? How would that be enforced? What kind of contractual arrangements deal with that, bearing in mind that we are often dealing with people who are unorganised, who are not in trade unions and who have little individual power?

Alan Johnson: I was referring to people being asked to work for no hourly rate, for nothing. Yes, there can be flexibility of hours, but there are no circumstances that I am aware of in which anyone can be asked to work those hours for no remuneration whatever.

I shall check on the other points that my hon. Friend made, and perhaps write to him about the protection on hours. We have, of course, an opt-out from the working time directive, and we are the only country in the European Union to do so, but the onus is on the individual; if they wish to work more than 48 hours, they can sign the opt-out. Protection does exist, and the introduction of the Employment Act 2002 means that

[Mr. David Watts]

Parliament who were equally amazed by that. It is not well known that workers are not automatically entitled to bank holidays with pay, and my colleagues were shocked that that is the case in a modern Britain.

I was also amazed to find out that workers are often asked to take the four weeks' holiday to which they are now entitled at inappropriate times. I was told about an employer who forced his employees to take their time off in January and February. The argument was that the company had few orders during that period, and it was more convenient for the employer if employees took time off then. That meant that a married man with a family had no holiday entitlement in the summer, so while everyone else was going off on their summer holidays, that gentleman and his family were not able to do so, as he had no control over when he could take his holidays. There was no mutually agreed system; employees had to take holidays when the employer wanted them to.

Mr. David Laws (Yeovil): I congratulate the hon. Gentleman on raising this important issue. Is he aware that many of my constituents were obliged to work on the recent jubilee bank holiday, or else come in on the previous Saturday to make up for it? Does he agree that that is absurd in this day and age?

Mr. Watts: The hon. Gentleman makes an important point. I intended to come to that subject at some stage, but he has highlighted the problem.

I found that many people are asked to work unpaid hours. As I come from a trade union background, I did not think that that was acceptable, but several of my constituents tell me that their employers insist that they work extra hours without pay, and they do not even get time off in lieu. The Employment Bill has just come before Parliament, and one of the issues that I ask the Minister to address in it is enforcement. It may be illegal—I think that it probably is—to make people work unpaid hours and not give them time off in lieu, but many people, including middle managers and those in their first graduate jobs, are forced to work extra hours.

I am told that a 50-hour week is not unheard of for those in the retail business who have signed contracts to work 38 hours a week. Those who have come to see me tell me that if they were to try to enforce their employment rights, they would not last two minutes, and they would lack protection. Those people are not in trade unions. As a rule, they will accept overtime without pay.

The use of agency staff is a worry for many people throughout the country. Increasingly, it is the practice for many employers to replace those on permanent contracts with agency staff. Once again, the Employment Bill deals with that, but I should be interested to know what enforcement powers the Government will have.

Finally, I shall mention the way in which many employees are kept in the dark about consultation with their companies. Employees often find themselves made redundant willy-nilly. They do not have any warning, and are not allowed to consider the issues and negotiate with their employers to discuss solutions other than closure or job losses. I understand that that issue, too, is addressed in the Employment Bill. It is crucial that the Government act to protect groups of workers who are vulnerable, and who have no trade union power or skills that would allow them to negotiate good pay and decent conditions of employment.

In addition to the issue of unpaid bank holidays, there is the fact that we are badly treated as far as such holidays are concerned. Germany has 10 to 14 bank holidays, France has 11, Belgium has 10, and Spain and Portugal have 14, but British workers are not automatically entitled to any bank holidays. The number of bank holidays and the protection given to employees as regards payment for them are issues that need to be addressed.

Employment protection needs a serious second look. I know that the Government have done a great deal and I do not want to desecrate the great work that they have done, but without good employment regulation, many of my constituents feel as though they are economic slaves, and that they have no power to influence the decisions of their employer. They believe that they are exploited and abused, and feel that they have little option but to accept the boss's offer, which is often made on a take it or leave it basis. Macho management is still alive and kicking in the United Kingdom. It is not unusual for many of my constituents to be bullied by their employers. People who come from an area of high unemployment are hardly likely to stand up to their bosses if they lose their jobs and cannot find another.

I know that people believe that regulation should not be extended. We often hear the argument that it is anti-competitive, that there are too many Government controls and too much bureaucracy, but such views should be ignored. Frankly, the people who make such claims would not accept the employment conditions faced by many of my constituents. Such people would not accept that they could not take bank holidays off, or poor pay and bad conditions. We should not take any notice of people who set double standards—they want better rights for themselves and their families but not for other people.

It is clear that the present relationship between employer and employee is unbalanced. Without trade union membership or skills, it is difficult for people in my constituency to negotiate decent working conditions. I recommend that people join trade unions. It is interesting that, on average, trade union members get six more bank holidays than workers who are not in trade unions. Once again, there is a benefit in joining a trade union. However, the people that I am talking about are often not in trade unions. They work in small companies where they are easily abused and not given the right wages and conditions.

In many areas in the north-west with high levels of unemployment, there are still some very poor employers. In such cases, the Government should do what they can to protect the workers involved. The Government have made an excellent start with the Employment Bill, but much more must be done to bring about the level of employment protection enjoyed by our European partners. I ask the Government to build on what they have achieved so far. I note—as I have on three occasions now—the benefits that will derive from the new Employment Bill, but there is now a greater need to protect vulnerable workers. The Government have done a great deal on family-friendly policies, but it is not family friendly to be poorly paid, unable to take bank holidays or told to take holidays at inappropriate times.

On the subject of bank holidays, the hon. Member for Yeovil (Mr. Laws) mentioned the jubilee. Some months ago, I was contacted by a constituent whose employer had told him that he would not be paid if he took the jubilee bank holiday off. He described that as like being invited to a party but being told, "Bring your own beer and sandwiches." When the Government announced the jubilee bank holiday, most people thought that they would be able to take part in the celebrations. Sadly, that was not always the case. I hope that when such events take place in the future, people will be able to enjoy the benefits of good bank holidays, pay and conditions.

I hope that the Minister will take my comments on board and address some of the important issues affecting many of my constituents.

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[Alan Johnson]

we are well ahead of Europe on matters such as the right to be accompanied; any worker for any size of company in this country can be accompanied by a trade unionist, whether their union is recognised or not, at any discipline or grievance case. That is not mirrored elsewhere in Europe. We are well ahead of the game.

We are also introducing statutory paternity pay and paid adoption leave for the first time. Other measures include the extension of union learning representatives, and the right to paid time off and facilities. My hon. Friend said that we are the poor relation in Europe, but he should consider where we stand following five years of various pieces of employment legislation and now the Employment Act.

My hon. Friend said that people were not informed and consulted. I remember a particular case in his constituency that he came to see me about, which is now being addressed with the implementation of the information and consultation directive. In response to the idea that we are the poor relation in Europe, I say that over the next few years workers will have the right not only to a discipline and grievance procedure in their workplace, to a minimum wage, to paid holidays, to be accompanied, and to various other measures, but to request flexible working if they are the mother or father of a child up to six years old.

The workplace up to 2010—the measures will be introduced at various stages—will be very different. We will outlaw discrimination on grounds of age, sexual orientation, religion and disability.

Mr. Alan Hurst (in the Chair): Order. I am sure that the Minister is aware that he is covering a broad sweep. The subject under debate is bank holiday pay.

Alan Johnson: Absolutely, Mr. Hurst. I accept that it is a broad sweep, but I am replying to the allegation that we are the poor relation in Europe.

The first question is where we place our priorities. Secondly, we must consider the cost that businesses, particularly small businesses, would be asked to bear as a result of the measures. Many businesses complain about an incremental stacking up of costs. We have sought to introduce the measures in a way that takes businesses with us into the brave new world of minimum employment standards in the workplace.

Mr. Watts: My hon. Friend makes the point that some employers would object to the introduction of statutory paid bank holidays. I have been in contact with small employers who very much resent the fact that those whom they regard as poor employers are competing alongside them without providing decent conditions, pay or holiday entitlement. Does he agree that that can have an anti-competitive effect?

Alan Johnson: I do agree. I am not saying that the concerns expressed by my hon. Friend are not legitimate or pertinent. We estimate that about 17 per cent. of full-time and part-time workers are not paid for bank holidays, so 83 per cent. are paid. As my hon. Friend knows, the Bank Holidays Act 1871 has remained virtually unchanged. It was revoked and reintroduced in 1971, but for 131 years of our history the situation has been has it is now: bank holidays, whether paid or not, are a contractual matter between employee and employer.

Mr. Laws: Does the Minister agree that now would be a good time to review people's entitlement to bank holidays? Does he not understand that many people find it surprising that a Labour Government could defend a situation in which the worst employers can exploit some of the most vulnerable employees in the labour market?

Alan Johnson: I hope to answer the point about this being a good time when I come to my feeble peroration.

Labour Governments under Ramsay MacDonald, Clement Attlee, Harold Wilson and Jim Callaghan did not address such issues in any way. They did not introduce a national minimum wage or a right to four weeks' paid holiday, whereas this Government have.

We have not as yet addressed the important points raised about bank holidays, which have a 131-year history. The cost of the Employment Act 2002, as Opposition Members pointed out during its passage, is considerable, and my hon. Friend talked about not just paying for bank holidays, but increasing their number. A TUC paper in August 2001 suggested that we increase the number of bank holidays by three. Taken together, that would mean a cost to business of £6.5 billion a year.

I do not think that there would be any disagreement between us on the fact that many workers have to work on bank holidays, whether they are in the health service, in transport or, increasingly, in tourism, when we as consumers insist that there are facilities for us on bank holidays and where most of the costs fall on small businesses that are seeking to recover after foot and mouth disease.

We have to consider the question proportionately in terms of where the cost would fall and where it would stand in our priorities. We are probably a rather curmudgeonly and miserable nation in the days that we allow for celebrations, but in the rest of the EU the bank holidays exist for a reason. They were not just created because someone in France said, "We have two fewer bank holidays than in Germany—let's create a couple." Days such as Bastille day exist for historical reasons. The last time that happened was when a Labour Government introduced the May day bank holiday. There has to be a reason for the nation to celebrate; I do not think that one can manufacture a reason for a bank holiday, although we have done so, most recently for the Queen's golden jubilee, and we did so for the royal wedding in 1981, and there have been a couple of other occasions where there have been one-off bank holidays.

We estimate that it would cost £500 million if existing bank holidays were paid, given that we are talking only about 17 per cent. of the work force, but that is in the context of all the other changes that we are making. There is bound to be a cost [illegible] information and consultation, tackling age discrimination in the workplace, the worker versus employer argument that we are consulting on at the moment and all the other measures that we have in our exciting and rather full agenda during the next few years. Would we make this matter a priority in that debate?

Mr. Watts: Many of my constituents would say that many measures that we have introduced are aimed at people who are well organised, from the middle classes and who can afford to represent themselves. We are not addressing the basic, fundamental conditions of employment, such as bank holidays and time off. There is a view that our priorities are wrong, and we need to refocus on some of those issues.

Alan Johnson: I accept that, from the correspondence that I have received from my hon. Friend and others, this may be becoming a higher priority for workers and constituents. I think that he would accept that it was not the highest priority in 1997. We are still only five years into this brave new world.

We have a practical consideration. We have to consider those people who have to work on bank holidays and what they would be paid. Would it be a day in lieu? Would it be one of the things that I used to negotiate as a trade union leader: time and a half and a day off, or double time and a half? That creates practical problems. Generally, the most positive thing that I can say is that I would not rule out a review on the status and structure of bank holidays in the future. It is not an issue that is at the forefront of our employment legislative programme, but it is important, and one that we shall look at perhaps in our third or fourth term of government.

Contracted Care Workers

1.29 pm

Mr. David Rendel (Newbury): I am delighted to have the opportunity to initiate the debate for two reasons. The first is to press the Government to introduce a long-delayed reform that they have been promising for some years but which has failed, inexplicably, to materialise. Secondly, I hope that the Minister will use his response to give some reassurance and to promise some recompense to one of my constituents, who faces severe personal financial strain because the reforms are not yet in place. Indeed, my constituent's clients face the prospect of losing the services that the business supplies and perhaps even of ending up as more of the hospital bed blockers whose numbers the Government rightly are determined to reduce.

Mr. Alan Hurst (in the Chair): Order. I remind hon. Members of the words of the Speaker as to dress in the Chamber. For that purpose, Westminster Hall should be treated in the same way as the Chamber.

Mr. Rendel: Let me start by describing my constituent's case and then I shall fit it into the wider picture of desperately needed Government reform, which has been so long delayed. My constituent, Mrs. Angela Reed, runs her own business providing infirm and disabled people with care, much of it of a medical nature, in their own homes. She trades in her own name as a sole proprietor and employs staff to assist her in the provision of services. Like others working in the field, she provides valued services, often on behalf of the local authority, to some of the most vulnerable people in our community and, because the services are provided in the home, they maximise the independence of the individuals concerned.

Given that the Minister is doubtless a proponent of joined-up government, this seems an ideal opportunity to remind him and his colleagues in the Department of Trade and Industry of the words of the Department of Health's 1998 White Paper "Modernising Social Services", which stated that

> "when people need social services help, that help will be arranged in a way that lets them do as much as possible for themselves; and allows them wherever possible to live in their own homes."

The type of care provided by Mrs. Reed is VAT exempt if it is provided by or supervised by a medically qualified person such as a nurse or doctor. Since the beginning of the year, Mrs. Reed has employed medically qualified staff in a supervisory capacity. However, that was not the case earlier, so her services did not fall under the statutory VAT exemption, despite the fact that they were often recommended by medical practitioners who knew of her great and long experience in providing such services.

Accordingly, when it emerged that her turnover had exceeded the VAT registration threshold in early 2001, she was obliged to commence charging VAT to her clients, the elderly people who benefited from and were happy with her care services, which they desperately needed if they were to be able to remain in their own homes, but which many of them could afford only with difficulty. Many were unable or unwilling to pay the extra amount, and custom was lost as a result.

[Mr. Rendel]

Moreover, because it was not immediately apparent that she had exceeded the threshold, Mrs. Reed faces retrospective registration and VAT payments amounting to approximately £10,000. The situation has placed her and her business under considerable strain. Mrs. Reed's accountants—James and Cowper, a local firm—have been in correspondence with Customs and Excise in the hope of persuading it that the VAT exemption should apply in her circumstances. They have not been successful. I shall not argue today that that is an incorrect interpretation of the legal position, but there is a strong case for arguing that the situation conflicts with stated Government principles and policy.

I come to the general position to prove my point. If Mrs. Reed operated as an agency, not a proprietorial business, to provide the services of her staff, she would be in a much more favourable position in relation to VAT. Agencies are not regarded as supplying the full service of the staff whom they place, so VAT is due only on their placement commission. That is due to change. The Department of Trade and Industry proposes to change the status of workers placed by such agencies so that they will become full employees of the agency. The contractual relationship will therefore be with the bureau or agency that supplies them, not with the client who hires them. However, there has been a severe delay in implementation. Changes to the employment status of temporary workers supplied by employment bureaux were first announced more than three and a half years ago in September 1998. Eight months after that, on 31 May 1999, a consultation document entitled "Regulation of the Private Recruitment Industry" was published. In its business brief 13/99, dated 18 June 1999, Customs and Excise indicated that the regulations were expected to come into force at the beginning of 2000.

In an Adjournment debate on 29 October 1999, my hon. Friend the Member for Sutton and Cheam (Mr. Burstow) and others expressed the concern that the changes would increase the amount of VAT charged to people buying care in their homes, some of whom are often the most vulnerable members of our society, as hon. Members said. In another business brief 3/2000, dated 22 February 2000, Customs and Excise reported that there would be an extra-statutory concession for home care services. The brief makes it clear that the main reason for the concession was that Customs and Excise and the DTI recognised that the changes would

> "place an increased VAT burden on some of the most vulnerable people in society".

The concession

> "will be introduced to coincide with the introduction of the DTI changes in the Summer."

The summer of 2000 has come and gone, and two years and a general election later we are still waiting. The extra-statutory concession will be welcome when it is introduced. Business brief 3/2000 makes it clear that the concession will apply to non-agency care providers, such as my constituent. It will also apply to home care services, including personal care such as bathing, and help with practical tasks such as house cleaning where there is an obvious client need.

As the Paymaster General, in a written parliamentary answer on 29 January 2001 in response to a question from my hon. Friend the Member for Sutton and Cheam) said:

> "Customs will implement the Extra Statutory Concession to coincide with the changes in the Department of Trade and Industry regulations on the private recruitment industry. A side effect of these changes could have been an increase in the VAT paid for necessary home care provided by employment bureaux. The concession will mean that the VAT burden on those least able to look after themselves is not increased as a result of the DTI changes, and in many cases will actually go down."—[*Official Report*, 29 January 2001; Vol. 362, c. 39-40W.]

I welcome the Government's clear statement of intent, and their commitment to ensure that there is no inequity of treatment on VAT between agencies and proprietorial businesses providing similar services in competition with one another. However, will the Minister account for the extraordinary delay in implementing the proposals? Hon. Members will note that the Paymaster General's parliamentary answer is dated one year after the announcement of the extra-statutory concession. Why have those changes still not come into effect?

In another written parliamentary answer, dated 25 January 2001, my hon. Friend the Member for Sutton and Cheam asked the Secretary of State for Health

> what discussions he has had with the Chancellor of the Exchequer and the Secretary of State for Trade and Industry on the implementation of the proposed extra-statutory concession on VAT and home care; and if he will make a statement.

The Minister of State at the Department of Health replied:

> "The Department has been liaising closely with my right hon. Friend the Chancellor of the Exchequer and the Department of Trade and Industry on their proposals since 1997. The proposed Value Added Tax concession will mean that people receiving care in their own homes will not pay VAT on the wages element of that care. We will continue to make every effort to promote home care as a choice for individuals in need of support." —[*Official Report*, 25 January 2001; Vol. 361, c. 689-90W.]

Therefore, this matter has been under discussion since 1997. The Government are committed to promoting home care as an option for the individuals concerned, but no action has been taken for five years.

One year further on and the Treasury was repeating the same mantra. The hon. Member for Runnymede and Weybridge (Mr. Hammond) asked the Chancellor of the Exchequer

> "when he expects Customs and Excise to issue details of the proposed extra statutory concession in respect of VAT on supply of services agency workers for domiciliary care."

The Financial Secretary replied:

> "Details of the proposed extra statutory concession on the VAT liability of home care will be available when the Secretary of State for Trade and Industry lays before Parliament revised regulations governing the conduct of the private recruitment industry."—[*Official Report*, 25 January 2002; Vol. 378, c. 1150W.]

So details will be announced when they are announced. That is very helpful.

If the new regulations had been introduced in the summer of 2000, the timing initially announced by Customs and Excise, my constituent would not be in the position she is in now. This is not simply a case of a particular business reporting a grievance to the local Member of Parliament and calling for a change in the law. This is a case where the Government have been promising to change the law for several years, but have failed to fulfil that promise, to the great disadvantage of my constituent.

I hope that the Minister will today be able to announce when those changes will be introduced. Meanwhile the delay has had severe consequences for my constituent and her business. Her business provides important care services for many elderly people, in keeping with the principle of independent living, which is rightly at the heart of the Government's thinking on social care. Under those circumstances, can the Minister provide an assurance that the needs of care providers who have fallen foul of the existing VAT regulations will be taken into account when the expected reforms are finally announced?

Given that my constituent would never have got into her present financial difficulty had the Government brought in the relevant legislation according to their original timetable, it seems only fair that the retrospective VAT that my constituent is now being asked to pay is either waived or counterbalanced by a compensation payment to her of the same size paid on the grounds of the Government's maladministration of their own legislative programme. The local council and the local medical services value my constituent's work, and so, very much so, do her clients. The Government's policy, quite rightly, is to enable people to obtain the care they need to remain in their own homes. It is also the Government's policy therefore that VAT should not be charged on the provision of home care services. For the sake of my constituent, but above all for the sake of her clients, she should not have a VAT bill to pay, just because the Government have failed, after five years of waiting, to get their act together.

1.44 pm

The Economic Secretary to the Treasury (John Healey): I congratulate the hon. Member for Newbury (Mr. Rendel) on securing the debate on such an important issue. It is a reflection of his strong track record in the House. He speaks up on such issues both in policy terms and to make active representations on behalf of his constituents, including individuals who are sometimes affected by residential care matters. The constituent in this case has been affected as a provider of services to people in their own homes.

The hon. Gentleman raised some important matters, and I am glad of the opportunity to reply, because improving the standard of care for elderly people in care homes and their own homes is a priority for this Government. I am sure that the hon. Gentleman will agree that the national service framework for older people, which was published last year, is a significant step forward. With the new National Care Standards Commission now being merged with the social services inspectorate, an important element of protection and consistency for elderly people, many of whom are very vulnerable, has been introduced into the system.

The hon. Gentleman will also know about the significant additional spending that the Government have put into personal social services. It is available to support the services to take care of people in their own homes and in residential care homes. Nationally, resources have increased on average in real terms by 3 per cent. a year between 1996-97 and the current year. In addition, as we recently announced, the real terms increase between 2003-04 and 2005-06 will be the equivalent of 6 per cent. per year. That is in stark contrast to the record of the previous Government, who between 1992 and 1997 oversaw a real term's annual growth of 0.1 per cent. It is an important context for what will be a more technical discussion.

The Government are keen to see initiatives for the development of not only better standards in care homes but intermediate care services of rehabilitation and support, which can increase individuals' independence and help them remain in their own homes and out of institutionalised care homes for longer. I welcome the hon. Gentleman's greeting for our proposals for an extra-statutory concession, and it may be helpful to give some background detail to our decision to introduce it. I will then explain why I dispute his contention that there has been a long delay in the introduction of the measure per se, by explaining its crucial link to the proposals for amending Department of Trade and Industry regulations for governing the activities of employment agencies.

The activities, nature and regulation of employment agencies and bureaux are at the heart of the proposal to introduce an extra-statutory concession. At present, employment bureaux can arrange their affairs for VAT purposes so that they act as either an agent or a principal in supplying staff. The hon. Gentleman touched on that point. For the sake of clarity, an agent is someone who makes arrangements for the supply of goods and services by another person. When care services are arranged through an agent, even though one invoice and charge may be raised, there are two distinct supplies: the agent's services—the making of arrangements for the supply by someone else, such as a self-employed worker—and the care service itself, which is supplied by the worker.

As in the case of Mrs. Reed in the hon. Gentleman's constituency, who had to make a choice as part of setting up and running her business, personal businesses must choose either to use an agent to arrange for the supply of an exempt service on their behalf or to act as a principal. A principal is a person who makes or receives a supply, so when an employment bureau is a principal, for VAT purposes it is akin to an employer of staff in that it is responsible for providing the services carried out by them. A principal does not therefore merely make arrangements for the supply of a third party, but supplies the services carried out by its staff.

The introduction of the extra-statutory concession is crucially linked to the proposals that were produced by Government and led by the Department of Trade and Industry and which, as the hon. Gentleman rightly said, were published in 1999. The amendments and reform of the regulation of the private recruitment industry were aimed at providing employee protection to temporary workers supplied by employment bureaux. It was thought that a side effect of those changes would be that employment bureaux acting as agents, which previously

[John Healey]

had to charge VAT only for the service of making arrangements, would have to charge VAT on their total fee, including the agency worker's salary costs. Following close scrutiny by the Treasury and on the Chancellor's initiative, we investigated ways of minimising the potential VAT impact of the DTI's proposed changes on home care services so that people in their own homes were not faced with increased VAT payments—hence the extra-statutory concession.

The concession means that when the new DTI regulations come into effect, people in their own homes who are in need of care will not pay VAT on the wages element of taxable care. The arrangement fee will, however, remain taxable in the same way. The hon. Gentleman quoted correctly our intention of introducing the concession to coincide with the DTI regulations. The DTI is considering the many responses to its consultation document. As the hon. Gentleman will appreciate, several complex issues—not least the tax dimensions—are connected with the proposed changes. I hope that the hon. Gentleman will regard what he rightly described as our "clear statement of intent" as our determination to introduce an extra-statutory concession when the regulations are introduced and for the purpose that I explained earlier.

There is therefore no sinister reason for the delay in introducing the extra-statutory concession; the matter is perfectly simple. We announced that we would introduce the concession when the DTI regulations are laid before Parliament and that position remains. The concession is being introduced to offset the danger that people who purchase care that enables them to continue to live in their own homes will be liable for extra VAT, particularly on the costs of the care services and the relevant worker salaries. I hope that the hon. Gentleman recognises that our statement of intent in that regard remains clear and strong.

Mr. Rendel: I quite believe the Minister and the Government when they say that they will introduce that concession when the DTI changes its rules. The danger for people like my constituent is not that they might be charged VAT and have to pass that charge on to their clients because they already have to do so as they are not bureaux and agencies that work in the way that will be affected by the DTI change. They have to charge VAT now and their clients already have to suffer, and they will go on doing so because the longer the DTI takes to make its changes, the longer it will take for the extra-statutory concession to come in—unless the Minister can do something about it straight away.

John Healey: The hon. Gentleman makes a fair point but if my memory serves—I will check the *Official Report*—he said that Mrs. Reed had altered the way in which she provides her services and that they are now supervised by a nurse. The key element for the provision of care is therefore not liable to VAT, although the commissioning or arrangement fee still is, as I have explained. The hon. Gentleman will correct me if I am wrong, but I believe that that is, understandably, the position that Mrs. Reed has taken.

Mr. Rendel: The Minister is right that, because Mrs. Reed changed her arrangements, she has got round the problem. However, there will be other people throughout the country who are still providing services directly, without medical supervision. Mrs. Reed has had to employ people deliberately to get round the VAT problem, which seems an absurd way to do it.

John Healey: We concur at least on the way in which Mrs. Reed organises her business. It is a quite sensible adaptation to the provision of services. Clearly, the quality of services that she offers to people living in their own home cannot be reduced or damaged by the involvement of a qualified nurse.

We are discussing the territory of VAT in care services, and the hon. Gentleman has made a number of powerful points. I hope that he at least recognises that the Government are aware of the impact that VAT can have on care services and vulnerable or sick people, both in their own home and in care homes.

VAT is not chargeable on care services that form part of the care or treatment of a person in a nursing or similar residential home. That includes care provided by staff employed by the institution, and care provided by contracted staff. Nor is VAT chargeable on medical, personal or nursing care services provided or supervised by a nurse, whether they be provided in a nursing home, another home or someone's own home. We have just discussed that point. VAT is not chargeable on any welfare service, including care services, in a residential home or at a home that is provided by a charity or a local authority under a statutory duty. Mrs. Reed is clearly running an agency that is a business. She now delivers such services under the supervision of a nurse, so the workers' salaries are not subject to VAT.

As the hon. Gentleman knows, we are constrained to some degree by long-standing agreements with our European partners. The United Kingdom can maintain existing VAT zero rates and exemptions but, under the same Community agreements, we may not introduce new reliefs or make anything more than marginal adjustments to existing reliefs. Currently, there is no exemption for the services of employment bureaux, so there is a significant constraint on our ability to reduce the VAT chargeable on the arrangement fees or commission services of agencies such as that of the hon. Gentleman's constituent. Clearly, it would be more than a marginal adjustment to try to shoehorn such an exemption into an existing relief.

That does not mean, however, that we can do nothing in this sector. Indeed, I hope that the hon. Gentleman recognises that we moved rapidly in March when a High Court judgment on VAT and residential care threatened to limit the exemption for residential care. We immediately put VAT exemption beyond question through the Value Added Tax (Health and Welfare) Order, which was statutory instrument No. 762/2002. I hope that the hon. Gentleman sees that as evidence of decisive and prompt action to confirm that vulnerable people will not face VAT on residential care. We are determined to ensure that vulnerable people do not face a greater VAT burden than is absolutely necessary.

I end by confirming the timing of the extra-statutory concession, as the hon. Gentleman requested. We still intend to introduce the concession immediately the new Department of Trade and Industry regulations are laid. I cannot, however, assure him on the retrospectivity that he seeks on the VAT payable by people such as his constituent at present. I hope that he feels that this short debate has been valuable. Our general approach to social care is that we are committed to increasing the level of funding, and determined to raise standards of care and to ensure that tax, as a proportion of costs, plays no greater part than is necessary.

It being Two o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Wednesday 10 July 2002

[SYLVIA HEAL *in the Chair*]

Female Prisoners

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Caplin.]*

9.30 am

Claire Ward (Watford): My right hon. Friend the Prime Minister established the social exclusion unit because he recognised the clear link between the lack of housing, opportunity and education and the high levels of poverty suffered by some people in our society and the degree of crime and lawlessness. I want to draw attention to those people who are among the most socially excluded in our society—girls and young women from disadvantaged, deprived and depressed environments who become victims under our criminal justice system. I do not condone the crimes that they commit, be they shoplifting, robbery or serious assault, or query why they are being punished, but I question the response of a criminal justice system that takes vulnerable children—as many of them are—and puts them in prison, which cannot possibly meet their needs or help them to build a better life.

We will always need prisons. It is right that society should be able to remove the freedom of those who commit serious crimes, as a punishment and to protect the public from harm. However, wherever possible, prison must also offer offenders the chance to be rehabilitated back into the community. The concept of rehabilitation is all the more important when the offender is only 15 or 16 years of age, having committed a crime perhaps a year earlier. Such young people have their lives ahead of them and, with help and guidance, they may become good and valuable citizens in our community. Without that guidance, however, they may spiral further into the depths of lawlessness.

It is particularly important to consider the needs of young women and girls within the criminal justice system and distinguish them from the needs of male prisoners. Females are less likely to commit crime than men and when they do, their crimes tend to be less violent and they are less likely to be a risk to the general public. For example, many of the assaults committed by women are on people they know and are often a reaction to having suffered prolonged periods of sexual or physical abuse. That is not an excuse for the crime, but we must understand the motives and the difference between those crimes and violent crimes committed by men.

The state has provided a limited number of penal establishments for women because so few women, especially young girls, commit crimes that require custodial sentences. Consequently, women prisoners tend to end up further away from their families and homes than male prisoners. They suffer much greater isolation in custody because access to their families may be more restricted. It is worth noting that more than half of the women in our prisons have children, who are often left behind when their main carer is taken into custody.

Women prisoners tend to display more symptoms of depression and mental health problems. Many suffer from mental illness. Self harm or cutting up is fairly common among women prisoners, but few prisons can cope with it. Such women need help, not incarceration. Their crimes are often the result of their mental instability. In addition to mental health problems, women prisoners show high levels of drink and drug dependency.

Ann Owers, the chief inspector of prisons, suggested in her recent report that a crisis is brewing because of the lack of capacity and poor standards in women's prisons. The Youth Justice Board designated 12 places at Eastwood Park prison to hold girls under 18 years of age. Inspectors describe that prison as an establishment in crisis. In one month, there had been 47 cases of self harm and more than 50 cases of people having been identified as at risk from suicide. Despite the commitment and dedication of the staff, few were qualified to deal with young girls or with the high levels of mental illness and vulnerability that are so common in women's prisons. The chief inspector commented that the fact that the number of those prisoners was increasing was nothing short of scandalous. Although designated to hold 12 girls, Eastwood Park had 14 girls in its care in March this year. Although the numbers fluctuate, it is frequently overcrowded. Girls are then accommodated with adults, which is a clear breach of the United Nations convention on the rights of the child and, in all likelihood, unlawful in English law following the Flood judgment.

The inspectors met all 12 girls under the age of 18 at Eastwood Park and concluded:

> "It was impossible not to be struck by the profound personality disturbance and mental health problems that many presented and by the inappropriateness of prison, or indeed any other custodial placement for them."

Eastwood Park is not the only prison taking more young girls than it can properly accommodate. On Monday, I visited Bullwood Hall in Essex—a women's prison and young offenders institution. The Youth Justice Board funds 28 places at Bullwood Hall for girls aged 15 to 18. However, the governor confirmed this week that, due to increased demand, he had unlocked 50 units and was now accommodating 22 more juveniles. Consequently, some of the young girls will be accommodated on wings with adults over 18 where prison officers may not have the experience or training to deal with vulnerable juveniles.

Holloway prison has no operational capacity for juveniles, but last Friday it was accommodating seven sentenced girls and another six on remand—further evidence that our prison system is ill-prepared for the increasing number of young girls being imprisoned by our courts.

I was impressed by the commitment of the staff and the governor of Bullwood Hall. They try to provide the best possible environment for the juveniles within the limits of their funding and the power that they have. However, it does not matter how committed and genuine the prison staff are if the environment is unsuitable for young girls.

[Claire Ward]

I had the opportunity to talk to some of the girls during my visit, and what struck me most was the common thread that ran through each of their lives. Miss A is 16 years old. She spent the first few days of her sentence in Holloway prison, which she described as disgusting—a view shared by all the girls that I met. Bullwood Hall is keen to take girls who have been sentenced straight from court. Unfortunately, they often spend the first few days in the adult women's prison in Holloway, in which the regime is extremely harsh and where the conditions are especially difficult for those serving their first prison sentence.

Having been moved to Bullwood Hall, Miss A. was understandably missing her family. Her mother is trying to raise the other children, does not drive, and is unable to fund the cost of travel by train to visit her due to low income. The isolation from their families that prisoners experience makes it difficult to maintain close contact. Although many of the girls at Bullwood Hall come from London and the home counties, some come from as far away as Liverpool or Manchester. Some come from Wales, which has no women's prisons. It is no wonder that their families find it difficult to keep in touch.

For many of the young girls, however, home is the last place that they should or could be. Miss B., for example, is also 16. Her father is in prison and her mother, who suffers from depression and alcohol dependency, is being evicted. Miss B. does not see her family and found it difficult to cope when she first arrived at Bullwood Hall. Officers tried to explain the procedures and rules to her and she was given an information booklet, but with her limited education—she was expelled from school—she admits to not understanding much of it. She told me that being left to cry alone in her cell on those first few nights was horrible.

Miss B. described her daily routine, which included being locked in a cell from 8.15 pm to 8 am and having to ask permission to go to the toilet during the night. When she is finally discharged, the accommodation arranged for her by the probation service will be crucial to her ability to escape the life that she has led so far. Her most striking observations of prison life were about what she had witnessed—girls of her own age on hard drugs such as crack cocaine and heroin, which she had never seen before. She had gained a new knowledge of drugs and other crimes. Girls would relate stories of offences that they had committed and for which they had not been caught, which suggested that it was possible to commit a crime and get away with it. Further exposure to crime was not helping the girl, but expanding her knowledge of crime.

All the girls said that being away from their family and friends was the hardest part to endure. However, questioning revealed that some of them could not return to their families on release. They also knew that if there was to be a chance of their leading a better life, they had to be away from the neighbourhood and environment that had influenced their criminal behaviour in the past.

Many of the girls have received little guidance in their young lives. Their parents have not set boundaries, and they have not been allowed to grow up with the rules that most of us accept as fundamental to the structure of our lives. As one girl said, she found it hard in prison because, "I am not used to people telling me what to do. I am used to doing what I want."

Many of the girls are first offenders. Their crime may be sufficiently serious to warrant detention, but evidence suggests that courts do not always take into account all alternative forms of punishment before considering a custodial sentence, which should always be the court's last resort. If detention is appropriate, people in that age group—15, 16 and 17-year-olds—should be held in local authority secure accommodation, where they can receive appropriate help and support under a regime that provides strict boundaries while recognising that such people are teenagers, not adults.

The Youth Justice Board requires that all girls under the age of 18 be provided with a minimum of 15 hours of education a week. For some of the girls, that is the most intensive education that they will have received for some time. One 16-year-old girl to whom I spoke had not attended school since she was 11. Is it any wonder that she found life difficult?

Although accredited work and education must be provided to under-18s, it is not a requirement for young offenders. Therefore 18 to 21-year-olds can be required to undertake work that will do little to further their education and training opportunities. There is no requirement for the staff who look after them to have any specialist training in dealing with young people. Young offenders are an equally vulnerable group who are at a point in life at which the right support, education and training opportunities could ensure that following their discharge from prison they lead a valuable and law-abiding life.

Many of the girls are serving sentences of less than six months, and some just a few weeks. Such sentences are too short to make a real difference to their education and training opportunities, but are long enough to create an obstacle to their future employment. The very fact that they have been in custody may deter future employers, landlords and others from offering them assistance.

On 14 December 1999, the Minister then responsible for prisons, my right hon. Friend the Member for Brent, South (Mr. Boateng), now Chief Secretary to the Treasury, reiterated a commitment made by a previous Home Secretary that from

> "April 2000, 15 and 16 year old girls will be placed in local authority care, not in prison. In the longer term sentenced young women aged 17 will also be placed outside Prison Service custody."

That commitment was reinforced by the Youth Justice Board's plan to make it a priority to place all young women outside adult prisons by mid-2002.

The latest Home Office figures for May this year suggest that that has not yet happened: eight female 15-year-olds, 29 16-year-olds and 81 17-year-olds were being held in prison. Indeed, since 1999, the number of girls aged under 18 in prison has risen, from 86 to 120 this year. The rise in custodial sentences should be contrasted with the fall in recorded crimes committed by 15 to 17-year-old girls. By continuing the practice of holding juveniles with adults in adult prisons, the Government breach the UN convention on the rights of the child. That cannot be right.

The evidence about the unsuitability of prison for girls and young women has been known for some time. In 1997, the Howard League for Penal Reform—for whose support I am grateful and of whose advisory council I am a member—published the results of a year-long inquiry into the use of prison custody for girls. I urge the Minister to read that report, digest the case studies and consider implementing the recommendations. Surely those vulnerable young people should be afforded the protection of the Children Act 1989. Why do we continue to operate a policy in contravention of the United Nations convention?

I started my speech by referring to the social exclusion unit, which is incredibly important. It shows how the Government think that we should tackle the real problems in our society. If we are to reduce crime, we have to consider the factors that create an environment in which people commit crime, and those are the very issues being addressed by the social exclusion unit. Poverty, homelessness, debt, mental illness, unemployment and drug and alcohol misuse are factors that can have an influence. Many of the young girls that I am talking about are vulnerable, misguided children, not evil calculating adults. They need help as well as punishment. I look forward to hearing the Minister's response.

9.45 am

Paul Flynn (Newport, West): I warmly congratulate my hon. Friend the Member for Watford (Claire Ward) on securing this debate on a subject of great importance. I was made aware of the issue by a book by Angela Devlin called "Invisible Women: What's Wrong with Women's Prisons". It revealed the dreadful situation in our women's prisons. That book was published in 1998, and the issue was then raised in Parliament in several ways. I think that we are aware that there have been improvements since then.

The increasing prison population is inexplicable and extremely worrying. Only a few years ago, the prison population was 42,000, and it is now a record 71,000. That means that 132 people per 100,000 of the population are in prison. It puts the United Kingdom in the top two or three of the 43 countries of the Council of Europe. The only country with a worse record is the United States, where the figure is 700 people per 100,000. The average figure among the Council of Europe countries is about 50 per 100,000, but our prison population goes on increasing, expensively and to the detriment of the country, although few of us believe that prison works.

An extremely worrying feature of life in prison, which was referred to by my hon. Friend the Member for Watford, is the number of young women who react to their plight by mutilating themselves. That is a common reaction to abuse. Young women who go to prison are likely to have been abused by society, their partners or their families. The almost universal treatment for those who mutilated themselves used to be neuroleptic drugs, which are overused in residential homes for the elderly, and are meant for the deeply psychotic. Their use was so common in prisons that young women on those drugs were known by the cruel epithet of "muppets", because they walked strangely. I hope that that practice has ended, but it was difficult to break through the closed communities in which everyone supported everyone else. The prison doctor, the governors and so on tended to work together.

In Holland there have been many reforms that we could copy, one of which is that when women are sentenced to prison, they can, if they choose, have a period of about a fortnight before they start their sentence. Nothing could be worse than when a mother kisses goodbye to her children in the morning and does not appear when they come home from school. Many sentences are unexpected, and the chaos and disruption that results from that is completely unnecessary. Very few women prisoners are violent or dangerous in the way that many male prisoners are. That reform could—and, I believe, should—be introduced as an urgent priority.

A report by the chief inspector of prisons has been mentioned. Time and again, the previous chief inspector reported that there was no need for most of the women in prison to be there. Reports have given examples of women who had committed the most trivial offences and, because they had a long record of previous convictions, were imprisoned.

Most women are in prison for reasons such as debt, and our society encourages debt. Idiotic advertisements saturate daytime television, telling people that if they have debts, they should not worry because they can ring a certain advice firm, and solve all their problems. Those firms actually multiply debt and increase the period of indebtedness, but they lull people into a false sense of thinking that debts do not matter. Often, the debts are not magicked away, but people who have got into debt—often for loving reasons because they have been looking after their families—find themselves in prison. Our record on that is dreadful.

Communities in prison are often dominated by gangsterism. Prison society used to be run by tobacco barons, but it is now dominated by drugs. Many prisons have a dreadful atmosphere, and there are practices that I would not want to go into today. The punishments that we mete out, especially to women prisoners, are often cruel and barbaric because we separate mothers from their toddlers and babies. We have heard that women react to imprisonment more seriously than most men do and find it more damaging. We hear about women entering prison as shoplifters and leaving as drug addicts. Some women enter prison as cannabis users. People are complaining that we are about to announce today a change in the law that allows people to be sentenced to 14 years in jail for some cannabis crimes—murder carries an equivalent sentence. We have sent women to prison for using soft drugs, and they have come out addicted to hard drugs. We cannot provide a single prison—for women or men—that is free from illegal drug use. There are occasionally drug-free wings, but we put people into prisons in which it is often easier to obtain drugs than on the streets.

This debate is very important. The Minister has talked about the dreadful record on not only mutilation, but suicide attempts by women in prison and the way in which they suffer. We have a very poor record as a Parliament and a country on the increasing female prison population.

[Paul Flynn]

The ninth commandment of Back Benchers is that we should neglect the rich, the obsessed and the articulate, and seek out silent voices. Few voices are quieter than those of women in prison. The situation is an awful example of man's inhumanity to women.

9.52 am

Jean Corston (Bristol, East): I congratulate my hon. Friend the Member for Watford (Claire Ward) on securing the debate. I am grateful for being able to participate.

Between 1995 and 1997, I was a member of the Select Committee on Home Affairs. During one of the Committee's inquiries, I visited many prisons in both this country and the United States. Owing to my interest in the subject, I have visited other prisons including, notably, Eastwood Park, with my hon. Friend the Member for Cynon Valley (Ann Clwyd). We were both very worried about the conditions of the women who were held there. We made that visit before 1997, and I attest to the truth of what my hon. Friends have said about the conditions of women in prison, the reasons why they are there and the catastrophic effects that prison has on them and their children.

I shall confine my remarks to two narrow subjects, but first I congratulate the Government on setting up the women's policy group in January 1998. The matters that it is considering show that several lessons have been learnt.

An occasion in the Chamber that I shall never forget was when the right hon. Member for Maidstone and The Weald (Miss Widdecombe) attempted to justify the shackling of pregnant women prisoners. It is fair to say that she got a pretty severe roasting from female Labour Members. She found the position hard to defend. I am pleased by the new arrangements for the treatment of pregnant women when they go into labour that have been introduced since we came to power. I understand that now all restraints should be removed when they are in hospital, and replaced only when they leave. I was amused to discover that prison officers can be present in the delivery room, or during an intimate examination, only if that is requested by the prisoner. I cannot imagine that such a request would be made, but at least it is no longer required that a prison officer should be present at all times.

Women who are pregnant and have their babies in prison face considerable difficulties. Throughout the country, there are only 64 places for them in mother and baby units, although I gather that 24 further places are planned—two 12-bed units. As a result, they have to travel great distances.

In Holloway and New Hall, women can keep their babies with them for up to nine months, whereas in Askham Grange and Styal they can keep their children with them until they are 18 months old. After that time, if the women have not completed their sentences, their babies are taken away from them—an 18-month-old child is still a baby. It is only when one talks to inmates in prisons such as Holloway that one realises what that means. Many of the women prisoners have had babies when they were very young. I will never forget talking to one young mother as I went around the unit at Holloway. I asked her how old her baby was. She replied, "Eight months." She looked haunted and traumatised. I asked her if she had other children, and she said that she did. That was when I realised that she would have to decide in four weeks' time whether to give up the baby at nine months so that she could stay in Holloway and be near her other children, or apply to go to either Askham Grange or Styal so that she could stay with the baby until eighteen months but risk losing contact with her other children who lived in the south-east. That is an intolerable position to put anyone in. If that does not constitute cruel and unusual punishment, I do not know what does.

It is impossible for women who are in that position to discharge their responsibilities as parents in a meaningful way. I acknowledge that they are in prison because they have committed crimes but, as several of my hon. Friends have said, the types of crimes for which women are imprisoned are generally quite trivial. I met women in Holloway who had been imprisoned for not paying their bills; they were in prison because, eventually, debt becomes a criminal offence—although there are conventions that say that nobody should be imprisoned for debt.

Reference has also been made to self harm. I wish to recount an unpleasant incident that happened when I was at Eastwood Park, because I want people to understand what self harm can mean to the prisoners who harm themselves, their fellow prisoners and prison staff. Several years ago, there was a young woman who was severely psychotic at Eastwood Park. She had had an abdominal operation some time before. One night, she took off her bra and used its hook to open up the wound and disembowel herself. The other prisoners realised that this was happening, and the prison officer who went into her cell to see what the noise was about, was, as anyone could understand, utterly traumatised by what she saw. That woman should not have been in prison. She was severely mentally ill. She had been convicted of a crime and I can only presume that that had something to do with her illness.

In concluding my remarks, Mr. Cook—

Mr. Deputy Speaker (Mr. Frank Cook): Order. I would be remiss in my responsibilities were I not to remind hon. Members that the House, in its wisdom, took the decision when establishing this parallel Chamber that the four senior members of the Chairmen's Panel be appointed Deputy Speakers of Westminster Hall. While occupying this Chair, they should be referred to in those terms.

Jean Corston: I am grateful for that advice, Mr. Deputy Speaker.

In concluding my remarks, I quote from this year's prisons handbook an article headed, "Viewpoint: Women Prisoners". It is by Lisa Edwards, a serving prisoner at Cookham Wood, and says:

> "The penal system is geared to men, not women; this needs to be addressed. There are several courses on offer in the male prisons that are not available in the female prisons. This is not good enough. Female lifers have as much right to be rehabilitated as men do."

She continues:

> "We need more education, courses on drug and alcohol awareness, anger management, relationships, offending behaviour and victim awareness, as well as life and social skills."

At this point, I declare an interest as one of the trustees of an educational charity called Award Scheme Development Accreditation Network, known by its acronym, ASDAN. It provides education in life skills to thousands of students in schools and colleges all over the country. I have seen the effects of its work and can only say to my hon. Friend the Minister that that kind of education should be more widely available in prisons.

Lisa Edwards goes on to say:

> "We need help to help ourselves once released. Give us jobs in prison that will actually aid us outside, not mind numbing jobs like packing plastic spoons! Teach us new skills that we can use . . . Don't place us in prisons hundreds of miles away from family and friends. It is so important to maintain the bond with your children. Just because you are in prison, it doesn't mean you stop being a mother."

Of course, when those women leave prison, they could be sitting on the bus alongside any of us, or serving us at a supermarket checkout. They could be working in all kinds of jobs where we could come face to face with them. Surely it is in our interests, if those women are to be imprisoned, to make that an experience that allows them some opportunity for reform and life-chance, not just one that focuses on retribution.

10.3 am

Lynne Jones (Birmingham, Selly Oak): I have not had an opportunity to prepare for this debate. I am disappointed to come into this Chamber and discover that so few Members are interested in this very important subject. I want to emphasise the point that some hon. Friends have made about the large proportion of women prisoners who are in prison simply because they are poor and cannot afford to pay their debts.

I did a great deal of research on that pre-1997, and introduced a private Member's Bill that would have removed the option of sending fine defaulters to prison simply because they could not pay their debts. So many women are sent to prison not because they are wilfully refusing to pay debts but because they are unable to meet their commitments. That is termed culpable neglect by the courts, but much research has been done that shows that it happens simply because people are poor and unable to face up to their commitments.

My hon. Friend the Member for Newport, West (Paul Flynn) graphically illustrated how people can get into debt when they are desperate and fall prey to loan sharks and other temptations that more robust and less poor individuals might be able to avoid. I am very disappointed that women in particular—but also men—are being sent to prison because they are poor and cannot afford to meet their fines. Of course, such individuals should receive some punishment, but I do not see why that could not take place in the community where they could repay society. It costs hundreds of pounds a week to send people to jail because they are poor. However, if we helped them to manage their finances better, and provided for some kind of punishment in the community so that people could contribute to society through work and other endeavours, we would be a more civilised society. We would also prevent further decline, such as lapses into mental illness and family breakdown, which occurs as a result of so many poor women with mental health difficulties being sent to prison.

Only last week another private Member's Bill was introduced to prevent people from being jailed for debt and fine default. When the Minister responds, I hope that he will dwell to some extent on that issue. I would like a commitment from the Government that they intend to bring in legislation to prevent fine defaulters from being sent to prison and introduce alternative community punishments. Even if it is not possible to introduce legislation in the near future, signals from Ministers and guidance to magistrates courts on the issue of culpable neglect would be very welcome. I invite the Minister to respond to that point.

Mr. Deputy Speaker: Order. Perhaps it would be useful if I were to advise the House of an opinion registered collectively on the Chairmen's Panel. Let me start by reminding hon. Members that this debate is scheduled to go no longer than 11 o'clock. The common convention in the past has been that the three winding-up speeches start 30 minutes before that, with those 30 minutes split equally between the three concluding speakers. In this event, Members will see that there are 53 minutes remaining, and the Chairman's Panel has been anxious that that equality of apportionment be maintained because it has been known for some speakers to run over quite a bit, thereby creating a situation that is considered unfair. Might I make it clear that Front-Bench speakers, of whom there are three, will be admonished if they exceed a third of that time. They do not have to take all of it, but they are not to overrun, if I might put it in those terms. I am grateful for your attention.

10.8 am

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): I do not think that I will be taking a third of the time because I do not intend to speak for the sake of it.

First, I congratulate the hon. Member for Watford (Claire Ward). She has raised issues of extreme importance this morning, and the moving stories from the case studies to which she referred contributed greatly to the whole debate. We have had many other contributions that to me, as a new Member, have been stark and frightening, but underline what the debate is really about.

I started considering the issue by looking at the prison population as a whole. The latest figure that I have, which is perhaps not the actual latest figure, is 71,360 people in prison, sadly. I started to think about the different, overlapping subsets within that total. I was wondering how many would be left if one identified all prisoners with sentences less than 12 months, and all those with mental health difficulties. Perhaps the Minister knows better than I do. That highlights the wider issues of appropriate placements and sentences, of which much has been made in the debate.

[Mrs. Annette L. Brooke]

Before turning to female prisoners, it is important to consider the subset of children. The annual report of the Youth Justice Board was published yesterday. It is an interesting and excellent report in which Lord Warner, the chairman, states:

> "Despite these successes it has not so far been possible to reduce the use of custody as much as the Board would like."

He goes on to say that

> "the use of longer sentences by the courts . . . can only make it more difficult to maintain improvements".

I believe that a press article in *The Independent* yesterday stemmed from the launch. Under the headline

"Youth Justice Board protests at rising children locked up",

Lord Warner was quoted as saying:

> "'You have the bizarre situation where you could be putting into custody for quite short periods of time school-age kids who are in desperate need of education, who are under-performing educationally, and you have made the whole problem of getting them back into education more difficult.'
>
> The youth crime chief called for courts to consider alternatives to custody."

Ministers and the Lord Chief Justice have dealt with the issue. Clearly, it will be an important matter during the next few weeks with a White Paper coming out, which, I hope, will cover sentencing.

In addition to the Youth Justice Board's report, this weekend a prominent children's charity described the Government's policy on youth crime as an abuse of children's human rights. An example was given of a child with learning disabilities who was remanded in custody for the theft of toffees from a jar of sweets and criminal damage to the lid of the jar. Among the children in custody are those who are in prison. A book about them entitled "Vulnerable Inside" will be published this week by the Children's Society. It includes an example of a 16-year-old telling of a child who committed suicide after bullying and how the others in prison reacted:

> "This morning when we came out for breakfast the screws said that he had tried to kill himself and he was in hospital on a life support machine. At dinner they said he was dead. Everyone was quiet."

That is horrendous. Children's charities are voicing serious concerns to the Home Secretary.

I am also concerned by the Home Secretary's April announcement that suspects as young as 12 will be remanded in custody for persistent petty crimes. I fear that younger children are taking up local authority accommodation places, and that that is pushing 15 and 16-year-olds back into prison. I would be grateful if the Minister would tell us how that all comes together, because it would be dreadful if we were actually making the situation worse. I wonder if this is why the £250 million initiative announced in March 2001, a four-year programme to ensure that no teenage girls and fewer 15 and 16-year-old boys are held in prison and that 80 per cent. of offenders are located within 50 miles of their home—all changes that are needed—does not seem to be on target.

As the hon. Member for Watford reminded us, the Government have been promising to remove girls from prison. Unfortunately, for various reasons, they continue to be placed there. I would like to refer to an Adjournment debate held on 29 January this year, which was initiated by the hon. Member for Sheffield, Hallam (Mr. Allan) and focused on a tragic case in his constituency of a girl who had gone from one institution to another and fallen through every gap it is possible to fall through. In reply, the Under-Secretary of State for the Home Department, now the Minister for Citizenship and Immigration, stated:

> "At the moment, about 170 girls are in custody. The hon. Gentleman may know that there is a ministerial commitment to remove all 15 and 16-year-old girls from Prison Service custody by the summer."—[*Official Report, Westminster Hall*, 29 January 2002; Vol. 379, c. 63WH.]

We seem to be slipping behind the targets. Girls are not committing more crimes, so is sentencing the problem? Those issues hugely concern me.

Before I conclude, I should like to move on to a topic with which I have tussled for some time: whether we should be concerned about men as well. I have been convinced by this morning's contributions on that matter. I found a useful reference to the issue by Anne Dunne in "Safer Society" from summer 2001. She says:

> "In the majority of cases the best way to promote resettlement and prevent reoffending is not to send women to prison in the first place. This is not preferential treatment for women. It takes account of the principle that treating men and women equally does not mean treating them the same. Imprisonment has a different and more damaging impact on women. We need policies which recognise that women's offending is different and which responds appropriately and proportionately. Way back in 1991 NACRO suggested Community Houses."

More recently, the Prison Reform Trust issued a piece of work called "Justice for Women", which suggests:

> "A network of centres should be established to provide effective supervision and rehabilitation to offenders serving community sentences."

It is vital that we introduce such local centres.

We keep focusing on mental health issues, the nature of sentencing and the appropriateness of placements. When the inspectorate visited prisoners at Eastwood Park it commented:

> "It was impossible not to be struck by the profound personality disturbance and mental health problems that many presented."

In the Adjournment debate to which I referred earlier, the Minister commented on the shortage of places with adequate psychiatric treatment. I should like to refer to a recent report by the social exclusion unit, which does so much vital work, on reoffending that includes an annexe on juveniles. One of its many points is:

> "Too many young people remain in custody when they need in-patient mental health care and the vast majority of those with diagnosable mental health problems but who do not require mental health admission do not receive adequate management and care from custodial or community-based services."

We know what the problems are and need to address them. I recognise that the Government have gone a long way by setting up so many initiatives. It seems as though the problem is increasing and we are not keeping up with it. We have to reflect on whether that is due to crime or sentencing and take appropriate action. We cannot turn our backs on a problem with which we need to get to grips. There are positive outcomes and yesterday's report from the social exclusion unit was also positive. However, the report lists all the enormous issues relating to young offender teams that still have to be tackled. It is a huge task and the Government need to put resources into the area to match their commitment. They need to stand up and be proud to say that they have tackled the issue of the socially excluded and that we have a prison system that works.

10.19 am

Mr. Nick Hawkins (Surrey Heath): I add my congratulations to the hon. Member for Watford (Claire Ward) on obtaining the debate.

This is undoubtedly a serious subject and all the contributions have referred to serious issues. Some of the Government's responses are at odds with the views that have been expressed this morning by Labour Back Benchers. I shall quote what one Government spokesman said in a major report:

> "I also reject any call for preferential treatment for women offenders. The current system does impact differently on women and men, because women are usually the primary carers for their children, and because their small numbers in the system can mean prison places further from home. However, there is also evidence that women are in some respects treated more leniently than men by sentencers. Research suggests that women are less likely than men to get sent to prison, even within the same offence groups and when offenders have similar criminal records, and women tend to get shorter sentences on average."

Those were the words of the former Home Secretary, the right hon. Member for Blackburn (Mr. Straw), as he came to the end of his term in that office.

Not everyone in the Government necessarily speaks with a single voice, and many of those who spoke in today's debate, including the hon. Member for Watford, were critical of the current position. I agree with those hon. Members. When the right hon. Member for Newport, West (Paul Flynn) said that the record in this field was dreadful—I carefully wrote down what he said—I agreed with him. The hon. Member for Watford stressed that the Government, through the former Home Office Minister, the right hon. Member for Brent, South (Mr. Boateng), made various promises about changes in prison accommodation for young women that have not been kept.

My hon. Friend the Member for Reigate (Mr. Blunt) stressed in a debate in December 2001 that there were many problems at Downview—a prison in his constituency. Other hon. Members have been critical of what has been happening at Holloway, and there have been further criticisms of other prisons for women, such as Bullwood Hall.

I am the first to accept that the area is difficult. Some women have committed extremely serious offences. Many hon. Members who have spoken this morning said in parenthesis that they accept that some women must be given custodial sentences. I would have been happier however had they said more about the victims of crimes. Too often in this place, concern is shown for the offender and not the victim. I have spent much of my career, both during my 10 years in this House and previously, working with organisations such as Victim Support. In any debate on prisons and custody one should always mention the fact that some of those who have committed offences have had the opportunity to continue their lives, whereas the victims have not been given that chance.

Claire Ward: Will the hon. Gentleman give way?

Mr. Hawkins: In a moment.

It has been stressed by several speakers, including the hon. Member for Watford, that some people are in prison simply because of debt. The hon. Member for Newport, West rather overstated the case when he said that most women in prison are there because of debt. The figures from the House of Commons Library do not support that contention—I am sorry that the hon. Member for Newport, West did not stay in the Chamber to hear the responses from the Front Benches, but I have no doubt that what I say will be reported to him. If one examines the offences that have led to women being in prison, only a minority are there for non-payment of fines or for debt.

Claire Ward: I should stress that I said during my speech that I did not condone any of the actions of those who are held in prison, whether they are young offenders, juveniles or women prisoners. There are occasions on which detention is appropriate. However, there has not been a discussion about the victims of crime because this debate is about prisoners. In future, I might apply for a debate on the victims of crime, but we are discussing prisoners, and issues such as whether the conditions in which they are held are appropriate. It is a shame that the hon. Gentleman has made a point about victims on this occasion.

Mr. Hawkins: I accept that the hon. Lady mentioned that she does not condone in any way the crimes that have been committed. I was simply making the observation that we have heard a lot of speeches on the main subject of the debate, and until I spoke nobody had mentioned the victims of crime. When we debate prisoners, there should also be some mention of victims.

Another significant matter that should be referred to when we talk about women in custody is the recent huge controversy about the short custodial sentence that was imposed on a lady whose children had persistently failed to attend school. There were howls of protest when that sentence was announced, particularly in the liberal press, but those howls were immediately silenced when, having served a very short custodial sentence—it had been reduced on appeal—the lady said that it was the best thing that could have happened to her because it was the only thing that could have forced her to concentrate her mind on how important it is that children should go to school. I think that it was the hon. Member for Newport, West who said that very few people think that prison works, but this prisoner felt that it had worked for her. Her sentence also sent a valuable signal to other feckless and irresponsible parents who were not ensuring that their children get the benefits of education. I have no doubt that persistent truancy—which is quite often aided and abetted by parents—will fall significantly as a result of that deterrent sentence.

However, the custody of women and girls raises extremely important issues that must be addressed. The Government have promised to tackle the shortcomings in the system, but so far—after more than five years in power—they have failed to do so. I hope that the Minister will tell us today that some of those shortcomings have a greater prospect of being addressed in the immediate future.

There are continuing concerns about the rise in the female prison population. I was surprised that many hon. Members said that it would be better if young

[Mr. Hawkins]

women prisoners were in local authority secure accommodation. I have considerable experience of the criminal justice system from my career at the Bar and the 10 years or so that I have spent in this place, and local authority accommodation has a dreadful record. It would not be advantageous if more young women were to be in the care—which is the official description, but it is very often inappropriate—of local authorities. What we need are humane prisons. People who have committed serious offences and have to receive a custodial sentence are sent to prison as a punishment, rather than for punishment; that has always been the mantra of the Prison Service.

We hope that the Minister will be able to reassure us that further progress is being made. I accept several of the points that have been made about the tragic events that happen to some young women and girls who are in custody, and I recognise that more must be done to address them. I look forward to hearing what the Minister has to say.

10.28 am

The Parliamentary Under-Secretary of State for the Home Department (Hilary Benn): I congratulate my hon. Friend the Member for Watford (Claire Ward) on securing this debate. It addresses an important issue. I also congratulate my hon. Friend on the clarity with which she put her argument, and the passion with which she related and reflected upon the experiences of girls and young women in custody. In so doing, she has done the House a great service.

Running as a thread through all the contributions is the extent to which the young people whom we are discussing have suffered a lifetime of lack of care in its broadest sense. That strikes me most forcefully. There is really no other way to describe it. The social exclusion unit report published last week makes the point all too clearly for juveniles—boys as well as girls. Nearly 90 per cent. miss significant periods of education in their lives. My hon. Friend the Member for Watford mentioned meeting one young woman who had hardly been in school since the age of 11. Nearly two-thirds have previously been looked after by local authorities, so have not had the benefit of the love, care and support that families are able to provide. Nearly half have literacy and numeracy levels below those of the average 11-year-old. HM chief inspector of prisons undertook a survey that found that two out of five girls reported having experienced violence at home and one in three said that they had experienced sexual abuse.

I am sure that all hon. Members would acknowledge that the young people we are talking about are damaged human beings who cause damage to others as well as to themselves. We should acknowledge the damage done to others, and I recognise the point made by my hon. Friend about the nature of this debate. However, one reason why we are discussing the consequences of the rise in the number of young people sentenced to custody is the general debate that is taking place and is reflected in my own surgeries, as it is in those of other hon. Members.

People are concerned about the impact of crime on their lives. They feel frustrated, frightened, angry and bewildered about the damage caused by the consequences of crime. As a society, we are trying to work out how to deal with that. The debate about custody and its effective alternatives is at the heart of the debate about how to tackle the problem, not least because of the size of the prison population.

The challenge is how to prevent further damage being done to others by the significant proportion who go on to reoffend, while trying to address the legacy of the social exclusion that many of the young offenders experience in their short lives For that reason one of the first priorities of the Government since being elected in 1997 has been to reform the youth justice system: by establishing the Youth Justice Board for England and Wales, introducing the youth offending teams, and providing courts with the powers to intervene earlier and more effectively when young people get into trouble.

I am pleased to tell the Chamber that that there have been two real successes as a result of the work that the Government have done. The first has been to meet our pledge to halve the time between commission of the offence and young people appearing before the courts for sentence in some shape or form. That is the product of much hard work done by people within the criminal justice system.

Secondly, the first indications of reconviction figures since the implementation of those reforms, show a 14.6 per cent. reduction in reconviction rates compared with juveniles dealt with in 1997, which was the reference period. That has been achieved in one year with the first cohort. We shall have to see whether that progress is maintained, but it is set against the Government's target of a 5 per cent. reduction in four years. That is progress.

The hon. Member for Surrey Heath (Mr. Hawkins) criticised the Government for what he felt they had failed to do—as he would, because it is his job. Being a fair man, I am sure that he would acknowledge those two real examples of progress that have occurred as a result of the reforms introduced by the Government.

I agree with all hon. Members who said that juveniles should be sent to custody only as a last resort. That is precisely why we have provided the courts with a wide range of community-based penalties and introduced a range of new disposals that are specifically targeted at young people who might otherwise face custodial remand or sentence. Those new court orders have been augmented by the intensive supervision and surveillance programme, which targets the most persistent juvenile offenders and provides intensive monitoring for up to 24 hours a day, seven days a week, together with a highly structured programme of education, training and reparation to victims. However, as my hon. Friend the Member for Watford acknowledged, there are some girls—and boys—whose offending is so serious or persistent that a custodial sentence is the only appropriate response. Lord Warner acknowledged that yesterday when talking about the publication of the Youth Justice Board annual report.

It is, of course, for the courts to make those judgments, but my right hon. Friends the Home Secretary and the Lord Chancellor—and, indeed, the Lord Chief Justice—have recently made it clear that they have asked courts to consider carefully the decisions that they take about the sentences they impose, and to reserve custody for violent, sexual or persistent offenders.

There has been much debate this morning about why the figures for young women and girls in custody have been increasing. If we look at the statistics, we can see that it is due to a combination of factors. The first is that more girls and young women are appearing before the courts. Secondly, more of those who appear before courts are sentenced into custody, although they are still a tiny minority—some 96 per cent. of juveniles who appear before the court are not made subject to a custodial sentence. However, it is undoubtedly the case that girls who are sentenced to custody are receiving longer sentences than those given in, say, 1985. I was looking at those figures this morning.

My hon. Friends the Members for Newport, West (Paul Flynn), for Birmingham, Selly Oak (Lynne Jones), and for Bristol, East (Jean Corston), raised the issue of the imprisonment of women and girls for debt offences. At the invitation of my hon. Friend the Member for Halifax (Mrs. Mahon), I looked at the figures on that subject about three weeks ago. It is worth looking at those statistics, and I shall write to my right hon. Friend and my hon. Friends about them. The number of those sentenced to prison for non-payment of council tax or television licences has declined sharply in recent years, and I welcome that greatly.

It is not the case that hundreds of people—and certainly not women—are being sent to prison every week for fine defaulting. In 2000, an average of three women per week were sent to prison for that offence; that is roughly 150 people in that year. The average stay in custody for those women was only five days. I acknowledge the point that my hon. Friend the Member for Birmingham, Selly Oak made about the difference between those who genuinely cannot pay and those who will not pay.

If we were to say that under no circumstances would non-payment of a fine result in a custodial sentence, it would create difficulties as regards those who persistently refuse to pay although they can, and there are such people. I refer to my earlier point about the concern in the wider community about the effectiveness of the penalties available under the criminal justice system. There is concern when people see that those who have been given a fine as an alternative to custody can pay but seek not to do so. That goes to the heart of the credibility of the system.

Paul Flynn: I should like to return to the subject of numbers. The Minister's explanation was not convincing and did not make sense. We know that the increase in women prisoners is three times the increase in male prisoners. The female prisoner population has doubled since 1996. Also, one in four women prisoners are placed on remand, although when they go to court, 65 per cent. of them do not receive custodial sentences. Those comments have been made by chief inspectors of prisons over the years. The courts seem to have the inclination to put more women than men on remand. Why on earth is that?

Hilary Benn: I would need to check the figures to find out whether the courts put more women than men on remand, but my hon. Friend is undoubtedly correct to say that the rise of the female prison population and the increasing sentence length are features of what has occurred over the past 15 years. I was making a specific point about fine defaulting and imprisonment of people who do not pay other debts. Numbers of people in those categories have declined sharply, and I have promised to write with those figures.

Lynne Jones: I acknowledged the Minister's point in my speech. Courts distinguish between wilful refusal and culpable neglect. I am asking him to give a commitment that the Government will introduce legislation so that it is not possible to send people—especially women—to jail because they are poor and cannot manage their debts. Such action cannot be right, however many people are involved. When I last examined the matter, about a third of women who were sent to prison were sent because they had not paid fines.

Hilary Benn: I cannot give my hon. Friend that undertaking, but if she examines the figures now, she will find that the proportion has reduced significantly. I shall write to her because she raised an extremely important point.

Girls and young women have particular needs that require special attention, and I turn to the placement of young women and girls in custody. We have made it clear that we ideally wish to hold girls in units that are close to their homes, and sufficiently large to provide the high-quality regimes about which hon. Members spoke and to keep them separate from over-18s. Owing to the small number of Prison Service establishments that are able to cater for girls, the Youth Justice Board tries, whenever possible, to place girls aged under 17 in non-Prison Service accommodation: local authority secure children's homes or secure training centres.

The Youth Justice Board embarked last year on a four-year plan to provide several hundred new places by extending existing centres and providing brand new centres in places where there is a lack of provision. As the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) reminded us, a key part of that plan is to improve provision for girls and vulnerable 15 and 16-year-old boys, with a view to removing all sentenced 15 and 16-year-old girls from Prison Service accommodation.

However, hon. Members will be aware that the juvenile secure estate has been under much pressure recently because of the trends that we have discussed, and the increase of juveniles in custody has affected the board's ability to meet its specific targets. However, achieving the objective to which my predecessors committed themselves remains our clear aim. Indeed, the number of non-Prison Service places available for girls has increased from 36 in April 2000 to 113 today. An additional 32 secure training places will come on stream later this year at the Medway secure training centre. During the past three months, the number of girls held in Prison Service places has started to decline. In April, 128 girls were held, and in May, 118 girls were held. Last month, 109 girls were held. That is an encouraging movement in the right direction.

People in the Prison Service sometimes voice concern about under-18s mixing with adults, which occurs for reasons to which I have referred. For example, there

[Hilary Benn]

might be too few under-18s to accommodate them in juvenile-only accommodation while keeping them close to home and providing appropriate educational and recreational services. We are trying to balance the three objectives of meeting educational need, providing appropriate placements and keeping young offenders as close to home as possible. The three objectives must be juggled together.

The Youth Justice Board tries to avoid mixing as much as possible, and it supports the development of under-18 wings in larger women-only establishments, such as New Hall and Bullwood Hall, which my hon. Friend the Member for Watford visited recently.

My hon. Friend expressed worry about what happens to girls and young women who are in custody, and we are trying to address that in two ways. We have created the new detention and training order, which is a sentence that combines a period of custody with a period spent in the community under supervision. The order's aim is to focus on planned and constructive use of time in custody and on effectively supervision and support after release. We have improved regimes, and the Youth Justice Board is now responsible for commissioning and purchasing all forms of juvenile secure accommodation throughout England and Wales. Prison Service order 4950 sets out regimes for prisoners under 18 years old and applies equally to men and women. Three-year development plans are now in place at two women's prisons, Bullwood Hall and New Hall. The Youth Justice Board intends that they will be the only Prison Service establishments for girls by November this year, providing that the demand for juvenile places stabilises.

It has been acknowledged that this morning's debate about women and girls in prison goes to the heart of the debate that society must have about the balance between custody and effective alternatives. The lesson to be drawn from the speech of my hon. Friend the Member for Watford is that we are dealing with the problem late in the day, when young offenders present themselves to the criminal justice system. If one thing has come across more clearly than any other this morning, it is that we must do even more to support families and to intervene at an earlier stage. Our work with sure start and the provision of extra support for families on low incomes will make a bigger contribution to minimising the damage that the young people have experienced, which leads them to cause damage to others. That, in the long term, is the greatest investment that we can make.

People can only give out to society what they themselves have been given. If they have never been given love, encouragement and support, it is difficult for them to show those qualities to others. If a person's only experience of human relations is being banged on the head, it is not surprising that that person responds to other human beings in a similar way. In our society today, it is difficult to achieve the proper result for all our young people. We must really work harder to ensure that we provide that sort of upbringing, because it is the best crime reduction measure in the long term.

10.46 am

Sitting suspended.

Northern Ireland Peace Process

11 am

Mr. Hugo Swire (East Devon): I am pleased to have secured the debate, as this is a particularly relevant time to discuss the future of the Northern Ireland peace process.

Last week, the Prime Minister and the Taoiseach chaired discussions with pro-agreement parties at Hillsborough. On Sunday, the world witnessed once again the dark side of Northern Ireland with the now almost ritual violence at Drumcree, and there have also been heightened tensions and serious sectarian clashes in parts of east and north Belfast.

Virtually everyone in Northern Ireland agrees that, as we approach the crucial Assembly elections in May next year, there is an urgent need to end the current drift and restore some momentum to the process. Otherwise all the hope and optimism that surrounded the signing of the Belfast agreement in April 1998 risk evaporating.

Like most other hon. Members, I warmly welcomed the agreement. After so many years of appalling terrorism and stalled political progress, it finally seemed as though Northern Ireland really was putting the past behind it. At long last, it seemed as though the organisations, both loyalist and republican, that were responsible for inflicting so much misery and suffering were intent on making the transition from violence to what the agreement describes as

"exclusively democratic and peaceful means".

Many aspects of the agreement are working well. The Executive and the Assembly are demonstrating the benefits of having locally elected politicians who are accountable to the Northern Ireland electorate and responsible for the key decisions that affect people's everyday lives. Even those who oppose the agreement do not want devolution to end. Indeed, the two Democratic Unionist party Ministers are regularly cited as two of the most effective members of the Executive.

The north-south bodies are showing that practical, common-sense co-operation between Northern Ireland and the Republic does not, despite the fears of some, necessarily represent a slippery slope towards a united Ireland. We now have an agreed constitutional framework. Articles 2 and 3 of the Irish Republic's constitution have been amended, and Northern Ireland's position in the United Kingdom is guaranteed for as long as that is the wish of the people who live there.

Those developments might reassure the broader community in Northern Ireland were it not for the fact that, unfortunately, that represents only part of the overall picture. One area in which the agreement is clearly not working or living up to expectations is the ending of the cycle of paramilitary violence.

For many people, in particular the Unionist community, it was the prospect of an end to paramilitarism that convinced them to back the agreement. That persuaded them to set aside their revulsion at the sight of prisoners walking free from jail early; to take Sinn Fein on trust and tolerate its inclusion in the Government of Northern Ireland despite the fact that the decommissioning of illegal weapons had not even begun; and, reluctantly, to accept painful changes to the police. Yet the end to violence and paramilitarism has not happened. That fact is the biggest single factor undermining confidence in the agreement, and it threatens to destabilise the peace process.

Under the agreement, decommissioning was supposed to have been completed by May 2000. Instead, we had to wait until last October for the first batch of arms to be put beyond use, and that happened in response to the events of 11 September and pressure exerted by the resignation as First Minister of the right hon. Member for Upper Bann (Mr. Trimble).

In April, there was a second act of decommissioning, and this time it was clearly designed to increase Sinn Fein's prospects in the Irish general election. Without questioning the integrity of General de Chastelain, neither act of decommissioning was carried out in such a way as to maximise public confidence, which was the promise made by the IRA in its statement of 6 May 2000. Any remote hope that those two acts represent a genuine conversion to exclusively democratic politics has been completely devalued by subsequent events that have seriously called into question the credibility of the ceasefire on both sides.

We have had continuing revelations of IRA activity in Columbia, and its involvement with the narco-terrorists FARC—the Revolutionary Armed Forces of Columbia—including, if recent reports are to be believed, the testing of new weapons. It has also been reported recently in Washington that techniques passed by the IRA to FARC may have been responsible for 117 deaths in a bombing that took place as recently as 9 May.

The break-in at Castlereagh police station is widely believed, by the police and others, to be the work of the IRA. Documents discovered during an arrest in connection with Castlereagh showed that the IRA are continuing to target politicians and military bases on the mainland. Only last week we learned that several leading Northern Ireland and Westminster politicians and others have been warned by the police of a serious threat to their lives.

There is continuing street violence in areas such as the Short Strand and Cluan place, which is being orchestrated by paramilitaries, loyalist and republican alike. Many hon. Members no doubt met the Short Strand residents last week, who came over to put their catalogue of despair. So-called punishment beatings, shootings and mutilations continue almost daily. There are other manifestations of paramilitarism, such as the smuggling, racketeering and organised crime that was highlighted by the Select Committee on Northern Ireland Affairs in its report published last week.

So extensive is the criminal network that we now have evidence that it has outgrown the Irish market. The paramilitaries are seeking to set up legitimate businesses on the mainland as fronts for their activities. Of particular concern to me as a west country Member of Parliament is the fact that their tentacles may be spreading to the west country. I have heard reports suggesting that such criminals are targeting the west country and trying to launder their money through legitimate pubs and tourism-related businesses.

I welcome the Government's attempts to address that very worrying development through the formation of the organised crime taskforce for Northern Ireland and the proposal for an assets recovery agency, but I ask the Minister to respond to the concerns of the Northern Ireland Affairs Committee that that agency is substantially under-resourced if it is to tackle the problem seriously. Will the Minister make a commitment to provide it with the resources it needs from day one?

Quite apart from the misery that organised crime is causing many people in Northern Ireland, there is also the cost factor. Dr. Silke has calculated that for every £1 raised by paramilitaries in Northern Ireland in 1993 and spent in the pursuit of terrorism, the average cost to the Governments of the United Kingdom and the Republic of Ireland in countering and repairing terrorist damage was £130. Based on those figures, Dr. Silke estimated that the overall cost of Northern Ireland terrorism to the Government in 1993 was in the region of £2 billion. No doubt the figure is now substantially higher.

Faced with all the evidence of ongoing activity, it is difficult to avoid the conclusion that, when the Government say that in their view the ceasefire remains intact, they are using the paramilitary definition rather than that set out so clearly by the Prime Minister during the 1998 referendum campaign. It seems that, for the Government, the meaning of a ceasefire is a period in which soldiers and police officers are no longer killed, but virtually anything else goes. The Prime Minister casually refers to the transgressions of the ceasefire as imperfections, but he cannot argue that they are consistent with maintaining a complete and unequivocal ceasefire.

The clear and urgent task of the British and Irish Governments now is to take action to restore confidence. The university of Ulster published a report on 9 July based on the annual Life and Times survey. It found that Protestants had less confidence in the peace process than six years ago, and that fewer people thought that relations between Protestants and Catholics were better.

Restoring confidence was supposed to be the purpose of the meeting with the pro-agreement parties at Hillsborough last week. Regrettably, little progress seems to have been made, and little progress will be made until those parties in breach of their obligations under the agreement finally face up to their responsibilities.

Surely the time has come to introduce into the process some sanctions against parties that are failing to fulfil their obligations under the agreement. That is true of all parties, but particularly of Sinn Fein, because it has Ministers serving in the Northern Ireland Executive. As my hon. Friend the Member for Grantham and Stamford (Mr. Davies), the shadow Secretary of State, has made clear in the past, that does not necessarily require the pressing of the nuclear button that could bring the whole Assembly crashing down. Rather, it could be done on an escalating basis, beginning with the ending of Sinn Fein's special status in this House, not proceeding with the proposed amnesty for the so-called "on the runs" and not allowing those with terrorist convictions to sit on district policing partnerships.

If none of those measures works, the Government must seriously reconsider, as the Prime Minister promised in his famous side letter to the right hon. Member for Upper Bann on the morning of the Belfast

[Mr. Hugo Swire]

agreement, the exclusion mechanisms in the agreement and the Northern Ireland Act 1998. They must be prepared to take on the power to exclude, rather than leaving it to a cross-community vote in the Assembly.

One thing is certain: it cannot be right for Ministers belonging to a party that is, in the Government's own words, inextricably linked with an active terrorist organisation to sit on the Executive indefinitely. Last Wednesday in the House, the Prime Minister repeated his assertion that there can be no halfway house between democracy and violence. He now needs to show that that is no longer simply empty rhetoric, and that he is prepared to act on his words.

Like other right hon. and hon. Members, I want this process to succeed. I believe that it retains the potential to bring lasting peace and stability to Northern Ireland, yet we cannot go on giving concession after concession, in what already appears to many people in Northern Ireland to be a one-way street. A peace process, or any other process, suggests ongoing progress. I contend that it is currently difficult to see what progress is being made along the lines envisaged in the Belfast agreement.

All those who desire the cessation of violence and long-term peace in Northern Ireland have invested much in the peace process and, necessarily, taken a lot on trust. Unionists have taken a number of risks, not least in being prepared to sit in government with Sinn Fein before the completion of decommissioning. Some might argue that they have been stretched to the limit in order to keep the process alive. However, unless something is done as a matter of urgency to restore credibility to the process, it potentially faces its biggest crisis and most difficult test so far. There is a narrow window of opportunity through which the current underlying lack of confidence can be tackled. I urge the Government not to squander it.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Frank Cook): Order. I ask right hon. and hon. Members to remain standing so that I can gauge how many want to speak in the time left. I can inform those who have not participated in debates in this Chamber before that it is customary to commence the three winding-up speeches 30 minutes before the end of the debate. Comments from the Floor must therefore have finished before 12 o'clock. I ask hon. Members to bear that in mind when making contributions and when making or receiving interventions, which should be crisp, clear and to the point.

11.14 am

Mr. Kevin McNamara (Hull, North): I listened with interest to the hon. Member for East Devon (Mr. Swire). I should like him to cast his mind back to five years ago today when 20,000 Orangemen assembled at Drumcree. A nationalist from Belfast sent a relief convoy to the Garvaghy road and five Catholic families received bullets marked Ballymoney through the post. Sky TV broadcast scenes of hand-to-hand fighting across the barricades. In the middle of the night of 11 July 1998, three Catholic children—Richard, Mark and Jason Quinn—died in their bedroom. Victims of loyalist firebombs, their young lives were snuffed out.

By the following weekend, Drumcree IV had resulted in 2,561 public order incidents: 144 homes and 165 other buildings attacked; 178 hijackings; 467 vehicles damaged; 615 attacks on security forces; 24 stonings; 45 blast bombs; 284 arrests; 632 petrol bombs and 837 plastic bullets. Last weekend, there were nasty scenes at Drumcree, but one cannot compare that with five years ago and say that no progress has been made—this time there were three plastic bullets. Progress has been made, and it has been made on security.

We all deplore knee-cappings, punishment beatings and what is going on in the Short Strand and north Belfast, but progress has been made. The hon. Member for East Devon repeatedly referred to the role of the IRA. The IRA is doing more to undermine the peace process than to support it. It allows the hard men to say that they are not doing anything in an organised manner, and thus claims that it has honoured its ceasefire. However, every time we make progress it is belittled.

Like everyone else present, I have no desire to see private armies. I want them all to decommission their arms. I believe that there should be only one security force, but it must have and retain the support of the whole community. However, we will betray the people of Northern Ireland if we continually harp on about decommissioning and its associated problems.

We should consider what has been achieved by the parties and the Executive in Northern Ireland. An Assembly elected by fair proportional representation has created its own institutions and procedures, and it has adopted the symbol of the flax flower to reflect inclusive ideals across both communities. The Assembly Members have debated the most contentious issues of the day with passion and feeling. They have drawn up and begun to implement a programme of government for Northern Ireland, and have targeted social need wherever it is identified. New bodies for co-operation between the peoples of Ireland have been created. All-Ireland institutions have already demonstrated their practical value for the people of Ireland. Long overdue reforms in health, education and social services have begun. Progress has been made towards the abolition of the 11-plus and selective education—Northern Ireland is many years behind us in that, but is doing well. A Children's Rights Commission has also been established.

The Northern Ireland Executive have already started to address the chronic under-resourcing of the infrastructure, and are focusing on stable economic progress. Their programme of government is based on a vision of partnership, equality and mutual respect. Northern Ireland is building on its dynamic business community, its resourceful voluntary sector, co-operation in its industry and its vibrant and creative cultural heritage. On policing and criminal justice, a start has been made towards creating a representative and accountable criminal justice system in which all sides of the divided community can share a sense of ownership. On the values of a divided society, we have created new institutions for the protection and promotion of equality and human rights. Every public body has a positive duty to promote equality and fair treatment.

Those are great marks of progress, but there are still obstacles to overcome. Let us consider what is happening while those obstacles are being overcome. The vast majority of former political prisoners are helping to rebuild their communities. The Parades Commission is regulating provocative marches, surveillance towers and army checkpoints are being dismantled and the decommissioning of terrorist weapons has begun. Decommissioning has been slow, and there has not been enough of it. We all want decommissioning, because there is no place for private armies. Those who have visited Northern Ireland in the past year will have noticed that one has to look hard to find a policeman or Land Rover on the streets of Derry and Belfast. *[Interruption.]* The reason for that is that people have confidence. The streets are crowded with shoppers in the villages, towns and cities, and it is a great sight.

Lady Hermon (North Down): Will the hon. Gentleman comment on the low number of police officers available for duty in Northern Ireland? He will be familiar with the recommendation in the Patten report that the number of regular police officers should drop to 7,500 over 10 years. In the two and a half years since the Patten report, the number of police officers has dropped to 6,900. Will he comment on that?

Mr. McNamara: Yes, and the comment that I would make is that some members of the old Royal Ulster Constabulary did not like the new set-up and took advantage of the generous redundancy terms. I should like more people from both communities in the police force, as recommended by the Patten committee. Everyone wants a full police force in their society. There are still problems with implementing the reforms in the Patten report and taking proper control over special branch. Indeed, the oversight commissioner has indicated to the Government that extra progress must be made quickly.

Enormous problems exist on the streets, and nobody should deny that. The fear and insecurity felt by parts of both communities in Belfast has to be recognised. Some leadership is being given, but leadership is not provided when people constantly threaten to resign. Leadership is not given when people say that concessions are only being made to the IRA and the SDLP. The original Police (Northern Ireland) Bill and the Patten report were gutted. We were unable to debate on the Floor of the House the changes to the Criminal Justice and Police Bill, which was also gutted. Concessions have gone both ways.

Lady Hermon: Will the hon. Gentleman give way?

Mr. McNamara: I shall finish my sentence and then I shall be delighted to give way. I want security measures that both communities support. The SDLP, with tremendous courage, joined the Police Authority. It had the right to expect that the reforms that were promised in the Patten report and elsewhere would be carried through to the letter, and there is disappointment that that has not yet been achieved.

Lady Hermon: I apologise for interrupting the hon. Gentleman halfway through his sentence, and I appreciate his giving way to me a second time. Will he clarify what he means when he says that the Patten report was gutted? He will recall that last autumn the American, Irish and British Governments and the Catholic Church with one voice said that the implementation plan and the Police (Northern Ireland) Act 2000 represented the spirit and letter of Patten. How can he say that it has been gutted?

Mr. McNamara: I understand what the hon. Lady is saying. The Weston Park agreement—

Hon. Members: It was not an agreement.

Mr. McNamara: The Weston Park meeting—as hon. Gentlemen said, it was not an agreement. At a conference at Weston Park, undertakings were given that what had been left out of the Police (Northern Ireland) Bill would be inserted and that the necessary legislation would be introduced. I want the Government to tell us when that will happen.

It is wrong to keep picking up the agreement as though it were a flower in a garden and looking at its roots to see how it is developing. It has developed strongly and well due to the courage of people in this Room who have represented opposing traditions for years but who met together for the good of Northern Ireland. The agreement is the possession of the parties in Northern Ireland but, more particularly, of the people of Ireland, north and south. We must make it our duty to ensure that, whatever the shortcomings, we work towards constructive, purposeful elections to the Assembly next year and that we defend the peace process and not just the position of individuals, no matter how eminent they may be.

11.26 am

Mr. David Trimble (Upper Bann): I congratulate the hon. Member for East Devon (Mr. Swire) on securing a debate on this important topic. I never thought that the hon. Member for Hull, North (Mr. McNamara) would portray himself as a latter-day Dr. Pangloss, but that is what he has done in the past few moments.

There has been considerable political progress in Northern Ireland, and Members of the Assembly and I are happy to take credit for it. However, the difficulty that we are in at the moment is entirely because the paramilitary organisations—I use the term collectively—have not made the progress that we wished. In the past few months there have been very serious problems at street level, mainly in Belfast, which have largely been caused by paramilitary organisations. Loyalist paramilitaries have been partly responsible, but the greater share of the responsibility lies with the republican movement, in particular the IRA.

The hon. Member for Hull, North may not take my word for that. I refer him to the words of the Assistant Chief Constable responsible for Belfast, Mr. McQuillan, who said in an interview after a particularly vicious outbreak of rioting in east Belfast:

> "And certainly, in terms of street disorder, on the republican side, we have seen large numbers of republicans, large numbers of members of the IRA, many of them from outside the area, and we believe that they're involved in organising the violence."

[Mr. David Trimble]

Mr. McQuillan was then asked about the shooting of five Protestants during the rioting. He was not prepared to rule definitively on who was responsible, but went on to say that

> "people who know the Short Strand well will know that the IRA have huge influence in that area, they are the main republican paramilitary group in that area, and we see very clear evidence of orchestration of the riots in that area."

Hon. Members might like to reflect on what would have happened if any of the five persons who were shot by republicans on that occasion had died and where the peace process would have been in that situation. The process was that close to collapsing. For that reason, we must reflect again on these matters.

The hon. Member for East Devon referred to the definition of a ceasefire that the Prime Minister gave in May 1998. I shall not read it out, because hon. Members should be familiar with it. It is very different from the definition given recently by Martin McGuinness, who said that a ceasefire is when they are not shooting soldiers or policemen and everything else to be permissible. Unfortunately, it seems that the Northern Ireland Office operates largely by reference to Mr. McGuinness's definition rather than that of the Prime Minister. The matter should be carefully reconsidered.

One good thing that came from the Prime Minister's visit last week was that he made it clear in his press conference that the transition that should be occurring needs to continue. He said:

> "Transition means transition, full transition from violence to democracy. Now, we've got to look therefore at the ways that we make that clear, that we lay down the clear principles that we have to abide by, and what happens if people don't abide by them."

He also said that he would make proposals and declare the position that he set out before Parliament rises. We are expecting that, between now and the rise of Parliament, the Prime Minister will return to the matter and spell out more precisely what a ceasefire means, how that transition should progress and what happens if the paramilitaries breach those lines. It may take the form of a redefinition of "ceasefire", and I hope that it will be closer, if not identical, to the definition given by the Prime Minister in May 1998.

However, we need more than just that. We need a procedure by which the definition has credibility and there is popular confidence in it. Regrettably, there would be no confidence in the definition if the determination of whether the ceasefire had been broken was left to a Secretary of State for Northern Ireland. I do not think that there would be credibility in Northern Ireland, because of what has happened in the past.

David Burnside (South Antrim): My right hon. Friend will remember a policy submission that the Ulster Unionist party made to No. 10 to try to help the Prime Minister to define decommissioning. It suggested setting up a Privy Council Committee with representation from the Government, the Opposition, the General Officer Commanding Northern Ireland and the Chief Constable to define whether the Provisional IRA was adhering to the Mitchell principles. Would he consider resubmitting that to the Prime Minister?

Mr. Trimble: My hon. Friend is close to my next point. I said that there would not be popular confidence in a judgment by a Secretary of State—I am speaking generally—because there has been lack of confidence in the successive occupants of that post. We need some objectivity. My hon. Friend referred to proposals for a rather elaborate procedure, and I note with regret that although we thought at that time that the Chief Constable and GOC should be part if it, I am not sure that in the present circumstances a procedure resting partly or wholly on the Chief Constable would command confidence or be effective. It is clear that the Irish Government have no confidence in the comments made by the Chief Constable of Northern Ireland and they showed that clearly concerning the Castlereagh raid. The former Chief Constable and the current acting Chief Constable have both said clearly and repeatedly that the police believe that the Castlereagh raid was the work of republicans, but the Irish Government still have their head in the sand and, like some hon. Members, refuse to accept that judgment. We must look further than that.

The precise objective mechanism is a matter for further consideration, but there is clearly a need for something that will give credibility to the ceasefire and the judgments that are made on it. There is also a clear need for a sanction, and that was foreshadowed in what the Prime Minister said about what happens if people do not abide by the ceasefire. The sanction must be credible. If there is no credible sanction, the present instability, which was caused by the paramilitaries, will continue.

I am concerned about the approach to some matters, particularly by the Prime Minister. During the press conference he commended the republican leadership and expressed confidence in its commitment to making the peace process work. I want the Prime Minister to reflect on that. I do not think that the republican leadership intends to return to a full-scale terrorist campaign at present, but it is clearly committed to a strategy of tension, not to exclusively peaceful means. That strategy is demonstrated in the orchestration of riots. The primary target for those riots is the SDLP, the party led by the hon. Member for Foyle (Mr. Hume). The republican leadership is trying to discredit policing and, through that, to discredit the SDLP's valuable support for policing arrangements in Northern Ireland.

Republicans are following the strategy of tension so that others carry the strains of the process, not themselves. They are moving as slowly and as grudgingly as they can, and are leaving it to the SDLP and my party to carry the strain. The Prime Minister must reflect on that, too. Indeed, the problem is highlighted in the comments made at that press conference by the man who was returned to serve as the Member of Parliament for Mid-Ulster, but failed to do so. He said:

> "You see the big difference is this, Tony Blair has got to know us, David Trimble has yet to make that journey".

I would rephrase such sentiments. I have got to know Sinn Fein very well indeed. I hope that the Prime Minister gets to know Sinn Fein just as well and appreciates that things are not as simple as they seem. We shall wait for his judgments to be announced before Parliament rises, but I underline the need for the Government to get a grip of the situation and to recreate confidence in the community. I say firmly to the Government that, if they do not now tackle the continuing instability and create the necessary confidence, the prospects for next year are not good at all.

11.37 pm

Mr. Harry Barnes (North-East Derbyshire): We need to be honest about what is happening in Northern Ireland. That involves recognising the arguments of my hon. Friend the Member for Hull, North (Mr. McNamara), who talked about the progress that has been made through the Assembly and the Executive and what it is like to shop on the streets now compared with what it was like previously. Such matters need to be at the forefront of our minds.

We must also realise that many serious problems have emerged in Northern Ireland as the process has developed. Many people are detaching themselves from the commitment to the Belfast agreement. There are reasons for that, some of which were explained by the hon. Member for East Devon (Mr. Swire). We must be aware of them, because they lead to disillusionment within the Protestant camp. We must also bear in mind the behaviour of the paramilitaries, but to some extent they had an excuse for their actions. Their argument was that the means justified the end. They were either for a united Ireland or opposed to it.

The paramilitaries have degenerated from that unacceptable position into mafia-type organisations that operate for their own benefit. To some extent, the Real IRA has picked up the old mantle of the Provisional IRA and is raking money off for its own use. We must be aware of the lessons that we can learn from such problems.

My hon. Friend the Member for Hull, North drew conclusions that were based on the arguments that he put forward. He does not want us to listen too much to other considerations, because he wants us to give great weight to the advances that have been made. Can we not recognise those advances while also recognising the difficulties? The problem with stressing the difficulties is that it encourages those who are trying to uncouple the whole agreement. We must try to exert pressure on paramilitary organisations in order to overcome the difficulties that exist in communities.

The report by the Select Committee on Northern Ireland Affairs, of which I am a member, on the funding of paramilitary organisations shows part of the way forward. It points out that if it were possible to cut off the funding of paramilitary organisations, they would be destroyed because they would not be able to carry out their political agenda or their mafia activity. The report suggests developing the work of the organised crime taskforce and the asset recovery agency, and ensuring that those organisations have the back up and funding available to equivalent bodies in the Republic of Ireland. Such matters need great consideration.

The final report of the Northern Ireland Affairs Committee in the last Parliament was about paramilitary intimidation and the fact that many people are placed in exile. Some are exiled in the Republic of Ireland and some are in internal exile in Northern Ireland, but great wodges of people are exiled in Britain. That is unacceptable, and we must be concerned about such issues if we are to have a proper picture of what is occurring.

I suggest an action that the Government can take, which I hope is practical. They should have an all-embracing attitude to the situation in Northern Ireland. It is unfortunate that matters are too often left to the Northern Ireland Office and the Northern Ireland Executive, with occasional interventions by the Prime Minister to nudge things along. Other Departments sometimes act as if Northern Ireland does not exist and should not be taken into account. The Treasury, in particular, has problems getting its head around the fact that Northern Ireland is a considerable section of the United Kingdom with massive problems.

The Northern Ireland Affairs Committee produced a report on the relatively minor issue of aggregate tax. It was obvious that the Treasury had not taken account of the impact of Northern Ireland's border on the introduction of aggregate tax. There have been many good arguments for the aggregate tax, but quarrying activities operate in the Republic and trade starts to transfer to Northern Ireland.

Current investigations by the Committee, which are based on a previous report, relate to the smuggling of petrol. Consideration should be given to the duty increases that affect Northern Ireland and the disparity that that causes with the Republic of Ireland. That is seen as a minor factor because only 3 per cent. of the population of the United Kingdom live in Northern Ireland, and money is thrown at Customs and Excise to tackle the problem. We should grasp the wider issues.

It is important to pay attention to Northern Ireland, to be honest about what is happening, to listen to both sides of the argument, and not to use what is happening as a defence for the preconceived set of values that we happen to have.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. We have little time left before the witching hour of 12 o'clock. Three hon. Members are seeking to catch my eye, not all of whom heard the admonition that I gave earlier, which was that we need to hand over to the Front Bench spokespersons at midday. Moreover, not all of them have given prior indication to the Chair that they want to intervene. I shall try to give everyone a chance to speak, and I urge hon. Members to be brief, and to try to resist the temptation to make interventions.

11.45 am

Mr. Jeffrey M. Donaldson (Lagan Valley): I shall be brief. The hon. Member for Hull, North (Mr. McNamara) made a point about the levels of violence, but his definition of that was very narrow as he referred to the situation around Drumcree. The statistics from the police service make the overall picture clear: the levels of violence in Northern Ireland were higher in 2001–02 than they were in 1998, which was the year that the agreement was signed. That is an indisputable fact, and if we gloss over such facts, we will not address the problems. We should acknowledge the extent of the problems.

The hon. Gentleman also referred to the streets being free from police officers. In my constituency, crime is markedly up: pensioners are being brutalised in their homes, police stations are under threat of closure, and

[Mr. Jeffrey M. Donaldson]

patrols are being withdrawn from rural areas. Those are problems, as I am sure the hon. Gentleman knows, as he must deal with policing matters in his own constituency. If the suggestion is that policing and crime issues have gone away, that is not the reality.

I have read the report from the Northern Ireland Affairs Committee on organised crime. All the paramilitary organisations raise huge sums. I have a concern about that, which the Minister might wish to address. I understand that only 10 officers in the police service are assigned to investigate organised crime by paramilitaries—that is, to deal with the matter in general, rather than with specific cases. That figure highlights a huge inequity when it is contrasted with the fact that 103 staff are employed by the police ombudsman's office to investigate the police. Ten times more people are employed to investigate the police than to investigate organised crime by paramilitaries, even though that is acknowledged to be an enormous problem. I hope that the Minister will address that point. We have the organised crime taskforce, but we need to do even more to tackle this problem, because the hon. Member for North-East Derbyshire (Mr. Barnes) is right when he says that it will do the paramilitaries enormous damage if we hit their funding.

At the heart of the peace process are the Mitchell principles of democracy and non-violence, which were signed up to by all the participants in the negotiations that culminated in the Belfast agreement. The reality is that all the paramilitary organisations are in breach of those principles—by their actions and, in some cases, by their words. There is talk that we might need a new set of principles, or that we should beef up the Mitchell principles. I do not believe that we need to do that. I am entirely satisfied that the Mitchell principles are wholly adequate to deal with the issue of people moving from violence to peace and democracy. The difficulty is that the Government are failing to act on the breaches of those principles. That is at the heart of what the hon. Member for East Devon (Mr. Swire) said in his opening remarks. It is time for the Government to take action on those breaches.

After the general election in the Republic of Ireland, the Irish Prime Minister said that he could not have Sinn Fein as a partner in his Government until the IRA disbanded. However, we in Northern Ireland are expected to accept a different standard: Sinn Fein can be in our Government while the IRA continue violence on the streets, engage in international terrorism in Colombia, and run guns from Florida and through Cuba. As the Assistant Chief Constable, Mr. McQuillan, said, it can orchestrate violence on the streets of Belfast, and yet the Government say that the ceasefire is intact, and that they need take no action. That is just plain wrong; the Government do need to act. If they are to restore confidence in the peace process, they have to sanction those parties and paramilitary organisations that are in default.

I recently heard the remarks of Richard Hass, President Bush's envoy, who suggested that we draw a line after events such as Colombia and Castlereagh, and create some new rules which we expect people to adhere to. I do not think that that is acceptable. We cannot draw a line after Colombia and other recent events, because that goes to the heart of the republican movement's intentions and its commitment to exclusively peaceful means. It also concerns the actions of loyalist paramilitaries on the streets and their commitment.

On 22 April 1998, before the referendum on the agreement, the Prime Minister told the House of Commons:

> "Meanwhile, it would obviously be a travesty of democracy if parties associated with paramilitary organisations"—[*Official Report*, 22 April 1998; Vol. 310, c. 812.]

continued in the Government of Northern Ireland while they were threatening or using violence. I agree with him, but I think that he has forgotten his words. The situation is a travesty of democracy, and it is time that that was addressed.

11.51 am

Mr. Peter Robinson (Belfast, East): I am grateful for the opportunity to make a few comments. I congratulate the hon. Member for East Devon (Mr. Swire) on securing the debate, and welcome his interest in the subject. It is important to endorse the trailer for the business of the Select Committee on Northern Ireland Affairs that was given by my colleague from the Committee, the hon. Member for North-East Derbyshire (Mr. Barnes), and its report on the funding of terrorism in particular. That report shows clearly that those organisations are active not just in getting funds but in the use of those funds for terrorist purposes.

The Belfast agreement is fatally flawed, and not simply on the basis of those features for which support is a matter of political judgment, such as the destruction of the Royal Ulster Constabulary—brought about by the agreement—the release of terrorist prisoners who had not served their sentences, the setting up of unaccountable executive all-Ireland bodies, and the representatives of the terror machine of the Provisional IRA's entry into government.

I am talking about the central principle of the agreement, which is that there should be cross-community support. That does not exist, and I would argue that it never has, but no one can say so definitively, because no one knows precisely what each section of the community did in the course of the referendum. All we know is that it was remarkably close in terms of whether the Unionist community voted for or against the agreement.

It was clear that the majority of those elected to the Northern Ireland Assembly from the Unionist community were elected on a manifesto that was opposed to the Belfast agreement, and that is what they told their electorate. I see the right hon. Member for Upper Bann (Mr. Trimble) shaking his head. That is because some of the colleagues who stood for his party made it clear to the electorate that they were opposed to the principles that he stands for, and his support for the Belfast agreement.

The reality is that many of us who have been involved in politics in Northern Ireland for a long time will have seen various structures set up, and will have seen them fall. The Unionist community was happy with the old Stormont Parliament; the nationalist community was not, and no matter how much it may have been liked by the Unionist community, it did not have sufficient cross-community support for it to have life and be stable. It fell—a sad fact of life for Unionists. When the power-sharing Executive and the Council of Ireland were set up, the nationalist community received them happily, although the Unionist community did not. Again, for nationalists, the sad fact of life was that that process did not have the necessary cross-community support, and it fell.

I would have thought that that lesson would have been learned by the time that we entered into the current process. Indeed, the Deputy First Minister, Mr. Mark Durkan, and I travelled to South Africa with others to consider the experiences of that country, in particular the principle of sufficient consensus, which was built into its process. We tried to bring that back to Northern Ireland to ensure that whatever structures were set up would have sufficiently robust support from both sections of the community to be stable and lasting. That has not happened and, whatever the position might have been at the time of the referendum, the position now in relation to the Belfast agreement is overwhelmingly that the Unionist community does not give its support and has no confidence in the agreement.

The reality is all around us. The Unionist community does not support the agreement for a range of reasons, not simply because of the principles that I mentioned earlier which undermined that support, but in terms of the practice—how things have worked out on the ground. People can see that the Provisional IRA is not wedded to the peace process. Far from it: since its so-called ceasefire began, it has murdered 14 people, shot 160 people, carried out paramilitary beatings on 250 people, run guns in from Florida, carried out exercises in training narco-terrorists in Columbia, and raided the Castlereagh special branch offices to gather information so that it can better target people. It has even targeted members of the Conservative party.

In my own constituency, five Protestants have been shot by the Provisional IRA. We have seen the interface violence in which IRA members have been engaged as well as the ongoing rackets and other work at that level within the community. One would expect none of the activities that I listed from an organisation wedded to a peace process. We have a Minister of Education who is responsible for looking after young children in Northern Ireland. In his other capacity, he sits down as a member of the army council of the Provisional IRA and takes the decisions to do the things in my catalogue of activities. That can never inspire confidence within the community, and it is not acceptable.

Decommissioning has not happened. More guns have been coming into the IRA stockpile than have been going out at the other end. Clearly, there is no basis on which the Unionist community could have confidence in the process. We will never have a stable political structure in Northern Ireland until we renegotiate the basis of the agreement and have one that is balanced and capable of enjoying the support of Unionists as well as of nationalists.

11.57 am

David Burnside (South Antrim): I was not involved in the negotiation of the Belfast agreement—there is no reason why I should have been because I was not an elected Member of any House or an adviser—apart from a telephone call that I had from Mo on Good Friday. She told me, "We've written a letter from Tony to David," because my party was having problems signing the agreement. She said, "Use whatever influence you have to send a message through to Castle buildings."

I do not think that my message went through, but when I read the content of Tony's letter to David, I thought, "That helps the ambiguities that are inherent within this agreement". The promises have not been delivered. I went along with the Blair promises and ambiguities. As a Unionist in Northern Ireland, I voted for the agreement along with almost the majority of the traditional Protestant community as well as the Catholics who vote unionist with a small "u", who should not be forgotten.

I humbly suggest to the hon. Member for East Devon (Mr. Swire) that a better description for this debate would have been Northern Ireland political rather than peace process, because it is the political process that is failing. All the elected representatives in Northern Ireland—all who take our seats in the House—want the peace process and to get away from the past 30 years of tension, sectarian violence and terrorism from all directions. What emerges from the Select Committee report is the increase in criminality that happens through the front of the terrorist organisations in Northern Ireland. Hon. Members should read the report if they have not done so. It has not been widely reported in the press, and should be reported much more widely.

We need a new political process. Decommissioning is now a farce. Under the Mitchell principles for the destruction of the paramilitary terrorist organisations, delivery should have been completed after two years. The Government have now disgracefully made the deadline 2008, which will have no effect because there is no sanction. Decommissioning is a farce, which is now more to the advantage of Sinn Fein-IRA than to the democrats in the political and peace process. The deadline has no sanction.

My neighbour, my hon. Friend the Member for Lagan Valley (Mr. Donaldson), referred to the Mitchell principles. We need nothing better; they are admirable. They need to be implemented, and they need sanction. They are not being delivered on. For Sinn Fein in government, please read the report. I wanted to believe that terrorists could move from terrorism and holding an Armalite in one hand and the ballot box in the other to holding just the ballot box, but that is not working. The system at Stormont is not as accountable as was promised.

The Secretary of State throws across in his Parkhead style to us on the Unionist Benches the message that there is no alternative, but there is. The alternative is involving Ulster Unionists, Democratic Unionists and the SDLP and excluding Sinn Fein from the process because it is not fit to be part of the democratic process or in government. Martin McGuinness has no remorse or regret for his involvement in terrorism and is still involved in it. He should not be put in that position. The process is not working. We need a fundamental renegotiation of the Belfast agreement.

12.01 pm

Lembit Öpik (Montgomeryshire): I thank the hon. Member for East Devon (Mr. Swire) for having made the discussion possible. I am pleased that his party has abandoned its short-lived withdrawal from the cross-party consensus on Northern Ireland. That always struck me as an unsustainable position, and it is to the Conservative party's credit that it is inside, rather than outside, that process.

Liberal Democrats have always been firm supporters of the Good Friday agreement, because it is necessary to use such an agreement to provide legitimate institutions of government in a deeply divided society. The agreement reflects many aspects of policies that Liberal Democrats have long felt to be important, including devolution, power-sharing institutions, accountable north-south structures, the principle of consent and civil liberties. By itself, however, the agreement amounts only to conflict management. Strategies must be developed to move from conflict management to conflict transformation, and ultimately conflict resolution, if the new dispensation is to prove durable.

Those deep divisions in Northern Ireland society have yet to be tackled. The difficulty is that in many ways the phrasing of the Good Friday agreement has institutionalised the assumption of two communities, an issue that I have often raised. It is all very well to say that the two communities are equal but separate, living in peaceful but separated co-existence. The state beyond that—true normality—is when we regard Northern Ireland as one community that is nevertheless diverse and when everyone in Northern Ireland respects the variations and different beliefs and creeds that it contains. Until we reach that point, we have a hostage to fortune that inevitably wells up as visible stress in the streets of the Province when divisions are manifested in face-to-face conflicts.

Nevertheless, huge progress has been made. I take a different view from that of the hon. Member for East Devon on Drumcree. It is closer to the position of the hon. Member for Hull, North (Mr. McNamara). We should praise the Orange Order for having taken a strategic, measured and sensible approach by de-escalating the issues.

Let us make no mistake. The troubles on Sunday were caused largely by maverick, anti-agreement loyalists mainly from east and south Antrim, not the Orange Order. It is important to emphasise that, because the Orange Order's actions show its willingness not only to move forward from the past but to take a sensible and measured approach towards grievances that it has the right to raise, but that it is now raising within a political framework. It is incumbent on nationalists and republicans in the Drumcree area to reciprocate, and I am optimistic that, if they do so, they will receive a positive response.

In that sense, I am more optimistic than the hon. Member for East Devon, but it is clear that there are flaws in the implementation of the agreement. Those flaws are manifested in the continuing strains and the intensity of conflict that we still see in certain places. Few, if any, of the outstanding issues are now matters of principle, and they are certainly not intractable.

There are matters ranging from how we interpret the Good Friday agreement right through to the degree to which various parties have been able to implement their side of the bargain. Those issues remain tense. However, we should remember that all the pro-agreement parties have—nominally, at least—supported the goals of decommissioning, stabilising the institutions, police reform and security normalisation. There have been problems of interpretation and sequencing, debating who is responsible for implementing the actions and—to a degree—the absence of trust, which causes various parties to feel that if they do move, they will be regarded as losing to the victorious other side. The spirit of compromise and accommodation that made the Good Friday agreement possible is perhaps absent to some extent now.

Related to that is the inability of the paramilitaries to provide sufficient confidence in the durability of their ceasefires through the decommissioning of weapons and the ending of violence. The consequences of that are manifest for all to see. In effect, republican and loyalist paramilitaries need to demonstrate in a much more factual and practical way willingness to trust their political representatives in the political process. Until they do that, there is just cause for grievance on both sides as things fail to move forward. Although I have always felt that the decommissioning of weapons is primarily a symbolic action, I would say that it is very important. The paramilitaries need only consider the benefit that they received by doing that in a rational and organised way, to see that they would help their own side by continuing on that basis.

We have already heard during today's debate that there are pressures on parties, including the Ulster Unionists and—I suppose—Sinn Fein, with regard to how far they can push their hardline members without causing fractures in their organisations. There is no point pretending that that is not happening, but one of the challenges for the Government is to make it as easy as possible for the pro-agreement elements on all sides to negotiate in their own organisations and argue the case, as I attempted to just now, that an inclusive philosophy requires a degree of vulnerability resulting from the giving up of some of the traditional norms in the relevant organisations.

That means that the Government's proposal to handle "on the runs" in a particular way has to be considered in the context of what can be sold to the various parties in Northern Ireland. I am very concerned that what looks like a de facto amnesty for "on the runs" is not symmetrical. It does not take account of the pressures in the loyalist and unionist communities to see parity of treatment. The institutionalism of ethnic divisions is a danger because many people do not regard themselves as members of the Protestant or Catholic communities.

The hon. Member for Belfast, East (Mr. Robinson) and others have felt that a fundamental renegotiation of the Good Friday agreement is required. I do not share that view. I feel that the agreement itself is not bad, as long as sufficient flexibility and trust is generated on both sides to give a little bit of space for those negotiating on behalf of the different sides to implement it in a gentle but progressive fashion. In effect, the agreement requires a shared, non-sectarian Northern Ireland with a more united community than that of separate but equal groups. I would be interested to hear the Minister's views on how the Government can smooth our way from a time of stabilising separate groups to an integrated society where those groups live together. Integrated education is important in that context, and so is mixed housing. Those policies need a drive by the Government to become reality. I do not underestimate the tensions involved in doing that, but perhaps that is the single biggest lever that the British Government, working with the Irish Government, can offer.

Human rights are important. Individuals should feel that their rights as individuals, not just as members of collective groups, are upheld. It is necessary to develop a coherent and devolved strategy for Northern Ireland—indeed, for the whole of the British Isles—that would make it easy for individuals to express their identity without having to be forced back into one section of their communities. The Minister might want to say something on that.

Finally, I accept that reforms need to be made to the agreement, but those reforms should take account of such things as the very entrenched voting system in Stormont that caused the Alliance party to have to redesignate in order to play the game of achieving certain shared results in Northern Ireland.

I have raised questions to which I hope the Minister can respond, but let us remember that the whole debate is in the context of the forthcoming 2003 elections. The clock is ticking, and the more that the Government can do now to remove the divisions, the more optimistic I will be that we will have pro-agreement manifestos in abundance during next year's elections in Northern Ireland.

12.10 pm

Mr. Crispin Blunt (Reigate): First, I should like to congratulate my hon. Friend the Member for East Devon (Mr. Swire) on securing this debate and on his excellent speech introducing it. I would want to expropriate nearly all of it for the Front Bench, shortly before he is expropriated in person for the Front Bench, given the quality of his presentation today.

It is inappropriate that this debate is happening in this second-division Chamber at this time. Although I commend right hon. and hon. Members who represent Northern Ireland constituencies for attending in a first-division manner, the fact is that this debate should be taking place on the Floor of the main Chamber of the House of Commons, with contributions from the Prime Minister and the principal spokesmen for the other parties.

David Burnside: As the Prime Minister has given a commitment to make an announcement to the House by 24 July, no doubt by means of a statement, will the hon. Gentleman ask the Government to give the House the opportunity for a full debate on the subject?

Mr. Blunt: I would certainly prefer a full debate, but I shall ask the Government this morning for a commitment to a statement to the House by the Prime Minister before we rise on 24 July. I understand that the Prime Minister has given such an undertaking, but I should like the Minister explicitly to repeat that this morning.

My hon. Friend the Member for East Devon has made it clear that relations between the communities on the ground, particularly at interface points, have got worse. The evidence of that is the building of walls—the spread of walls and the increase in their height. They are a shame on a modern European city, a city that aspires to be the European city of culture in 2008, but that is what is happening to the physical geography of Belfast.

The hon. Member for Hull, North (Mr. McNamara) demolished his own case when he said that the IRA has honoured its ceasefire as it sees it. I am afraid that that is not the test. The right hon. Member for Upper Bann (Mr. Trimble) made a point about the need for sanctions. It is for the Government to come forward with those details, but I shall have some suggestions on that towards the end of my remarks. I commend the hon. Member for North-East Derbyshire (Mr. Barnes) on his balanced and honest approach—an approach that we have come to expect from him—to all the problems in Northern Ireland.

The hon. Member for Lagan Valley (Mr. Donaldson) drew our attention to the important work done by the Select Committee on Northern Ireland Affairs and the need for the Government to increase the resources to be given to the recovery of assets from criminals. As the Committee said, it is unacceptable for 40 officers of the Gardai to be devoted to that, but only 10 in Northern Ireland. I assume that those are the figures to which the hon. Member was referring. That is, of course, not the totality of people devoted to the attack on organised crime, but that unit is extremely important and needs urgently to be reinforced.

The hon. Member for Belfast, East (Mr. Robinson), in his customary way, gave us a full catalogue of the activities of an organisation not wedded to peace. It is very difficult to gainsay the evidence that he adduced. The hon. Member for South Antrim (David Burnside) referred to the ambiguities in the agreement. I must tell the hon. Member for Montgomeryshire (Lembit Öpik) that the Conservative party has been wedded to the aim of finding a solution to the problems in Northern Ireland and, during its terms in office, produced the Sunningdale agreement under Sir Edward Heath and the Anglo-Irish agreement under my right hon. and noble Friend Baroness Thatcher, and played an active part in the current peace process, which I would argue began under my right hon. and noble Friend, Lord Brooke, when he was Secretary of State. My right hon. Friends the Members for Richmond, Yorks (Mr. Hague), the then Leader of the Opposition, and for Bracknell (Mr. MacKay), the then shadow Secretary of State for Northern Ireland, campaigned alongside the Prime Minister and the then Secretary of State for Northern Ireland for a yes vote in 1998.

Mr. Stephen Pound (Ealing, North): I respect the hon. Gentleman for his comments about his party's commitment to the continuation of the peace process. In that connection, I sincerely regret a facetious comment that I made when leaving a meeting yesterday, which referred to the hon. Gentleman. I withdraw it entirely and without reservation.

Mr. Blunt: I am grateful to the hon. Gentleman for that handsome withdrawal of an appalling remark. He and I are now roughly in balance. Once or twice my sense of humour has got the better of my sense of judgment, so I accept his full apology.

Lembit Öpik: I praise what the Conservatives have done in the past, particularly John Major, who was

[Lembit Öpik]

instrumental in the current process. However, I was concerned earlier this year when I understood that the Conservatives were pulling out of the cross-party agreement. They sound as if they are now on board, for which I have unequivocal praise.

Mr. Blunt: We have always been on board, and it is the hon. Gentleman's understanding that has been at a loss.

The Belfast agreement, on which the whole peace process is built, was based on a commitment by the parties to end violence. The assumption was that Sinn Fein would deliver the IRA, and that was not an unreasonable assumption to make since the people who represent Sinn Fein, as the hon. Member for Belfast, East made clear, are by and large the same people who sit on the army council of the Provisional IRA. The agreement was sold to the people of Northern Ireland by the Prime Minister, and the Minister will remember his speech at the Balmoral show ground, which bears repeating. The Prime Minister said:

> "The problem is this: I believe that most people would be ready to accept even the hardest parts of the Agreement if they had genuine confidence that the paramilitaries were really ready to give up violence for good. I welcome Sinn Fein's endorsement of the Agreement and all that it implies. This is a historic shift. But after the experiences of the last 30 years, and some recent statements about no decommissioning, it is hardly surprising that for many, that confidence is simply not there."

I refer right hon. and hon. Members to the comments that followed:

> "These factors will provide evidence upon which to base an overall judgment—a judgment which will necessarily become more rigorous over time."

That was the basis on which people in Northern Ireland voted for the agreement. I do not know why that speech has disappeared from the No. 10 website, or why it is no longer referred to. I sincerely hope that, given its importance, it will be listed again by No. 10 as one of the Prime Minister's seminal speeches.

What has happened over the past four years? We have had the procurement of weapons in Florida, and weapons testing has been carried out in Columbia in conjunction with narco-terrorists, with appalling consequences for the Columbian people. Updated targeting information has been uncovered, and shooting and beatings have risen since 1998. Most regrettably of all, we have witnessed the attitude of Sinn Fein's leadership to the Police Service of Northern Ireland, which is a key and symbolic test. When the chairman of Sinn Fein was not prepared to condemn the attempted murder of a Catholic recruit to the PSNI, what message did he send to the whole community of Northern Ireland about Sinn Fein's commitment to peace? I said to him yesterday that it remains absolutely necessary for him to make it clear that Sinn Fein abhors violence and is fully committed to peace. If he will not do that, what conclusion are people expected to draw when they hear Gerry Adams say that the PSNI will be treated the same as the RUC?

Everyone knows what conclusions they should draw. The judgments that have to be applied to Sinn Fein and the republicans are different from those that have to be applied to loyalists. The Progressive Unionist party and the Ulster Democratic party, which no longer exists, are not in government. I have heard the leadership of the PUP be more explicit in its condemnation of loyalist violence from its community than Sinn Fein ever has of violence coming from the republican community.

The Government face three options. The ideal option is for Sinn Fein to show leadership and condemn violence in the republican community, and to make it unequivocally clear that it is fully committed to the peaceful, democratic process. That is what we are looking for, and it can show leadership by further acts of decommissioning, joining the Policing Board and taking a constructive attitude towards the police in Northern Ireland. It can even show leadership in the language that it uses to the republican and nationalist community in Northern Ireland. The SDLP has already bravely given such leadership.

If that does not happen the Government will have to show leadership and deliver on the Prime Minister's Balmoral speech, which is the second option. If the Government do not deliver, we will look to the SDLP and the Ulster Unionist party, which have been fully committed to the democratic process, to exercise their responsibilities, which is the third option. However, it should not be left to them.

It is now down to the Prime Minister again to show the leadership that he used in negotiating the Belfast agreement four years ago. He should make it clear that in word and in spirit the Belfast agreement and the peace process will continue.

12.21 pm

The Minister of State, Northern Ireland Office (Jane Kennedy): The hon. Member for East Devon (Mr. Swire) deserves our gratitude for offering us an opportunity to debate a subject that rightly generates passion and interest across the House. He further deserves our compliments for the thoughtful and eloquent way in which he opened the debate. In his speech he displayed a depth of understanding of the issues that set the scene for this debate at—I would be the first to concede this—such a difficult time.

The hon. Gentleman made a point to which I should like to refer before I deal with the wider issues. He and other hon. Members referred to the Select Committee report, which is very interesting and I commend it to those who have not read it. The Select Committee says that it has

> "been encouraged by the evidence . . . that the Government is tackling"

organised crime and links to paramilitarism and are

> "developing powerful and effective strategies to counter them".

It also says:

> "Those who are actively engaged in the difficult and dangerous work of tackling paramilitaries and serious criminals have a right to expect not only a formal commitment to their work but properly resourced support by Government for the long term."

The report is weighty and comes from a serious Select Committee that has done some serious work. I should like members of the Committee who are present to accept that the Government take the recommendations in that enormously interesting report seriously.

It is not possible to draw a straight numerical comparison between what the Government are doing in Northern Ireland to tackle organised crime and policing in the Republic of Ireland. I shall say this about the way in which the PSNI tackle organised crime. Two reserve police officers on duty in Newry in the middle of the night spotted a suspicious vehicle that was dripping oil. They were unable to stop the vehicle, but they followed the trail of oil and discovered a fuel laundering plant that was laundering 1 million litres of fuel each month, which was creating a £500,000 loss to the Exchequer. One cannot say that the number of officers that the Chief Constable of Northern Ireland allocates to tackling organised crime is insufficient, because the whole of the PSNI turns its hand to tackling organised crime and deserves to be commended.

I shall now deal with the main subject, which is the general future of the peace process in Northern Ireland. The debate comes when we are confronted with significant challenges for the implementation of the agreement, which must be met before we can move ahead and make further progress. As we promised, we are considering how we overcome the challenges. We must overcome them, because the process can only go forward on the basis of commitment to entirely peaceful methods by those who are engaged in it. The Belfast agreement has brought us a long way, but it has the potential to take us much further, and we must hold to that fact.

As we become more distant from the awful days before the ceasefires, it is easy to forget what a transformation there has been in many aspects of life in Northern Ireland. My hon. Friend the Member for Hull, North (Mr. McNamara) was right to refer to the achievements that the agreement has made possible.

The most obvious development is that there is less violence. There is still too much street violence, and too many murders and scenes such as the utterly indefensible displays at Drumcree on Sunday. That is unacceptable. I should like to make it clear that the Government do not believe that there is any acceptable level of violence. Nevertheless, the contrast between what we have now and the days of the all-out terrorist campaigns is striking. There is too much violence—we could discuss the average number of deaths and so on—but it is important to hold to the fact that there have been many fewer deaths. In that context, what happened on Sunday in Drumcree must be kept in perspective and, for that reason, the comments of the hon. Member for Montgomeryshire (Lembit Öpik) are very telling.

The two acts of IRA decommissioning were of enormous symbolic significance and should not be dismissed lightly. The second was acknowledged by the Independent International Commission on Decommissioning to involve a "varied and substantial" quantity of weapons.

Lady Hermon *rose—*

Jane Kennedy: If the hon. Lady will forgive me, I shall resist interventions, because I have very little time left to deal with these very serious issues.

There has also been a massive rapprochement between political points of view, which for so many years have been in diametric opposition. A great deal of economic improvement has taken place. It has been under way for some years, but the prospect of peace has done a great deal to accelerate and embed it. Belfast has a vibrancy and character like never before. On a Saturday night in the city centre, hundreds of young people from all backgrounds visit clubs, pubs and restaurants and talk and laugh on the streets, as one would expect in any prosperous, up-and-coming city centre anywhere in the United Kingdom. The Government have done all that they can to sustain the process of economic development.

The Government and others have made enormous efforts to implement the agreement. However, the unfolding of the implementation process has given rise to legitimate concerns, which have grown in recent months. We must acknowledge that the benefits that I just mentioned have not been fully enjoyed by all in Northern Ireland. As has been too frequently and chillingly depicted on our television screens, there are areas in which reconciliation and partnership appear to be a remote prospect.

I acknowledge that hope has become tarnished as anxiety has grown that there may be a less full-hearted commitment—I put it no stronger than that—to peace and partnership among players on both sides of the community than we had hoped for at one stage. Such concerns have been at the centre of discussions between the political parties and Governments, including the proceedings at Hillsborough last week, which were led by the Prime Minister and the Taoiseach.

In the minute that I have left, I shall not go into the detail of the Government's thinking on the issues, nor shall I give the commitments that have been sought today. The Government must be permitted to take all the issues seriously and to respond carefully, as we promised we would in the commitment that we made last Thursday. I am grateful to the hon. Member for East Devon for giving us the opportunity to debate the issues.

Flood Defences

12.30 pm

Mr. Mark Todd (South Derbyshire): I make no apologies for returning to a subject on which I secured an Adjournment debate, to which the Minister responded, just before the last general election. I do not apologise partly because the subject is a matter of considerable concern in my constituency—*[Interruption.]*

Mr. Deputy Speaker (Mr. Edward O'Hara): Order. It would be courteous to the hon. Member for South Derbyshire (Mr. Todd) if post mortems on the previous debate were held outside this Chamber.

Mr. Todd: Thank you, Mr. Deputy Speaker.

Local people in South Derbyshire continue to be worried about the issue. In winter 2000, there were incursions into the communities of Hatton, Willington, Shardlow and Barrow upon Trent, and several smaller incursions into other communities, that caused damage to private property and made local people anxious about their future. They were worried about their possessions, livelihoods and whether they would be able to continue to live in their chosen area. Since then, the community of Hatton, in particular, has benefited substantially from investment in repairing existing flood defences, raising flood defences to more appropriate levels, and in ongoing provision of new flood defences, which should be completed next month. Severn Trent, the area's sewerage company, has engaged in a positive programme to improve the sewerage network to prevent a flow back of sewage into people's houses, which had distressing and damaging effects in 2000.

Progress has been made and I commend the work that has been done. Incidentally, I also commend the strategic review that has just started on the Trent catchment area. The scoping document has come to me and the review should lead to a clearer strategy for the area—perhaps next year. That will be very welcome. My constituency is crossed by the Dove, Trent and Derwent rivers and by several minor brooks, which are also prone to flooding. Flood defences are a key priority of the people of South Derbyshire, but I want to paint a wider picture.

It is important to recognise that floods are a national problem of considerable scale. Hundreds of people in South Derbyshire faced the loss of their homes during part of the winter of 2000, and 10,000 homes throughout the country were affected in that way. Many communities outside South Derbyshire are anxious about the prospect of winter.

The insurance industry has signalled its willingness to continue to renew policies in areas that are considered to be flood risks until the end of the year. However, it is ringing alarm bells about the prospect of continuing to offer that service for citizens of such areas beyond that date unless the Government take various steps. I shall address those steps later.

In a question to the Prime Minister, I referred to the insurance company esure's announcement that it will not offer insurance products to people in areas at risk of floods. Several insurance companies have already taken action. I have corresponded with Norwich Union, for example, about difficulties that my constituents have experienced when trying to renew insurance products. Alarm bells are ringing and if they are not addressed, people's ability to sustain a reasonable standard of living in these communities will be affected. It is essential that householders can purchase at reasonable cost insurance products that can secure their property and its contents against flood risk. If that is not available, these communities will become less sustainable.

The overall picture of funding of flood defences is addressed in one of the key arguments that the insurance sector has advanced. If we refer to the evidence on expenditure on flood and coastal defences that was given to the Environment, Food and Rural Affairs Committee—of which I am a member—in 2001, in the current year £414 million is expected to be spent on flood defences by a variety of agencies. It is important to stress that that is not only Government expenditure, but also expenditure that is authorised through local authorities. However, research sponsored by the Department for Environment, Food and Rural Affairs states that longer-term funding of £565 million per year is required simply to maintain current standards of defences, to improve them to acceptable levels and to mitigate predictable climate change impacts. Therefore, there is a spending gap that desperately needs to be addressed.

We now know that the Chancellor will announce the spending round next week and I am well aware that the Department has made representations on this subject in the spending review. I do not expect my hon. Friend the Minister to be able to give me an answer as to precisely what the contents of that review will be—he is shaking his head, as I expected. However, I hope that he can at least give some favourable indication as to how the concerns that the Department has expressed have been received by the Treasury.

It is fair to say—I always try to be fair—that expenditure on flood defences has increased in the past couple of years. Nevertheless, according to the data that the Department itself provided, this gap exists and we should try to deal with it.

The next issue will also be familiar to my hon. Friend—the organisational complexity of how that money is used and how we get results from it. I have always found it bizarre that there are about 600 organisations in this country that have some say in how flood defences are managed. I also find it strange that many of them have no clear statutory duty to carry out any particular tasks that are critical to the delivery of flood defences. Therefore, we had the astonishing example—which my hon. Friend will recall, because he had to answer a series of written parliamentary questions from me about it—of the failure of local authorities to co-operate with the Environment Agency in the inspection of ditches and watercourses, even though it is their responsibility to inspect them and to ensure that they are properly maintained. I was staggered by the evidence that a large number of local authorities had responded by saying either that they did not have the resources to do the job or that they did not have the expertise to do it and that it would therefore have to be postponed until a more appropriate time or until they could find such expertise. That is unacceptable.

Providing information on flood risk in local communities is a crucial task. Sadly, it is not the case that all of the local authorities that responded in that way had had no experience of flood risk. There is a list of the local authorities that responded in that way; I will not run through it, but it is on the record, and a glance at it will show several communities where flood risk was a fairly recent experience and yet their local authorities were unable to do those jobs.

I attended a meeting that my hon. Friend the Minister addressed in which he said that the system is extremely complicated but it works—I suppose that it depends on what one means by works. The English way of administration is normally described as muddling through. We provide an extremely complicated way of doing something and, because we are all well-intentioned people who are innovative in our ways, we get across problems and barriers and produce an outcome that most people are prepared to accept.

No one would suggest that the organisation of flood defences is optimal. In Scotland, for example, local authorities are obliged to carry out various tasks relating to the inspection and maintenance of areas of flood risk for which they are responsible, but there is no matching responsibility in England. We may wish local authorities to take on that responsibility, but it is up to their electors to decide whether it is a priority for expenditure. There is not even an obligation to spend money set aside in revenue support to a local authority on the task for which it was intended. The Government's statistics contain information on the amount of money that local authorities are supposed to spend on floods, flood defences and flood protection, but we have no way of knowing whether that money has been spent or whether it matches the amount of money that is needed. We might have tolerated that sort of spatchcock muddle at a time when the risk of flooding was lower, but it is no longer acceptable.

It is clearly necessary to change the way in which we tackle the matter. We need to provide clearer executive leadership to the management of flood defences in this country, and in my view such leadership should be vested in the Environment Agency. Those who are supposed to be co-operating with the agency in its task should be under a clear statutory obligation to do the things that they are supposed to do to ensure that such activity is not optional or voluntary. There needs to be a more resilient framework for dealing with those problems.

Although it is clear that the risk that lies ahead is not readily quantifiable, it is substantial. The research commissioned from the Centre for Ecology and Hydrology and the Met Office by DEFRA indicates that in the past 50 years there has been a significant increase in the incidence of heavy rainfall and peak river flow. Although those organisations cannot directly link that increase to climate change because we do not have enough data, they say that the changes are consistent with predicted climate change. We have been warned and must take clear action.

My final point returns to the local perspective. We all have a role in flood defence, and that includes landowners and developers who want to use ground that lies in flood risk areas. We desperately need better quality maps to show where those areas are. The Environment Agency readily concedes that its current maps are incomplete and not necessarily very accurate. The insurance industry often uses postcodes to indicate flood risk, which is extremely inaccurate. We need a more authoritative base on which to decide those things. We also need clearly to define the policy that applies to those areas.

In Scotland, virtually no development is taking place in flood risk areas, which is partly because there are additional call-in powers if a development is proposed. In England, there is still significant new development on flood plains. Another issue is how one deals with the replacement of existing development. We all have responsibility: landowners, the Government, private individuals living in the affected areas and insurance providers as well. In that context, more money and a clearer organisational framework are required.

12.45 pm

Mr. Jonathan Sayeed (Mid-Bedfordshire): I am grateful to the Minister and the hon. Member for South Derbyshire (Mr. Todd) for allowing me a short intervention during this Adjournment debate. I have three quick questions for the Minister. First, we know that so far this year we have had historically high rainfall. The acquifers are full and the ground is saturated and, in October, there will be an astronomical high tide. What reassurance can the Minister give that there will not be massive flooding during October?

Secondly, does the Minister believe that more should be done—and if so, what—to encourage the use of natural or "soft" flood defences? Thirdly, one of the problems is that flood water is not egressing into the sea because rivers are inadequately dredged. Would the Minister detail what improvements there have been in the dredging of the mouths of tidal rivers?

12.46 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Elliot Morley): I congratulate my hon. Friend the Member for South Derbyshire (Mr. Todd) on securing the debate. He has been very active on the issue of flood defence, including the institutional arrangements and funding. I know that it is a particular interest in his constituency, as he has outlined during the debate. He has also been a very active participant in the Select Committee on Environment, Food and Rural Affairs, which produced a good report on flood and coastal defence. That report influenced the Government's examination of the institutional arrangements. He will be aware of our funding review, to which he made a very constructive response. We are looking at the institutional arrangements, as well as the way that we raise funding, so that we have a more transparent system.

I stand by what I said to the all-party flood defence group. I was pleased that that group was set up. It was a very useful opportunity to discuss the issues. Given the risks in this country—an island surrounded by sea with high rainfall—our record in flood and coastal defence stands up in comparison with any other country, and is better than many. I know that that is no consolation to those who have been affected by flooding, and I make that absolutely clear.

In response to one of the questions from the hon. Member for Mid-Bedfordshire (Mr. Sayeed), I do believe that there is more that we can do. We intend to

[Mr. Elliot Morley]

do more and natural defences are certainly an option that we are embracing in the range of options that we are considering for flood and coastal defence. There has been high rainfall recently, although there was quite a dry spell in the spring, and I have had no reports that there is a serious cause for concern in relation to acquifer levels. All the factors, including tidal surges, are monitored regularly by the Environment Agency and local authorities. We have a contingency plan for dealing with them. On dredging, the Environment Agency does carry that out, and it can be a useful measure in relation to water courses, but it is not that useful in tidal estuaries. Whatever is taken out of a tidal estuary is simply filled up by the volume of the sea and has a limited effect, so it depends on where the dredging takes place. I am often asked about dredging, but it is much more limited than some people think.

In response to my hon. Friend the Member for South Derbyshire, we are going ahead with the review. We will be publishing our proposals in the autumn detailing what people have said to us and our response. Many responses have been very helpful and constructive. People feel that many of the recommendations in the funding review are desirable. Some examples include the connection charge, regional customer bodies, an operating authority to be the sole service provider, and expert advisers for regional customer bodies with the possibility of subcontracting works to local authorities and the internal drainage boards. The review also suggested how we could streamline arrangements in the short term, including transferring to the Environment Agency responsibility for managing critical ordinary watercourses, blocking grant payments for some or all of the present funding delivered to the agency by the Government and removal of one of the tiers of flood defence committees. The flood plain levy, about which my hon. Friend was concerned, was not an option favoured in the funding review from the very beginning and it is no surprise to me that it is not favoured in the responses. We consulted on the proposals and will respond in due course.

I want to speak briefly about esure, which my hon. Friend mentioned. We spoke in some detail and had a constructive engagement with the Association of British Insurers. I have said on many occasions that we have the same agenda, which is to reduce the risk for people in this country. No one can guarantee that flooding will not happen, but we can do and are doing a great deal about flood risks. To be blunt, it was a bit of a cheek for esure to state publicly that it would not provide insurance in flood risk areas. We are not aware that it has ever provided significant insurance in flood risk areas. The company is entitled to cherry-pick customers and go for low-risk business in a competitive market, but its attempt at what many in the industry felt was a publicity stunt has seriously backfired. The company has come in for considerable criticism from consumers and industry bodies. It did not pull out of the market—it was not actually in it—but used the situation as an excuse to draw attention to its market decision.

I was surprised by a recent statement from esure that it would provide insurance in some flood-risk areas in Scotland but not in England. That did not come as a total surprise, as it is a Glasgow-based Scottish company, but what was a surprise was the seeming lack of understanding about the differences between Scottish and English approaches to flood and coastal defence and the comparative risks.

The approaches are not dissimilar in terms of planning, but investment commitments are very different. For example, the total spend on flood and coastal defence in Scotland is about £10 million a year on capital and £2 million a year on revenue. In England, we spend a combined total of more than £400 million. In the 40 years since 1961, 60 schemes have been approved in Scotland. More than twice that number are approved each year in England. Since the floods of 2000, my Department has approved a total of 274 new flood and coastal schemes, at an approved cost of £386,417,694. That is the difference in scale.

Those figures are not meant to criticise Scotland but to put in perspective the differences between the two countries. I cannot say that I am very impressed with esure's arguments, and I am not at all sympathetic to the fact that it has come out of the episode with some damage to its reputation.

Mr. Todd: While my hon. Friend is on the subject of comparisons with Scotland, will he discuss the primary legislation that exists in Scotland but not in England that obliges local authorities to perform various duties in respect of flood defence?

Mr. Morley: I am grateful that my hon. Friend raised that matter, because such legislation does not exist in Scotland. There is no duty to undertake capital works in Scotland, in the same way that there is no duty to do so in England. There is a duty to carry out maintenance of watercourses if they represent a risk of flooding in urban areas and there is, in effect, a duty to maintain the existing defences in our country through the regional flood defence committees, but there is no real difference between the two countries. I am not aware that Scotland has agreed to the higher defence standards that have been proposed by the ABI.

It is not the case that there are different statutory obligations in Scotland and England. There are some differences in the way that the organisation is put in place for flood planning. I do not believe, however, that the way in which we provide, for example, flood risk mapping, which is taken into account by local authorities in their structure plans, causes a difference in outcome. However, we have an open mind on such matters. We are talking to the ABI and proposing further future investment. In this country, we are always seeking to improve our organisation and the way that we do things, with the objective of reducing the risk to our population.

My hon. Friend mentioned local authority participation in flood defence inspections, a fair point to raise. Those inspections are part of the series of high-level targets that we have set to ensure that defences and watercourses are properly inspected by the bodies and agencies that have operational responsibility for them. I hope to be able to publish shortly a report from the Environment Agency on the results of those inspections and the part that local authorities have played in them. Of course, any local authorities that have not played that part will be identified, although many that had not sent in reports have subsequently done so. There has been some catching-up on the targets set.

In the longer term, one option being considered under the funding review, as my hon. Friend knows, is for critical ordinary watercourses to become the responsibility of the Environment Agency. I want to consider that option very carefully, in the light of information received through the high-level targets. I know that my hon. Friend and other organisations and bodies have raised responsibility for non-main critical watercourses. There will have to be some adjustments—there might be some main watercourses that are not critical, which could be de-mained. There are also financial implications for the Environment Agency, which we will have to take into account. That option may well improve the way in which those watercourses are dealt with. Although they are often small, they can account for quite serious flooding. We are aware of that and that option would be part of the overall approach that we are taking to reduce such risk.

As my hon. Friend rightly concluded, I am not yet in a position to comment on our spending review 2002 bid, although I expect to be able to do so in the not-too-distant future. Spending on the commitments that we have made to flood and coastal defence in this country has risen. For example, between 1996–97 and 2003–04—the end of our current spending review period—total Government expenditure is expected to increase from £309.7 million to £414.2 million in cash terms, an increase of nearly 34 per cent. That reflects the considerable extra money put into flood and coastal defence as a result of the floods in 2000 and the exceptional rainfall experienced then.

My hon. Friend is right to say that, while we cannot yet say that there is a long-term trend towards higher rainfall and climate change, we must plan for that. We must look at the worst-case scenarios and ensure that they are factored into our future planning and financial commitments. We have research and development budgets that are committed to climate forecasting and trying to gain a better understanding of potential climate change and what that might mean for this country in the long term. The Government and my Department are funding and supporting a number of projects. We are also investing heavily in flood warning, investment that has increased significantly with the £100 million committed over the next 10 years through the Environment Agency.

Mr. Todd: While my hon. Friend is touching on that subject, will he refer to my comment on the need for better mapping to show exactly where flood risks occur?

Mr. Morley: I accept that need. The flood risk mapping that the Environment Agency has put in place and made publicly available is a great advantage, but it is not 100 per cent. accurate and the Environment Agency has never claimed that that is the case. I am very impressed with the work that Norwich Union is doing on digital mapping, which is much more accurate. We are keen to co-operate with such involvement to improve information so that people can ascertain risk and we can work, through our investment, which is at record levels, to continue to reduce that risk in this country.

Meat Exports (European Union)

1 pm

Mr. Michael Weir (Angus): It is perhaps appropriate that this debate is being held today, when the European Commission is due to publish proposals on changes to the common agricultural policy. This debate focuses on one aspect where commonality has clearly failed, due to certain Governments' actions to protect their own country's farming interests.

In this debate, I intend to cover two main points: the position of Scottish beef exports to Europe and the dangers posed to Scottish lamb exports to France. I imagine that the Minister does not need me to go into any great detail on the ban of beef exports to the European Union in the wake of the BSE crisis. Suffice it to say that Germany had lifted its ban by March 2000, leaving only France banning beef imports, a position that it still maintains. All other European Union countries now allow the import of beef, although, obviously, the amount being exported is well down compared with pre-BSE exports.

I note that Jim Walker of the Scottish National Farmers Union was reported in the *Daily Record* on 18 March 2000 as commenting on Germany's lifting of the ban:

> "Ministers must now work to increase the amount of beef we can export".

Since then, we have been visited by the disaster of foot and mouth, although Scotland, with the exception of Dumfries and Galloway and a small part of the border area, did not suffer as much as other parts of the United Kingdom. Since then, however, I understand that there have been hardly any beef exports from the UK at all.

My first question to the Minister is to ask what action his Department has taken, in conjunction with the Scottish Executive, to restart and increase the amount of Scottish beef being exported to Europe. What plans does he have to take that forward during the next 12 months?

The Minister should be aware that there is rising disbelief in Scotland that France is continuing to get away with banning Scottish beef imports, when the incidence of BSE in Scotland was never high—in fact, it is rising in France while it is falling in Scotland. In the UK in 1999, there were 2,133 reported cases of BSE but only 35 of those, compared with 93 the previous year, were in Scotland. One reason for that is that most Scottish cattle are reared specifically for beef and are not simply a by-product of the dairy industry. The majority of BSE cases have been in dairy cattle in England. Lest it be thought that I am being narrowly nationalistic, I acknowledge that the English industry has taken stringent safety steps. UK beef as a whole is probably now the safest in Europe, although Scottish beef always was.

Before the BSE crisis, Scottish beef exports to the European Union were worth about £120 million per annum. Now they are worth almost zero. Only one abattoir in Scotland, located in Bridge of Allan, Stirlingshire, can process beef under the present date-based export scheme, and it has already said that it will not re-enter the European market until Europe reviews the costly and complicated structure of the scheme.

[Mr. Michael Weir]

Can the Minister tell us whether there is to be any review of the date-based scheme? Given that the incidence of BSE has always been, and continues to be, low in Scotland, what representations have the Government made to the European Union for Scotland to be granted low-incidence status, which would hopefully mean fewer regulations on the export of beef to Europe?

Before the ban, exports of quality Scottish beef were worth about £125 million per year. That trade disappeared overnight and is now, even with the lifting of the ban, worth only a fraction of that amount. Before the ban, about 110,000 tonnes of UK beef—10 per cent. of total consumption—went to France. That market has now gone.

The French ban remains in place despite the fact that, this April, the European Union Food and Veterinary Office visited French laboratories, rendering plants, feed mills and other institutions. It reported that potentially infected material from animal carcases was getting into animal feed, and the rules on handling specified risk materials banned from the human food chain were not fully implemented. That is from a country that bans the import of beef from this country—double standards par excellence.

Earlier this year, it was suggested that the French Government were maintaining the ban for political reasons in the run-up to the French elections, but there was still no evidence of movement once the elections were out of the way. The French Government are flouting European Union law in an act of blatant protectionism. Either European law applies to everyone, or it is of no use to anyone. The illegal ban has now lasted for more than three years and action is long overdue. Will the Minister tell us what action the Government are taking to deal with the apparent outright double standards of the French, who maintain the ban on Scottish beef for purely political reasons?

On 26 June, it was reported that France had been given a 15-day ultimatum by the European Commission to lift its ban on United Kingdom beef or face large daily fines. By my imperfect arithmetic, that period expires today. Has any action been taken by the French Government to lift the ban? Has there been any communication to the UK Government or the European Commission indicating their intention to lift the ban? If that has not happened, will the UK Government ensure that the EU takes action this time?

Secondly, I am concerned about the proposed French action against Scottish lamb. I know that this is also of extreme concern to my friends in Wales who, as the Minister may be aware, have an important lamb industry.

Hywel Williams (Caernarfon): I thank my hon. Friend for giving way. Does he accept that the sheep meat sector is vital for both our countries, particularly my constituency, which largely consists of hill farms? The French ban is having a serious effect on that industry, especially given the pressure on farm incomes, which are substantially lower than they are in England.

Mr. Weir: Indeed, I agree entirely with my hon. Friend. As he will know, many parts of Scotland have what was a thriving sheep industry. Parts of Angus, Perthshire and the highlands have a great many sheep, and many are on hill farms that cannot diversify to overcome the problems imposed by bans, such as the one proposed by the French. It has been reported that France plans to introduce draconian new processing rules that would decimate lamb exports from Scotland and Wales. It is said that the French will demand the removal of spinal cord from the carcases of all lambs aged over six months, despite the fact that European scientific advisers say that there is no justification for that. Despite extensive research and a lot of money being ploughed into it, there is no evidence that BSE is present in sheep at all.

The Minister must be well aware that a French ban would be a disaster for an industry that my hon. Friend has already said is reeling under the impact of foot and mouth. I know that it affected Wales far more than it did Scotland. That is yet another example of the French Government attempting to act unilaterally, which simply cannot be tolerated. Europe either works for all, or it works for none. Such actions undermine those of us who believe in the European Union, and wish to see movement in Europe. However, unilateral action by one Government against our farming industry is simply unacceptable.

The Minister will also be aware that prior to 1999, total UK sheep meat exports to the rest of the EU were, according to figures from his Department, over 100,000 tonnes per annum, and worth some £200 million to the rural economy. Last year, that figure fell to some 30,000 tonnes and the value to £77 million. Prior to that, France was a major buyer of Scottish lamb. However, it is not only the fact that France buys the lamb from Scotland and Wales, but that almost all lamb sold in other European countries moves through French ports. If the French Government implement the new rules, they will seriously jeopardise exports to France and to all other countries in the EU. The unilateral action of the French Government would affect exports not only to one country but to the whole EU. Again, that stands in the way of a free market in the EU.

I emphasise again that there is absolutely no evidence, despite a massive amount of research, that BSE is present in sheep. Scrapie is in sheep flocks in the UK, but it has been there for centuries without any ill effects. In Scotland, the Executive's forward strategy for agriculture seeks to eliminate the disease throughout the country. Steps are being taken to eliminate scrapie although there is no evidence that it can turn into BSE.

The proposals from the French Government are nothing more than another attempt to protect their sheep industry. A ban would be a disaster for the rural economies of Scotland and Wales. In Scotland, almost half of all lamb produced is exported and in normal times 80 per cent. of it goes to France. After the foot and mouth crisis, Scottish sheep farmers cannot survive another crisis. Although Scotland was not affected to the same extent as England and Wales by foot and mouth, the indirect effects on Scottish agriculture have been just as great because of the overall image of meat in the United Kingdom.

What action has the Department taken to tackle the issue with the French Government? What action has the Minister taken with the European Union? Can he assure us that if the French impose a ban, immediate action will be taken to ensure that it does not turn into another never-ending fiasco like the beef ban?

Those matters are crucial to the rural economies of Scotland and Wales. The Minister will be aware that in Scotland the average income of a farmer is £6,000 per annum, and I would guess that the average income is not much better than that in Wales. Sheep farmers are often hill farmers. They are not rich; they are very hard-working and they have suffered setback after setback in recent years. There is little prospect of diversification on hill farms because the ground is often suitable only for sheep and they cannot diversify, as is possible on some lowland farms. If a ban is imposed, many hill farmers will go out of business and the rural economy and the environment of Scotland and Wales will be the real losers.

Much as I respect the Minister, I must say that the Government are running out of credit with Scottish farmers, especially after the comments made by the Foreign Secretary on the common agricultural policy on Monday and the frankly offensive comments made in Scottish questions yesterday by the Secretary of State for Scotland, who went out of her way to agree that Scotland's farmers suffer from welfare dependency. Nothing could be further from the truth.

We have our own Parliament in Scotland, but unfortunately it does not have direct representation in Europe on those matters, despite their greater importance to the Scottish economy than to the UK economy. Scotland needs the normal powers of a normal independent nation to push those matters in the European Union. Until we reach that happy day, we are forced to rely on the UK Government to deal with such matters on our behalf. Will the Minister make sure that senior members of the Scottish Executive are allowed to represent Scotland in Europe on the issue, which is vital to Scotland and Wales? A lamb ban from France would see the end of those industries and yet more damage to the fragile rural economies of Scotland and Wales.

1.13 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Elliot Morley): I congratulate the hon. Member for Angus (Mr. Weir) on securing the debate and making a strong case for both livestock farmers in his constituency and the situation in general. He will forgive me if do not agree with his last comment about the constitutional arrangements between Scotland and the United Kingdom, which, as he knows, are endorsed by the vast majority in Scotland.

I acknowledge that beef and lamb exports are important to the Scottish rural economy, as they are in Wales and England too. Members of the devolved Administrations have been closely involved at all levels of decision making in agreeing a joint UK approach to promote our interests and deal with some of the problems. I shall come to that in a moment, but first I shall deal directly with some of the hon. Gentleman's arguments, before I forget them.

The hon. Gentleman asked about low-incidence status for BSE in Scotland and whether it could be applied for exports. We have considered it and discussed it with the Scottish Executive. The problem is that if Scotland had low-incidence status, cattle movements across the border into the rest of Great Britain would have to be restricted. That would cause problems for many Scottish farmers. There are some practical difficulties in such an approach, assuming that agreement could be obtained.

Mr. Weir: I understand the Minister's point, but do not understand why the situation would be different, for example, if France had low-incidence status but Spain did not. The same problems would also arise between the Republic of Ireland and Northern Ireland, where there is a lot of cross-border traffic in cattle. Why would the circumstances be different for Scotland and England?

Mr. Morley: There would be problems because there is much more movement of cattle across the border between England and Scotland. English cattle are moved to Scottish slaughterhouses and Scottish cattle are moved to English slaughterhouses. Scottish cattle are moved south for all sorts of reasons. The Department's view is that there is much more movement in the patterns of the livestock trade, which would cause difficulties for Scottish farmers.

The hon. Gentleman is right, however, that BSE incidence is falling in this country very much in line with the projections of our scientists. The measures that we have had in place for some time and at some expense are working—there are no two ways about it. In some European countries, the incidence is rising. Therefore, we are making good progress and are on track to eliminate BSE.

It is fair to say that the overall number of cases has been higher in the UK than in other countries. Nevertheless, it is clear that our measures are working. As the number of incidents continues to decline, we will review the over-30-months scheme and the date-based export scheme. That is inevitable, and we will do it when the opportunity arises.

The hon. Gentleman asked what contact we have had with the French authorities about the reasoned opinion that the Commission has sent to the French Government on their non-compliance with the European Court ruling. As he stated, the opinion gives the French Government 14 days to respond as to why they have not complied with the ruling, but the court penalty is not automatically triggered after that period. Their response will be taken into account and, if the court feels that the response is inadequate, it has powers to take further action, which may include imposing daily fines on the French Government.

With our colleagues in the Scottish Executive and the devolved Administrations, we have been pressing very hard on the matter. We have lobbied actively and the subject has been raised at the highest level between the Prime Minister and Jacques Chirac as recently as 19 June. We have used all diplomatic channels open to us. The French equivalent of our Food Standards Agency contacted the FSA to ask about the measures that we have in place and their effectiveness. We know that the FSA is content with the measures and endorses what we have been doing about BSE. I hope that careful note is taken of that by the FSA's French equivalent, which has been asked to review the case by the new

[Mr. Morley]

French Government. That is a helpful move and I very much hope that the French Government will be persuaded that there is no justification for the ban in terms of consumer safety, let alone ignoring the law.

Mr. Weir: I am very interested in the Minister's comments. The French seem to be experts at obfuscation on the matter, which has been going on for years. The European Court gave them a 14 or 15-day period. Does the Minister know whether they have replied to the European Court or will things drag on even longer?

Mr. Morley: We certainly hope not. The dispute is between the European Commission and France. France is ignoring Community rules and it is the Commission's responsibility to ensure that those rules are applied. The court action has been brought and is being pursued by the Commission. We are actively reminding the Commission of its responsibilities and we expect an early resolution to the situation.

Court cases never move as fast as one would like. That applies not only to the European Court, but to courts in our country. Nevertheless, they get there in the end. I am confident that that will happen in this case. I hope that the French Government will think again before they are forced to go to court to lift their illegal ban. They have said to us that they are required by their national law to seek the views of their food standards agency—we know that they are doing that because their agency has been in touch with ours.

To lift the ban alone will not ensure that beef exports flourish. I understand the hon. Gentleman's argument that changes need to be made to the date-based export scheme. We are considering those and how they might apply. Our efforts are having some effect. We hope that amendments to the scheme will be adopted in Brussels shortly because they would encourage renewed participation and permit British beef to begin to regain its rightful place in world markets. Beef from all regions has a strong identity and Scottish beef has a very good record in exports. We and the Scottish Executive are giving thought to providing practical assistance with charges to new entrants on the date-based export scheme.

As the hon. Gentleman rightly stated, the French authorities proposed a six-month age limit on spinal removal. We never felt that that was justified and I am glad to say that they have recently agreed to postpone that proposal, which would have been illegal—yet again—under Community law. I recognise that the trade is worth £15 million per month to UK industry, and that it is important to many people in the UK, from those in the Pennines to the Welsh and Scottish hill farmers. We have worked closely with our colleagues in the devolved Administrations, with the EU and with other member states in pressing France to reconsider their proposals.

Had the French gone ahead with their proposals, the banning of specified risk material in the spinal cord of all sheep over six months old could have undermined the harmonised EU rules that apply to sheep from 12 months old. In practice, that would have required UK exporters to split lamb carcases to remove their spinal cords, certifying that lambs less than six months old pose considerable problems. Any live sheep export would have had to be certified beyond the EU standard. We are pleased with the thriving carcase exports to France and the rest of the continent and we hope that farmers concentrate on the carcase, rather than the live, element of exports.

In the opinion of the EU Scientific Steering Committee and the Food Standards Agency, the French proposals provided no significant consumer benefits. That is worth stressing. All countries have concerns about their consumers and want to ensure consumer protection; we are no different, which is reflected in our range of measures and how seriously we take them. However, it does not make sense to impose measures that are totally disproportionate and offer so few benefits for consumer protection. We have made that point strongly, and said that the French proposals, and the way in which that country is acting unilaterally, are illegal under EU law. We are glad that France is thinking again about the matter and has postponed its measures. We will continue to press the fact that their approach is both illegal and unnecessary.

On consumer protection, the Food Standards Agency has been considering such matters as whether banning sheep intestines would be an appropriate consumer protection measure. It has asked the Commission to consider adding intestines to the EU specified risk material list, arguing for that measure in Europe and testing the science, rather than imposing it unilaterally. We think that that is a much more sensible way forward on such matters.

The hon. Gentleman is right about the importance of our export markets for beef and, in particular, lamb at the present time. We on the UK side are working very hard, in conjunction with the devolved Administrations, to tackle those issues. It will take time to get our markets back. Once one comes out of a market, it takes time to re-establish oneself in it. It appears however, that the market for lamb has come back much faster than many people feared following the foot and mouth restrictions.

Mr. Weir: The beef market has been completely destroyed because of BSE. Does the Minister accept that a ban on lamb by the French, whether justified or not, has the potential to create the same devastation in the sheep meat industry? It is essential that the Government act, with the European Union, to stop the ban being imposed in the first place. Once a ban is there, the word will get around and the industry will take years to recover, if it can ever do so.

Mr. Morley: I absolutely accept that point, although it is an issue not only for us, but for other countries that sell to France and for French sheep traders themselves. The French sheep sector was very opposed to the French proposals for precisely the reason that the hon. Gentleman gave and for the reasons that I have emphasised. Such a ban would be difficult to enforce—ageing lambs less than six months old—it would not really improve consumer protection and it is disproportionate and illegal in Community law. We are glad that the French have withdrawn the proposals and we will press very strongly, through the EU and directly with the French, for them to be dropped completely. They should not simply be postponed; the French should recognise that they are not in their interests.

The hon. Gentleman referred to the image of meat. We have made considerable strides in this country towards restoring consumer confidence. It was a shock to many European countries, which had said that there was no possibility that their national herds would have BSE, to find out that they did have it. In some cases, they did not have the same measures for consumer protection, monitoring and enforcement that we now have in place, although such measures are now being stepped up on an EU-wide basis, to deal with that problem.

Consumers here and in potential markets can have confidence in the measures that we have put in place in this country. They are based on the precautionary principle, sound science and good and effective enforcement. There has been a considerable cost to this country in putting those measures in place, but that investment is well worth it, given the increased consumer confidence and safety.

The hon. Gentleman mentioned scrapie in sheep. He will be aware that we have launched the national scrapie plan, which is designed to eradicate scrapie completely from our national flock. That is beneficial to the quality of the flock and in trade terms. It will also remove any lingering doubts that scrapie is masking BSE in sheep. The hon. Gentleman is right that we have no evidence that there is BSE in our national flock. It is not as if we were waiting for something nasty to hit us; we are actively monitoring the flock and seeking the signs of BSE, and have not found any evidence of it at all. That is also important for consumer protection.

I again congratulate the hon. Gentleman on the case that he has made. I hope that I have convinced him that we are working in partnership with the devolved authorities to tackle the issues that he raised. I believe that we are making effective progress on that and winning the argument through the sound, scientific and reasoned way in which we have put our case.

Counselling Young People

1.29 pm

Dr. Phyllis Starkey (Milton Keynes, South-West): I thank the participants in the previous debate for giving me one extra minute to speak.

My reasons for initiating the debate are: first, to welcome the Government's recognition that children and young people have a legitimate right to be consulted on policy and public services; secondly, to highlight the position of children and young people in relation to citizenship; and thirdly, to ensure that the Government systematically review their methods of consulting children and young people so that all Departments improve and refine their consultation methods.

I strongly welcome the commitment from the Government, which has been led by the children and young persons unit, to involve young people in the design, provision and evaluation of policies and services that affect them. Young people are clearly users of public services and should be consulted as service users just as adults are. It has become accepted good practice in local government and central Government that public services should not be designed top down by service providers, but should try to respond to the actual needs, as opposed to the perceived needs, of the users. Consulting users is not just a public relations exercise; it actively contributes to the improvement of services, allows the expertise of service users to be incorporated into the design of services, and helps to identify which services should be prioritised.

An interesting example of that happening arose from an experience in my constituency. Milton Keynes council recently ran for children of primary and secondary school age a consultation day about the provision of local services. I was extremely surprised by the issue that those children, who were aged 7 and upwards, identified as their highest priority for extra spending. They wanted more police and more money spent on the police. They perceived that major problems were the bullying of younger children by older children, not just in schools where it can be dealt with but on the streets out of school hours, and harassment by adults—I do not think that they were referring to serious forms of abuse, but to adults who might speak to them in a way that they did not think was entirely appropriate. They also mentioned the problem of theft from children and focused, not exclusively, on mobile phones. They felt that they would feel safer if more police were about to whom they could appeal to protect them from those problems.

Children are clearly service users, but in a democracy children and young people are not just service users or consumers, they are citizens. I am pleased that from September, citizenship will be compulsory in British schools. Perhaps I should declare an interest: my husband has devised and has been running a course at the university of Leicester for training teachers of citizenship. I am pleased to say that all his students have found jobs in state schools starting in September. Some people are therefore trained and ready to teach citizenship.

The citizenship curriculum encourages young people to develop the knowledge and skills to enable them to be active participants in a democratic society. It also

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encourages schools to be more democratic environments; it is important that young people are not just taught democracy as if it were a theoretical skill, but that they feel part of democratic institutions. Despite the apparent lack of interest from young people in conventional political activity, which we politicians are constantly bemoaning, a huge amount of data shows that young people are interested and often passionate about politics in its widest sense, and particularly in environmental issues. They are just not terribly interested in politics as it is put before them by politicians in the political process.

From their interest in environmental issues, young people are often clear about the fact that personal behaviour can link into policy commitment and that personal decisions about consuming less or recycling more are a demonstration of commitment to more environmentally friendly policies that speak more loudly than writing letters or nobbling politicians. Young people understand that political change can be influenced by personal action, and that it does not just start or end with voting.

That brings me to young people and voting, as voting is a key right in a democracy. Many argue that the fact that the 18-to-20-year-old age group has the vote but does not use it at the same rate as older adults is a strong argument for not reducing the voting age to 16. I think that that is wrong and reject the argument absolutely. The absence of voting rights for 16-year-olds contributes to lower participation rates among young people who have the vote.

As the under-18s cannot vote, none of the political parties have programmes that address the needs of young people. I hope that hon. Members agree. I went around knocking on doors before the last general election and when I spoke to young people I was struck that there was not much that I could say about our programme—or what they should be opposing in the programmes of other parties—that was relevant to them. We were all addressing older people in our political programmes.

It is not surprising that not many young people voted because for young people there was not much difference between the parties. We had nothing to say that was very relevant to them. If 16-year-olds had the vote, we politicians would have to develop policies that addressed their needs. That would give younger people a stronger reason to vote.

I have become interested in affordable travel for young people. Transport is an example of how young people's needs are undervalued because they are essentially disfranchised. Affordable travel is a key issue for pensioners and young people. There are great similarities between those two groups. A large proportion of both groups are heavy users of public transport. Many in both groups have relatively little access to the private car, and they both have low incomes. Everyone knows that free bus passes for pensioners is a huge political issue, because pensioners have the vote and a high participation rate, so we try to court them and respond to their needs. At the other end of the scale, affordable transport for young people is not on the political agenda because young people do not have the vote, so the political parties do not address the issue. I am pleased that reducing the voting age is now on the agenda and I shall be supporting it.

Let us consider how the Government consult with children and young people. The Government's core principles were published in November 2001, but I tabled a series of written questions in April this year asking Departments when and with whom they had consulted in trying to gauge young people's interests. The answers showed a variable performance between Departments. Most said that they were drawing up an action plan to describe how they would consult with young people, but had not actually consulted with them. Whose responsibility is it to check that all Departments have finalised their action plans and are delivering them?

There were some examples of good practice. I shall cite the Department of Health, but there was good practice elsewhere, too. The Department of Health's "Quality Protects" programme, which relates to social services, has a young person's reference group that meets three times a year and can comment on and feed into the programme. The organisation A National Voice gives young people who are, or were, in care a voice in policy development in relation to children in care. Interestingly, the paediatric cardiac review involved child cardiac patients as well as medical personnel or the parents and carers of patients. They are good examples of good practice. Are the Government ensuring that all Departments follow those examples of actively consulting young people, so that good practice can be spread throughout the Government?

I draw attention to other models of consultation outside the Government. The science museum recently hosted a student review of the science curriculum, which was funded by Science Year. It started with nine regional conferences to identify issues in the science curriculum. A national group developed that into a web questionnaire. More than 350 students aged between 16 and 19 helped in the design of the questionnaire and more than 2,000 students responded to it. Those responses were so useful and mature that the Select Committee on Science and Technology decided to take evidence from students who organised and took part in the review to inform its report on science education. Are the Government encouraging Departments to contract out consultations when appropriate to outside organisations?

The second example to which I want to draw attention is less successful. Earlier this year, the Department of the Environment, Transport and the Regions, as it then was, launched a consultation document on the driving licence and driving test, entitled "A More Structured Approach to Learning to Drive". Because that was clearly a subject of interest to young people, I sent copies of the document to each secondary school in my constituency and to the Milton Keynes college and encouraged students to respond directly to the consultation.

Milton Keynes college thought that the document was so opaque that its students would not be able to respond to it. It redesigned it and wrote a shorter, snappier version. That was handed out to students, who then discussed it and responded directly to the consultation. When Departments write public consultation documents, will they do so in a format that is more user-friendly, particularly when the subjects are ones in which young people may be expected to have an interest?

Finally, I refer to consultation by bodies other than those in central Government, but on which the Government could give guidance. I thank the Howard League for Penal Reform, which drew my attention to its worries about the lack of consultation with children by local authorities during the formulation of local crime prevention plans. It said that too often children are seen as the problem that crime prevention plans should deal with, rather than the needs of the children themselves being considered. That is especially true of young teenagers, who are often seen as a threat by others in the community. By involving young people in crime prevention plans, the Howard League considers that more cost-effective solutions may often be found. As an example, it said that it may be more sensible to provide a free skateboard area or free swimming for children and young people as a more effective way of reducing the perceived problem of youths wandering about aimlessly than installing expensive closed circuit television, which simply watches them hanging about.

As many people know, Milton Keynes is a young city. The key complaint that I receive from older constituents concerns threatening young persons hanging about. One useful solution that we have found is the provision of youth shelters on local recreation grounds and parks. They give young people a place in which they can sit and chat to each other under cover, but not next door to shops or people's houses where they cause annoyance.

I draw attention to the Howard League citizenship and crime programme of which I am sure the Minister is aware. It has worked with more than 10,000 children in more than 100 schools to consider young people and crime prevention. I hope that the findings are being fed into the Government's thinking. Will the Minister ensure that Government guidance on drawing up crime prevention programmes and other types of community and partnership plans include the need to involve children and young people?

I commend the Government for the work that they have begun in involving young people. That is only the beginning, however, and I urge them to review the consultation continuously, so that we can all learn how to do it better.

1.44 pm

The Minister for Policing, Crime Reduction and Community Safety (Mr. John Denham): As the Minister responsible for children and young people, I congratulate my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) on securing this debate. I share her view on the importance of involving young people and I am personally pleased to see that the issue is increasingly being raised in the House. I acknowledge the work of the two all-party groups—on children and on youth affairs—whose members are doing a lot to raise the profile of the issue, finding ways of listening to and [illegible]ving children and young people and pushing the issu[illegible]rward.

I am sympathetic to those of our colleagues who would like more regular opportunities to debate youth issues and for the relevant Ministers to take part in them. That has been the subject of much discussion, but I welcome today's debate as one opportunity to discuss youth affairs.

I think that all hon. Members share the vision of children and young people having more opportunities to be involved in the design and development of policies and services that affect them, and to be able to evaluate them and show where they have been successful. We want that partly because young people should genuinely feel that they can influence the services that they receive and, as part of the broader citizenship work that we are doing, because we want young people to feel that they can contribute to and benefit from the life of their local communities.

I share with my hon. Friend the belief that the result of the effective participation of children and young people in the development of policies and services is the improvement of those policies and services. She rightly asked me to set out some of the procedures and structures that the Government are putting in place to encourage greater participation. A hearts-and-minds issue is involved—we must convince those in local as well as central Government that the services that they deliver will improve and the taxpayers money that they spend will be better spent if young people have been involved in helping to shape those services.

To convince those involved would help the Government to achieve our ambitions for children and young people. It would help us to prevent and tackle the social exclusion of a significant minority of children and young people. It would enable young people themselves to build the stronger and more cohesive communities that we know we need to build in the years to come.

I am also clear about our commitment under the United Nations convention on the rights of the child to seek the views of children and young people. This year has been historic—during the UN special session on children, young people were able to address the General Assembly of the UN for the first time. I was pleased to have been a co-leader of the United Kingdom delegation, which included two young delegates, one from Scotland and one from Northern Ireland, who were able to participate in bilateral meetings that I had with Ministers from other countries. I was pleased to be the only Minister who had a youth delegate in those meetings, despite some countries claiming tremendous records in the field. That was a small first for UK representation at the UN.

There is a similar commitment throughout Europe. The UK has been at the forefront of the development with our recent White Paper on youth policy. The participation of young people is a key theme of that work. In the coming year, I hope that we can work with our European partners to share best practice and learn from the successes and problems that we all face in securing the participation of young people.

On the Government's record, as my hon. Friend said, we announced in November that we had agreed to follow and implement an ambitious set of core principles that will guide the approach that individual Departments should take in engaging children and young people. Nine Departments have been in the lead in that work, developing action plans for how they can build capacity within their Departments to involve young people, identify priority areas for working with children and young people and find ways of building the principle of involvement into the way that they communicate the work and the policies of those Departments. We worked with several children's

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organisations to develop the principles and guidance, and they—and the young people that they involved in that work—have warmly welcomed the initiative.

We must be honest. Different Departments approached this work from very different starting points. Some of them had a lengthy history, at least in part of their activity, of involving young people; others had little history of that. Therefore, this represents a cultural challenge to some civil servants in Whitehall, and to some of my colleagues in Government.

We are determined to push this through and my hon. Friend asked how far we had got with it. The action plans from the nine Departments were published in May 2002, shortly after her series of parliamentary questions. That is not completed work; it sets out work in progress, but it shows that each of those Departments have begun, with support from the children and young people's unit, to tackle how they are going to take this forward.

The unit will report progress annually, which will give an opportunity to scrutinise our work. As I am the Minister with responsibility for children and young people, I will oversee the work of the unit. We also expect that young people will be involved in scrutinising our progress. However, I do not want to give the impression that I am in some way taking—or wishing to take—personal responsibility for ensuring that the whole of Government involve young people. This initiative has to become a part of the daily activity of individual Government Departments and Ministers. It would be a mistake to try to centralise all of this—to have, for example, a single unit that tries to carry out consultations on all of the work of each of the Government Departments.

Having recognised that Government Departments have uneven histories with regard to consulting young people, I now wish to point to some significant achievements that they have made in this area. My hon. Friend rightly referred to the work that is being done at the Department of Health. Also, in autumn 2001 we launched a consultation on an overarching children's strategy, which we hope will come to fruition later this year. It is intended to bring together all of the different policies that affect children and young people, so that it can give a single overall picture of what the policies of the Government, the voluntary sector and local authorities are trying to achieve.

Innovative types of consultation material were included in the project: some went out through primary schools, and some were distributed at cinemas, leisure centres and so forth. Therefore, we have gained good experience of which sorts of consultation material work—to refer to another of my hon. Friend's points. She will be interested to learn that one of the matters that came high on the agenda in that consultation was the importance of having safe routes to and from schools. It sounds as if that echoes one of the conclusions of the smaller survey that she conducted in Milton Keynes.

The Department for Education and Skills held consultation meetings with young people when it was working on the "Schools—achieving success" White Paper that was published in the autumn. It also designed a document, specifically for young people, on the new proposals for education plans for 14 to 19 year-olds, and it has had more responses from young people in that age group than from all other respondents put together. For those of us who believe in this, that is an encouraging step forward.

The Home Office has been actively involving young people in consultations. For example, they took part in the consultations that were held after the disturbances in the north of England last summer, which addressed the issues involved in developing cohesive communities. Work that has been done with young people from Oldham and other towns is now being turned into educational material, videos and so forth, and they will be used in further meetings, consultations and discussion events in several towns and cities throughout the country in the summer and into the autumn. That is another encouraging sign: a real social challenge is being tackled in a way that acknowledges that the role of young people is crucial by going out and positively involving them in the work.

I mentioned the role of the children and young people's unit in supporting me and my work. As a result, I have been able to benefit from the expertise of the unit's advisory forum—26 young people aged between 11 and 18 who are from all backgrounds and walks of life and who hold forthright views on where they want to see change. That forum helped us to build the consultation on the Government strategy document that I mentioned earlier.

We also have a particular relationship with the United Kingdom Youth Parliament, which the Government have agreed to support with further funds. It meets next week. I shall attend, as will hon. Members from several different political parties. I look forward to reading the manifesto that the Youth Parliament will produce as a result of its meeting.

My hon. Friend asked several specific questions. I hope that I have set out what we have done with regard to the action plans and how we are ensuring that Departments follow examples of consulting young people. She asked whether Departments are encouraged to contract out consultations to outside organisations, if that is appropriate. That is among the range of possibilities that we suggested that Departments build into their consultation. Obviously, consultation has often been carried out through children and young people's organisations and organisations that work with children and young people. We need to allow for flexibility because there will be times when contracting out is the right approach and times when more direct consultation is important. However, I appreciate the value of the process.

My hon. Friend asked whether Departments could be encouraged to write public consultation documents in a more user-friendly format. Most of us would probably say that that applies to all consultation documents, not only to those aimed at young people. The answer is yes. Through the work of the Department for Education and Skills, work on the children's strategy and work that I shall mention on young people and voting, we have started to develop expertise on which I hope we can build.

Lembit Öpik (Montgomeryshire): The hon. Member for Milton Keynes, South-West (Dr. Starkey) asked about votes at 16, and the Minister mentioned taxpayers' money. Sixteen and 17-year-olds may be taxpayers, so will he square the circle of no taxation without representation?

Mr. Denham: Let me tell the hon. Gentleman our position. One of the projects in which I have been personally involved is the "Y vote, Y not?" campaign, which was based on consultations with about 70 young people. It reached the end of its first phase of work at a conference last week and examined reasons why young people have not engaged with politics, and changes to processes that might encourage greater future involvement. A clear message that is not always understood is that we are not considering an apathetic or disinterested generation of young people, which is the picture that some people have painted. The generation has strong views on all issues about which hon. Members spend their time talking.

Young people do not think that we are talking about the issues with which they are concerned. That might well be because we spend a lot of our time talking about, or at, but rarely with, young people. That is a key issue on which politicians, political parties and those in the media should work together. We should not blame one group for getting things wrong, but our discussion of issues should be projected in ways that are more relevant to young people. We should give young people the opportunity to join with the process and to see others involved in it.

The campaign raised the question of voting age. Sam Younger, the chairman of the Electoral Commission, announced last week that the commission would examine voting age and produce a report for Ministers to consider. That is a result of young people raising the issue through the "Y vote, Y not?" campaign and in other forums. We do not promise always to do what young people say any more than we always do what pensioners, trade unions or businesses say. However, young people have a right to have their views taken seriously and addressed and to receive a proper response to any issues that they raise.

My hon. Friend mentioned young people's involvement in drawing up crime prevention programmes, which is important. I am pleased to tell her that I saw an excellent guide to the involvement of young people in such programmes earlier this year, which had been drawn up by several crime prevention partners in the west midlands. I arranged for the document to be reprinted as national guidance and it has been issued to crime reduction partnerships throughout the country. That is a practical example of putting a principle into action, which I hope is followed throughout the country.

Question put and agreed to.

Adjourned accordingly at one minute to Two o'clock.

Westminster Hall

Thursday 11 July 2002

[SIR. MICHAEL LORD *in the Chair*]

NHS (Private Sector)

[Relevant documents: The role of the private sector in the NHS—First Report from the Health Committee, Session 2001-02, HC308, and the Government's response thereto, CM 5567.]

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Heppell.*]

2.30 pm

Mr. Deputy Speaker: Before I call the Chairman of the Select Committee on Health, I should inform the Committee that there is a minor misprint on the order of business. The report should be numbered HC308, not HC318.

Mr. David Hinchliffe (Wakefield): I am grateful for the opportunity to debate the Health Committee's report on the role of the private sector in the national health service. I begin my expressing my appreciation to the Government for providing us yesterday with a response to the report in advance of today's debate. I was heavily committed in Yorkshire yesterday and had a royal visit to my constituency this morning, so I have not had the opportunity to study the response in as much detail as I would normally do. I apologise for that.

The inquiry was announced in July 2001 and the Committee published its report on 15 May 2002. The background to the inquiry was "The NHS Plan", in which the Government spelt out their intention to place greater emphasis on the role of the independent sector. It stated:

> "The time has now come for the NHS to engage more constructively with the private sector, and at the same time make more of its expertise available to employers throughout the country."

The plan went on to explain that four essential tests would be applied to any proposed partnership with the private sector. They are: the interests of patients, consistency with local and national strategies for the health service, value for money, and consistency with public sector values, including the issue of equity.

Our inquiry sought to examine in detail the new relationship. We held eight evidence sessions with a wide range of witnesses, including NHS trusts, primary care trusts, unions, academics, private sector companies and providers of private health care. We also visited two of the first wave of completed private finance initiative hospitals, including the one in the constituency of my hon. Friend the Member for Carlisle (Mr. Martlew). We are grateful to them for arranging very interesting visits for the Committee. I want to express our thanks to all who helped with the inquiry, those who gave oral and written evidence and those who gave up their time to meet us. I also thank our advisers, who provided valuable technical expertise, and particularly our excellent, first-class Committee staff who, as usual, provided marvellous support.

It is important to say that this is the first inquiry undertaken by the Committee since it was radically reconstituted after the general election. I pay tribute to my hon. Friends and colleagues on the Committee for their work over a lengthy period and the good-humoured debates that enabled us to come to our conclusions. The result is an important and well balanced critique of the current and future direction of the national health service.

The report consists of four main areas. The first covers the concordat, consultants' contracts and treatment overseas of United Kingdom citizens. The second covers the private finance initiative. The third covers local improvement finance trusts, the mechanism the Government are using to improve the primary care estate. The fourth covers public private partnerships, and we examined particularly the provision of pathology services.

I want to highlight the main conclusions of the report and particularly those that I believe to be of greatest importance. My colleagues on the Committee may select specific areas which they want to develop.

The concordat set out the parameters for the involvement of the private sector in NHS health provision. Its opening statement is:

> "There should be no organisational or ideological barriers to the delivery of high quality healthcare free at the point of delivery to those who need it, when they need it".

That indicated a clear step change in the relationship and a fundamental shift in Government policy.

It is fair to say that my opposition to private medicine is well known. It is based on a belief that private medicine has consistently undermined the basic equity principle of the NHS since it began in 1948. Throughout the period of the concordat, I have expressed unease at the direction that the Government have chosen. That is an important point I should make at this stage. I have particular concerns about the relationship with the private sector.

Initially the concordat was going to focus on elective, critical and intermediate care with the aim of driving down winter pressures and waiting lists. The plan stressed that the concordat was not a short-term measure, but the beginning of a longer-term relationship. We examined the concordat to establish the extent of its use, the impact on waiting lists, its relationship with mainstream public provision and the long-term implications of its use. When the Secretary of State gave evidence to the Committee, he suggested that a shortage in capacity was the principal factor in deciding to use the private sector. We all understand the need to reduce waiting lists. I understand the argument for using spare capacity in the private sector in the short term to achieve that aim, even if I am personally unsympathetic to it.

Mr. David Tredinnick (Bosworth): I am most grateful to the hon. Gentleman, and I have read the excellent report with considerable care. Does he think that it is strange that the Government have decided to use only elective care in the private sector in some respects? They have made no effort as far as I can establish to make any use of the approximately 50,000 complementary practitioners who work largely in the private sector. Does he agree that it is a bit strange that they have

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gobbled up all the private sector beds without considering the acupuncturists, the herbal therapists or the homeopaths, many of whom are regulated by statute? Would he care to comment on that?

Mr. Hinchliffe: I pay tribute to the hon. Gentleman for his consistency and commitment to an issue in which he believes strongly. I am not so sure. There are obviously wider debates about the appropriateness of the sort of provision to which he refers. He makes a fair point: perhaps we do have too narrow a view of what is treatment in a wider context. I would accept that, and if my late, very good friend Audrey Wise were here, she would be passionately saying that we should spend more time considering the alternatives that the hon. Gentleman has suggested on many occasions.

To return to the issue of capacity, it is worth making the point that, although NHS bed occupancy is running at roughly 90 per cent., private sector occupancy levels are between 55 and 60 per cent. Obviously, direct comparisons between the capacity levels of the two sectors can be misleading. Our report notes that bed management is easier in the private sector due to an absence of emergency patients. Furthermore, we have to recognise that lower bed occupancy rates are integral to the running of private hospitals, so that they can offer the flexibility of operation times, which is the main incentive for going private. However, the most important difference is that acute hospitals in the private sector do not employ consultants.

Consultants buy theatre time from the hospitals, and the vast majority of those consultants also work for the NHS. Obviously, they cannot work in two places at once. Therefore, exploiting the excess capacity of private hospitals could have a detrimental effect on NHS capacity. The Medical Practitioners Union told us:

> "It would be absurd if the Concordat resulted in fewer NHS operations and more waiting lists cancellations because staff were at the local private hospital '*helping the NHS to cope*'."

I asked the Secretary of State about a case I had come across where an elderly lady was waiting for many months for an elective operation and was referred under the concordat to a local private hospital. She then saw the same consultant at that private hospital that she had been waiting all those months to see in the NHS. That is inappropriate and illustrates the point that caused us concern on the Committee.

Although we saw no objection to using the private sector in the short term, our report concluded that in the long term, increased use of capacity in the private sector may cause a direct threat to NHS resources. Therefore, we have made a number of recommendations to clarify that activity. We would like to see the Government assess the impact of concordat activity on staff availability in the NHS. I regret the fact that, from my understanding of the response, at which I have briefly looked, the Government have rejected the idea of a separate assessment of the impact on staffing. We felt that that was a key area to be examined, and I should be interested to hear the Minister's comments on that point later.

We argue that the Government should develop sufficient acute capacity in the NHS for it not to be reliant on the private sector. The Government response points to the likely impact on capacity of the new consultant contract. Perhaps the Minister will expand that point, because the new consultant contract was being drawn up and agreed before we concluded our inquiry. The Secretary of State gave some evidence on that when he came to talk to us about the NHS plan, but the contract had not been seen as evidence to the Committee while the inquiry was under way.

We also suggested that the Government undertake a cost-benefit analysis of reclaiming private beds in NHS hospitals instead of buying in operations from private hospitals. I welcome the Government's agreement that trusts should look at that point.

On equity of access, when we studied the concordat we were disturbed to find that take-up rates across the country differed markedly between areas that had available private sector capacity and those that did not. For example, whereas the concordat has commissioned 3,294 operations in the south-east, it has commissioned only 444 in the north-west. My hon. Friend the Member for Leigh (Andy Burnham) was particularly concerned about the way in which his area was not benefiting from the concordat arrangements.

The basic tenet behind the NHS is that there should be equal access for those with equal need. The uneven distribution of concordat activity appears to undermine that tenet. We therefore recommended against earmarking further money specifically for concordat activity. I welcome the Government's response, which gives a commitment to try

> "to reduce to a minimum . . . earmarking".

That is a positive response from our point of view.

We recommended that any additional money available should be used in the local circumstances for which it is best suited. In some cases, that could be the development of local NHS capacity. In that way, each trust or region could identify and tackle its most pressing needs in the way that it felt worked best for it. Such a recommendation is entirely consistent with the trend towards greater devolution of powers to trusts. It was put to me by consultants at Pinderfields hospital in my area that they would have made far better use of the concordat resources had they not been forced to use them in relation to the local private sector. They felt that there were other ways, better suited to their circumstances, for benefiting patients in my area.

We also looked at how the concordat was assessed for value for money. Even in areas where concordat money was seen to make a difference, we could not find out whether that money was, in fact, well spent. If public funds are to be used in the private sector, value for money needs to be demonstrated. Comparisons can be made with NHS reference costs, such as the cost to the NHS of an operation, but our evidence showed that those are subject to very wide variation, which undermines their use in judging value for money. We have, therefore, called on the Audit Commission urgently to review a representative sample of concordat activity to assess its value for money. We also recommended that the Department take immediate steps to improve the methodology underlying NHS reference costs so that they can eventually act as a meaningful benchmark. I would welcome it if the Minister could clarify the Government's position on that recommendation.

Our report considered the impact on waiting lists of NHS consultants who work part-time for the NHS and part-time in the private sector. According to the Department's figures, if those consultants worked exclusively for the NHS, that would yield an increase in capacity equivalent to 1,500 whole-time consultants. That would be a significant increase, but our report acknowledged the difficulties in enforcing a ban on consultants working in both sectors.

When the Secretary of State gave evidence to us on the delivery of the NHS plan, he explained, in answer to a question that I put, how the new consultant contract would yield 14 per cent. additional consultant time for NHS work. That represents progress, but still falls short of the original proposal that the contract should include a seven-year moratorium on private sector work, given that consultants will still be able to work for the private sector once they have completed their statutory working week for the NHS.

Under the concordat patients may now be treated in the private sector as NHS patients by NHS consultants. Consultants currently manage both their private and NHS waiting lists, and the way in which those lists are managed creates confusion and potential conflicts of interest. It is important to point out that in the last Parliament we looked at consultants' contracts and were given evidence of possible manipulation of waiting lists in the interests of the private practice of certain consultants.

In this inquiry we received evidence from one manager who said that there was resistance from consultants in her area to the use of the concordat for NHS patients because of the potential impact on their private practice. There is clearly concern about that area. We felt that structural reform was needed to ensure a greater degree of probity. As part of that reform we recommended that trust boards should publish the details of payments for NHS activity made to consultants working in the private sector. I regret the fact that the Government do not accept that because some members of the Committee have continuing concerns about potential conflicts of interest.

Mr. Simon Burns (West Chelmsford): Does the hon. Gentleman also accept that some members of the Committee welcome the Government's commitment?

Mr. Hinchliffe: That says something about the Government's commitment. I have strong feelings on the issue, having had cases referred to me in which there has been manipulation of waiting lists. The vast majority of consultants work very hard for the NHS and we ought to address the matter in a way which is open and above board. It is wrong for there to be suspicions against consultants where such suspicions are completely misplaced, which is why the Committee felt that it was better to have the matter in the open. I shall be interested in the Minister's response on why the Government did not feel able to go along with the recommendation.

The report highlights our concerns about the training of medical staff. The NHS funds doctors' training, but after a number of years those skills can be transferred to the private sector. The private sector, therefore, gains medical expertise without incurring training costs, which is unacceptable. The Department and the independent sector need to agree to share that burden. We, therefore, recommend that the Government consider imposing a levy on the independent sector towards the costs of training health professionals that includes first qualification. On reading the Government reply to our report I was surprised that they had not been persuaded on that point. Again, I should be interested in the Minister's explanation of that particular response.

On the issue of job plans for consultants, two years ago the Committee expressed its astonishment that every consultant did not have a job plan because that was Government policy. At the time they acknowledged that job planning was a "clear and compulsory activity" for consultants. We were, therefore, most unimpressed to find that the situation remains almost unchanged. I welcome the mandatory enforcement of job planning proposed under the new consultant contract, which is mentioned in their reply to our report.

We also touched on NHS treatment abroad. Although that may be a way to reduce pressure on waiting lists, our understanding is that it is likely to prove a fairly marginal activity. The report notes that initial patient reaction seemed to be encouraging and a recent British Medical Association survey found that patients were not against travelling further afield if that meant that they would be treated sooner. We gave that development a cautious welcome, but our report sought assurances from the Government that there were robust mechanisms to ensure that patient follow-up can take place successfully and that the Department was confident of its legal position in the event of adverse clinical incidents.

We spent a considerable amount of time thinking about the contentious issue of the private finance initiative. In its past two election manifestos the Labour party committed itself to continuing with PFI to pursue its health objectives. The result has been an unprecedented level of new hospital construction. At the time of our report, 64 major new hospitals had been approved and of those, eight are now complete and operational and a further 15 are under construction. However, we had to satisfy ourselves that PFI was the best route to take to deliver value for money and that it would not have an adverse effect on the local health economy. Central to the Government's use of PFI is whether it represents value for money. If it does, it will be used; if it does not, in theory, conventional funding will be provided, although a sizeable body of opinion disputed the availability of Treasury funds.

Value for money is assessed by comparing the costs of PFI and traditional funding. The only way to prove it with certainty is to build two identical hospitals, one with Treasury funding and one using PFI. As that is not possible, the PFI is tested against a hypothetical model, the public sector comparator. The model represents the full life cost of public provision of a hospital. An assessment is carried out of the value of the risks retained by the public sector in both cases. It became clear that demonstrating value for money is a particularly complex task. Our report notes that the transfer of risk is an art, not a science.

[Mr. Hinchliffe]

On the surface, it appears sensible to transfer all the risk to the private sector under such a deal. However, that is counter-productive, as the premium charged for such risks may be too high. Furthermore, the private sector may not be able to manage the risks. Therefore, the risks of the project must be allocated on the basis of who is better equipped to manage them, whether the public or the private sector partner.

Sandra Gidley (Romsey): At present, the system seems to allow PFI partners to cherry-pick which risks they will take. Will the hon. Gentleman comment on that?

Mr. Hinchliffe: I will deal with that point in a moment. There is a feeling that the whole process is skewed in the interests of the private, not the public, sector. We felt that the risks should be allocated on the basis of who is better equipped to manage them. It is essential that optimal risk transfers take place with the private sector taking only the risks that it is equipped to manage. For that to happen, much greater transparency is needed.

The accountancy rules for PFI, which are imposed by the Treasury, use a net discount rate of 6 per cent. We received evidence that that figure gives an average value for money margin of only 1.7 per cent. in favour of PFI. Revising the figure downwards by 0.5 or 1 per cent. would tilt value for money in favour of traditionally procured projects. A Treasury official told us that although the Treasury was reviewing its accountancy rules and that the net discount rate might possibly be reduced, the balance between the two would not necessarily change. We felt it necessary to take a more cautious position. If the discount rate were revised downwards while still producing value for money in favour of PFI, we would want the National Audit Office to assess the process to ensure that the complex calculations were not being manipulated to the benefit of the PFI route. There seems to be a danger that a calculation that does not produce the right result is changed, rather than the policy.

It was interesting that the one thing that united all our witnesses during a fierce debate on the pros and cons of PFI was the need to address the Public Sector Comparator. The majority view was that its artificial nature undermined its credibility. We concluded that while comparing a PFI project using a PSC may prove that the PFI is value for money against an artificial comparison, it did not necessarily prove that it was value for money in absolute terms. Therefore, we recommended that the Department should refine the way in which the PSC was constructed. We also recommended that the National Audit Office should assess the PSC as a means to identify value for money and report swiftly to the Health Committee and the Public Accounts Committee.

After we published our report, Jeremy Coleman, the deputy comptroller of the National Audit Office, in an interview in the *Financial Times* questioned the PSC in its current form far more strongly than the Committee did in its report. He argued that some PSCs are "pseudo-scientific mumbo-jumbo" while others were "complete rubbish." In the light of Mr. Coleman's words, I believe that our recommendations are more pressing and that any NAO report on the PSC would make for interesting reading.

Much of the evidence that we received about PFI included complaints about the lack of access to information on projects and the lack of transparency during their development. One depressing element was the references to the lack of transparency in the whole process. PFI documentation is lengthy and impenetrable, which does little to inspire confidence in the process. The report cites two examples of that: the north Durham full business case occupies 145 pages and boasts accompanying documentation three and half inches thick; the full business case for Coventry Walsgrave hospital runs to some 17,000 pages. That is obviously an obstacle to objective scrutiny, particularly when many of those who want to scrutinise the documents may not be familiar with their format.

We acknowledge that there is an inherent tension between commercial confidentiality and openness, but in our view greater transparency is vital to publicly procured projects. We have, therefore, made a series of recommendations that should improve openness, one of which was that all PFI proposals should be required to include a financial summary in a stand-up format for all stages of the process and that PFI documentation should be made more accessible. The balance should be tilted in favour of openness. I welcome the fact that the Government have accepted the need for succinct executive summaries, but I am concerned about the lack of an explicit reference to the financial side. Will the Minister refer to that?

One of the main issues associated with PFI relates to the treatment of public sector workers directly affected by a PFI project. As part of such a project, members of ancillary staff are transferred from the public sector to the private company; they retain their NHS employment rights, but they cease to be public sector employees. Obviously, many employees are unhappy about that.

There are also concerns that staff transfers result in the creation of a multi-tier work force operating under varying pay and conditions. When I was in Carlisle, I was particularly interested in the comments of a ward sister who said that she is regularly sent on expensive team-building courses by her trust, but she has no team to lead because the key elements of the team have been split. The fact that her team had been broken up had a bearing on the ward sister's ability to do her job and manage her ward. One method of solving such a problem is to use the Department's retention of employment model, by which workers are managed by the private sector but remain in the public sector. That could be a way forward, so it is unfortunate that several witnesses said that pilot schemes for that model had stalled. I should be grateful to receive the Minister's assurance that pilot schemes are progressing and that their results will be published shortly.

We were impressed by the patient focus care model that we saw in Durham. It was a model of staff transfer that brought together NHS staff and contract staff on the wards under the management and leadership of the ward sister, who had the authority to organise all the contract staff as if they were NHS staff. Along with the retention of employment model, that offers obvious potential for an integrated work force.

As I said earlier, we considered the longer-term implications of PFI deals. PFI will tie the NHS and trusts into long-term collaboration with the private sector, and the lengths of the contracts will normally run for around 30 years in the first instance. Several of our witnesses questioned the ramifications of locking trusts into lengthy contracts, considering the speed of advances in health provision. Although the implications of PFI on the health economy cannot yet be assessed, we sounded a note of caution. We concluded that PFI had the potential to inhibit long-term flexibility in the light of new technologies and changing patterns of care and that the Government needed to ensure that PFI contracts were sufficiently flexible to respond to changes in demand without major penalties to the NHS. As there is no evidence that analysis has taken place, we have asked the Department to assess the future structure of and requirements for health assets and to ensure that all future contracts—whether PFI or conventionally funded—are examined in that light. I am not sure that that has been fully understood from looking at the Government's response. The Committee's concern related to the pace of change in health and the impact on any form of future capital provision.

Mr. Tredinnick: Did the Committee have a chance to examine the issue of ward cleanliness in relation to PFI? There is obviously a serious problem of infection in wards because of the way in which they are cleaned at the moment.

Mr. Hinchliffe: I am well aware of that and have certainly seen some hospitals in which the PFI project was not a factor. However, the contracting out of services has had a major impact on standards. My hon. Friends may wish to comment on it, but I had no problem with cleanliness in the two hospitals that we visited.

Mr. Kelvin Hopkins (Luton, North): My hon. Friend might be interested to know that my local hospital, the Luton and Dunstable NHS trust hospital, has brought cleaning services back in-house. It could not get the hospital cleaned privately.

Mr. Hinchliffe: I am interested to hear that; it has happened in other hospitals.

I have spoken for nearly half an hour, so I shall draw my remarks to a conclusion to allow others to speak. The Committee devoted a small part of its report to PFI and the surrounding debate. We noted that even a cursory examination of the evidence showed that the debate had become polarised and that the climate was not always conducive to rational analysis. We all know that PFI is an emotive issue, which makes it even more important that we have a rational and objective debate. We concluded that the onus was on the Department to take the lead. If benefits are likely to arise from PFI, they must be clearly explained; and if not, that too must be acknowledged.

It is sad that the Committee should have became a victim of that polarised debate when five paragraphs out of 155 became the main items of interest in the national press. It is clear from the report that I moved the deletion of paragraphs 65 to 69. I did so for specific reasons. First, as Chairman, I do not have a vote unless a vote is tied, and I could not otherwise indicate my views on those paragraphs. Secondly, I profoundly disagreed with their content. The evidence of Professor Pollock in particular has been dissected and examined in the sort of detail that I have never seen happen with any other academic witness.

I am particularly concerned that those paragraphs are factually inaccurate, as well as being grossly unfair to the professor and her union. I would add that the origin of those paragraphs has been subject to considerable press speculation. Indeed, many journalists have suggested that they were tabled on behalf of the Government. I place it on the record that I strongly refute such suggestions. Although I disagree with the Member responsible, in every other way I have the greatest respect for someone who is a hard-working member of the Committee and who would not act in the way suggested.

Ms Julia Drown (South Swindon): My hon. Friend says that we have looked in more detail at that than at other evidence. Does he not agree that when we see things that seem wrong we should consider them in detail, and that if we see things that we believe cannot be justified, we should say so? He says that those paragraphs are inaccurate. Will he say what is inaccurate?

Mr. Hinchliffe: I went through those paragraphs in detail in Committee and I specifically addressed each of the paragraphs to which the amendments did not reflect an appropriate evaluation of the evidence. I do not believe that those paragraphs stand up to objective examination. I do not profess to be objective, because I feel strongly that the witness put forward credible evidence. I stand by what I said a moment ago—I have never seen an academic's evidence examined and dissected in such detail as was Professor Pollock's. My hon. Friend the Member for South Swindon (Ms Drown) and I agree on many things, but we differ on that subject. I could go into great detail on those paragraphs, but I have already spoken for half an hour and others may wish to speak.

Mr. Burns: The hon. Gentleman said that there had been press speculation that those paragraphs had been supplied by the Government. He said, "I refute that." I should be interested to hear what evidence he has to refute it. Has he spoken to Ministers? Has he spoken to the hon. Member for South Swindon (Ms Drown)? Has he investigated other ways of refuting it?

Mr. Hinchliffe: I have made it clear that it was put to me by numerous journalists that the paragraphs were moved on behalf of the Government. My response to each of those journalists was to say that I know the Committee member responsible well and I do not believe that she would take such a course of action. She feels strongly about the issue, as do I, but I have no doubt that she would not take such a step. I have a great deal of respect for her and her work as a member of the Committee.

Andy Burnham (Leigh): My hon. Friend referred to the fevered nature of the debate around PFI. Does he accept that some of the work of the unit that we are

[Andy Burnham]

referring to has contributed to that debate? When we went to Carlisle, local people did not share the outrage that we had been led to believe they felt about the development of their new hospital. Was it not important to bring that out in the report?

Mr. Hinchliffe: Yes. It is a matter of record that my views of PFI have been affected by the process of the inquiry. I was impressed by the two buildings that we saw constructed through the PFI scheme. However, questions need to be asked about the PFI route—in particular about the impact on longer-term revenue costs in a given area, and on the wider health economy, especially if a scheme is to lock a local health economy in to a particular form of provision that will last for a long time, when that form of provision might well become grossly outdated. Those are the areas that should concern us.

In the whole debate, only one unit seems to be questioning the merits of PFI. That is an important role for it to play. In a democracy there should be people who question the direction that the Government are taking. It is wrong when people attempt to discredit the academics concerned—I am talking, not about my hon. Friend, but about others.

Ms Drown *rose—*

Mr. Hinchliffe: I have spoken for well over half an hour. My hon. Friends will have a chance to express their opinions. I shall refer to some other points in the report, then my colleagues can make their contributions.

I have not yet mentioned the LIFT—local improvement finance trust—schemes that we looked at. We accept that the current stock of GP premises needs to be reviewed. In certain areas it is in disrepair. Our witnesses from the NHS Alliance described the investment by GPs as "poor" and the BMA said that investment was "sorely needed". The Secretary of State has acknowledged that primary care in many parts of the country, particularly the poorest parts, is appalling.

To address those problems, the Government are introducing LIFT schemes. They are a form of public-private partnership in which investment, along with Department of Health money, will be used to build and maintain primary care facilities. The Department expects to attract up to £1 billion of investment by using LIFT schemes. They will be targeted at a substantial refurbishment or replacement of the premises of up to 3,000 family doctors by 2004 and the creation of some 500 one-stop primary care centres. The intention is that LIFT schemes will be targeted at the areas of greatest need, and the first six schemes reflect that aim.

While our report welcomed the aim of LIFT schemes, they remain untested. None of the first six schemes has been completed. For that reason, we took a cautious position. We should have preferred to see those six schemes assessed for value for money and service provision before LIFT was rolled out nationally, and we recommended that the Government undertake a rapid assessment of the first schemes. In the light of the many structural changes taking place across the health service, we recommended that LIFT schemes be considered in the context of integrated strategic planning of health care assets.

I apologise for the length of my contribution. I have tried to give a brief summary, albeit a subjective one, of a lengthy and complex report. Colleagues can put their own spin—*[Interruption.]*—or views when they are called.

To conclude, our report urges some caution and a proper evaluation of the relationship with the private sector and its impact on the NHS. Once again, I thank my colleagues for their support during our work. I hope that our report leads to steps forward on the issues about which we have expressed concern.

3.9 pm

Mr. David Amess (Southend, West): This is an extraordinary debate. No one could have imagined a debate about the role of the private sector in our national health service taking place after May 1997. The right hon. Member for Holborn and St. Pancras (Mr. Dobson) was Secretary of State at that time, and hon. Members well know that his views on the role of the private sector were somewhat different from those of the present occupant of that high office.

The Health Committee has 11 Members and we are quite different personalities. Indeed, in certain respects, we are an unholy alliance. We bring to our horseshoe table different areas of expertise and different opinions on health care. I pay tribute to our Chairman, who has never shied away from the fact that he hates the private sector. Indeed, he absolutely loathes and despises every aspect of private health care in this country. It is a brave hon. Gentleman who holds such views and then chairs a Committee that produces a report such as ours, to which I am proud to sign up. We cannot reveal the details of the discussions that took place as we concluded our report, but we had some interesting deliberations and you, Mr. Olner, will have enjoyed hearing parts of them during the contributions of the hon. Members for Wakefield (Mr. Hinchliffe) and for South Swindon (Ms Drown). That will have given you a flavour of our different opinions on the issues.

I genuinely believe that the Government do not have a well worked-up health policy and that they react to crisis—I call it crisis management. I am sure that the Minister will condemn the remarks that I am about to make, but our report—however one reads it—says thank goodness we have received support from the private sector. That is in stark contradiction to the way in which Labour Ministers used to speak. There have been several crises in the past five years. The crisis over waiting lists and, dare I say it, waiting times had a huge impact on our constituents. We all recall the Prime Minister going across to St. Thomas's hospital to make several announcements on health care at a press conference.

Our report recognises the fact that the Labour party has undergone a huge shift on private health care. Labour Members and Labour activists say that the Conservative party totally opposes the national health service and that it would privatise it if it were in government again. I will not waste time talking about the language that Labour Members use on the subject; I think that the Government are privatising our national health service by stealth. There is no time in our short debate for me to expand on that. I will do so at another point.

At one time, this Government sent people abroad for operations. If a Conservative Government had done such a thing, there would have been an outcry from those influenced by the Labour party, yet nothing has been said about it. I am proud to be a signatory to the wonderful report on the role of the private sector in the NHS.

Ms Drown: May I give the hon. Gentleman a little insight into the matter? The British public might trust the Labour Government with the NHS and believe that Labour is trying to make an NHS of which everyone can be proud and on which everyone can rely. However, they might not trust the Conservatives, whose action on the NHS served to undermine some of its principles. One probably would give one's credit card to one's best friend to look after, but one would not go up to a stranger in the street and ask them to look after it.

Mr. Amess: When I end my contribution, I shall remark on the trust of the British people in the Labour party on the health service. All that trust has gone.

I am delighted to serve on a Select Committee. Parliament has undoubtedly been ignored on many issues, but the work of our Select Committees is to be cherished and acknowledged by Her Majesty's Government. Recently, the Committee had an away day and there was some debate among its members as to how we judged the success of our work. We are all busy people and it is nonsense to think that we traipse along every Wednesday or Thursday, listen to hearings, hold private sittings, publish reports and that that is the end of the matter. The work of the House is at its best when we produce reports.

We do not expect the Government to sign up to every aspect of the report. I realise that the summer recess starts on 24 July and we do not come back until October, but on this issue I hope that we will soon find out not necessarily what the Government have accepted, but how they have reacted to the report in detail. The Minister knows that our recommendations are on pages 45 to 50, and I want to touch on some of them quickly.

Our recommendation (a) is that

> "the Department should commission an independent assessment of the impact of the purchasing by the NHS of activity from independent providers on staff availability within the NHS".

All members of the Committee, whether they are pro or anti the private sector, thought that that was sensible, but that fact is hopeless unless we find out whether the Government agree.

The Minister of State, Department of Health (Mr. John Hutton): I am most reluctant to interrupt the hon. Gentleman, but does he know that we published a response to the Committee's report?

Mr. Amess: I do.

Mr. Hutton: In it, we spell out the answer to the hon. Gentleman's questions.

Mr. Amess: Well, I am not entirely convinced that we saw the details. I hope that the Minister will allow me to expand a little further on the subject.

When a Minister gave us evidence—I think that it was a Secretary of State—I became exercised about the way in which we produce reports and are given a response by the Government. I am delighted that the Government's response is one of the quickest that we have ever had to any report. I congratulate the Government on listening to our criticisms on that point.

I am interested in what happens after the Government's response. If the Minister has time, will he tell us whether there will be debates on the matter on the Floor of the House? Now that the Government embrace the private sector, we need to know how we can monitor whether that policy is successful. That is why I draw the Minister's attention to recommendation (a).

Recommendation (b) states:

> "We recommend that the Department , together with trusts, should look at ways of providing further incentives to staff to work for the NHS".

I cannot see much detail on that point in the Government's response. Given that the trusts are bedding in and will do so much work in delivering better health care for the country, will the Minister tell us how Parliament might monitor the progress of the project in the four remaining years?

The recommendations go on to say that

> "now would be an appropriate time for the Department of Health to ensure trusts have undertaken a recent cost-benefit analysis of the reclaiming for the NHS of capacity utilized to provide private pay beds in NHS hospitals."

Again, although the Government have replied, the scene is one that changes quickly. Will the Minister tell us how the Government intend to give the Committee feedback?

What most exercised me was the matter of consultants' contracts. I think that we were all present when we received representations from consultants on the issue. The rhetoric and original position have changed extraordinarily. Organisations that are in a better position to judge the matter than is any hon. Member are using the words "climb down". We can all talk tough in the hope that the general public remember tough talk, but I remember not only the tough talk but the outcomes. If interest groups are saying that the original position has changed, I should like to know how the system works in practice, although the Minister may not have time to give those details in the debate.

Our recommendations make it clear that some hon. Members were concerned about the issue of consultants' contracts. We all understand that issue of consultants' contracts, and no one better than the hon. Member for Wakefield, who wants the best possible health service for people. However, we are dealing with human beings and all their failings. If an army of people is saying that because of the changes there will be a reluctance to enter the profession or to work in this country, who will do the work in future? The Committee was entirely right to reflect on the position of consultants.

I was present at most of our deliberations on the private finance initiative. Some members of the Committee clearly understood every aspect of PFI, but I am not convinced that every Member of Parliament has a complete command of those issues. I am not even convinced that all of those giving presentations had a complete command of the issues involved in PFI. The subject is delicate, difficult and challenging.

[Mr. Amess]

I am not being gutless, but I do not want to get involved in the differences between the hon. Members for Wakefield and for South Swindon. I was uncomfortable with some of the evidence, inasmuch as there did not seem to be the sort of balance that I would have hoped for.

I am always grateful for faxes and was pleased to receive a briefing from the Royal College of Nursing. I am privileged to be shadowing a nurse at Southend hospital tomorrow, as the nurses come on at the end of the night shift at 7 am. I shall probably be discussing the PFI initiative as we go round. The College has reflected on our deliberations and wants us to consider four points. It believes that there should be

> "closer input into the design of PFI projects by trust staff . . . retention of employment models and patient-focused care . . . greater transparency in the PFI documents and simpler, more accessible documentation"

and

> "valuation of 'risk', assessment of public sector comparator, more conventionally procured schemes."

All of that is worth reflecting on and the Minister and his brilliant officials will no doubt have time in future to do so. Finally, the college believes that

> "waiting times should be maintained on a basis that ensures equity of access to health care",

which was one of the main recommendations of our report.

I do not know whether the Independent Healthcare Association wrote to all hon. Members, but it saw an opportunity in this debate. It is a wonderful organisation that understands the political and ideological differences on this matter. Its health cash plans are inexpensive forms of health insurance, paying out benefits for a wide variety of treatments and making grants to members for stays in hospital or on the birth of child. Most hon. Members have many constituents who belong to it. The organisation simply wants to say to Ministers that, as the debate continues, it hopes that the Government will bear in mind the valuable role that its member organisations play in caring for the nation's health.

I end, as people breathe a sigh of relief, with the issue that prompted the hon. Member for South Swindon to stand up. She tried, I suppose, to smooth the way by taking on the great challenge of explaining how the Labour party used to view private health care and its position now. We all welcome sinners, and those who repent are welcomed with open arms. The people who I represent are not bothered—they have no hang-up whatsoever—about who provides their health care. They resent the fact that they have to pay for it, and if they are told that they have to wait for two years to get treatment on the national health service. They say, "David—we have worked hard and we don't have much money, but we are now having to fork out and use our savings to have an operation brought to a conclusion sooner than it would be on the NHS." They are not bothered whether the Government use the private sector.

For goodness' sake, let us draw a line under the great divisions that there have been among the Conservatives, Labour and the Liberal Democrats—I cannot speak for the Independent party, but its leader is with us this afternoon. That would be wonderful. We could be united, because whether or not we want to use the private sector to help the NHS, all of us want the best possible health service for the people whom we represent.

If the Government act on some of the recommendations contained in the Select Committee report, it will undoubtedly result in a better health service for each and everyone of our constituents.

Several hon. Members *rose—*

Mr. Bill Olner (in the Chair): Order. Before I call the next speaker, I advise hon. Members that although I see no sinners here, I want to give the Minister and the main speakers from the two Opposition parties at least 50 minutes to wind up—not 50 minutes each, but 50 minutes between them. I know that a number of Back Benchers wish to speak, so I ask them to be positive in their contributions.

3.30 pm

Mr. Eric Martlew (Carlisle): I am a bit jealous of not being a member of the Select Committee. It was obviously an interesting Committee, and I always enjoy debating with the Chairman, as he is one of the few Labour Members who makes me look like a Blairite.

I am here today because the first PFI hospital was built in my constituency, and I had the bouquets for that as well as bearing the scars. That hospital had been cancelled five times by the previous Conservative Administration because of lack of money. I remind the hon. Member for Southend, West (Mr. Amess) that the Tories did not get one PFI hospital off the drawing board; they were a total failure in that respect.

In 1997, I asked the then Secretary of State for Health whether we could have a new hospital, and I was told that we could, but that no public sector money was available and it would have to be a PFI project. If other hon. Members had been faced with that choice, what would they have done? I accepted the PFI. It was built on time and on budget, and it was opened by the Prime Minister in June 2000.

The new hospital was needed because staff were operating on a split site. The consultants were working on one side and the maternity unit on another, and it was said that babies were dying as a result; the temporary buildings that were used for elderly people were built during the first world war. We had major problems. That is the background; that was why we wanted a new hospital, and that is why it was one of the hospitals built in the first phase of PFI.

I thank the Committee for coming to Carlisle and seeing the hospital. I know that many hon. Members were impressed by it. I hope that their journey on the west coast main line was as good as the visit to the hospital—but I doubt it. The new hospital has 442 beds. It was originally designed for 474 beds, but the number was reduced. It was said that that happened because day surgery was becoming more common and because of an agreement between the consultants and the trust management, but I believe that it was the result of financial pressure. The report says that people thought that it was because of PFI, but I do not believe that. The same financial pressures that had caused the hospital to be cancelled five times before were the cause: there was not enough money in the system.

Many operations are still being cancelled. In the Cumberland infirmary, 47 operations were cancelled in January and 27 in June, but only eight were cancelled in March. The idea that winter pressure caused the cancellations is not correct. We had a very mild winter, and the figures on bed blocking show that whereas in December 2001 36 beds were blocked every week, in July 2002 only 14 beds are being blocked. Although we are making great progress, with social services and the health authority working together, in reducing the number of beds blocked by people who should be somewhere else, there are still many cancellations. In Carlisle the real problem is a shortage not of acute beds but of sub-acute and intermediate care beds.

I worry that we shall not be able to tackle that problem. The new PFI hospitals show that the Government have accepted the need for more beds; they have said, I think, that 5,000 more beds are needed throughout the country. Unfortunately, as happens with the first of anything, the scheme brings mistakes as well as progress. Work must be done to put that right.

The primary care trust and the North Cumbria NHS trust in my constituency seem to be in a state of denial. I had a meeting recently with them, which was very polite, at which they said, "We don't need any more beds. If we do get any more, we'll fill them up." I could not see the logic of that argument. I think that some of the people now involved in that subject in my area were the same people who decided that we needed only 442 beds in the first instance. I really worry because the bed model says that we will need 75 more beds in five years' time, and a statistician who was employed said that we will need 79 beds in five years' time. The consultants say that they have the staff and the operating capacity, but cannot do the operations.

One solution that the trust has come up with is to put a modular ward as a temporary measure at the back of what I remind hon. Members is a brand new hospital. It is suggesting, in fact, that we add a portakabin, containing between 12 and 15 beds, to the first PFI hospital built in this country, which is still new. That has nothing to do with a shortage of acute beds; it is about waiting lists and getting numbers down, after which the ward will be taken away. I do not believe that if the project goes ahead, that ward will ever be taken away. As I said at the start of my speech, the temporary wards that were built at the Cumberland infirmary during the first world war were not knocked down until 2000.

I would like the PCT and the trust to come to me, admit that they have a shortage of beds and insufficient finance and ask me to go to discuss the matter with Ministers. We have no cottage hospital in Carlisle, although a premises called Durranhill house has come up for discussion. The trust was at one time considering taking it on as a cottage hospital, but has now decided not to do so.

Another opportunity is provided by the extension built to the Cumberland infirmary in the 1970s, which we call the tower block. I understand that it has about 140 beds, operating theatres and intensive care facilities. The trust has applied for nearly £1 million to knock that building down—yet for £9 million we could renovate it. It could give us the sub-acute beds that we need and, in line with Government thinking, we could have a diagnostic and treatment centre, where routine operations could be carried out away from the problems associated with accident and emergency provision.

If someone had asked me whether I wanted that to be funded by PFI or traditionally, I would have said that I was not bothered. All I thought about was the fact that we needed that new unit. We have an excellent hospital, and I would not like to leave Members attending the debate today with the impression that we have a bad hospital. The new hospital is a credit to us, and the staff enjoy it. We give better quality care to our patients. However, it is the lack of beds that frustrates everyone. We will not get the full use out of that hospital, and the Government will not get the credit for it, until we tackle the shortage of beds in Carlisle.

With regard to PFI, I think that we are saying that the jury is out—and I am sure that the Chairman of the Select Committee would say that the jury is more than out. In the example in my area, PFI has worked with regard to the hospital, but we still have a chronic bed shortage that needs to be put right.

3.40 pm

Dr. Richard Taylor (Wyre Forest): May I first say how pleased I am to see the Minister in his place to respond to the debate, and also thank the Chairman of the Health Committee for welcoming me, as a complete tyro, to the functions of a Select Committee? Naturally, our Chairman has covered much of the ground, so I shall restrict myself to the part of the report that concentrates on the private finance initiative. I have to declare a paradoxical interest here, because were it not for the PFI, I do not think that I would have achieved this unique way of supplementing my pension—but although I am grateful to the PFI for that, I admit that I still oppose it.

First, I draw the Minister's attention to conclusion (q), which calls for a "rational and objective debate". I welcome the Government's reply, which rather to my surprise welcomes the call for this debate. That is rather in contrast to what the Secretary of State is quoted as saying in paragraph 96 of our report:

> "I think in the end we can have a huge load of arguments about the Private Finance Initiative and whether it is good, bad or indifferent, whether it is good value for money, bad value for money, and all these different things, but in the end its compelling attraction as far as the National Health Service is concerned is that we can get more hospitals built more quickly."

That to me rather implies blind acceptance of PFI as the only way of meeting a short-term political imperative, rather than a willingness to hold an open debate. I must refer briefly to beds because that issue is an absolute minefield, as I have discovered many times. The Government response agrees that there has been a lack or transparency about bed numbers. One of the difficulties is that there are so many definitions of bed numbers. I sometimes think that civil servants and health managers get confused about those definitions. Is a bed in a community hospital an acute bed or not? Is a bed in a five-day orthopaedic ward included in the list of general and acute beds? I welcome the national beds

[Dr. Richard Taylor]

inquiry, and the Department of Health's promise to achieve transparency within the framework of that inquiry. I make a personal plea to the Minister: will he persuade the Department of Health to clarify bed definitions and have one set of definitions that it will always stick to?

Our Chairman drew attention to the risk transfer and the less than optimal ways of calculating that. He also drew attention to the public sector comparator. I would add another quote from the deputy comptroller of the National Audit Office. On top of what our Chairman told us, the deputy comptroller implied that the end result of negotiations and consideration of a PFI was always pretty clear:

> "If the answer comes out wrong you don't get your project. So the answer does not come out wrong very often."

Page 21 of the Government's response addresses our suggestion that there should be a realistic comparator, because the public sector comparator is sometimes unrealistic. We recommended that a comparison should sometimes be drawn with a do-nothing option, and I have to say that the writer of the response to that section confused the public sector comparator with the do-nothing option.

I should like the Minister to comment briefly on three paragraphs that were not highlighted. In paragraph 92, the Business Services Association representative asked us to recommend that the public sector comparator should become a real comparator. Another worry was expressed in paragraph 102:

> "Once a preferred bidder has been announced competition ceases and any increase in the tender price will not be subject to further competition."

Paragraph 110 refers to the fact that the annual charge is the first call on a trust's revenue before all other payments, which implies that cuts will have to be made elsewhere if a trust cannot meet those charges. I am not sure that the Government's response to conclusion (z) covers that point if all PFI facilities are not needed as the years go by.

I should like to turn as briefly as I can to the vexed paragraphs 65 to 69, to which the hon. Member for Wakefield (Mr. Hinchliffe) has already referred. Like him, I am not imputing motives to members of the Committee, because during the time that I have been a member of it I have learned to respect all the Committee's members. However, I feel that those paragraphs constitute an attack on the evidence of one academic unit. They are not borne out by other evidence, for which I know we have been asked, and I shall try to address that matter.

Paragraph 65 claims that University College London's Health Policy and Health Services Research unit has

> "confused criticism of capital charges...with criticism of the PFI".

It is well known that the unit, in particular Professor Pollock, objects to both capital charges and the PFI. To my mind that is not confusion, because she objects to both policies. Many of us in the NHS in the early 1990s objected passionately to the imposition of capital charges, which took money from the patient care budget and only appeared to put the NHS on a level playing field with the private sector. Many people objected to capital charges at that stage. Professor Pollock clearly objects to both capital charges and PFI. Question 393 of the evidence asked whether the problem was capital charges or PFI, to which Professor Pollock replied:

> "I think there are two problems."

It could not be clearer that she thinks that there are two separate problems.

Ms Drown: Three questions later the Committee asked the unit whether it accepted the point that sometimes in the NHS it is good to spend more on capital and less on medical staff because the NHS gets a better service, which could be a reason for a PFI project being better value for money than an NHS scheme. The unit accepted that point provided that the money did not come from the revenue budget. How could one do anything other than that in the NHS? Is that not a confusion with capital charges?

If one looks at the piece of evidence that the unit sent in—

Mr. Bill Olner (in the Chair): Order. May I advise the hon. Lady that she is on my list of speakers?

Ms Drown: Yes, Mr. Olner, I am quite happy with that. As this is a debate, I might as well make the point—

Mr. Bill Olner (in the Chair): No, it is not a debate. The hon. Lady is making an intervention.

Dr. Taylor: I am coming to those points, if I get the chance.

The first of three points arising from paragraph 66 is that

> "claims that there had been no checks against any of the value for money tests were untrue, since the National Audit Office had completed at least one such study."

I cannot find a reference to that in the transcript, and the parts that are presumably about the unit refer to checks of value for money after project completion rather than no checks at all.

My second point about paragraph 66 is the reference to

> "Professor Pollock's assertion that 'There is a new pact with big business which is not operating currently in favour of the population'",

which she certainly made. She said that in answer to a loaded question, and in her answer to the person's question she said that in her opinion there was a huge new industry for accountants, lawyers and management consultants. I do not believe that someone should be condemned for one sentence taken out of context, or for holding an opinion that is contrary to one's own, especially if one is backed by parliamentary privilege. One may disagree but one may not condemn.

Mr. Hopkins: The hon. Gentleman will be interested to know that when I recently spoke to a lawyer who worked on rail privatisation, she told me that the Government gave out millions of pounds and poured money for rail privatisation into a black hole. Accountants and lawyers made vast sums from it, and they will make vast sums from PFI.

Dr. Taylor: I thank the hon. Gentleman for that helpful comment.

The third point from paragraph 66 is that the

> "claim that PFI involved writing an 'open-ended cheque . . .' was not backed up by the evidence".

In fact, evidence to back it up was provided in appendix 27. The Committee can say that the evidence was not sufficient, but it cannot say that there was none.

Ms Drown: Would not the cheque be more open-ended with a publicly financed scheme, as the public sector would have to pay for anything that goes wrong? A privately financed scheme limits the risk, because risk has been transferred. In that sense, the cheque is more closed in a privately financed scheme than in a publicly financed scheme. That is what the Committee found.

Dr. Taylor: We have already covered the art as opposed to the science of risk transfer, and I do not wish to return to it.

I do not understand how paragraph 67 can be based on questions 395 and 396. In my opinion, all that Professor Pollock said was that if new investment generates extra capital costs in a hospital's annual operating budget, it should be properly funded. MRI scanners were a red herring. I do not believe that the inquiry was given any evidence about staff savings from MRI scanners. In the past, many advances have been expected to result in savings, but many have failed.

Paragraph 68 is simply an assertion that there is a lack of sound analysis. That is an opinion of the Committee that is not based on evidence. The Committee has condemned the unit for an antagonistic attitude. Is disagreement always antagonism? Is one condemned for disagreeing with government policy? That is what has led to the accusations of political influence.

I wish to give some evidence from my personal experience rather than from the inquiry. The unit prepared a report, free of charge, on the Worcester private finance initiative, which was followed not with constructive debate but with denials of its accuracy and attempts to denigrate its authors' work. Spin and confusion over bed numbers were prominent, and after a debate between Professor Pollock and health authority officials in the presence of the local medical committee, the committee wrote:

> "Members were most unhappy that at the end of the open meeting far too many unanswered questions remained. There was a distinct lack of clarity in the replies from the health authority. We feel that serious questions raised by Professor Pollock have not been answered."

I feel strongly that the criticisms of the University College London unit are not based on evidence taken by the Committee. Whatever the motives of the supporters of those paragraphs, they fit nicely with the Department of Health's aim of silencing critics—but I am not impugning the members of the Committee, whom, as I have said, I thoroughly respect.

The paragraphs try to silence further criticism and punish severely—

Mr. Bill Olner (in the Chair): Order. Will the hon. Gentleman look towards winding up his comments now?

Dr. Taylor: Certainly, Mr. Olner.

Dr. Doug Naysmith (Bristol, North-West): Will the hon. Gentleman give way?

Mr. Bill Olner (in the Chair): If the hon. Gentleman does so, his time will be extended a little.

Dr. Naysmith: Can the hon. Gentleman give an example of how any criticism has been silenced in any way whatever by anything that has happened?

Dr. Taylor: I do not have the details, although I can provide them after the debate. Two people's criticisms were reported anonymously because they would not give their names.

An academic who is too critical becomes labelled as a campaigner and is then accused of losing scientific objectivity. The paragraphs in question should be withdrawn, because I believe they damage both the Committee and the unit. I am delighted to have had the opportunity to make my feelings clear. I have today received some comments about a PFI-built magistrates court in my constituency, and they strengthen my worries about the PFI in future. It is only a matter of time—perhaps it will happen even within the lifetime of this Government—before Professor Pollock and her unit will be shown to have been right, and I would hate the Committee on which I serve to have backed the wrong horse.

3.57 pm

Ms Julia Drown (South Swindon): I share the view of most of those who have spoken that it is amazing how much agreement there is in the report, given the potentially controversial area we considered and the different starting points of many members of the Committee. We all accepted that, in the short term at least, using the private sector could make an impact on achieving what we all want—an improved NHS with emphasis on reducing waiting lists— and we all shared a disappointment that in the private sector there are few examples of good practice. Given the huge subject we examined, there are many positive aspects in the report.

I should like the Government to examine further a few points concerning the concordat. In paragraph 31, we stated that money should not be allocated for private sector providers only. That is clear and just. It cannot be justified to give money to areas with private sector facilities. Money should be given on the basis of need. This is not an area in which money could not be spent by other places without private sector hospitals. If any part of the NHS was asked whether it wanted money to help to reduce waiting lists or to improve another sector of its health care, it would say yes and that it could use the money well. The Government's response to that is encouraging, but not encouraging enough. It states that the Government are trying to focus as much money on primary care trusts as possible, allowing them to decide how to spend it, but want to retain the ability to put more money into private sector units only. I hope that the Minister will assure us that that will not happen.

Paragraph 46 of the report refers to the training levy. There is still a strong case for considering such a levy on private sector providers. I know that that is an old chestnut that the Committee keeps pursuing, but it is right to do so.

[Ms Julia Drown]

Paragraph 39 mentions the use of reference costs to look for value for money. The Government response states:

> "Best prices are unlikely to be obtained by spot purchasing".

It also suggests that larger volumes, more evenly spread across years, might produce better results. I hope that the Government retain—I think the response hinted that they might—the idea that spot purchasing does provide better value for money, and that it varies from area to area. When one considers that private sector hospitals were already functioning very well before the NHS arrived and gave them more work, there is a strong case for saying that the money that the NHS pays for procedures should not be much more than marginal. The more that that idea is pushed from the centre, the more we can strengthen the bargaining hand of those negotiating locally.

On concordat activity within PFI, the report stresses the costs of not proceeding. There is a cost not only to the individual as regards having to wait for better quality treatment, but to families, the wider society, business, social services and other government budgets, such as those for benefits. We need joined-up government so that when we examine the costs and benefits of measures taken in the health economy, we consider the impact on the whole of government. Perhaps if more building schemes were established, and action on waiting lists was taken more quickly—be it in the private or public sector—the cost to the Government could be reduced.

I want to concentrate on the more controversial areas because they offer more interesting debate. I hope that all hon. Members agree that there is nothing magic about the private sector. Sometimes the Government hint that private sector management can perform magic, or can do what public sector management cannot. That is not the case, and I was pleased recently when the Government emphasised more strongly the quality of public sector managers and their ability to deliver for the NHS and all public services. It is important to hang on to them because we rely on them to work throughout the country to deliver better services.

On the NHS, I hope that we have all gone beyond the "public good, private bad" idea, which has fuelled debate. I understand those people who are cautious of PFI because my initial reaction was to be incredibly suspicious, particularly in Tory times when I would not trust the Conservatives with the NHS or a PFI. However, even under the Tories, I accepted the argument that giving a private sector builder a cheque to build a hospital, with which he could then run away, is different from asking a private sector partner to build a hospital, cheques for which will be given in 30 instalments only if the hospital delivers. That changes the psychology of the transaction and can mean that a private sector company will build a hospital differently. I have seen that happen in Swindon: an engagement with our local trust means that more thought is going into the materials being used for the hospital—the builders are considering whether to use easy-to-clean materials and double insulation in the roof so that the hospital can save £250,000 over the lifetime of the contract. Those ideas are different and worthy of piloting. That did not happen during the Tory years, as we hinted at in the report.

Mr. Hinchliffe: Why does not my hon. Friend suggest that the advantages that she outlines could also be contained in a public sector scheme?

Ms Drown: Simply because a public sector scheme in which a building is paid for up front with one cheque offers no financial incentive to deliver over 30 years. An agreement with a company that states that it will get payment only if the hospital is delivered and properly maintained might ensure delivery. Dividing the finances over years might provide an incentive. We do not know whether that is the case, which is why, for lessons to be learned, PFI should be examined in the context of a pilot scheme.

As PFI is so new, the Government should be more wary of its schemes. We will clearly learn lessons from PFI schemes; we have already learned some. We learn lessons from public schemes all the time. So, the case for PFI is not proven, but nor has it been dismissed. It will become harder for each PFI to prove value for money because the cost of new work, such as that in Swindon where we are adding extra roof insulation, must be spread across the NHS, through publicly financed projects and PFI projects.

That calculation needs to be fed in each time because there will be diminishing gains for the private sector. Nevertheless, we should see whether this different way of using the private sector delivers more for patients and staff. The ultimate test is whether we are delivering something better for the population. By closing our minds to the idea, we might be saying no to something that could improve the NHS.

I turn now to the controversial paragraphs of the report, which we rightly examined in detail. If we hear warning bells that some of the analysis does not add up, and if we are to include in our report lots of quotes from a particular unit, giving that unit some authority, we need to say where the warning bells are ringing. Other hon. Members have already referred to the question whether the unit confuses capital charges and PFI—it does. When the unit was asked whether those were two distinct matters, it said that they were, but subsequently confused them again. In its evidence to the Committee, which is supposed to make the two issues clear, it says that there are two problems. Table 3 on page 358 of the appendices shows the cost of capital as a percentage of income, pre and post-PFI. The figures for the Swindon and Marlborough NHS trust, which I know best, are as follows: capital as a percentage of income, pre-PFI is 3.3 per cent.; capital as a percentage of projected income, post-PFI, is 14.3 per cent. Where is the column giving the cost due to capital charges from a new hospital? Where is the column showing the cost of capital charges if we do nothing? It is not there. All the difference between capital as a percentage of income pre-PFI and post-PFI is put down to PFI. That is simply not a good analysis because there would be an increase in capital as a percentage of all income if any building development went ahead. If we built exactly the same hospital as part of a publicly financed project, on the current estimate, it would cost a little bit more, so the percentage would be greater. If we did nothing, the cost would be somewhere in between.

It is absolutely right that we should say when we see that things are wrong. We must get better reports from University College, London and from others. I am not denying that there are real issues to be considered in respect of PFI, but the evidence must be accurate and must stand up. At the moment, some of the analysis is lost because it does not stand up and the Government can rightly dismiss it. We need to deal with the relevant concerns about PFI, not spurious ones. My concern is that PFI raises fear in the population. As it is new, people are understandably wary of it.

Mr. Hopkins: I draw my hon. Friend's attention to the fact that an opinion poll suggests that 83 per cent. of the population are opposed to private companies being used in the health service. Is my hon. Friend saying that the public support it?

Ms Drown: I am saying that people's initial reaction is to be wary of it. We all have a real love of the NHS and want everything to be done publicly, but that is not how the NHS is run. Virtually every supplier to the NHS is a profit-making business.

Jim Dowd (Lewisham, West): If that is true, where on earth do people think that the drugs and pharmaceuticals used in the health service would come from? Or would that 83 per cent. of the population prefer people to go untreated?

Ms Drown: That is precisely the point. Almost every supplier to the NHS has a profit motive. There might be a problem of public understanding that we need to work on. There has always been a partnership. However, the worry might be partly fuelled by analysis that suggests that any PFI hospital will have to be paid for by staff savings. That is not what happens. New public sector schemes cost more. Perhaps one lesson to be learned from PFI is that while the NHS has always tried to scrimp and save and to build smaller hospitals, lots of PFI hospitals are big. This is about getting it right the first time round—we shall not know whether we have done so for another 25 years, but we need to consider the matter.

Mr. Burns: Does the hon. Lady accept that if her constituents were given the choice between having their operations next week in a private hospital, but paid for by the NHS free at the point of delivery, and waiting for nine months for the health service to do it, the vast majority would opt for the former?

Ms Drown: That is right. Some people in Swindon have used private hospitals and I have heard good reports of them. It should not always have to happen, but we need to be flexible. What matters to me is to deliver the best possible health care for my constituents, and if that means some of them going to the Ridgeway hospital, that is a good thing. We must not confuse the issues.

I mentioned the belief that a PFI scheme has to be paid for by staff savings and the fact that, for its new scheme, Swindon had to spend 14 per cent. of its income on capital charges. My hon. Friend the Member for Wakefield (Mr. Hinchliffe) will know that work by the unit on the Wakefield scheme has shown that the public sector option there will cost 13 per cent. That is higher than four of the PFI projects in the table. Where is the balance? We have to make sure that the right arguments are advanced.

The Committee was right to say that it is not inevitable that a PFI project will lead to a bed reduction. When I was working on this, I had a student attached to me—a Hansard scholar—who surveyed all chief executives and asked them to tell him their concerns about PFI, the benefits and the disadvantages. He received a good response and I thank the chief executives for that. Not one responded with a worry about beds, which had been a matter of concern to the Committee. One mentioned a real frustration about the huge confusion over PFI and the fact that people thought that it would lead to a reduction in beds. We have moved on a long way with the beds inquiry and I am pleased to see the Government's undertaking to be clear about bed numbers in future. We need to make sure that the debate is clear—the message from the survey of chief executives was that bed numbers should be agreed before we go on to the next stage.

I should like to pick up the point about the MRI scanners and staff savings. The issue was not put before the Committee as evidence of things that happen. It was simply used to illustrate that it is important for the NHS to accept that sometimes spending more on capital items and less on staff can deliver a better service. Unless that point is understood, we shall not be able to explain why sometimes building a bigger structure or having a private finance scheme that is bigger than a conventionally procured scheme might be better. It might be, for example, that in Swindon we get the right departments next to each other, whereas if we just stayed on site we would have 10 years of disruption and all the departments in the wrong places. That could be a gain. It could mean that we can deliver services with fewer staff. Having fewer staff might sound like a bad thing, but it could be a good thing if it meant better services for patients. That is why it is crucial to the debate.

In response to my hon. Friend the Member for Wakefield, University College, London is not the only unit providing analysis. Our report quoted the office of health economics. We want to get good analysis both from UCL and from elsewhere.

Finally, with regard to who wrote the report, it was leaked that I wrote the paragraphs and we have heard double-conspiracy theories. I am happy to say that I wrote them. The paragraphs concerned criticism of the Government. Would the Government really produce criticisms of themselves and put them into a report? Let us have more balance and look for a way forward that addresses the real concerns that surround PFI—the things that we have to watch. We should not let arguments that do not stand up stay with us. We were right as a Committee to address them and to say that they are wrong.

Several hon. Members *rose*—

Mr. Bill Olner (in the Chair): Order. I remind the four Members who are standing that, as I indicated earlier, I shall be asking the Opposition spokesmen to start summing up just before a quarter to 5. I leave the hon. Gentlemen to do the arithmetic: you have half an hour between you.

4.15 pm

Mr. Kelvin Hopkins (Luton, North): It is a great pleasure to take part in this important debate. I congratulate my hon. Friend the Member for Wakefield (Mr. Hinchliffe) on his excellent presentation, and I strongly agree with him, although I might have gone rather further. Perhaps his moderate tone reflects the fact that he is taking a consensual approach and speaking on behalf of the Committee. He is a fine and strong defender of the NHS and he is concerned about its long-term future, as I am.

Before saying anything specific, I should note that I am associated with two health service trade unions—the GMB and Unison—but I am speaking on behalf of my constituents and myself.

In a previous debate on this issue I said that PFI was irrational nonsense, and nothing that I have heard or read since has changed my view. Indeed, I would go further and say it is dangerous, and I shall return to that. A Unison pamphlet published when the Conservatives introduced PFI—let us not forget that it was a Conservative idea—suggested that it was the beginning of the creeping privatisation of the NHS, and that huge sums would be taken out of the health service to satisfy the whims of private capital. I can see no argument against that view. Indeed, the financial press suggests that £30 billion in profit is to be made from the public services when privatisation really gets going. That money will have to come from somewhere, and it will come from the public purse.

We can see from the example of the USA the direction in which we are going. Health provision there is essentially private, and it consumes about twice the proportion of GDP that the British health service does. Yet it does not provide for all its citizens, and millions of Americans have no health care. The USA has a bloated, inefficient privatised health sector, and we are in danger of going in that direction.

Mr. Burns: I have listened carefully to the hon. Gentleman developing his argument, but is he seriously suggesting that the Government are moving towards privatising the health service?

Mr. Bill Olner (in the Chair): Before I call Mr. Kelvin Hopkins, I should remind him that any interventions will take up some of his seven and a half minutes.

Mr. Hopkins: Indeed, Mr. Olner. I am trying both to be as generous as possible and to ensure that points are covered.

The answer to the hon. Member for West Chelmsford (Mr. Burns) is that I am suggesting that we shall move towards privatisation of the health service if the Government full-bloodedly pursue PFI, but I hope that they will not. In their defence, I should say that the Chancellor made the strong and principled point that at the point of need, health care will be paid for out of the public purse. That is an absolute principle. We are talking about privatising not the payment for health services but their provision; that is what I am deeply concerned about. Privatised provision will cost a lot more because the private sector will require a large return on its services. The more it provides, the more profit we will have to fund and the more it will cost the public purse. I suggest that the private sector is looking to public services as a milch cow, to replace manufacturing, in which profit returns are not as great as they were. Public services are the future, and privatisation is seen as the way forward.

Let me give an example. My hon. Friend the Member for South Swindon (Ms Drown) may want to intervene on me here, but I gather from press reports that the hospital in Swindon cost £98 million to build and will require payments of £12 million a year for 30 years. At the same time, £74 million of Government money has had to be lobbed in to boost the project. Vast sums are therefore already being spent on hospitals.

A PFI hospital unit is being built in my constituency. The choice was either no extra unit or PFI, so the authorities took PFI. I am sure that it will be a fine building, but it will undoubtedly cost more. It has also taken a vast amount of management resources and trust capacity to get it built, and it costs much more than it would in the public sector.

Ms Drown: Despite the figures that are floated, some of the extra money that my hon. Friend said had been lobbed in was for equipment. It was decided that the new equipment would be better funded by the public sector; I would have thought that he would support that.

Mr. Bill Olner (in the Chair): Order.

Mr. Hopkins: I thank my hon. Friend for that information, but I suggest that what I have described will happen in time. Hospitals cannot be allowed to fail, so the Government and the public sector always bear the risk, and it cannot be transferred. Hospitals will say that they need extra money for more equipment and so on. Indeed, I suspect that as time goes by, hospitals will demand more and more money from the public sector—from the trusts and other bodies.

The real problem—I have cut a large portion of my speech to make this point, Mr. Olner—is that the Treasury does not want more public borrowing. It does not want the public sector borrowing requirement to rise. It wants to keep the PSBR low, and to achieve that it has to find the money elsewhere—from the private sector. However, public borrowing is extremely cheap. It has never been cheaper. Long-term interest rates are very low; they have fallen below those on the continent of Europe for the first time in ages. The Government have the scope to borrow on the long-term markets at an almost zero rate of interest.

Jim Dowd: Where would the Government get the money? Does anyone in the private sector make money out of Government borrowing?

Mr. Hopkins: I have many friends in the City, and they tell me that the City is gagging to lend money to the Government. They want more gilt-edged investments.

Jim Dowd: So they are making money?

Mr. Hopkins: The private sector is making money, but it wants to lend to the Government because Governments do not become bankrupt. Governments are a low-risk investment, and a long-term, genuine and guaranteed return can be made. The City has a shortage of Government borrowing. The problem is that the Treasury is trying to keep the PSBR down for other political reasons, but I shall not speculate on those.

If the Government wished to, they could borrow the money and build in the traditional way in the public sector more cheaply, which would save the public purse vast amounts of money. That extra money could be used to build more hospitals and provide more facilities, and we could then solve the real problem of British health, which is that we do not spend enough money on it. In Britain we spend 2 or 3 per cent. less on health than is spent in France, 4 or 5 per cent. less than is spent in Germany and probably 6 or 7 per cent. less than is spent by the bloated American private sector.

Our problem is one of resources. If we spent more on health, many of the problems would disappear—especially those mentioned by my hon. Friend the Member for Carlisle (Mr. Martlew). I am completely and wholly unconvinced by the PFI scheme. It is about global mega-politics, and it has nothing to do with the real interests of the people of Britain—either their health or their pockets.

4.23 pm

Mr. Gareth Thomas (Harrow, West): It is a pleasure to follow my hon. Friend the Member for Luton, North (Mr. Hopkins), whose passion on this topic I respect. However, I support continuing partnerships between the independent sector in its widest form and the national health service.

I shall highlight one example of positive collaboration between those two sectors that is presently under threat. I welcome the continued scrutiny of public partnerships; the Select Committee has done an excellent job. I want to focus on the Committee's first recommendation—independent assessment of the impact on the NHS of the activities of independent providers. I hope that if the Select Committee returns to the subject, it will take account of the impact of clinical research carried out in the independent sector.

I would be delighted if it were to take a look at the Mount Vernon hospital, which serves my constituency. Independent sector research organisations such as the Cancer Research Campaign's Gray cancer institute, the Paul Strickland scanner centre, the Marie Curie research wing, the Linda Jackson Macmillan centre and Sir Michael Sobell house have an extremely positive relationship with the excellent NHS cancer centre on the Mount Vernon site.

Sadly, that joint working across independent sector organisations and the NHS is threatened by the last, dying recommendation made by the NHS eastern region before it was abolished in April. It suggested that the cancer centre at Mount Vernon hospital should be moved off the site at some point. The key reason cited for shifting that excellent centre, and throwing into doubt all its important cancer services and research, was that Mount Vernon lacked a district general hospital. That is a key criterion that is suggested in the 1995 Calman-Hine report as necessary to improve the quality of cancer services.

Why does Mount Vernon not have a district general hospital on site? The key part of such a hospital—full-blown accident and emergency services—was shut in 1996. That was an appalling decision by the then Government. Many of us knew at the time that it would come back to haunt us and affect the specialist services and the excellent independent sector research on the site.

The Gray laboratory—the key Cancer Research Campaign research site—opened in 1957, and quickly became renowned for its radiobiological research. The Paul Strickland scanner centre opened in 1985, and is another non-profit-making organisation in the independent sector. It facilitates research and provides a range of important services to NHS patients. Also on the site is Sir Michael Sobell house, an independent sector hospice that offers palliative care and helps with specialist support to the NHS cancer centre. The Cancer Research Campaign's tumour biology and radiation therapy group is also based in the cancer centre's research wing. It provides important advice and support to NHS services on the site.

The Gray laboratory has campaigned hard against the proposal made by the NHS eastern region. It highlighted to local people the fact that the region's report made no in-depth analysis of the cost to the Cancer Research Campaign of shifting its facility should the cancer centre move. The laboratory had been involved in a series of clinical initiatives at Mount Vernon with important implications for the NHS and the development of the treatment of cancer, which may be hugely important to us all.

The Mount Vernon cancer network will become a research network next year. In keeping with other such networks, it will receive special funding to support increased involvement in clinical trials. Clearly, its effectiveness would be under threat if the proposal from the NHS eastern region were accepted and implemented.

Concern has been expressed in my constituency since the proposal was made public, and people think that the future of the whole hospital is under threat. I am sure that all hon. Members will understand that. I hope that my right hon. Friend the Minister can confirm that there are no plans to close the hospital in its entirety, and that there will now be genuine consultation on the future of the cancer centre on that site, not least in view of its important research links with organisations in the independent sector such as the Cancer Research Campaign.

4.29 pm

Dr. Doug Naysmith (Bristol, North-West): I can assure you, Mr. Olner, that I have thrown away three pages of my speech, and I shall take no more than five minutes.

I shall comment on the suggestion made in some quarters that our report pulls its punches or has in some way been watered down. A couple of inferences of that sort have been made this afternoon, but I do not believe it to be the case. The view seems to have arisen because of the furore surrounding Professor Pollock's evidence, which we have already discussed, and the famous paragraphs 65 to 69. That has led to calls for the withdrawal of parts of the report, accusations of infringement of academic freedom, and much else.

I believe that the true explanation of the fuss lies elsewhere, however—with the Committee's failure to find any robust evidence for the theory that hospitals

[Dr. Doug Naysmith]

built under private finance initiatives inevitably end up with fewer beds than they should have. We heard from my hon. Friend the Member for Carlisle (Mr. Martlew) about the shortage of beds at his local hospital. In fact, the evidence that we gathered suggested that when hospitals of that generation were being planned, and the theory was at its height, other forces were at work to reduce bed numbers. Those forces have since been reversed, thank goodness. Many people accepted the theory, however, and used it as a strong plank against PFI schemes. To discover that it may not be true causes them difficulties, and bashing the report may be one way in which they can obscure those difficulties.

We heard from the hon. Member for Wyre Forest (Dr. Taylor) about the political debt that he owes personally to some criticisms of PFI. I wonder how much of that debt arises from criticisms about bed numbers in some of the hospitals with which he was involved being affected by PFI. There is little evidence for that theory.

Our investigation was serious and asked searching and important questions about the current and potential role of private sector organisations, finance and medicine in the national health service. Let us consider how different news organisations chose to emphasise different aspects of the report on its publication. The BBC "Today" programme focused on the dual role of consultants in the NHS and the private sector. BBC television and the *Financial Times* highlighted the fact that paying for patients to have private care to cut waiting lists might not represent value for money. The *Bath Chronicle* emphasised our call for more openness about NHS-private links, especially the need for information about contract prices. The *Evening Standard* emphasised our worry about the long-term effects of the concordat on the NHS. *The Independent* and the *Daily Mail* said that MPs were warning against seeking a quick cure, emphasising that short-term help involving the private sector must not prevent the NHS from developing more capacity in the long term. The *Morning Star* said, "Health watchdog airs doubts about value of PFI", while *The Times* and the *Bristol Evening Post* focused on our conclusion that PFI did not reduce bed numbers.

Lots of topics, and the two chapters on LIFT and pathology services, were hardly mentioned. Only *The Guardian*, and later *The Daily Telegraph*, concentrated on the strange tale of how the Chair of our Committee

> "was blocked in his attempts to criticise the Government for using the private sector to build and run NHS services."

It is a great pity that the press focused on that story, as it suppressed many of the good things in the report.

The report contains several criticisms of the Government's involvement with the private sector, almost all of them signed up to by the Committee without votes needing to be taken. The Committee made 32 recommendations, of which the Government fully accept 14 and reject three outright. Of the remaining 15, they say that they partially accept our view, or are already doing, or plan to do, something similar to our recommendation. Although monitoring must be carried out to ensure that some of the partially or conditionally accepted recommendations become reality, I do not consider that a bad score. I hope that our Committee will play a part in ensuring that those actions are taken, and I shall listen for further assurances from the Minister.

4.34 pm

Jim Dowd (Lewisham, West): I have a few more moments than I was expecting, but I promise not to misuse them. First, I am delighted to speak on the report that the Committee of which I am privileged and pleased to be a member has presented today. The report is unanimous, although it is obvious, to paraphrase George Orwell, that some parts are more unanimous than others.

We took on an ambitious remit. The hon. Member for Southend, West (Mr. Amess), who is sadly not here at the moment, said that we investigated private health care, but we did not. The report's title is deliberately specific—it refers to the role of the private sector in the national health service. My hon. Friend the Member for Bristol, North-West (Dr. Naysmith), who was admirably succinct, summed up the generality of the report. The issues surrounding PFI and a couple of paragraphs in that commentary have attracted a disproportionate amount of attention, which has detracted to some degree, although I hope not lastingly, from the body of work that we have put before the House.

The role of the private sector in the NHS, despite what others may say, is, as the report sets out, as old as the service itself. I felt that my colleagues on the Committee and I were taking part in a serious analysis of certain private sector activities relating to health care provision. We did not examine, for example, the private sector's role in running the acute sector and the provision of services, drugs or pharmaceuticals, or the other support services that it provides to one of our premier national public services. The report is not definitive in terms of the private sector's entire role, but we considered those areas in which private sector involvement has grown and changed in recent times.

I am forgetting my manners. I must congratulate the Chairman of the Committee, my hon. Friend the Member for Wakefield (Mr. Hinchliffe), on the almost universal good humour with which he managed sessions that were sometimes very tendentious and contentious. I also pay tribute to the assiduous work of the Committee staff who supported us.

The PFI has attracted the most concern, although what the Committee suggests is what everybody really knows in their bones—PFI is not an entity, but a process that can be well or badly managed. One of our recommendations relates to the need to maintain a consistent corpus of management skill and to ensure its availability to all those who are embarking on PFI processes in the health service and elsewhere. PFI is not simply restricted to health service capital provision.

One of the reasons that I brought such enthusiasm to the inquiry is that, during my years on Lewisham and North Southwark district health authority and something called Lambeth, Southwark and Lewisham area health authority (teaching), I saw a lot of public money being simply thrown down the drain because of how traditional capital projects were managed in the NHS. I will not bore the Chamber with stories of Guy's phase 3, as I am sure the Minister is well aware of it. That scheme is 300 per cent. over budget and still unfinished many years after it was supposed to be.

There are other stories from our part of south London, including that of the Jubilee line extension, which was £1.5 billion over budget and two years late. I am fairly sure that had it not been for the imperative of the dome—good or ill, however one judges it—the project would probably not be finished yet. Billions more of public money would simply have been wasted.

I am happy to argue with my hon. Friend the Member for Luton, North (Mr. Hopkins) about comparative marginal interest rates on borrowing, but I am not prepared to borrow money at 6 per cent. and just pour it down the drain. I want to ensure that that public money is spent to best public effect. All public services are fundamentally an alliance between three parties: the producers, the users—patients in the health service example—and the taxpayers. In our examination, we took evidence equally and representatively from all three, but it is often more difficult to estimate where the interests of that last group, the taxpayers who pay for the service, best lie.

I would like a different public procurement system that protects the interests of taxpayers in a way that has not happened previously and which is not so prone to incompetence and waste. Of the many PFI matters that the report assesses, the most difficult to calculate is the value of intangibles such as risk transfer, value for money and long-term facilities management. Nearly all those who have spoken in the debate, and others like them, have said, in effect, "There is a PFI hospital in my constituency. I don't like or want it, but if it weren't for that, we wouldn't have a new hospital at all." There is a calculation to bear in mind: what price does one put on giving treatment to people on the one hand, and denying it to them on the other? *[Interruption.]* I see you signalling to me, Mr. Olner.

Mr. Bill Olner (in the Chair): One last go.

Mr. Dowd: I shall move on to my semi-last point.

Our recommendation on pay beds, which is extremely mild, clearly so confused the Department that it managed to respond out of order in the document, putting (d) before (c). There is more that we can do on that. If we have private health care provision on NHS premises and buy in private health care on the ground that there is spare capacity in other parts of the health care community, we really should consider how to rationalise those things.

One of the issues that complicates PFI is the unfolding policies of NHS Estates. I draw attention to a recent decision that all new schemes must include 50 per cent. individual rooms. I say to the Minister that that will cause havoc in the next waves of PFI and the broader capital programme as well as in recalculating the number of beds that are affordable in the short term and, more particularly, in the long term. There will be questions of primary care trust affordability in the long run. Will he respond on that?

There is plenty more that I could say, Mr. Olner, but you will be pleased to know that I shall not say it.

4.42 pm

Sandra Gidley (Romsey): As a new member of the Select Committee, this is the first inquiry in which I have been involved. The process has been an eye-opener. I start by congratulating the hon. Member for Wakefield (Mr. Hinchliffe), the Chairman of the Committee. He had a difficult job, because it was clear from the outset that there is a wide range of opinions on the issue.

Some of us started with a very negative view of PFI, but my opinion has shifted. Although I am still sceptical, I no longer think it the spawn of all evil. Others seemed keen to ignore any negative comments on PFI, so it was a surprise and a delight that the Committee managed to produce a broadly consensual report, even though the process involved a healthy debate on almost every paragraph. Although we have a document that balances those opinions cleverly, sadly it ultimately adds little to the debate in many respects. I shall return to that point.

In effect, the jury is still out on PFI. I cannot talk about the Government response until I have dealt with the thorny matter of the infamous paragraphs 65 to 69, which cover the evidence given by University College, London. I am a new member of the Select Committee, so perhaps I misunderstood what we were supposed to do. I agree with the hon. Member for South Swindon (Ms Drown) that the main function of a Select Committee is to scrutinise, but I am not convinced that we scrutinised properly in this case. I feel strongly that if we do not like the answers given, our job is to probe those answers.

By extension, if the evidence given by that unit was so dreadful, why did we not probe it and challenge it more at the time instead of making a late recommendation in the report? I had problems with that. Although I agree to a certain extent that some evidence given by that unit was not as good as it could have been, other evidence given by other bodies could fall into that category. It is up to us to highlight all the organisations, and not pick on one. We should have made more strenuous efforts to obtain answers at the time.

I do not want to dwell on the point, but the UCL evidence is particularly important because that unit's research underpins many reports and examples in which PFI is shown in a negative light. We are also dealing with perceptions—appearing too critical of the unit and trying to expose weaknesses in the evidence of others.

Ms Drown: Does the hon. Lady accept that we also made pains to criticise the private sector where we did not have enough evidence from it? We examined the Government's arguments and said where they did not add up. I reiterate the point that I made to other hon. Members: if we see something wrong, do we not have to say so, particularly when it has such a big influence on the debate? We must make the right criticisms of Government policy, not the wrong ones, and make them clearly.

Sandra Gidley: I have said that I agree with the hon. Lady's basic premise, and it was incumbent on the Committee to challenge that evidence more robustly and vigorously at the time so our recommendations would not come as a complete surprise when they were published. I would like to move on, because the debate on paragraphs 65 to 69 has overshadowed this wide-ranging and important report, which has been much ignored.

[Sandra Gidley]

First, the concordat. In the short term, of course it is expedient to use any spare capacity to reduce waiting lists. After all, that is what the public want. They do not care where they get their operations; they just want to have them. We must be careful, because that is a double-edged sword. We have a resources problem regarding doctors, nurses and other health professionals. The situation is improving, but there is still a problem. Increased use of the private sector inevitably means increased demand for nurses, many of whom currently work on an agency basis in the private sector. Nurses can do only so much, and the private sector is in a much better position to offer incentives to attract nurses from the NHS. The Government must ensure that there is no steady drift of staff from the NHS to the private sector.

Every pound directed to that sector has the potential to weaken the resource pool of the NHS, and I do not think that we have the complete answer to that yet. The signs are that there is a move towards bigger contracts under the concordat, which represents even greater potential for erosion of the NHS. I must ask whether that is what we really want.

The Committee also highlighted concerns about pay beds in NHS hospitals. Some hospitals generate a revenue stream from their pay beds, and they can prove that quite easily. However, that does not seem to be the case for other hospitals. The Government's response indicates that NHS trusts should examine the cost-effectiveness of such beds. We all agree with that. It also says that the first priority is treatment of NHS patients. That could be interpreted as meaning that private patients should wait longer, but it is widely acknowledged that convenience and speed of treatment are key reasons for people choosing private health care. Will the Minister say how that would be monitored? Would there be a report back to the House in due course? Those are all important pointers if we are to obtain an accurate view as to how the private sector truly impacts on the NHS.

I must also raise concerns about the new consultant contract, which does not appear to be as widely loved as the Secretary of State might have led us to believe when he gave evidence to the Committee. I could have this wrong, but I understand that consultants put in the first 48 hours for the NHS and are then free to pursue private sector work while the rest of the world must work to the working time directive. People such as air traffic controllers and lorry drivers have carefully controlled working hours, but we seem to be encouraging consultants to flaunt those good principles in the worst possible way.

Mr. Hopkins: The hon. Lady will be interested in yesterday's report that long hours and lack of sleep are major causes of heart attacks, which is especially significant for the health service.

Sandra Gidley: The hon. Gentleman is absolutely right and there are probably statistics that show that consultant is a fairly stressful occupation. Have the Government considered monitoring the hours that consultants work, because there are implications for patient safety?

Accounting is a complex area and I do not claim to have "Mastermind" knowledge of all the finer points of public sector comparators, value for money and the intricacies of discount rates. I would be surprised if any member of the Committee appeared on "Mastermind" to answer questions on those subjects. It was obvious that witnesses also had serious problems understanding the intricacies of the subject. Despite the professed openness, there is still far too much scope for manipulation of the figures to present a business case. I am an old-fashioned girl and my parents always warned me against buying anything on hire purchase, which, like PFI, provides a quick fix. The problem is 18 years of underfunding. Of course people are delighted to have their new hospitals, but in the long term one will pay more.

One problem with some PFI projects is staffing. Problems are at a minimum where strenuous attempts have been made to retain staff in the NHS and to incorporate them into teams. In Carlisle, more maintenance and cleaning staff were contracted out, which caused a number of problems that have already been alluded to. Existing staff contracted out under the Transfer of Undertakings (Protection of Employment) Regulations 1981 had different contractual arrangements from new staff, which clearly gave rise to a two-tier system.

The differences are most striking when one considers staff overtime. It was much cheaper for the PFI contractor to use the newer staff, who were on a lower overtime rate, and the net effect was a drop in take-home pay for existing workers. If that situation is allowed to continue, the unions could bring a discrimination case. I hope that the Minister considers that matter closely to allow all those who are effectively working for the NHS to do so on an equitable basis.

Mr Bill Olner (in the Chair): I would be grateful if the hon. Lady concluded in the next minute.

Sandra Gidley: Okay. I was going to talk about training levies, on which I was disappointed by the Government's response, but I shall not do so. I regret that this is the first inquiry that we undertook. Although it was a hot political issue at the time and we made our choice, there was too little evidence for us to produce a hard-hitting, positive report. In hindsight, it would have been useful for the Committee to wait until more evidence was available and firmer conclusions could have been reached. We would have been able to produce a report that, instead of asking for further work to give insight to the answers, would probably have provided more clear-cut conclusions and recommendations.

4.53 pm

Mr. Simon Burns (West Chelmsford): I begin by offering my congratulations and thanks to the hon. Member for Wakefield (Mr. Hinchliffe) on how he conducted and guided us through the inquiry. As a member of a minority—some might say a persecuted minority—I am indebted to the Chairman for the fairness and decency with which he conducts our business to ensure that my minority party gets a fair share of time, in proportion to its representation on the Committee.

It has been a fascinating experience, listening to the debate and seeing the continuing battles between old and new Labour. If the right hon. Member for Holborn and St. Pancras (Mr. Dobson) had remained as Secretary of State instead of embarking on his ill-fated campaign to become mayor of London, we would probably not have had to conduct the inquiry because the concordat would not have been drawn up in such a way. It has also been fascinating to hear the comments of the hon. Member for Luton, North (Mr. Hopkins). At one point, I was worried that there would be a punch-up between him and his so-called hon. Friend, the hon. Member for Lewisham, West (Jim Dowd).

Mr. Bill Olner (in the Chair): Not under my chairmanship.

Mr. Burns: I apologise, Mr. Olner.

On the other hand, we have new Labour—the new broom that sweeps clean—in the Secretary of State, who has negotiated and developed the concordat with a zeal that I suspect has come as a tremendous surprise to the hon. Member for Wakefield and many other dinosaurs, as I suspect his Whips Office would call them, on the Labour Back Benches. The report states:

> "The opening sentence of the Concordat marked a significant shift in Government policy: 'There should be no organisational or ideological barriers to the delivery of high quality healthcare free at the point of delivery to those who need it, when they need it'."

This may come as a surprise, but I wholeheartedly agree with those sentiments.

As several hon. Members have said, their constituents, like mine, really do not mind who provides their treatment, as long as it is of the highest quality, as quick as possible and free at the point of use. Whether treatment is given in the private sector or at the local NHS hospital is, to all intents and purposes, and despite the opinion poll of the hon. Member for Luton, North, which I suspect was conducted at the last Unison conference, irrelevant to our constituents, because they have a different priority.

The concordat goes far beyond what anyone on 1 May 1997, let alone during the election campaign leading up to that date, thought that a Labour Government would contemplate doing. One must ask why Labour, having crucified the Conservative Government, who were deeply committed to the principles of the NHS and for ever being accused by the then Opposition of wanting to privatise the health service when they had no intention of doing so, has decided to do what the Conservatives never would have contemplated in a month of Sundays.

In a significant contribution, the hon. Member for Luton, North accused his own Government of potential privatisation of the NHS. It may surprise the Minister, but even I do not accept such a Machiavellian thought process. The hon. Member for Luton, North completely misses the point of the concordat—this is where the Minister and I may start to diverge—which has been created by the Government's near obsession with targets and their desire to meet their 1997 election promise to bring down waiting times. Finding, after 18 months or so in power, that they were having significant problems meeting their political targets, they went for what is, basically, a sensible option: using spare capacity in the private sector for NHS patients to be treated free at the point of use.

The Government are right to do that. If there is a capacity problem in the NHS, rather than let our constituents suffer by waiting longer, why not use spare capacity through negotiated deals with the private sector, providing that treatment is free at the point of use? That, I understand, is what the Government have done through the concordat.

Mr. Hinchliffe: Will the hon. Gentleman, in his attempts to understand the concerns that some of us have about the direction that the Government are taking, reflect on what the Conservative Government did in privatising care of the elderly at a cost, according not to me, but to Mr. William Laing of Laing and Buisson, of at least £10 billion in social security subsidies? As the hon. Gentleman well knows, homes are being closed on profit and loss considerations rather than the interests of old people. That is why one or two of us have slight reservations over private sector involvement.

Mr. Burns: I am genuinely sorry that, due to Health Committee commitments on Monday night, the hon. Gentleman did not have the good fortune to be in the Chamber for the care homes debate. If he had been there to listen to the speeches with great care—I recommend that he read them—he would understand that his analysis is, sadly, off the mark.

I do not think that anyone who cares about the vulnerable, and has an ounce of decency in them, would disagree with the principle adhered to by the Government in the 1980s, which I suspect is also the principle of this Government. Instead of keeping the elderly in long-stay hospitals with a minimal quality of life and dignity, those hospitals should be closed to enable the patients to have an enhanced quality of care, whether in a residential home or in their own home with a domiciliary care package, where relevant.

Just as this Government, because of the shortage in NHS capacity, have had to seek out the private sector and use its spare capacity, at that time, the private sector—in most cases, although not all, as there was some NHS and local authority provision—helped to make up the shortage of capacity and to meet demand. I make no apology for that. It was the only alternative to the grim and in some ways almost Dickensian hospital wards, where sad, frail and vulnerable people had a miserable existence, not even a proper life.

I am grateful that the Government have produced a response in time for this debate. As time is short, I shall allude only briefly to one or two matters. Paragraph 21 of our recommendations says that the Department

> "should look at ways of providing further incentives to staff to work for the NHS."

I think that that is crucial, and so do the Government. In their response, they agree with the Committee that

> "it is very important that skilled individuals are incentivised to work for the NHS."

That is right and admirable. In elaborating on that response, the Government rightly discuss GP contracts, consultant contracts and important matters such as conditions and terms of employment for health care and other jobs.

I am concerned and surprised, however, that the response does not refer specifically to nurses. I have a concern that I would like the Minister to re-examine. As

[Mr. Burns]

we found out at Prime Minister's Question Time yesterday, accommodation costs in London and the south-east are causing grave problems for the recruitment and retention of crucial staff in the NHS and other fields. As one measure to try to alleviate that problem, the Government have introduced cost-of-living supplements for nurses. Most home counties have been receiving those from the last financial year, although Essex has received them only from this financial year, which is odd as we adjoin London and have high housing costs. However, I welcome the fact that the Government have rectified that.

Even so, I remain concerned that only nurses of grade C and above are eligible for those supplements. That is a mistake. Many junior nurses who have spent many years working in the health service and who are skilled and highly trained up to their level find it difficult to cope with the cost of living in the south-east. Even so, that rule bars them from receiving the cost-of-living supplement. I hope that the Minister reconsiders and tries to persuade the Treasury to relax the rules.

As time is short, I shall raise two other matters briefly. The first concerns consultants. I wholeheartedly agree with the Government's rejection of the report's recommendation that details of payments for NHS activities made to consultants working in private settings should be published by trust boards. I do not believe that that would take us one iota further in the argument or serve any useful purpose. I am pleased that the Government agree with my assessment and have rejected that proposal.

Secondly, our Chairman is sharp and he does not often have the wool pulled over his eyes, but when the Secretary of State gave evidence during the concluding part of our inquiry he did a marvellous job—I hesitate to say that he used spin—in convincing the Chairman that there is no Government climbdown over the seven-year contract rule. In fact, we now know from the small print that the Government have caved in. Although they may have got what they claim to be concessions to enhance the NHS in other ways, on the central argument that is so close to the Chairman's heart, they gave in, although that was realistic and sensible.

Much has been said about PFI, so I shall be brief. It has been said that imitation is the greatest form of flattery, and I am glad that the Conservative Government have been flattered to the nth degree by this Government, who have embraced, enhanced, expedited and expanded the concept of PFI. It is a pity that I do not have more time to go through lexis nexus, but I would dearly love to know what the hon. Members for South Swindon (Ms Drown) and for Harrow, West (Mr. Thomas), and perhaps the hon. Member for Lewisham, West, said in public statements on PFI before the 1997 general election. I suspect that they thought it an horrendous Conservative party conspiracy.

Ms Drown *rose—*

Jim Dowd *rose—*

Mr. Simon Burns: No, no. I suspect that they thought it a conspiracy, in the words of the hon. Member for Luton, North, to privatise the health service.

Mr. Bill Olner (in the Chair): The hon. Gentleman is about to conclude.

Mr. Burns: Yes, I am concluding, Mr. Olner.

I reject that accusation, because we were not proposing privatisation. If badly needed hospital facilities can be provided for our constituents more quickly than by going through the labyrinthine and neanderthal rules of the Treasury, that must be examined and, provided that we safeguard taxpayers' interests, embraced.

5.7 pm

The Minister of State, Department of Health (Mr. John Hutton): I am delighted to respond to what has generally been a good-tempered debate. It is clear to all of us who have listened to the exchanges that these matters have raised substantial and deep divisions of opinion throughout the House over the relationship between the private sector and the national health service.

I agree with everything that has been said about my hon. Friend the Member for Wakefield (Mr. Hinchliffe), who has done an exceptionally good job in chairing the Select Committee and continues to do so. He has produced a report that makes a useful contribution to the debate and has taken it a significant step forward.

I shall respond briefly to some of the many points raised by my hon. Friends and by Opposition Members, confining the closing section of my comments to the report and the Government's response to it. My hon. Friend the Member for Wakefield spoke eloquently and articulately about the relationship between the private sector and the NHS, making points about the PFI process and how he feels that it is skewed in favour of PFI rather than the public sector.

All members of the Select Committee are aware that that is not the view of the National Audit Office, which has examined many PFI schemes, including at least one in the NHS, and has reported that the risk figures have not been manipulated. It would be a huge mistake, and it is certainly not the Government's intention, to torture the PFI data until it confesses. That would not take the debate any further.

We must have an open and transparent debate. In our response, we set out a number of ways to improve that transparency, and it is important to the NHS and to the House that we have a rational debate on PFI. At least one of my hon. Friends convinced me that we have not yet made sufficient progress in that respect.

Mr. Hinchliffe: I have listened carefully to my right hon. Friend. He will recall that I referred specifically to comments made subsequent to our taking evidence from Mr. Coleman, which were reported in the *Financial Times*. Has my right hon. Friend had the chance to study those comments? They were quite strong on the public sector comparator.

Mr. Hutton: It came as a surprise when my hon. Friend cited those remarks. That is not the view of the NAO, which reported on PFI and, especially, on the public sector comparator, which was the basis of my hon. Friend's observations. The NAO has produced a number reports on the public sector comparator and the value for money aspects of PFI, and it confirms that PFI produces value for money. I am sure that there is an explanation, and I would be interested to hear Mr. Coleman's.

Ms Drown: The point is not that PFI always gives value for money, which is what my right hon. Friend is hinting at. Each case must be assessed on its own merits. The Committee recommends that more public sector capital is needed, so that we can genuinely compare one with the other rather than worry that people are trying to fix the statistics. That is crucial. I would be grateful if he responded to that point. I understand that the NAO report on the Dartford and Gravesham hospital says that the scheme was skewed—it was rather overestimated—but that it nevertheless provided value for money.

Mr. Hutton: My hon. Friend is absolutely right in relation to Dartford and Gravesham. The NAO report shows that it would produce savings of about £5 million for the taxpayer.

I am sorry that my hon. Friend the Member for Luton, North (Mr. Hopkins) is not with us. He is concerned that PFI does not produce savings for the taxpayer and therefore for the NHS, and he favours an exclusive reliance on public sector capital. My hon. Friend the Member for Lewisham, West (Jim Dowd) comprehensively debunked that argument, and I do not want to re-enter that territory. When it is clearly shown that PFI provides value for money, as in that case, I would expect all members of the Committee to sign up to greater objectivity in the PFI debate.

I am a little disappointed that the critics here today did not refer to the NAO report on the PFI. Our objective work on value for money has produced the result that PFI gives value for money. That result also means, as they say on the terraces, "It's all gone quiet over there." That is not a hallmark of a rational or transparent debate.

Mr. Burns: Is the Minister disappointed? Did he think it disappointing when the hon. Member for Luton, North suggested that if the Government continue with PFI, it will have the effect of the Government privatising the health service?

Mr. Hutton: I cannot say that I was surprised.

Mr. Burns: Disappointed?

Mr. Hutton: I was certainly disappointed. My hon. Friend has a substantial record of opposition to PFI, as do other of my hon. Friends. I have no problem with that difference of view. Fine; let us have the argument and let us hear the issues. It is certainly a gross caricature to present PFI as the privatisation of the NHS. I do not and would not subscribe to my hon. Friend's views.

My hon. Friend the Member for Bristol, North-West (Dr. Naysmith) told us how people reacted to the Committee's report. No one could say, having read it, that it does not pose hard and difficult questions on Government policy. That is the Committee's job, and we would be surprised if it had done anything less. I congratulate my hon. Friend the Member for Wakefield and the members of the Committee, as the report is a significant step forward.

The hon. Member for Basildon—

Jim Dowd: Southend.

Mr. Hutton: Of course, he has moved to Southend. I apologise to the hon. Member for Southend, West (Mr. Amess). That was genuinely not a deliberate slight; I have Basildon in my notes. Whenever we see him, we think of Basildon, and that will take some time to change, although not as long as it took him to move from Basildon. However, we do not want to go into that.

The hon. Gentleman likes to live in the past on the issues. He spent most of his time talking about what happened between 1997 and 1999. Fair dos. He is at liberty to approach the subject in that way, and I understand why he would prefer to live in the past. In those days, the Tories said that they would get elected and win general elections, but those days are over. My hon. Friends made pertinent comments in response to his speech. He and his colleagues must ask themselves why such an electoral calamity befell the Conservative party. In no small part, it was due to the Conservatives' record on NHS management. With respect—I do respect him—I have never heard him allude to that in his speeches on the NHS since 1997, which is a conspicuous omission.

The hon. Gentleman referred, as did many of my hon. Friends, to the new consultants' contract that we have successfully negotiated with the British Medical Association. Most Labour Members got the strong sense that he and the hon. Member for West Chelmsford (Mr. Burns) would have liked the negotiations to fail, so that there would be a row. They would have much preferred that outcome.

Mr. Burns: For the benefit of the debate, the Minister should not try to put words that we have never uttered into our mouths.

Mr. Hutton: Oh dear, there is some sensitivity there, and that is a strange observation to make. The hon. Gentleman talked about the new contract deterring new consultants from joining the NHS, but that is certainly not the view of the BMA, which warmly and strongly endorses it. It is a good deal for the NHS and for patients. Many hon. Members referred to the fact that there was give and take in the negotiations. Of course there was; they were negotiations. The contract will ensure that we have the opportunity to make the maximum use of the skills and talents of new consultants who join the NHS.

The hon. Member for Romsey (Sandra Gidley) referred to the working time directive. She needs to have a look at it, because she does not understand how it works in relation to the 48-hour maximum week. I shall arrange for a copy to be sent to her.

The hon. Member for Southend, West referred to Southend hospital. I am delighted that he is doing a shift—

Mr. Amess: At 6.50 am.

Mr. Hutton: Indeed. It is fantastic that the hon. Gentleman is shadowing nurses. Southend has a great hospital. My mother and two of my sisters worked for long periods there.

[Mr. Hutton]

My hon. Friend the Member for Carlisle (Mr. Martlew) spoke about the problems in his constituency, which he, I and everyone else know about. I will be happy if he wants to discuss the issue of capacity with me in more detail, and to bring a delegation down from Carlisle. I am grateful for the support that he has shown for the staff of the hospital in Carlisle. He is an eloquent champion of his constituency.

The hon. Member for Wyre Forest (Dr. Taylor) mentioned bed definitions. In this place one has to be accountable for all sorts of weird and wonderful subjects, and I am happy to enter into correspondence on that if he would find it helpful. We always try to be consistent, so that we are all clear about what is and is not counted. That is important in the evidence that we provide to members of the Select Committee. If the Committee itself has any concerns on the subject, we stand ready to help it.

I agreed with virtually everything that my hon. Friend the Member for South Swindon (Ms Drown) said. Perhaps that is no surprise to her, but she made a good speech. I was especially impressed by her approach to PFI. She described herself as a critic of and cynic about the benefits of PFI, and has considered the arguments with an open mind, which is important.

I do not want to say much about my hon. Friend the Member for Luton, North because he is not here to respond to my remarks, and he would not like them. On the basis of his remarks, I do not think that he understands the PFI process. He made one comment about PFI partners being able simply to hike up the instalments. That is completely untrue. They are fixed at the beginning and cannot be changed other than by agreement. He completely misunderstands the process, as do other hon. Members, particularly the hon. Member for Romsey and the hon. Member for Wyre Forest. They turn a blind eye when it suits them to inconvenient evidence about value for money and PFI, and that does not advance the debate.

I welcomed the approach of my hon. Friend the Member for Harrow, West (Mr. Thomas) and his support for our partnership work with the private sector in improving health services. He asked me specifically about the future of Mount Vernon. There are no plans to close Mount Vernon hospital and I hope that that is of comfort to him. He will be aware that Bedfordshire and Hertfordshire strategic health authority is reviewing the provision of acute services in that area, including the cancer services provided at Mount Vernon. The strategic health authority is to prepare a short list of options in a discussion paper to be published in the autumn, and more formal public consultation will take place early next year. The strategic health authority is committed to engaging the public in that consultation process, and I am sure that my hon. Friend will want to take part in it

My hon. Friend the Member for Bristol, North-West made a number of telling points. I agree with his overall view of the report. My hon. Friend the Member for Lewisham, West was right to emphasise the importance of good management in the PFI process. As we tried to make clear in our response to the Select Committee's report, we are taking action within the Department and across the NHS to strengthen the management of PFI. There is always a risk in such projects—they are major capital projects. It might be transferred to the private sector through this process, but the NHS still has a critical role to play in ensuring that PFI delivers what we want—new hospitals, on time, providing the right environment in which to treat patients. He was right, and so was the Select Committee, to identify that we have a problem with project management expertise in the NHS. With every PFI project we reinvent the wheel. That is not good. Several such schemes are now in place, and we are beginning to put together a considerable amount of expertise in managing PFI. We must not squander it.

On pay beds, my hon. Friend and many other hon. Members have referred to recommendation (c) in the Select Committee report. I hope that he and others are satisfied with the Government's response. He also mentioned the ratio of single beds in new hospital schemes. The figure that he quoted—50 per cent.—is for guidance; it is not compulsory. It is important to increase the number of single beds because that is a practical and tangible way of enhancing privacy and dignity. We have had a lot of debate about the relationship of the NHS with the private sector. I would like more NHS hospitals to resemble in quality and standard the private hospitals that we are using for the benefit of the NHS. That is our ambition.

Jim Dowd: I accept that we should aspire to those standards. However, the fear is that we shall merely see beds being replaced with new beds, rather than with the perfect model of what should go there. In Lewisham, for example, the scheme might founder on this, yet it would mean that we could get rid of old Nightingale wards dating back to the 19th century and mixed sex wards. The balance needs to be made in the round.

Mr. Hutton: My hon. Friend speaks a great deal of common sense. We should all like to build utopia tomorrow in the NHS, but that is not possible. We need to approach the task of re-equipping the NHS with new hospitals for the current century in a sensible way. We should like to do all sorts of things and we must continue to push for them—increasing the ratio of single beds in new hospitals is an important long-term project.

The hon. Member for Romsey said that the jury was still out on PFI. I know that that is the view of many here, including my hon. Friend the Member for Wakefield, and I have every respect for that view. I genuinely look forward to the time when I get letters from Liberal Democrat Members urging me not to proceed with PFI hospitals in their constituencies because they think that the jury is still out. I have a fairly strong suspicion that I shall not receive such letters soon.

The hon. Lady also expressed concern about staff drifting away from the national health service. There is absolutely no evidence whatsoever for that assertion. In fact, the NHS now has more doctors, nurses, therapists, cooks, cleaners and porters than it has ever had. In particular, there are now 31,500 more nurses working in the NHS than in 1997. I agree that there are still pressures in the system. For example, historically, in London and the south-east, there has been high use of agency staff, which we need to reduce, but that is the aim of the NHS professionals scheme. To hold out the spectre of staff drifting away is not a sensible contribution to the debate because it simply is not happening.

In talking about nurses, the hon. Member for West Chelmsford mentioned the need to create incentives for good performance, and he was anxious that nurses should not be left out of the process of pay modernisation. We are reviewing the contracts of GPs and modernising consultants' contracts. The hon. Gentleman will be aware that the agenda for change negotiations, which started with non-pay review body staff, but also with nurses back in 1999, have now moved on to detailed negotiations about all these issues. The hon. Member for Romsey asked about equal pay for work of equal value. That will be a fundamental building platform for the agenda for change negotiations. We do not want to leave nurses out of the programme of pay modernisation.

Mr. Burns: I am grateful for that answer, but what about cost-of-living supplements and grade C nurses?

Mr. Hutton: I apologise. I did make a note of the hon. Gentleman's comments, but in my hurry to move on to what is now clearly not a deliverable speech, I overlooked that question.

We introduced cost-of-living supplements two years ago specifically to deal with growing labour market issues and high cost-of-living problems predominantly in London and the south-east. Cost-of-living and premium pay issues must be dealt with as part of the new agenda for change negotiations and discussions with NHS trade unions. I imagine that cost-of-living supplements will form part of the negotiations on the new pay structure for the NHS. It will be some time before the new system is introduced, and we will want to keep a close eye on cost-of-living supplements between now and then to examine the case for extending them to a wider group of staff. However, such decisions must focus on difficulties relating to recruitment and retention. If the hon. Member for West Chelmsford wants to raise with me his concerns about grade C nurses in his constituency, I shall be happy to discuss the matter with him.

I do not want to repeat arguments that have already been made about the future of our relationship with the private sector, but I shall deal with some more specific points. My hon. Friend the Member for Wakefield was concerned about whether reference costs provide a sufficient measure of value for money in the NHS. We accept that they do not, and we have tried to set out in our report several ways in which we can strengthen reference cost data. However, as we tried to emphasise in our response, they provide helpful management information. We have set out at least three ways in which we can make improvements. The NHS costings manual has been revised. Reference costs have been considered in relation to the district audit process, and there is now a new verification process.

My hon. Friend also referred to the evidence that my right hon. Friend the Secretary of State gave to the Committee. He set out four essential tests that we apply to each prospective partnership in the NHS and private sector. Is it in the interests of patients? Is it consistent with the local and national strategies of the NHS? Is it value for money? Is it consistent with public sector values, including that treatment is determined by clinical need and staff are treated fairly? Those are the yardsticks by which we will judge and develop our relationship with the private sector. Provided that those tests are satisfied, we should use the private and voluntary sector where it has a track record of achievement or where it can offer clear potential gains. In its report, the Committee has done something very important, in making it clear—as did my hon. Friend the Member for Lewisham, West—that the question is not whether the NHS should have a relationship with the independent sector but on what terms that relationship should be conducted and what the benefits are for NHS patients in terms of fast, high-quality treatment and value for money. Those are issues of joint concern for the Committee and the Government.

Of course the public sector has a well-established ability to provide many services to high standards. That has never been at issue, but it does not have sole expertise—

It being half-past Five o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 388**

SESSION 2001–2002

1st July—12th July 2002

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- The fortnightly index to Hansard. This covers the same date range as the volume index but references are to the column numbering in the daily parts and weekly edition of Hansard.
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ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R=First reading
- 2R=Second reading
- Com=Committee stage
- Rep=Report stage
- 3R=Third reading
- res=resolution
- amendt(s)=amendment(s)
- *=matter taken formally without debate or division.

Parliamentary background

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OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTY-FIRST YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2001–02

COMPRISING PERIOD
1 July 2002—12 July 2002

£70

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1 July 2002

Written Answers to Questions

Monday 1 July 2002

EDUCATION AND SKILLS

Medical/Dental Education

Mr. Weir: To ask the Secretary of State for Education and Skills whether undergraduate and postgraduate medical and dental education programmes include infection control and anti-microbial prescribing. [60790]

Margaret Hodge: Infection control and anti-microbial prescribing are included in the undergraduate and postgraduate medical and dental education programmes in England, in line with the requirements of the competent authorities.

Higher Education Students

Ms Oona King: To ask the Secretary of State for Education and Skills what percentage of applicants for higher education places have come from low income families in each year since 1997. [60252]

Margaret Hodge: Information on applicants to full-time undergraduate courses in higher education is collected by the Universities and Colleges Admissions Service (UCAS). UCAS does not collect any specific information about family income but rather assigns social class to applicants based upon the occupation of the parent with the highest income in the applicants household, as reported by the potential student. For applicants aged 21 or over, the occupation of the person contributing the highest income to the household is used.

UCAS data on people applying to enter higher education in 1997 to 2001 are shown in the table.

Percentage of home applicants to full-time and sandwich undergraduate courses by social class

	Higher social class[1]	*Lower social class*[2]
1997	71	29
1998	71	29
1999	71	29
2000	71	29
2001	71	29

[1] Covers professional, intermediate and skilled (non-manual) social classes.

[2] Covers skilled (manual), partly skilled and unskilled social classes.

The Government are committed to raising the participation rates for people from less affluent family backgrounds, and has introduced Excellence Challenge, including the AimHigher campaign, which is targeted at raising attainment and aspirations among young people who traditionally would not consider going to university.

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills if she will list the higher education institutions showing the proportion of undergraduate students of each social class. [60254]

Margaret Hodge *[holding answer 10 June 2002]:* The information requested has been placed in the Libraries.

Further Education

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills what levels of funding for Further Education will be given to Bridgwater College and Carrington College in the years *(a)* 2002–03 and *(b)* 2003–04. [65147]

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills what the total budget is for Somerset in further education for *(a)* 2002–03 and *(b)* 2003–04. [65146]

Margaret Hodge: This is a matter for the Learning and Skills Council. I have therefore asked John Harwood, the Council's Chief Executive, to write to the hon. Member with the information requested and to place a copy of his reply in the Library.

Higher Education Funding Council

Sir Nicholas Winterton: To ask the Secretary of State for Education and Skills if she will make a statement on the composition of the Higher Education Funding Council for England's settlement for the next financial year; and if she will calculate the current unit of funding per student in comparison with that apportioned in 1997. [65207]

Margaret Hodge: Publicly planned funding for higher education in 2003–04 was set out in the grant letter to the Higher Education Funding Council for England issued in November 2001:

Recurrent Funding—£5,650 million

Capital—£364 million

Access and Hardship—£115 million.

These figures may be amended following the outcome of the 2002 Spending Review. Publicly planned funding per full time equivalent student is set out at Table 4.8 of the Department's Annual Report for 2002. It shows a planned real terms value of £4,920 in 2003–04, compared to £4,910 in 1997–98.

Capital Requirements (Higher and Further Education)

Mr. Boswell: To ask the Secretary of State for Education and Skills what assessment she has *(a)* made and *(b)* commissioned of the capital requirements of (i) the higher education and (ii) the further education sectors. [64292]

Margaret Hodge *[holding answer 27 June 2002]:* The capital requirements of the higher and further education sectors are part of the confidential advice offered to my right hon. friend the Secretary of State for Education and Skills by the Higher Education Funding Council for England (HEFCE) and the Learning and Skills Council (LSC). This advice has been informed by a number of reviews, including a review of the higher education estate by the Royal Institute of Chartered Surveyors; a report by J. M. Consulting "Teaching and Learning Infrastructure in Higher Education" (HEFCE publication 2002/31); by a further review by J. M. Consulting, published in March 2002, reporting on investment in university research infrastructure, and by ongoing studies commissioned to examine Estate Management Statistics and compliance with the requirements of the Special Educational Needs and Disability Act in Further Education.

Fee-paying Students

Mr. Wyatt: To ask the Secretary of State for Education and Skills what progress has been made towards meeting the targets for the recruitment of international fee-paying students in the higher education and further education sectors under the Prime Minister's initiative; and what value has accrued to the United Kingdom economy from the campaign so far. [64680]

Margaret Hodge *[holding answer 27 June 2002]:* Our targets are to attract 25,000 extra further education students and 50,000 extra higher education students from outside the EU by 2005 (compared to 1996–97). Based on actual figures for England, Northern Ireland and Scotland and an estimate for Wales, 46,609 students from non-EU countries took full-time courses at further education colleges in the UK in 2000–01, compared to 25,102 in 1996–97 The extra 21,500 students made an estimated fee and non-fee contribution to the UK economy in 2000–01 in the region of £215 million. The non-EU total for international students in full-time UK higher education has risen to 140,905 for 2001–02, compared to 109,940 in 1996–97. For 2001–02, the additional 30,965 students make an estimated fee and non-fee contribution to the UK economy broadly in the region of £480 million.

Departmental Expenditure Limit

Mr. Bercow: To ask the Secretary of State for Education and Skills how much and what proportion of the departmental expenditure limit for 2002–03 had been spent by 31 May; what the figures were for 2001–02; and if she will make a statement. [61014]

Estelle Morris: I refer the hon. Member to the reply given by my right hon. Friend the Chief Secretary to the Treasury on 17 June 2002, *Official Report*, column 130W.

Language Teaching

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Skills if the Government intend to improve provision for teaching *(a)* Spanish and *(b)* Mandarin at (i) pre-16 and (ii) post-16 level. [62462]

Mr. Ivan Lewis *[holding answer 18 June 2002]:* The National Curriculum requires schools to offer at least one of the working languages of the European Union. Only when they have met this requirement may they offer non-European languages.

The Key Stage 3 National Strategy aims to achieve higher standards, good continuity, greater motivation and better learning in all subjects learnt by 11 to 14-year-olds, including modern foreign languages.

The Learning and Skills Council takes account of national, regional and local needs in deciding how to plan and fund all post-16 (excluding HE) modern foreign language learning. It is for individual universities and colleges to decide which subjects and courses they offer students, in the light of student demand.

The Government will publish their national languages strategy in the autumn which will outline their plans for improving the language capability of people of all ages.

Examination Marking

Mr. Gardiner: To ask the Secretary of State for Education and Skills what research has been undertaken by her to examine the quality and consistency of marking in public examinations. [63166]

Mr. Ivan Lewis: The awarding bodies' arrangements for marking in public examinations are governed by a Code of Practice which is designed to ensure that standards are consistent within and across awarding bodies and over time. The Qualifications and Curriculum Authority (QCA) is responsible for monitoring compliance with the Code of Practice. QCA conducts scrutinies in a range of subjects each year covering GCSE, GCE, VCE, and GNVQ qualifications. QCA publishes reports on its websites including reports on standards over time.

In 2000, the QCA set up an independent panel of advisers to review the adequacy of its quality assurance systems designed to maintain A-level standards. The panel reported to QCA early in 2002 with a firm endorsement of its quality assurance systems.

Mr. Gardiner: To ask the Secretary of State for Education and Skills what statistics she collates on the number of students who have lost or had to postpone university places because the results of re-marked exam scripts arrived too late for consideration. [63176]

Margaret Hodge: This information is not collected centrally.

Teachers

Mr. Coleman: To ask the Secretary of State for Education and Skills how many *(a)* part-time and *(b)* full-time teachers in maintained schools, broken down by age, moved between Government office regions in the last 12 months. [64103]

Mr. Miliband: The numbers of teachers in regular full-or part-time service in the maintained schools sector in England at 31 March 1999 and 31 March 2000 who moved between Government office regions are listed as follows. (This is the most recent year for which provisional data are available.) The numbers do not include teachers moving between full-time and part-time service within the maintained schools sector, or those who moved out of regular service in the maintained schools sector in England.

	Full-time	*Part-time*
Under 25	280	10
25 to 29	2,000	50
30 to 34	1,140	70
35 to 39	630	70
40 to 44	500	60
45 to 49	440	40
50 to 54	240	40
55 to 59	40	20
60 and over	10	10
Total	5,280	350

Some 10 per cent. to 20 per cent. of part-timers are not recorded on the Teachers' Pensions Scheme, from which the data are obtained.

Figures may not add to totals due to rounding. Age is at 31 March 2000.

Mr. Coleman: To ask the Secretary of State for Education and Skills how many *(a)* part-time and *(b)* full-time qualified teachers (i) left and (ii) joined maintained schools broken down by (A) age, (B) gender and (C) type of authority in each Government office region in the last 12 months. [64104]

Mr. Miliband: The numbers of teachers (i) leaving and (ii) joining regular full- or part-time service in the maintained schools sector in England between 31 March 1999 and 31 March 2000 are shown in the table. The numbers do not include teachers moving between full- and part-time service within the maintained schools sector, or moving between regular service in a maintained school in one Government office region to regular service in a maintained school in another Government office region.

(i) Leavers between 31 March 1999 and 31 March 2000

	Under 25	*25 to 29*	*30 to 34*	*35 to 39*	*40 to 44*	*45 to 49*	*50 to 54*	*55 to 59*	*60 and over*	*Total*
Male—full-time										
North-east	[1]—	30	30	20	30	60	110	30	30	340
North-west	10	90	90	80	90	140	260	100	90	950
Yorkshire and Humber	10	70	70	50	50	100	180	60	80	660
East Midlands	10	60	50	50	50	90	160	50	40	550
West Midlands	10	90	70	60	70	130	220	60	70	790
East of England	10	120	90	70	70	100	170	60	80	780
London	10	190	190	170	140	150	190	70	80	1,190
South-east	20	190	130	110	110	160	240	90	110	1,140
South-west	10	80	70	60	60	90	180	70	60	680
England	90	920	790	660	660	1,010	1,710	600	650	7,080
Female—full-time										
North-east	30	140	80	60	70	100	150	70	80	770
North-west	40	310	260	190	180	300	390	200	230	2,100
Yorkshire and Humber	40	220	140	110	120	190	260	120	130	1,330
East Midlands	30	230	140	100	100	170	220	90	100	1,190
West Midlands	40	320	230	160	160	280	330	140	160	1,830
East of England	40	390	280	140	160	240	320	150	190	1,910
London	60	740	590	300	230	250	350	160	260	2,950
South-east	80	670	450	220	250	380	500	230	290	3,060
South-west	30	310	220	130	100	180	290	110	130	1,510
England	400	3,330	2,390	1,410	1,380	2,080	2,810	1,270	1,570	16,640
Male—part-time										
North-east	[1]—	[1]—	[1]—	[1]—	[1]—	10	20	10	10	50
North-west	[1]—	10	[1]—	10	10	10	40	50	40	170
Yorkshire and Humber	[1]—	[1]—	10	[1]—	10	10	30	30	20	110
East Midlands	[1]—	[1]—	10	10	[1]—	10	60	40	60	190
West Midlands	[1]—	10	[1]—	10	10	20	50	40	50	180
East of England	[1]—	[1]—	10	10	10	10	50	50	70	200
London	[1]—	10	10	20	10	20	40	30	60	190
South-east	[1]—	[1]—	10	10	20	20	50	50	70	220
South-west	[1]—	[1]—	10	10	20	20	50	30	40	180
England	[1]—	30	60	80	100	130	390	310	400	1,490
Female—part-time										
North-east	[1]—	[1]—	30	20	20	50	50	20	20	210
North-west	[1]—	30	80	100	100	160	160	80	90	800
Yorkshire and Humber	[1]—	20	60	80	80	120	120	50	50	580
East Midlands	[1]—	20	60	80	110	110	130	90	80	690
West Midlands	[1]—	30	90	120	140	180	170	80	90	910
East of England	[1]—	30	90	140	190	190	200	110	150	1,100
London	[1]—	40	130	150	130	120	150	80	170	950
South-east	[1]—	50	160	180	260	270	320	150	170	1,560
South-west	[1]—	30	120	110	160	220	210	90	80	1,010
England	10	260	820	970	1,190	1,410	1,510	740	900	7,810

[1] Less than five

Note:

Many of the teachers leaving the profession in this year will come back into service at some point in the future.

(ii) Entrants between 31 March 1999 and 31 March 2000

	Under 25	*25 to 29*	*30 to 34*	*35 to 39*	*40 to 44*	*45 to 49*	*50 to 54*	*55 to 59*	*60 and over*	*Total*
Male—full-time										
North-east	70	80	40	30	30	20	20	[1]—	[1]—	310
North-west	210	290	170	110	70	80	60	10	10	1,010
Yorkshire and Humber	140	180	110	80	60	40	30	10	[1]—	640
East Midlands	120	140	80	70	40	50	40	10	10	540
West Midlands	160	200	120	80	60	50	40	20	10	730
East of England	190	210	90	80	70	70	50	20	10	770
London	200	360	240	140	80	70	60	20	10	1,180
South-east	270	370	200	140	120	100	50	10	10	1,260
South-west	140	220	100	80	70	50	30	10	[1]—	690
England	1,500	2,030	1,140	810	600	520	380	100	40	7,120

(ii) Entrants between 31 March 1999 and 31 March 2000

	Under 25	*25 to 29*	*30 to 34*	*35 to 39*	*40 to 44*	*45 to 49*	*50 to 54*	*55 to 59*	*60 and over*	*Total*
Female—full-time										
North-east	370	250	90	70	90	70	30	10	[1]—	970
North-west	1,040	700	300	250	260	200	100	30	10	2,890
Yorkshire and Humber	690	430	190	180	160	140	60	10	[1]—	1,860
East Midlands	550	370	170	140	150	120	60	10	[1]—	1,560
West Midlands	880	540	220	190	170	150	80	20	[1]—	2,260
East of England	920	580	230	250	240	190	120	20	10	2,550
London	1,200	1,080	470	330	230	200	120	20	20	3,680
South-East	1,270	930	400	330	350	320	180	40	10	3,810
South-west	630	520	200	180	200	120	80	10	[1]—	1,930
England	7,560	5,400	2,260	1,930	1,840	1,500	810	170	60	21,520
Male—part-time										
North-east	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	20	10	10	50
North-west	[1]—	10	10	10	10	20	30	20	20	130
Yorkshire and Humber	[1]—	10	10	10	10	10	30	10	10	110
East Midlands	10	10	10	10	20	10	40	30	20	140
West Midlands	[1]—	10	10	10	10	10	30	30	20	130
East of England	[1]—	10	10	10	10	10	30	30	30	150
London	[1]—	10	10	20	10	20	30	20	20	140
South-east	10	10	10	20	20	30	60	30	20	210
South-west	10	10	10	20	30	20	50	30	20	200
England	40	90	90	110	120	120	330	210	160	1,250
Female—part-time										
North-east	10	10	20	40	60	40	40	20	10	250
North-west	30	50	80	130	190	150	130	60	30	850
Yorkshire and Humber	20	30	60	110	120	90	80	20	20	550
East Midlands	10	40	70	110	130	90	80	30	20	580
West Midlands	20	40	70	110	140	140	110	40	20	680
East of England	10	40	100	160	190	170	150	50	50	910
London	10	50	90	120	160	160	130	50	50	800
South-east	10	60	150	250	360	280	240	80	50	1,470
South-west	40	60	100	150	230	200	120	60	30	990
England	160	380	760	1,170	1,560	1,320	1,090	390	260	7,080

[1] Less than five.

Notes:

Some 10 to 20 per cent. of part-timers are not recorded on the teachers' pension scheme, from which the data are obtained.

Figures may not add to totals due to rounding.

The figures are for the most recent year for which data (provisional) are available.

Mr. Coleman: To ask the Secretary of State for Education and Skills what the average length of service of *(a)* full-time and *(b)* part-time teachers leaving maintained schools in the last 12 months was, broken down by Government office region. [64107]

Mr. Miliband: The average length of service in years of teachers leaving regular full or part-time service in the maintained schools sector in each Government Office Region in England between 31 March 1999 and 31 March 2000 is listed below. (This is the most recent year for which provisional data are available.) The numbers do not include teachers moving between full and part-time service within the maintained schools sector, or moving between regular service in a maintained school in one Government Office Region to regular service in a maintained school in another Government Office Region.

	Full-time	*Part-time*
North East	15.5	16.9
North West	16.3	16.3
Yorkshire and the Humber	15.9	16.4
East Midlands	15.6	17.1
West Midlands	15.4	16.6
East of England	14.1	16.4
London	11.3	15.7
South East	13.3	14.9
South West	14.5	14.7
England	14.3	15.9

Some 10 to 20 per cent. of part-timers are not recorded on the Teachers' Pension Scheme, from which the data are obtained.

Figures may not add to totals due to rounding.

Mr. Coleman: To ask the Secretary of State for Education and Skills what the most recent teacher vacancy rates are, broken down by local education authority area. [64120]

Mr. Miliband: Teacher vacancies expressed as a percentage of teachers in service in the maintained schools sector in England by local education authority in January 2001 are listed below. Data for January 2002 are not yet available at local education authority level.

Information on teacher vacancies in January 2002 by local education authority will be published in the Teachers in England statistical volume in December 2002.

Provisional national figures have been published in the Statistical First Release Teachers in Service and Teacher Vacancies, January 2002 (Provisional).

Area	
City of London	0.0
Camden	5.2
Greenwich	3.6
Hackney	8.0
Hammersmith and Fulham	5.9
Islington	5.0
Kensington and Chelsea	6.6

Area	
Lambeth	3.7
Lewisham	4.2
Southwark	6.0
Tower Hamlets	8.6
Wandsworth	3.7
City of Westminster	4.8
Barking and Dagenham	1.7
Barnet	4.4
Bexley	4.8
Brent	1.2
Bromley	2.9
Croydon	3.2
Ealing	3.4
Enfield	2.7
Haringey	2.5
Harrow	4.5
Havering	2.2
Hillingdon	2.7
Hounslow	1.0
Kingston upon Thames	2.5
Merton	1.7
Newham	4.6
Redbridge	2.0
Richmond upon Thames	3.5
Sutton	0.7
Waltham Forest	0.4
Birmingham	0.9
Coventry	1.0
Dudley	1.1
Sandwell	2.0
Solihull	1.7
Walsall	0.7
Wolverhampton	1.6
Knowsley	0.8
Liverpool	0.0
St Helens	0.5
Sefton	0.6
Wirral	0.7
Bolton	0.3
Bury	0.3
Manchester	0.0
Oldham	0.7
Rochdale	0.3
Salford	0.2
Stockport	1.2
Tameside	1.3
Trafford	0.0
Wigan	0.4
Barnsley	1.3
Doncaster	0.4
Rotherham	0.0
Sheffield	0.4
Bradford	0.0
Calderdale	0.4
Kirklees	0.3
Leeds	0.8
Wakefield	0.5
Gateshead	0.4
Newcastle upon Tyne	0.9
North Tyneside	0.8
South Tyneside	0.0
Sunderland	0.8
Isles of Scilly	0.0
Bath and North East Somerset	0.7
City of Bristol	1.0
North Somerset	0.5
South Gloucestershire	0.4
Hartlepool	0.6
Middlesbrough	1.7
Redcar and Cleveland	1.5
Stockton on Tees	0.9
City of Kingston Upon Hull	0.4
East Riding of Yorkshire	0.3
North East Lincolnshire	1.6
North Lincolnshire	0.8
North Yorkshire	0.3
York	0.5
Bedfordshire	2.6
Luton	4.2
Buckinghamshire	1.8
Milton Keynes	1.3
Derbyshire	0.9
Derby	0.9
Dorset	0.7
Poole	2.0
Bournemouth	0.7
Durham	0.9
Darlington	1.1
East Sussex	1.4
Brighton and Hove	1.1
Hampshire	2.2
Portsmouth	4.5
Southampton	3.4
Leicestershire	0.7
Leicester	1.8
Rutland	0.0
Staffordshire	0.6
Stoke on Trent	1.1
Wiltshire	0.7
Swindon	1.5
Bracknell Forest	2.4
Windsor and Maidenhead	3.9
West Berkshire	0.9
Reading	4.4
Slough	6.7
Wokingham	1.6
Cambridgeshire	0.1
Peterborough	0.5
Cheshire	0.5
Halton	0.6
Warrington	0.7
Devon	1.1
Plymouth	0.0
Torbay	1.0
Essex	2.3
Southend on Sea	2.0
Thurrock	6.9
Herefordshire	1.6
Worcestershire	0.2
Kent	2.0
Medway	2.6
Lancashire	0.7
Blackburn with Darwen	1.6
Blackpool	0.5
Nottinghamshire	0.0
Nottingham	2.2
Shropshire	0.2
Telford and Wrekin	0.4
Cornwall	0.0
Cumbria	0.2
Gloucestershire	0.3
Hertfordshire	0.6
Isle of Wight	0.7
Lincolnshire	0.4
Norfolk	1.3
Northamptonshire	0.4
Northumberland	0.0
Oxfordshire	0.4
Somerset	0.3
Suffolk	1.8
Surrey	1.6
Warwickshire	1.2
West Sussex	1.6

Mr. Coleman: To ask the Secretary of State for Education and Skills how many teachers who were trained in *(a)* London and *(b)* other Government office regions took their first teacher post in the capital in the last 12 months. [64108]

Mr. Miliband: The provisional numbers of Initial Teacher Training completers in calendar year 1999 who were in full or part time service in the maintained schools sector in the London Government Office Region at 31 March 2000 were as follows:

Regions of ITT	*Numbers*
London	1,870
North East	30
North West	130
Yorkshire and The Humber	80
East Midlands	90
West Midlands	70
East of England	190
South East	230
South West	140
OU and SCITT	30
England	2,880

The numbers shown as in service may increase as a result of late receipt of annual service returns. This is the most recent available information.

Some 10 per cent. to 20 per cent. of part-timers are not recorded on the Teachers' Pension Scheme, from which the data are obtained.

This information was published in the Statistical of Education volume Teachers in England (including teachers pay for England and Wales) 2001 edition, a copy of which is in the Library.

Mr. Willis: To ask the Secretary of State for Education and Skills what plans she has to identify teacher shortages in schools for the beginning of the next academic year. [64553]

Mr. Miliband *[holding answer 26 June 2002]:* The Department for Education and Skills (DfES) is in regular contact with Local Education Authorities, notably Recruitment Strategy Managers, to share information regarding any teacher shortages.

Mr. Willis: To ask the Secretary of State for Education and Skills if she will identify by *(a)* geographical area and *(b)* subject specialisation, where there is difficulty recruiting and/or retaining teachers. [64554]

Mr. Miliband *[holding answer 26 June 2002]:* There were 9,400 full-time equivalent more regular teachers in schools in January 2002 (provisional) than a year before. The following Table 9 shows the latest provisional teacher vacancy rates by Government office region, which reflect turnover between schools as well as indicating schools' requirements for new teachers. The table was published in SFR 05/2002 on 24 April.

The following Table 10, also from SFR 05/2002, shows vacancy rates by subject for classroom teachers in maintained secondary schools.

Individual schools may find recruitment and retention easier or more difficult in particular subjects depending on their particular circumstances, including geographical location, but such information is not collected centrally.

Table 9: Vacancy[1] rates in maintained nursery, primary, secondary and special schools by grade and Government office region: 1996 to 2002

England

	Vacancies as a percentage of teachers in post[2]							*Number of vacancies 2002[3]*
	1996	*1997*	*1998*	*1999*	*2000*	*2001*	*2002[3]*	
All vacancies	0.4	0.6	0.7	0.7	0.8	1.4	1.2	4,480
Grade[4]								
Head or deputy head	0.8	1.0	1.4	1.2	1.1	1.3	1.0	470
Head	0.6	0.7	1.0	1.0	0.9	0.8	0.7	170
Deputy head	1.0	1.2	1.8	1.5	1.3	1.7	1.3	300
Classroom teacher	0.4	0.5	0.6	0.6	0.8	1.4	1.2	4,010
Government office region								
North East	0.3	0.3	0.5	0.5	0.3	0.8	0.7	140
North West	0.2	0.3	0.3	0.3	0.3	0.5	0.6	320
Yorkshire and the Humber	0.2	0.1	0.4	0.2	0.3	0.5	0.9	370
East Midlands	0.3	0.3	0.5	0.3	0.5	0.7	0.9	270
West Midlands	0.3	0.4	0.5	0.6	0.6	0.9	1.1	470
East of England	0.5	0.6	0.8	0.8	0.9	1.7	1.8	680
London[5]	1.1	1.5	2.0	2.0	2.0	3.5	2.6	1,320
South East	0.5	0.7	0.8	0.8	1.0	2.0	1.4	770
South West	0.2	0.4	0.4	0.4	0.6	0.6	0.5	170
England excluding London	0.3	0.4	0.5	0.5	0.6	1.0	1.0	3,160
Total vacancies (numbers)	1,610	2,020	2,590	2,530	2,910	4,980	4,480	

[1] Advertised vacancies for full-time permanent appointments (or appointments of at least one term's duration). Includes vacancies being filled on a temporary basis of less than one term.

[2] Teachers in post include full-time regular teachers in (or on secondment from) maintained nursery, primary and secondary schools, plus full-time regular divided service, peripatetic, advisory and miscellaneous teachers.

[3] Provisional.

[4] The number of teachers in post by grade is estimated using the Database of Teacher Records.

[5] The provisional 2002 vacancy rates for the inner and outer London weighting areas are 3.1 per cent. and 2.3 per cent., respectively (4.3 per cent. and 2.7 per cent., respectively in 2001).

Note:

Totals may not appear to equal the sum of the component parts because of rounding.

Table 10: Classroom teacher vacancy[1] rates in maintained secondary schools by subject: 1996–2002

England

	Vacancies as a percentage of teachers in post[2]									*Number of vacancies*
	1996	*Old*[3] *1997*	*New*[3] *1997*	*1998*	*1999*	*2000*	*2001*	*2002*[4]	*2002*[4]
All vacancies	0.3	0.4	0.4	0.5	0.5	0.7	1.5	1.3	2,340
Main teaching subject									
Mathematics	0.2	0.4	0.4	0.7	0.8	1.2	2.1	1.9	380
Information Technology	0.5	0.7	0.4	0.7	0.9	1.3	2.8	2.2	100
Sciences[5]:									
Chemistry	0.4	0.5	..	..	..	..	..	..	40
Physics	0.5	0.4	..	..	..	..	..	..	50
Biology	0.1	0.2	..	..	..	..	..	..	30
Other and combined sciences	0.2	0.3	..	..	..	..	..	..	270
All sciences[5]	0.3	0.3	0.3	0.4	0.5	0.6	1.6	1.5	380
Languages									
French	0.4	0.5	0.5	0.7	0.5	0.6	1.5	1.2	120
German	0.2	0.5	0.4	0.5	0.2	0.4	0.7	0.8	30
Other languages	1.4	1.4	1.3	1.5	1.2	1.9	3.3	2.4	40
All languages	0.5	0.6	0.5	0.7	0.5	0.7	1.5	1.2	190
English	0.3	0.4	0.4	0.5	0.4	0.7	1.8	1.6	320
Drama	0.4	0.7	0.5	0.2	0.4	0.7	1.7	1.7	60
History	0.2	0.1	0.1	0.2	0.2	0.2	0.5	0.5	40
Social sciences	0.0	0.4	0.2	0.0	0.1	0.2	0.4	0.4	20
Geography	0.2	0.3	0.3	0.4	0.1	0.3	0.6	0.8	70
Religious education	0.6	0.5	0.4	0.8	0.5	0.7	1.8	1.6	90
Design and technology	0.2	0.3	0.4	0.7	0.6	0.7	1.3	1.3	210
Commercial/business studies	0.0	0.4	0.4	0.6	0.4	0.5	1.3	0.9	30
Art, craft or design	0.3	0.2	0.2	0.3	0.5	0.3	0.7	0.8	60
Music	0.3	0.8	0.8	0.7	0.7	0.8	1.8	1.9	80
Physical education	0.2	0.2	0.2	0.3	0.3	0.2	0.8	0.9	110
Special Educational Needs[6]	1.2	1.1	..	..	..	..	..	..	..
Careers	0.5	1.0	1.0	1.8	0.9	1.4	4.3	1.9	—
Other main and combined subjects	0.8	0.9	0.7	0.7	0.8	1.2	1.7	1.7	200
Total vacancies (numbers)	510	650	650	860	840	1,140	2,530	2,340	

[1] Advertised vacancies for full-time permanent appointments (or appointments or af least one term's duration).

[2] Teachers in post include full-time regular teachers in (or on secondment from) maintained secondary schools, plus the secondary portion of full-time divided service, peripatetic, advisory and miscellaneous teachers.

[3] The number of teachers in post by main teaching subject is estimated using the 1992 Secondary School Staffing Survey for years 1996 and 1997 (old) and the 1996 Secondary School Curriculum and Staffing Survey for 1997 (new), 1998, 1999, 2000 and 2001.

[4] Provisional.

[5] Vacancies advertised in single sciences may be combined science classes. The distinction between single science vacancy rates and combined science has been discontinued for 1998. Corresponding figures on the old and new basis are shown for 1997.

[6] Special Educational Needs has been included in 'other, main and combined subjects' from 1997 (new).

Note:

Totals may not appear to equal the sum of the component parts because of rounding.

School Fire Safety

Bob Russell: To ask the Secretary of State for Education and Skills what the estimated cost is of damage caused by fires at schools for each of the last five years for which figures are available; and if she will make a statement. [64303]

Mr. Ivan Lewis: The Department does not collect this information.

Bob Russell: To ask the Secretary of State for Education and Skills if she will estimate how many schools have been fitted with fire sprinkler systems; what percentage of schools this represents; and if she will make a statement. [64302]

Mr. Ivan Lewis: The Department does not collect data on fire sprinkler systems.

If a fire should happen in a school, the Department's primary concern is the safety of pupils, teachers and other users. Regulation 17 of the Education (School Premises) Regulations 1999 requires that every part of a school building, and of the land provided for a school, shall be such that the safe escape of the occupants in case of fire is reasonably assured. Schools are also covered by the Health and Safety at Work etc. Act 1974, and subsequent regulations. These include aspects of fire safety.

To help schools manage fire safety, the Department published Managing School Facilities Guide 6, "Fire Safety", in 2000. This offers guidance on how to minimise the risk of fire, including identifying hazards and carrying out risk assessments. It also gives advice on training and on fire detection and alarm systems.

Pupil:teacher Ratios (Suffolk)

Mr. Spring: To ask the Secretary of State for Education and Skills what the average pupil:teacher ratio was in Suffolk in each year between 1997 and 2002 in *(a)* primary, *(b)* middle and *(c)* upper schools. [64390]

Mr. Miliband: The information requested is shown in the table.

Average pupil:teacher ratio[1] in maintained primary, middle[2] and secondary schools in Suffolk LEA
Position in January each year

	Total Primary	Secondary	Middle deemed Secondary	Total Secondary
2002[3]	21.6	16.3	18.4	16.9
2001	22.0	16.4	18.7	17.1
2000	22.1	16.0	18.9	16.9
1999	22.0	15.7	18.9	16.6
1998	22.2	15.5	18.8	16.5
1997	22.3	15.6	18.8	16.6

[1] The pupil:teacher ratio within schools is the ratio of full-time equivalent pupils to full-time equivalent number of teachers.

[2] There are no middle deemed primary schools in Suffolk.

[3] Provisional

Source:

Annual Schools Census

Education SSA

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills which local education authorities *(a)* spent and *(b)* proposed to spend less than SSA on education, showing the extent of the shortfalls, in each of the years 1999–2000 to 2002–03. [63889]

Mr. Miliband: The information requested has been placed in the Libraries.

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills which local education authorities failed to passport increases in education SSA; and what the extent of the shortfall was in each of the years 1999–2000 to 2002–03. [63890]

Mr. Miliband *[holding answer 24 June 2002]:* The names of the local education authorities which failed to passport increases in the education SSA were published in the LEAs' Local Schools Budgets Comparative Tables for each of the years 1999–2000 to 2002–03.

The information requested is listed by each of the years in question.

1999–2000

Bath and North East Somerset
Birmingham
Blackpool
Brighton and Hove
Cornwall
Darlington
Doncaster
East Riding of Yorkshire
Gateshead
Haringey
Herefordshire
Kingston upon Hull
Knowsley
Lambeth
Lancashire
Leicestershire
Lewisham
Merton
Milton Keynes
Newcastle upon Tyne
North Somerset
Redbridge
Redcar and Cleveland
Richmond upon Thames
Somerset
Southampton
South Gloucestershire
St. Helens
Swindon
Trafford
Walsall
Waltham Forest
West Sussex
Wigan

Passporting shortfall: £24,078,000

2000–01

Barnet
Brent
North Somerset
Redbridge
Salford
Somerset
Southwark

Passporting shortfall: £8,578,000

2001–02

Brent
Bristol
Harrow
Northumberland
North Somerset
Swindon
Wolverhampton
York

Passporting shortfall: £7,268,000

2002–03

Bedfordshire
Brent
Bromley
East Riding of Yorkshire
East Sussex
Essex
Hackney
Hounslow
Newcastle
North Tyneside

Poole

Reading

Rutland

Slough

Southampton

Southwark

South Gloucestershire

Wolverhampton

Passporting shortfall: £30,793,000.

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what proportion of education SSA was included in schools' delegated budgets in each local education authority in each year since 1999–2000, ranked by order of the most recent year. [63891]

Mr. Miliband *[holding answer 24 June 2002]:* The following table shows schools' delegated budgets as a proportion of education SSA. These percentages differ from the delegation percentages published annually by the Department. Those percentages are based on the Local Schools Budget (LSB), the coverage of which differs significantly from the coverage of the Education SSA: in particular, the LSB includes expenditure financed by the Standards Fund and other specific grants, but excludes expenditure on non-school education. The percentages shown below will reflect LEAs' spending levels relative to their SSAs as well as their propensity to delegate within the LSB, and will also be affected, year to year, by changes in the scope of the SSA.

Percentage

LEA name	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Bath and North East Somerset	85.6	86.9	86.5	87.8
Rutland	88.3	910	89.1	87.4
South Gloucestershire	83.2	83.3	84.8	85.5
Wigan	83.9	85.4	85.9	85.3
City of Bristol	4.0	84.9	84.1	84.8
Kingston upon Thames	81.2	81.7	85.1	84.3
Sefton	79.3	84.7	85.4	84.0
Poole	80.1	83.2	82.2	83.9
Suffolk	82.7	82.5	81.5	83.8
Havering	82.5	82.1	84.0	83.6
Dudley	84.4	84.2	82.8	83.4
Richmond upon Thames	80.1	80.3	81.8	83.2
Southend-on-Sea	83.8	85.5	84.5	82.9
Warrington	81.5	81.8	83.2	82.7
Barnet	84.6	83.3	83.4	82.6
Sandwell	76.0	79.6	82.7	82.6
Leeds	80.9	81.2	81.1	82.4
Cheshire	83.2	82.5	82.4	82.3
West Berkshire	81.0	82.3	82.8	82.3
Medway	77.7	79.8	80.1	82.2
North Yorkshire	81.7	81.5	81.4	82.2
East Riding of Yorkshire	81.6	82.2	82.9	82.1
Dorset	76.4	77.2	82.6	82.1
North Tyneside	78.1	77.8	82.3	81.7
Calderdale	77.2	78.1	78.8	81.6
Coventry	79.3	79.5	81.0	81.6
Birmingham	82.0	82.6	82.9	81.6
Barking and Dagenham	76.8	77.4	80.8	81.5
Plymouth	78.4	78.8	81.3	81.4
Northamptonshire	82.8	83.2	83.1	81.4
Wakefield	73.5	76.9	78.8	81.3
Warwickshire	79.7	82.8	81.2	81.3
Harrow	79.1	79.9	80.3	81.2
Somerset	81.0	80.8	81.2	81.2
Nottingham	75.8	76.4	79.2	81.1
Portsmouth	83.0	83.1	81.7	81.1
Worcestershire	77.5	79.0	79.4	81.1
Doncaster	77.1	78.1	80.0	81.0
Staffordshire	79.4	78.6	79.3	81.0
York	82.3	81.5	81.1	81.0
Telford and Wrekin	78.2	79.5	79.6	81.0
North East Lincolnshire	78.3	79.3	79.2	80.9
St. Helens	76.4	79.6	80.9	80.9
Nottinghamshire	81.9	81.3	80.8	80.8
Stockton-on-Tees	79.5	82.0	81.8	80.7
Rotherham	76.2	79.7	81.0	80.6
Oldham	78.7	80.8	80.8	80.6
Merton	76.5	77.8	79.2	80.6
Trafford	79.0	79.4	80.9	80.4
Solihull	82.2	82.4	82.1	80.4
Tameside	76.0	77.3	78.9	80.3
Cambridgeshire	72.1	77.2	79.7	80.3
Barnsley	69.5	74.5	77.5	80.3
Bolton	76.9	78.4	78.3	80.2
Durham	76.2	77.2	81.6	80.2
Hampshire	81.3	81.2	79.5	80.2
Essex	79.7	79.7	79.7	80.1
Salford	74.7	79.4	80.7	80.1
North Lincolnshire	76.1	78.6	80.9	80.0
Stockport	78.2	78.5	80.1	80.0
Lancashire	75.6	76.1	78.7	80.0
Sutton	78.6	80.5	80.3	80.0
Walsall	78.3	79.5	79.6	80.0
Wokingham	82.4	83.3	82.2	80.0
Torbay	75.2	76.3	78.5	80.0
Norfolk	80.7	80.6	81.1	80.0
Hillingdon	82.7	81.5	80.3	80.0
West Sussex	80.4	79.8	80.0	80.0
Sunderland	76.3	76.8	78.1	79.8
Thurrock	76.4	77.0	77.9	79.8
Hertfordshire	78.6	78.8	79.0	79.8
Middlesbrough	71.0	75.5	78.5	79.8
Cumbria	80.6	81.1	81.4	79.7
Northumberland	77.4	77.9	81.0	79.7
Kent	77.5	77.9	78.3	79.7
Bedfordshire	80.6	80.3	79.4	79.6
Kirklees	75.6	79.0	79.8	79.6
City of Kingston Upon Hull	72.9	75.3	79.2	79.6
Derbyshire	79.0	80.6	79.6	79.5
Milton Keynes	73.8	74.7	76.3	79.5
Bournemouth	77.5	80.0	80.6	79.3
Gateshead	75.1	78.5	80.8	79.2
Hartlepool	74.9	77.6	79.2	79.1
Redcar and Cleveland	75.4	78.8	79.9	79.0
Peterborough	74.3	80.4	79.7	79.0
Waltham Forest	78.2	78.9	79.5	78.8
Surrey	77.1	78.6	78.6	78.8
Bury	77.3	79.4	79.1	78.7
Kensington and Chelsea	76.9	81.4	79.7	78.7
Derby	72.5	75.0	76.8	78.7
Halton	76.2	79.0	78.7	78.5
Leicestershire	80.8	80.3	79.1	78.5
East Sussex	77.0	77.6	78.9	78.5
Hounslow	78.3	79.2	79.5	78.4
Enfield	76.4	78.2	78.8	78.4
Lincolnshire	78.6	81.0	79.1	78.4
Luton	72.9	76.4	76.9	78.3
Swindon	77.1	78.0	77.1	78.3
Blackpool	72.8	75.1	77.9	78.3
Wandsworth	75.8	76.9	78.1	78.3
Redbridge	76.7	77.8	78.4	78.2
Blackburn with Darwen	71.5	76.6	77.6	78.2
Stoke-on-Trent	76.0	77.3	79.3	78.1
Leicester	72.1	73.7	77.9	78.0
Bradford	69.9	73.0	75.8	77.8
Isle of Wight	73.6	78.0	78.6	77.6
Darlington	73.8	74.0	78.1	77.6
Shropshire	76.8	78.5	78.6	77.6
Brighton and Hove	74.6	76.2	78.0	77.5
Ealing	72.5	73.3	75.9	77.5
Gloucestershire	77.6	77.4	76.3	77.5
South Tyneside	72.8	73.9	77.7	77.4
Westminster	69.5	73.8	78.3	77.4
Liverpool	72.2	77.1	77.8	77.4
North Somerset	80.3	78.6	78.6	77.3
Devon	74.7	74.6	78.1	77.3
Tower Hamlets	68.0	75.2	76.5	77.2
Manchester	69.8	74.5	78.4	77.2
Cornwall	71.2	71.5	76.8	77.1
Southampton	77.7	78.8	78.5	77.1
Wolverhampton	76.9	76.7	78.4	76.9
Wiltshire	78.1	78.0	76.7	76.9

Percentage

LEA name	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Windsor and Maidenhead	76.7	77.9	76.5	76.9
Knowsley	71.1	72.5	75.5	76.7
Wirral	75.4	76.8	78.1	76.6
Camden	72.1	74.2	77.2	76.4
Slough	72.0	73.2	74.4	76.3
Oxfordshire	76.2	76.8	75.1	76.3
Sheffield	73.9	75.5	75.8	76.3
Haringey	69.8	73.6	76.3	76.1
Newcastle upon Tyne	72.3	78.0	76.5	75.7
Rochdale	71.0	71.3	74.0	75.6
Croydon	75.5	76.6	76.0	75.5
Greenwich	72.3	74.7	75.2	75.4
Bracknell Forest	73.8	74.5	74.4	75.3
Bexley	74.1	75.4	76.7	75.2
Southwark	69.1	75.3	75.1	75.0
Herefordshire	73.5	75.5	74.7	75.0
Bromley	76.4	77.3	76.6	74.3
Brent	77.2	76.2	75.8	73.8
Buckinghamshire	73.2	73.2	73.5	73.6
Reading	72.4	75.0	74.2	73.3
Hammersmith and Fulham	72.3	74.6	74.7	72.8
City of London	79.2	81.0	84.0	72.6
Lewisham	72.5	72.7	73.5	72.5
Isles of Scilly	71.9	72.9	76.0	72.0
Newham	63.2	68.4	71.5	71.6
Islington	67.3	66.7	69.3	69.1
Lambeth	69.3	68.6	68.9	68.2
Hackney	63.1	68.0	67.8	67.5
England	77.2	78.4	79.2	79.3

Notes

Schools delegated budgets comprise the Individual Schools' Budget excluding the School Standards Grant (which does not form part of the SSA) as taken from LEAs Section 52 budget statements returned to the DfES each year.

Education SSA figures are as per settlement rounds for each year.

LearnDirect Plus

Mr. Hancock: To ask the Secretary of State for Education and Skills how many people have enrolled on LearnDirect plus in the Portsmouth, South constituency since it began; how many courses are provided in Portsmouth, South; how much funding has been provided for these courses; and if he will make a statement. [64728]

Mr. Ivan Lewis: 5,010 people have enrolled on a LearnDirect course in the Portsmouth, South constituency since the initiative was rolled out in October 2000. Learners in Portsmouth, South can choose from the current LearnDirect portfolio of 647 courses, which can be accessed at a LearnDirect centre or at home, at work or other locations. We are unable to provide information on the amount of funding provided for courses in the Portsmouth, South constituency.

Apprenticeships

Mr. Hancock: To ask the Secretary of State for Education and Skills how many *(a)* modern apprenticeship and *(b)* advanced modern apprenticeship starts there were in the Portsmouth, South constituency in each of the last three years; and if she will make a statement. [65370]

Mr. Ivan Lewis: The numbers of advanced modern apprenticeships and foundation modern apprenticeships, started by people recorded as living in the Portsmouth, South constituency, in each of the last three years. are as follows.

	Advanced modern apprenticeships	*Foundation modern apprenticeships*
1999–00	107	111
2000–01	114	169
2001–02[1]	61	148

[1] Figures for 1999–00 and 2000–01 include transfers onto AMA and FMA from other Work-Based Learning. Figures for 2001–02 do not include these transfers.

Work Experience

Simon Hughes: To ask the Secretary of State for Education and Skills what her plans are for providing further work experience for teenagers of school age. [63390]

Mr. Miliband: Over 95 per cent. of school pupils already undertake work experience placements in their last years of compulsory schooling to help develop the skills and attitudes essential for the world of work. The Department provides £10 million a year towards the costs of this programme, and evaluations suggest that the placements are generally satisfactory and well-received by schools, pupils and employers. We will also fund a £38 million programme over 2002–2004 to expand vocational opportunities at Key Stage 4. This includes support for over 30,000 pupils on part-time vocational courses in colleges that will often involve direct experience of the world of work.

The Green Paper "14–19: extending opportunities, raising standards", published in February, proposes that all young people should undertake some work-related learning. Plans to develop and enhance existing arrangements for work experience will depend upon decisions yet to be taken on these proposals.

St. Benedict's Catholic High School

Dr. Jack Cunningham: To ask the Secretary of State for Education and Skills when she expects to announce a decision on the application of St. Benedict's Catholic High School, Whitehaven for engineering college status; and if she will make a statement. [64854]

Mr. Miliband: We plan to announce the names of the schools, following the March competition, which have been successful in meeting the criteria for Specialist School designation, on Thursday 4 July. This will include the first designations under the new specialisms, which include Engineering Colleges.

Welsh A-level

Mr. Willis: To ask the Secretary of State for Education and Skills if she will ensure that UK universities in receipt of state funding accept Welsh A-level as a valid qualification for entry. [65391]

Margaret Hodge: Higher education institutions throughout the UK are autonomous institutions. Therefore the acceptance or non-acceptance of A-level Welsh as an appropriate entry qualification would be a decision for each individual higher education institution to take in the light of the course which the applicant wished to pursue, and the applicant's other qualifications. I am not aware of any institutions with a blanket policy of not accepting A-level Welsh.

School Visits

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills if she will list the schools visited by senior officials in her Department, broken down by *(a)* local education authority and *(b)* dates, since 1997; and how many schools have been visited by officials in her Department each year since 1997. [65578]

Mr. Stephen Twigg: Detailed information on school visits by senior officials and other staff in the Department is not available, but many such visits are undertaken each year. All staff in the Department are encouraged to visit schools and experience for themselves the impact our policies have and to take back the views of teachers, governors and parents. We are currently running, in conjunction with the Secondary Heads Association, a special programme which over the next year will involve all middle managers in Schools Directorate spending three days immersed in the life of a secondary school.

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills if she will list the schools visited by Ministers in her Department, broken down by *(a)* local education authority, *(b)* dates and *(c)* Ministers, since 1997. [65577]

Mr. Stephen Twigg: The information in the form requested is not held centrally and can be provided only at disproportionate cost.

Leonardo Da Vinci Programme

Annabelle Ewing: To ask the Secretary of State for Education and Skills if she will make a statement on the reason for the delay in the payment of Leonardo da Vinci monthly programme grants by the UK Leonardo Unit. [63686]

Margaret Hodge *[holding answer 21 June 2002]:* The Agencies which administer the Leonardo da Vinci programme in the UK on behalf of the Department for Education and Skills have not been able to enter into formal contracts for 2002 projects because of delays in agreeing contracts with and receiving funding from the European Commission. I understand that funding should be available soon and I hope that this will enable contracts to be agreed and payments made for specific projects shortly afterwards.

National Insurance

Mr. Willis: To ask the Secretary of State for Education and Skills if she will calculate in percentage terms the increase in costs to local education authorities and schools of the introduction of the new rates of employers national insurance. [65534]

Estelle Morris: The additional cost in employers' national insurance contributions in 2003–04 for English local education authorities and schools represents 0.5 per cent. of total planned spending in that year. I refer the hon. Member to the reply to the Question from the hon. Member for Altrincham and Sale, West (Mr. Brady), 24 April 2002, *Official Report*, column 311W.

Investors in People

Shona McIsaac: To ask the Secretary of State for Education and Skills what plans she has to announce the result of the quinquennial review of Investors in People UK. [66163]

Mr. Ivan Lewis: The first stage of the quinquennial review of Investors in People UK has been completed. A report has been published today, outlining the findings of the review and the recommendations that have been made as a result. The report is available in the Library. It can also be seen on the DfES website: "www.dfes.gov.uk/consultations".

Carlton House Terrace

Dr. Murrison: To ask the Secretary of State for Education and Skills what funding is given to organisations to meet the cost of property in Carlton House Terrace. [63485]

Margaret Hodge: The only organisation occupying premises in Carlton House Terrace that is funded by this Department is the British Academy. The British Academy's Grant-in-Aid for 2002–03 is £13 million, including administrative and premises costs.

SOLICITOR-GENERAL

Crown Prosecution Service

Mrs. Curtis-Thomas: To ask the Solicitor-General if she will make a statement on how each CPS region is improving its own performance management. [60216]

The Solicitor-General: The devolved 42 area structure of the CPS empowers Chief Crown Prosecutors and their area business managers to develop their own approach to performance management, both internally within the organisation and in partnership with their local criminal justice partners. All areas have an annual business plan and conduct a follow-up review of their performance against those plans. To maintain consistent standards, and in order to compare and contrast performance across the service nationally, all areas report performance across a range of indicators within a national framework that supports the business planning process.

In addition, area performance is reviewed independently by the CPS inspectorate.

Acquittals

Mrs. Curtis-Thomas: To ask the Solicitor-General what analysis she has undertaken to determine the reasons for *(a)* judge-ordered and *(b)* judge-directed acquittals. [60202]

The Solicitor-General: I regularly receive reports from the Crown Prosecution Service (CPS), who maintain a record of the number of cases resulting in a judge-ordered or directed acquittal and capture a broad analysis of the reasons underlying the failure of the case.

The figures shown in the table contain an analysis for the year ending March 2002. The figures in column one represent the number of defendants whose case resulted in a judge-ordered or judge-directed acquittal together with the reasons for the outcome. The figures in column two express these as a percentage of completed Crown Court cases (not including cases dealt with under its appellate jurisdiction).

In the year 2001–02 a judges-ordered or directed acquittal in 13,306 cases, representing 15.8 per cent. of the total. Of these, the largest figure (4,515 cases) represents cases where a judge ordered acquittal because a prosecution witness was missing, or refused to give evidence, where a complaint was withdrawn, or where a witness was unable to give evidence. This category accounts for 5.4 per cent. of the total number of cases and 33.9 per cent. of the total number of judge-ordered and directed acquittals.

A further 3,078 (3.6 per cent. of the total) resulted in a judge-ordered acquittal because of doubts over the admissibility, reliability or strength of evidence (other than identification evidence).

A more detailed list of reasons for these outcomes will be available following the introduction of the CPS Compass Case Management System due to roll-out between April and December 2003.

Reasons for judge-ordered and judge-directed acquittals 2001–02

	Number of defendants[1]	*Percentage of completed cases*[2]
Judge-ordered acquittals		
Witness missing/refuses or unable to give evidence/complaint withdrawn	4,515	5.4
Defendant medical problems	257	0.3
Other indictments or sentences	1,072	1.8
Doubts identification evidence	966	1.1
Other evidence inadmissible/unreliable/conflicting	3,078	3.6
Legal element missing from prosecution case	771	0.9
Long delay or abuse of process	565	0.7
Adjournment refused/P11 application refused	600	0.7
Total	11,824	14.0
Judge-directed acquittals		
Identification evidence unreliable	271	0.3
Legal element missing from prosecution case	243	0.3
Doubts over other evidence	460	0.5
Confession or other evidence ruled inadmissible	38	0.0
Other reason	470	0.6
Total	1,482	1.8

[1] This column shows the number of defendants whose case resulted in judge-ordered and directed acquittal.

[2] This column expresses these figures as a percentage of completed Crown Court cases, excluding appeals and committals for sentence.

DEFENCE

Helicopter Equipment

Mr. Keetch: To ask the Secretary of State for Defence what plans he has to install an integrated cockpit voice and flight data recorder with a health and usage monitoring system into *(a)* Sea King Mk 3, *(b)* Sea King Mk 3A, *(c)* Lynx and *(d)* Puma aircraft; at what stage these plans are; and if he will make a statement. [64850]

Mr. Ingram: We are examining how we can derive the maximum benefit for these in-service helicopters from integrated cockpit voice and flight data recorders, and the health and usage monitoring system. Final decisions have yet to be taken as to which helicopter types will be fitted with this equipment, and to what timescale.

Housing

Mr. Cox: To ask the Secretary of State for Defence how many military service properties in the United Kingdom are waiting to be sold. [54633]

Dr. Moonie: If "military service properties" refers to housing, most of the family quarters estate in England and Wales was sold to Annington Homes Ltd. (AHL) in November 1996. The sale to AHL did not cover Scotland. The Defence Housing Executive (DHE) leases back from AHL the properties it needs to house service families. Under the sale agreement, DHE must hand back 13,213 properties to AHL over the first 25 years (i.e. to 2021). In financial year 2001–02, 2,305 properties were released to AHL and a further 220 family quarters still owned by my Department were passed to Defence Estates (DE) for disposal.

To date in 2002, 1,884 leased properties in England and Wales have been handed back to AHL. On 31 March 2002 DE were actively preparing in excess of 600 houses for sale.

More generally, the number of sites (other than housing) in disposal changes from day to day as some are sold and others come forward for disposal.

Land Sales

Mr. Luff: To ask the Secretary of State for Defence if he will list land within the Defence Estates portfolio that *(a)* is being offered for sale and *(b)* will be offered in the next 12 months, giving its (i) location and (ii) size. [59068]

Dr. Moonie: The information requested for the Ministry of Defence is as follows.

Site	*Location*	*Area hectares (ha)*	
Former range, Asfordby Training Area	Leicestershire	16	—
Former Officers Mess site RAF Watton	Norfolk	11.3	—
Seinefeine Land Gt. Cressingham	Norfolk	4.004	To be acquired by highways agency for road improvements
Part of RAF Syerston Gliding Sch	Nottinghamshire	17.6	—
Tuddenham land	Suffolk	0.050	Two sites 0.025 hectares each
Cemetery Land at Waterbeach	Cambridgeshire	0.606	To be acquired by local parish for the extension of the cemetery
Sports pitch, Bordon	Hampshire	1.254	Sports pitch only. Also selling St. Lucia Lodge
INF Greenham Common	—	29.88	Council has pre-emptive right
Land at Aborfield	Berkshire	29.88	—
4 building plots at Hermitage	Berkshire	0.023	—
RAF Edelsborough	Buckinghamshire	72	Former owner has expressed interest
Woodvale Training area	Merseyside	33	—
Oil Fuel Depot Sully	Vale of Glamorgan	0.10	—
Arras Lines	Catterick	6	—[1]
Ralston Ranges	—	28.40	—[1]
Forest Moor Farm Land	North Yorkshire	33.10	Two sites
Forest Moor Farm Land	North Yorkshire	87	Three sites[1]
Morfa Camp, Tywn	Gwynedd	40	—
Wellbank Camp and Bungalow	Cumbria	4.40	—
Saighton Camp	Cheshire	48.58	—
RNAD Broughton Moor	Cumbria	433.61	—
Smalmstown Farm, Longtown	Cumbria	101	—
RAF Boulmer Old Admin Site	Northumberland	4.04	—[1]
RE Depot, Long Martson	Warwickshire	0.287	—[1]
RAF Burtonwood	Cheshire	92.30	—[1]
Deysbrook Barracks	Liverpool	42.72	—[1]
RAF Church Fenton and Olla Grange	North Yorkshire	18.5	—[1]
RAF Shawbury site D	Shropshire	6.04	—[1]
RAF Shawbury site E	Shropshire	8.166	—[1]
Hayston Farm, Castlemartin	Monmouthsire	627.59	Five sites
Hayston Farm, Castlemartin	Monmouthsire	172.57	Eight sites[1]
Halton	Catterick	Not finalised	—[1]
Scotton Buildings	Catterick	0.10	—
Rolstone Range	Catterick	41	—
Hythe	—	0.065	—
Piling Camp and Range	—	42.8	—
Beith Agricultural Land	Ayrshire	37.182	—
Crombie Former Putting Green Dunfermline	Fife	0.05	—
Inverness—Dev site	Inverness	0.01	—
Crawfordsburn	Co. Down	1.064	—
DIVIS Mountain, Belfast	Co. Antrim	598.9	—
Dobbin Hill	Co. Armagh	1.057	—
St. Lucia	Omagh	1.344	—
Paddock, Corsham	Wiltshire	3.3	—
Elmdene, Durrington	Wiltshire	0.09	—
TAC Devizes	Wiltshire	3	—[1]
Marchwood Development Plots	Hampshire	88.01	—[1]
Coleridge Training Area	Devon	1.935	—[1]
Coleridge Training Area	Devon	5.907	—[1]
Coleridge Training Area	Devon	12.364	—[1]
5 Langton Park	Wiltshire	0.98	—
TA Newbury	Berkshire	0.17	—
Dean Hill Land	Hampshire	232.19	—
TAC Bridgewater	Somerset	0.5	Land and buildings
HMS Mercury	Hampshire	7.09	—
Land at Wyvern Barracks, Exeter	Devon	4.265	—
OFD Turnchapel	Devon	2.74	—
Frater House	Hampshire	0.66	—[1]
Portsdown Main	Devon	18.15	—
TAC Millbay	Devon	1.006	—
Peel Circus, Corsham	Wiltshire	8.69	—
RNCF Holton Heath	Dorset	28.81	—[1]
Land adj. 57 Higher Wood, Bovington	Dorset	8.04	—[1]
Wainscott Camp	Kent	4.61	—[1]
Site A Monxton Road, Andover	Hampshire	3.5	—[1]

[1] Indicates land likely to be offered in the next 12 months, compared to land currently being offered.

It should be noted that these figures represent only a "snapshot" of the situation in regard to sites in disposal. Land is declared surplus and comes forward for disposal frequently, and sites are sold on a regular basis.

The list is also restricted to land, rather than buildings and thus does not constitute the totality of MOD sites in disposal.

Armed Forces Exercises

Mr. Jenkin: To ask the Secretary of State for Defence what the *(a)* date, *(b)* participating units, *(c)* timing, *(d)* nature of exercise and *(e)* total cost of exercise, were for each exercise involving British armed forces, originally planned for BATUS in Canada during this financial year; and if each exercise is still scheduled to take place. [62229]

Mr. Ingram: Details of British Army training exercises that are scheduled to take place in BATUS during this financial year along with their attendant costs are shown in the table. All the BATUS exercises scheduled for this financial year are still due to take place.

Dates/timings	*Exercise*	*Participating units*	*Timings (prairie days)*	*Nature of exercise*	*Expected cost of exercise*[1] *(£ million)*
16 April 2002 to 23 May 2002	Exercise MEDMAN 1	Scots Dragoon Guards Battlegroup	23 April 2002 to 17 May 2002 (25 days)	Battlegroup all arms live fire and simulation exercise	8.3
23 May 2002 to 27 June 2002	Exercise MEDMAN 2	1 Black Watch	28 May 2002 to 21 June 2002 (25 days)	Battlegroup all arms live fire and simulation exercises	8.3
27 June 2002 to 3 August 2002	Exercise MEDMAN 3	1 Royal Regiment of Fusiliers Battlegroup	2 July 2002 to 26 July 2002 (25 days)	Battlegroup all arms live fire and simulation exercises	8.3
3 August 2002 to 21 October 2002	Exercise IRON ANVIL 02 (Includes Exercises MEDMAN 4 and MEDMAN 5	19 (Mechanised) Brigade 19 Brigade Headquarters 2 Royal Tank Regiment 1 Kings Battlegroup 1 Kings Own Scottish Borderers 40 Regiment Royal Artillery 38 Engineer Regiment 5 Battalion Royal Electrical Mechanical Engineers 29 Regiment Royal Logistic Corp	24 August 2002 to 8 October 2002 (46 days)	The Exercise consists of MEDMAN 4 and MEDMAN 5. For 2 Royal Tank Regiment and 1 Kings Battlegroup and Brigade all arms live fire and simulation exercises. 1 Kings Own Scottish Borderers join for the Brigade level exercise to allow 19 Mechanised Brigade to exercise with 3 manoeuvre Battle Groups under command.	—

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[1] Costs are calculated by dividing the total BATUS resource consumption by the number of MEDICINE MAN Exercises. (Exercise IRON ANVIL equates to approximately 2 MEDICINE MAN exercises).

Medical Categories (Armed Forces)

Mr. Keetch: To ask the Secretary of State for Defence, pursuant to his answer of 8 May 2002, *Official Report*, column 181W, how many *(a)* women and *(b)* men in the (i) Army, (ii) Royal Navy and (iii) RAF are in a downgraded medical category; to which category they belong and the percentage of trained strength this represents; and if he will make a statement. [56171]

Dr. Moonie *[holding answer 15 May 2002]:* The information requested is shown in the table. My answer of 8 May 2002, *Official Report*, column 181W, related to certain specified Army medical downgrading categories only. My answer of 10 June 2002, *Official Report*, column 732W, provided a list of the medical downgrading categories used by all three services.

Downgraded category	*Male*	*Male percentage of total strength*	*Female*	*Female percentage of total strength*
Naval personnel by downgraded medical category				
PO	119	0.28	14	0.03
P3P	425	1.01	28	0.07
P3R	219	0.52	85	0.20
P3R (pregnant)	nil	nil	81	0.19
P7	52	0.12	3	0.01
P7RA	247	0.59	46	0.11
P7RB	48	0.11	12	0.03
P7RC	56	0.13	9	0.02
P7RD	1,349	3.2	225	0.53
P8	61	0.14	7	0.02
Regular army personnel by downgraded PULHHEEMS employment standard				
PO	679	0.7	109	0.11
P3—LE	6,634	6.8	736	0.76
P3—LT	1	*0.00	nil	nil
P3—BE	7	0.01	2	*0.00
P3—RE (PP)	nil	nil	364	0.38
P7—HO	950	0.98	106	0.11
P7—HO (UK)	158	0.16	12	0.01
P7—HO (NNI)	541	0.56	35	0.04
P7—HO (UK not NI)	29	0.03	3	*0.00
Regular RAF personnel by downgraded medical employment standard				
A1G1Z3	1	*0.00	nil	nil
A1G2Z3	2	*0.00	nil	nil
A1G3Z1	13	0.03	nil	nil
A1G3Z5	8	0.02	1	*0.00
A1G4Z1	1	*0.00	nil	nil
A1G4Z5	nil	nil	1	*0.00
A2G2Z2	1	*0.00	nil	nil
A2G2Z3	5	0.01	nil	nil

Downgraded category	*Male*	*Male percentage of total strength*	*Female*	*Female percentage of total strength*
A2G3Z1	13	0.03	1	*0.00
A2G3Z5	7	0.01	nil	nil
A2G4Z1	2	*0.00	nil	nil
A2G4Z4	1	*0.00	nil	nil
A3G3Z1	46	0.09	nil	nil
A3G3Z3	2	*0.00	nil	nil
A3G3Z5	10	0.02	nil	nil
A3G4Z1	5	0.01	nil	nil
A3G4Z5	3	0.01	nil	nil
A4G1Z4	nil	nil	1	*0.00
A4G2Z2	1	*0.00	nil	nil
A4G2Z3	32	0.07	1	*0.00
A4G2Z4	1	*0.00	nil	nil
A4G3Z1	471	0.97	291	0.60
A4G3Z2	3	0.01	nil	nil
A4G3Z3	7	0.01	1	*0.00
A4G3Z4	4	0.01	1	*0.00
A4G3Z5	1,071	2.20	263	0.54
A4G4Z1	264	0.54	40	0.08
A4G4Z2	4	0.01	2	*0.00
A4G4Z3	2	*0.00	nil	nil
A4G4Z4	1	*0.00	nil	nil
A4G4Z5	1,036	2.13	155	0.32
A4G5Z0	128	0.26	23	0.05
A5G1Z5	1	*0.00	nil	nil
A5G3Z1	1	*0.00	1	*0.00
A5G3Z5	6	0.01	2	*0.00
A5G4Z5	4	0.01	1	*0.00

Notes:

1. The figures are as at 1 May 2002.

2. Figures have been rounded to the nearest two decimal places. Those marked with an asterisk are 0.004 per cent. or less.

3. Army and RAF figures show medically downgraded trained personnel as a percentage of trained strength.

4. Naval figures show totally medically downgraded personnel, including new entry trainees, as a percentage of total strength as the Royal Navy is unable to provide separate figures for medically downgraded trained personnel only.

5. The Army PO category normally relates to personnel undergoing hospital treatment or on hospital sick leave, but may also include personnel for whom no PULHHEEMS employment standard is recorded on the personnel computer.

Army (Recruitment)

Mr. Dodds: To ask the Secretary of State for Defence how many applications to join the Army in each year since 1998 were rejected with no reason given to the applicant; and in what circumstances the Department refuses to give reasons for rejection of applicants. [62640]

Mr. Ingram: No applications to join the Army are refused without a reason being given to the applicant. However, in common with other Government Departments, it is the Ministry of Defence's policy to maintain the freedom to accept, or reject, any person for employment without giving a detailed explanation.

Wind Farms (Scotland)

Mr. Peter Duncan: To ask the Secretary of State for Defence if he will list those applications for wind farms in Scotland since January 2000 that his Department have *(a)* objected to and *(b)* not objected to. [64346]

Dr. Moonie: I will write to the hon. Member with a list of all wind farm proposals for Scotland received during the time specified and I will place a copy of my letter in the Library of the House.

The Ministry of Defence has received a total of 182 wind energy proposals in Scotland since 1 January 2000, of which 112 received no objection and 70 were objected to. The objections were for varying reasons of interference to low flying, radar or microwave links.

Meteor BVRAAM Missile Programme

Mr. Hancock: To ask the Secretary of State for Defence what the projected contract schedule for the Meteor BVRAAM missile programme is; and if he will make a statement. [64282]

Dr. Moonie: A draft contract for the development and production of the Meteor (BVRAAM) missile was sent to our partner nations at the end of April. A number of amendments have now been incorporated into a final version, which was passed to our partners earlier this month. We very much hope that all partner nations will confirm within the next few weeks that they are content for the contract to be signed and that Germany will also sign the Meteor Memorandum of Understanding (already signed by the other five nations). Our aim remains to award the contract to MBDA in July.

Chinook Helicopter

Norman Lamb: To ask the Secretary of State for Defence when the decision was taken by his Department not to provide a full response to letters received on the subject of the fatal accident to Chinook ZD576. [64564]

Mr. Ingram: No such decision has been taken.

Norman Lamb: To ask the Secretary of State for Defence to whom the reasons for the two suspensions of RAF Chinook HC2 flight trials at Boscombe Down in 1994 were communicated at the time. [64562]

Mr. Ingram: The distribution of the aircraft and armament evaluation establishment, Boscombe Down's internal minutes communicating the reasons for the temporary suspension of flight trials included the Procurement Executive, the RAF Air Operations Branch and the Director of Flying, and our Liaison Officer in Philadelphia.

Annual Leave

Mr. Bercow: To ask the Secretary of State for Defence what the average annual leave entitlement is for staff in his Department in 2002. [64641]

Dr. Moonie: I refer the hon. Member to the answer I gave on 6 March 2002, *Official Report*, column 314W. There have been no subsequent changes to Ministry of Defence leave entitlements.

Bell 412 Helicopter

Mr. Jenkin: To ask the Secretary of State for Defence, pursuant to his answer of 2 May 2002, *Official Report*, column 957W, on 84 Squadron, if the Bell 412 Enhanced Performance helicopter will be manned by RAF crews. [64824]

Mr. Ingram: Under current plans the Bell 412 helicopters will be part of an RAF unit and manned primarily by RAF crews.

Invincible Class Ships

Mr. Jenkin: To ask the Secretary of State for Defence if Invincible class ships are able to embark Harrier GR7 when the vessel is undertaking its LPH role. [64820]

Mr. Ingram: Invincible class ships can embark GR7 in the LPH role but would not usually be tasked to do so. In the LPH role the Carrier Air Group will consist of the helicopters required to lift a full Commando Group and would therefore be severely constrained for space in which to embark fixed wing aircraft at the same time.

Defence Logistics Organisation

Mr. Jenkin: To ask the Secretary of State for Defence by how much the Defence Logistics Organisation overspent its original budget estimate in the last financial year; and how this deficit was funded. [64816]

Mr. Ingram: The estimates provision at the start of the 2001–02 financial year for the Defence Logistics Organisation (DLO) was made up of £3,412 million for current and £612 million for capital expenditure. As I explained in my replies of 26 October 2001, *Official Report*, columns 405–06W and 31 October 2001, *Official Report*, columns 659–60W, in the normal course of business there are adjustments to these limits as the year unfolds which were reflected in the spring supplementary estimates. The revised estimates for the DLO were £4,442 million for current and £1,105 million for capital expenditure. The DLO resource accounts are still being finalised but currently show the DLO has contained its expenditure within these revised limits.

Defence Export Services Organisation

Lynne Jones: To ask the Secretary of State for Defence what the duration is of the contract of the head of the Defence Export Services Organisation; and what his annual salary is in *(a)* 2001–02 and *(b)* 2002–03. [65267]

Dr. Moonie: The post of the Head of Defence Export Services (HDES) has been recently advertised as a 3-year contract, with the possibility of extension. The post is also offered as a secondment for the same duration.

A summary of the employment terms and conditions of the former HDES was submitted as written evidence to the March 1999 House of Commons Defence Committee Report on "The Appointment of the New Head of Defence Export Services". This indicates that the HDES salary for 2001–02 would fall within the Permanent Secretary pay band (£104,292-£179,022). The defence industries council then pays an additional element that would bring the salary to the level, which the individual would otherwise receive, in industry.

The HDES salary for 2002–03 will not be known until the current recruitment process has been completed (although the advertisement refers to an "attractive £ six figure package").

Lynne Jones: To ask the Secretary of State for Defence where the overseas offices of the Defence Export Services Organisation are situated; when each office was established; how many staff are employed; and what the cost for 2001–02 and 2002–03 is for each. [65265]

Dr. Moonie: Details of overseas offices of the Defence Export Services Organisation are as follows:

Country	*Date established*	*Number of staff*	*Budget 2001–02 (£000)*
Australia	1989	2	144.3
Brunei	1995	2	93.4
Germany	1991	4	153.7
Greece	2000	1	50.1
India[1]	1984	2	145.4
Kuwait[2]	1989	9	213.8
Malaysia	1986	4.5	169.8
Qatar	1998	2	85.1
Saudi Arabia[1]	1985	59	0
Singapore	2001	2	131.7
South Africa	2000	2	79.8
South Korea	1988	2	63.1
Turkey	1988	1	91.3
UAE	1999	1	88.1

[1] Staff currently withdrawn

[2] Four staff are employed by the Kuwait Programme Office and are funded by the customer government.

[3] 59 staff are employed on the Al-Yamamah programme and are funded by the customer government.

Note:

Figures for financial year 2002–03 have not been set.

In addition there are staff in the British embassies in Berlin, Paris and Washington DC who are responsible for a range of defence equipment issues, including defence exports.

Lynne Jones: To ask the Secretary of State for Defence how many staff are employed within the Defence Export Services Organisation broken down by job title; and how many of the staff are employed in London. [65264]

Dr. Moonie: There are currently 610 staff employed within the Ministry of Defence, Defence Export Services Organisation (DESO), with 402 personnel employed in London.

A breakdown of the figures is as follows:

DESO business area	*Number of staff*
Marketing support	136
Military support, exhibitions, protocol and training	114
Export control, policy and finance/personnel	47
Project management	[1]226
Disposal services	87
Total	[2]610

[1] Project office staff are paid for by the customer

[2] Full-time equivalent staff

Lynne Jones: To ask the Secretary of State for Defence if he will list the budget for the *(a)* Defence Export Services Organisation and *(b)* the Infantry Export Support Team in (i) the past two years, (ii) the current year and (iii) future years for which estimates are available. [65268]

Dr. Moonie: The budgets for DESO (Defence Export Services Organisation) and the export Support Teams is presented in the table.

£ million

	DESO	Export Support Teams
2000–01	12.412	[1]1.920
2001–02	12.348	0.288
2002–03	14.251	0.366

[1] Figures for Infantry Support Team for 2000–01 cannot be separated from the overall figure for the Export Support Teams.

Lynne Jones: To ask the Secretary of State for Defence how many members of staff of the Defence Export Services Organisation are seconded from industry; and what functions they perform. [65266]

Dr. Moonie: There are currently no industry secondees working within the Defence Export Services Organisation.

Aircraft Carriers

Mr. Gray: To ask the Secretary of State for Defence how many days of operational capability per annum were achieved by aircraft carriers in each of the last five years; and how many days operational capability was specified for the two new carriers. [64800]

Mr. Ingram: The number of days of operational capability per annum achieved by the Royal Navy's Invincible-class aircraft carriers during the past five years was as follows:

	Days
1997	577
1998	494
1999	426
2000	527
2001	502

Operational requirements for the future carriers are still being developed. However, it is intended that at least one of the planned fleet of two ships will be operationally available at all times and ship availability will be comparable to that achieved for the existing three Invincible class carriers.

HMS Talent

Mr. Jenkin: To ask the Secretary of State for Defence what savings will accrue from the withdrawal from operational service of HMS Talent ahead of her refit; and for what reasons HMS Talent has been laid up until her refit commences. [64818]

Mr. Ingram: HMS Talent reached her maximum permissible commission length in mid-June and has been laid-up prior to entering a long overhaul period in Devonport dockyard in spring 2003. The delay in starting the overhaul results from a need to profile the work load of Devonport dockyard efficiently, to deconflict with the refit of HMS Vanguard, and to balance available funds with more high priority competing demands. Few, if any, savings will accrue. The Royal Navy manpower released will be deployed elsewhere. Minor savings that might be realised from reduced operating costs will be offset by charges for essential services during the lay-up period.

Tanks

Mr. Jenkin: To ask the Secretary of State for Defence what effects the implementation of whole fleet management will have on *(a)* the number of tanks in the British Army and *(b)* their state of readiness. [64815]

Mr. Ingram: The implementation of whole fleet management will have no effect on the number of tanks in the British Army. Operational analysis suggests that it should lead to an improvement in operational readiness.

Defence Attachés

Lynne Jones: To ask the Secretary of State for Defence at how many British embassies defence attachés were stationed in each financial year since 1999–2000. [65269]

Dr. Moonie: The number of British embassies at which attachés were stationed in each financial year since 1999–2000 is as follows:

	Number
1999–2000	[1]71
2000–01	74
2001–02	[2]76
2002–03	81

[1] Increasing to 75 by October 2000 as a result of the attaché review

[2] Increasing to 80 by October 2001 as a result of the attaché review

Lynne Jones: To ask the Secretary of State for Defence if he will list the functions of defence attachés, stating the percentage of time devoted to each function. [65272]

Dr. Moonie: As a result of the Strategic Defence Review, defence attachés and advisers have six core functions. The percentage of time devoted to each function is estimated as:

Support to defence diplomacy: 33 per cent.

Provision of operational military advice: 26 per cent.

Provision of politico-military advice: 7 per cent.

Support to Defence Intelligence: 5 per cent.

Support to Defence Exports: 11 per cent.

Representation and administrative support: 18 per cent.

Lynne Jones: To ask the Secretary of State for Defence how many defence attachés were employed by his Department in each financial year since 1999–2000. [65270]

Dr. Moonie: The number of defence attachés that were employed by the Ministry of Defence in each financial year since 1999–2000 is as follows.

Financial year	*Number*
1999–2000	118
2000–01	124
2001–02	126
2002–03	127

Ministerial Visits

Lynne Jones: To ask the Secretary of State for Defence how many *(a)* overseas visits by Ministers in his Department and *(b)* visits to ministers in the United Kingdom by overseas Government Ministers and officials have taken place in each of the last three years in which United Kingdom arms sales were discussed. [65274]

Dr. Moonie: Defence Ministers regularly meet with their overseas counterparts and with other senior officials to discuss a range of defence matters, including defence export opportunities. Details of such discussions are not held centrally and could only be provided at disproportionate cost.

Defence Exhibitions

Lynne Jones: To ask the Secretary of State for Defence what costs were incurred by his Department in providing military land and personnel support to defence exhibitions in each financial year since 1999–2000. [65273]

Dr. Moonie: Assistance to exhibitions is provided from a wide range of departmental sources which contribute to a greater and lesser degree according to their responsibilities. The information requested is not held centrally and could only be provided at disproportionate cost.

Project Aquatrine

Clive Efford: To ask the Secretary of State for Defence if he will make a statement on the progress of Project Aquatrine. [66236]

Dr. Moonie: Project Aquatrine will transfer the responsibility for the maintenance and operation of all the Ministry of Defence's water and wastewater assets and infrastructure in Great Britain to private sector providers.

There are three contracts for water and wastewater service provision. An initiation to negotiate for the first contract covering South West England and Wales was issued on 16 July 2001 and it is anticipated that a preferred bidder will be selected by the end of 2002.

Invitations to negotiate for the remaining two contracts covering Scotland and the North and East of England, to be issued to six bidders, on 3 July for the North and East of England contract and 10 July 2002 for the Scottish contract.

The consortia invited to negotiate for the Scotland contract are:

Brey Utilities;

Nevis Water—comprising Thames Water plc and Scottish Water; and

United Utilities/Morgan Est/Babtie Consortium.

The consortia invited to negotiate for the North and East of England:

Brey Utilities—comprising Yorkshire Water Services Limited, Earth Tech Engineering Limited, Halliburton Brown and Root Limited;

Diamond Alliance Ltd;

Thames Water plc; and

United Utilities/Morgan Est/Babtie Consortium.

It is anticipated that the preferred bidder for the Scottish and North and East England contracts will be announced in July 2003, with the contract expected to be awarded in October 2003, with go-live in April 2004.

Colchester Garrison

Bob Russell: To ask the Secretary of State for Defence if he will make a statement about *(a)* the original projected cost and *(b)* the current estimated cost of the building of the new Colchester Garrison. [65759]

Mr. Ingram: The information requested is commercial in confidence, and, at this stage, is being withheld under Exemption 13 of the Code of Practice on Access to Government Information.

RAF Training

Mr. Willis: To ask the Secretary of State for Defence what the savings to the RAF would be if all subcontracted hours for initial training of pilots were transferred from the University Air Squadrons to private sector trainers. [65390]

Mr. Ingram: The University Air Squadrons already have significant private sector involvement with a contractor providing flying hours and support services. Significant savings arose from this contract and they will be quantified by the post project evaluation, which is due to be undertaken later this year. University Air Squadron instructors are RAF officers. We view it as an important element of training that trainee pilots have the benefit of a military environment and contact with military personnel.

Mr. Willis: To ask the Secretary of State for Defence how many pilots trained by *(a)* the Joint Elementary Flying Training School at RAF Church Fenton and *(b)* University Air Squadrons have subsequently (i) joined the RAF and (ii) chosen not to do so in each of the past five years. [65392]

Mr. Ingram: All of the pilots trained by the Joint Elementary Flying Training School at Church Fenton are already members of the RAF.

In the case of the University Air Squadrons, the numbers are not immediately available and I will write to the hon. Member when the information has been gathered and a copy of my letter will be placed in the Library of the House.

Mr. Willis: To ask the Secretary of State for Defence how many flying hours the 15 University Air Squadrons were contracted to provide to the RAF during each of the years of their existing contract; and how many hours were delivered in each of these years. [65294]

Mr. Ingram: Flying hours, using the Tutor aircraft, are provided to the University Air Squadrons as part of the light aircraft flying task contract. Although this contract was let in April 1999, it was phased in with the last aircraft delivered in September 2001. Consequently, there is not yet a history of delivery of flying hours against the contract. The contract also provides flying hours to the Air Cadet Air Experience Flights and the Central Flying School at RAF Cranwell, to train instructions and also to conduct elementary navigator training. The contract provides 30,500 hours with an option to fly up to 50,000 hours. The additional hours are paid for only if used. In the year ending March 2002 just under 40,000 hours were flown.

Mr. Willis: To ask the Secretary of State for Defence what plans he has to renew the contract of the Joint Elementary Flying Training School at RAF Church Fenton. [65389]

Mr. Ingram: The contract with Babcock HCS to provide Firefly aircraft and instructors for the Joint Elementary Flying Training School, which operates at RAF Barkston Heath, RAF Cranwell, RAF Church Fenton and the School of Army Aviation at Middle Wallop, ends on 7 July 2003. The cost effective means of meeting the Joint Elementary Flying Training School's requirement after this will be to absorb the RAF element of the task, which is undertaken at Church Fenton, into the University Air Squadrons, where the majority of RAF pilots are already trained. The balance of the task has been the subject of a competition and a contract will be let shortly.

Mr. Willis: To ask the Secretary of State for Defence if the Joint Elementary Flying Training School at RAF Church Fenton provided the contracted hours per year to the RAF during the existing contract. [65394]

Mr. Ingram: Yes.

Mr. Willis: To ask the Secretary of State for Defence if he will list the criteria used by his Department to evaluate the success of the Joint Elementary Flying Training School at RAF Church Fenton to train RAF pilots in the elementary stage of their flying career; and if he will make a statement. [65297]

Mr. Ingram: Success is judged by the output of students on time, to the required standard, and with a failure rate of less than 15 per cent. The School at Church Fenton has met these criteria.

Mr. Willis: To ask the Secretary of State for Defence what the proposed saving to the RAF is if the Joint Elementary Flying Training School at RAF Church Fenton's contract for flying hours is returned to the university air squadrons. [65296]

Mr. Ingram: Significant annual savings are anticipated.

Mr. Willis: To ask the Secretary of State for Defence what criteria are used by the Department to evaluate the success of the 15 university air squadrons in training RAF pilots in the elementary stage of their flying careers; and whether comparative evaluation has been made with the Joint Elementary Flying Training School at RAF Church Fenton. [65388]

Mr. Ingram: Elementary flying training for members of University Air Squadrons is undertaken to a defined syllabus and output standard. A direct comparison of University Air Squadron trained and Joint Elementary Flying Training School trained RAF pilots is seen at the point of streaming to aircraft type (fast jet, rotary wing, or multi-engine), which follows immediately after elementary flying training. At this point, there is no discernible difference between them. Historically, a comparison of success rates through to the more difficult fast-jet front line has shown a small advantage for University Air Squadron trained students.

Afghanistan

Tony Worthington: To ask the Secretary of State for Defence if serial numbers have been systematically logged in respect of the weapons found in Afghanistan since coalition military operations began against suspected Taliban and al-Qaeda forces earlier this year. [64685]

Mr. Hoon: The Royal Marines deployed in Afghanistan have discovered a number of significant weapons caches. Those weapons that have not been destroyed have been handed over to the Afghan authorities. There has been no routine logging of serial numbers.

FOREIGN AND COMMONWEALTH AFFAIRS

Madagascar

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Madagascar. [65002]

Mr. MacShane *[holding answer 27 June 2002]:* The Organisation of African Unity and President Wade of Senegal continue with their mediation efforts. The UK, along with EU partners and others in the donor community continues to encourage the two parties to find a solution through dialogue. The US has recently recognised Mark Ravalomanana as President of Madagascar.

European Parliamentary Investigations

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what protocols exist on the operation of European parliamentary investigations being conducted within the United Kingdom. [65006]

Peter Hain *[holding answer 27 June 2002]:* There is no protocol which governs the operations of European parliamentary investigations. Temporary committees of the European Parliament are set up under its rules of procedure. A Decision of the European Parliament, the Council and the Commission sets out the detailed provisions governing the European Parliament's right of inquiry and the setting up of temporary committees of inquiry.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the power members of the European Parliament have to summon witnesses for inquiries that they are conducting within the United Kingdom. [65007]

Peter Hain *[holding answer 27 June. 2002]:* Article 193 of the treaty on European Union provides for the setting up of temporary committees of inquiry.

Under the Decision of the European Parliament, Council, and the Commission on the exercise of the European Parliament's right of inquiry, temporary committees of inquiry may request member states to designate an "official or servant whom they authorise to appear before the temporary committee of inquiry, unless grounds of secrecy or public or national security dictate otherwise by virtue of national or Community legislation". This is without prejudice to any other provisions of the member states which prohibit officials from appearing.

The European Parliament may set up temporary committees under their own rules of procedure. Such committees can request witnesses and experts to make a statement or provide testimony. There is no obligation on those individuals to respond to that invitation.

Gibraltar

Mr. Hendrick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the arrangements made with Spain in respect of Gibraltar Airport to unblock the progress of EC aviation measures. [66422]

Peter Hain: We have agreed a procedure with Spain and the Commission allowing aviation measures to be unblocked, without prejudicing any party's position on sovereignty, or affecting day to day operations at Gibraltar airport. When such a measure is brought forward, the Commission will judge whether or not it places obligations on airports. If so, the Council and Commission will agree to the insertion of the clauses suspending application until the implementation of the 1987 Joint Declaration of the UK and Spain on Gibraltar airport, which have featured in previous measures. If not, the text will not be amended. The Transport Council agreed Common Positions on the first measures subject to this arrangement, relating to occurrence reporting and aviation statistics, on 17 June.

We are confident that suspension will have no material impact on the operation of Gibraltar airport. We will continue to work with the Government of Gibraltar and the authorities at Gibraltar airport to ensure that, wherever necessary, equivalent measures are implemented on a national basis.

The Government believes that this is the best way forward until a long-term solution is found. We have always made clear that we want Gibraltar to enjoy the full benefits of EC aviation measures, as is its right. But, since the 11 September atrocities in particular, it is essential for British and other European air travellers, and the companies concerned, that EC measures to improve the functioning of the aviation sector, and especially to enhance aviation security, are taken forward quickly and effectively. It would be intolerable if all air travellers were denied the benefit of such measures because of delay caused by disagreement between the UK and Spain over Gibraltar and the refusal of the Government of Gibraltar to join discussions to resolve such problems under the Brussels process.

EU Events

Helen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the *(a)* forthcoming business in the Council of the European Union for July and *(b)* major European Union events for the period between 1 August and December. [66082]

July

4—Copenhagen—EU—Ukraine

8—Tokyo—EU—Japan

11–12—Brussels—plenary session of the convention on the future of Europe

12–13—Kolding—meeting of employment and social policy Ministers (Ministerial Informal)

15–16—Brussels—agriculture council

19—Brussels—Budget meeting

19–21—Arhus—meeting of environment Ministers (Ministerial Informal)

11–12—Brussels—general affairs council

30–31—Brunei—ASEAN regional forum (Ministerial)

30–01—Brunei—EU—South Korea (Ministerial Troika)

30–31—Brunei—EU—North Korea (Ministerial Troika).

The following are the principle events in the EU between 1 August and December 2002. The list is based on the information available at the date of issue.

Date	*Venue*	*Event*
August		
1–2	Brunei	ASEAN post-Ministerial Conference (Troika)
27–29	Illulissat	Meeting of the Northern Dimension (Ministerial)
31–1	Elisnore	Gymnich (Ministerial Informal)
September		
6	Brussels	ASEM Economic Ministers Meeting
6–8	Copenhagen	ECOFIN (Ministerial Informal)
8–10	Nyborg	Agriculture Council (Ministerial Informal)
12–13	Brussels	Plenary Session of the Convention on the Future of Europe
12–13	Copenhagen	Justice and Home Affairs Council (Ministerial Informal)
22–24	Copenhagen	ASEM Meeting
23–24	Brussels	Agriculture Council
24	Copenhagen	EU—China
24	Cophenhagen	EU—South Korea
26	Brussels	Internal Market, Consumer Affairs and Tourism Council
27	Tent	ACP—EU Ministers Meeting
30	Brussels	Research Council
30–1	Brussels	General Affairs Council
October		
3–4	Brussels	Plenary Session of the Convention on the Future of Europe
3–4	Brussels	Transport and Telecommunications Council
7–8	Copenhagen	EU—Canada (Ministerial)
8	Brussels	ECOFIN
8	Brussels	Employment and Social Policy Council
10	Copenhagen	EU—India
14	Brussels	Justice and Home Affairs, and Civil Protection Council
15–16	Brussels	Agriculture Council
17	Brussels	Environment Council
18–19	Aalborg	Internal Market, Consumer Affairs and Industry Meeting (Ministerial Informal)
21–22	Brussels	General Affairs Council
24–25	Brussels	European Council
28–29	Brussels	Plenary Session of the Convention on the Future of Europe
November		
1	Brussels	Culture Council
2	Brussels	ECOFIN—Troika meeting on Macro—Economic Dialogue
7–8	Copenhagen	EU—SADC (Ministerial)

Date	*Venue*	*Event*
7–8	Brussels	Plenary Session of the Convention on the Future of Europe
11	Copenhagen	EU—Russia
12	Brussels	Education and Youth Council
14–15	Brussels	Internal Market, Consumer Affairs and Youth Council
18	Brussels	Fisheries Council
18–19	Brussels	General Affairs Council
19–20	Brussels	Agriculture Council
22	Brussels	Development Council
25–26	Brussels	Budget (Council)
25–26	Brussels	Industry and Energy Council
28	Ouagadougou	EU—Africa
28	Ouagadougou	EU—ECOWAS (Ministerial Troika)
28–29	Brussels	Justice and Home Affairs, and Civil Protection Council
December		
2–3	Brussels	ECOFIN
3	Brussels	Employment and Social Policy Council
5–6	Brussels	Plenary Session of the Convention on the Future of Europe
5–6	Brussels	Transport and Telecommunications Council
9–10	Brussels	General Affairs Council
9–10	Brussels	Environment Council
12–13	Copenhagen	European Council
16	Copenhagen/Washington	EU—US (Ministerial)
16–17	Brussels	Fisheries Council
18–19	Brussels	Agriculture Council
19–20	Ottawa	EU—Canada
20–21	Brussels	Plenary Session of the Convention on the Future of Europe

Visas

Helen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on UK visa fees. [66083]

Mr. Mike O'Brien: On 26 June, the Privy Council made the Consular Fees Order 2002, which sets out the new fees for UK visas with effect from 1 July.

Members of the House will recall that on 17 June the House approved the draft section 102 Order, made under The Finance (No. 2) Act 1987—following a debate in the Standing Committee on Delegated Legislation on 11 June. The section 102 Order provides the legal authority for the visa fee increase by allowing past deficits incurred in the costs of running the Entry Clearance operation to be taken into account when setting visa fees and for the cross-subsidisation of the costs of different entry clearance services.

Most visa fees will go up by between 8 per cent. and 10 per cent. The main increases are:

Standard visit visa: up 9 per cent. from £33 to £36

The single entry visa has ceased to exist since the introduction in October 2000 of visas of leave to enter. The new standard visa for multiple entries valid for six months at £36 is cheaper than the old six-month multiple-entry visa, which provided the same level of service at a cost of £45.

Five-year multiple-entry visa: up 10 per cent. from £80 to £88

Settlement visa: up 8 per cent. from £240 to £260

In addition, the long-term non-settlement visa fee will increase by 50 per cent. from £50 to £75.

A new 10-year multiple entry visa priced at £150 is also being introduced for the first time. There is growing demand for this kind of visa. Its introduction will provide an enhanced service to regular travellers to the UK, without compromising the integrity of the Immigration Control.

The Consular Fees Order setting new visa fees is being made not only to cover current costs but also to recover past deficits of visa fees (from April 2000), caused by the increased cost of the entry clearance operation worldwide. It is intended that these increases will return the entry clearance operation to a self-financing basis by 2003–04.

We recognise that these fee increases will be unwelcome. However, we must make sure that the full cost of providing a visa service is covered by visa fees.

To put these increases into context:

These would be the first fee increase for visitor's visas since 1995

The proposed increases still keep UKvisas within their Service Delivery Agreement commitment not to increase visa fees in real terms

The standard visit visa at £36 is still cheaper than the old six-month multiple entry visa which provided the same level of service at a cost of £45

Applicants now get more for their money. Since October 2000, the standard visit visa has not only allowed people to visit the UK on multiple occasions during the validity of their leave to enter, they also benefit from an enhanced and speedier immigration process on arrival.

UKvisas is undertaking a range of measures to reduce costs and increase productivity. But these alone will not be sufficient to recover the deficit. The increases will enable UKvisas not only to recover past deficits, but also to cover the increased costs of the provision of visa services.

East Timor

Mr. Jon Owen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what continuing support the Government will offer to East Timor. [66089]

Mr. Mike O'Brien: Further to my answer of 25 June 2002, *Official Report,* column 721, I should clarify that at the Donor Conference in Dili on 14–15 May, the UK confirmed its pledge of £12 million to East Timor over the next three years. This brings the total UK assistance package to over £30 million since 1999.

Western Sahara

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of France concerning the future mineral exploitation of the Western Sahara; and if he will make a statement. [64864]

Mr. Mike O'Brien: I am informed that we have had no discussions with the Government of France concerning the future mineral exploitation of the Western Sahara.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations have been made to the Government of Morocco concerning their occupation of the Western Sahara. [64861]

Mr. Mike O'Brien: We regularly discuss the issue of Western Sahara with the Government of the Kingdom of Morocco. My predecessor, my hon. Friend the Member for Exeter (Mr. Bradshaw), raised the issue during his visit to Morocco in September 2001 and when he met with Mohammed Benaissa the Moroccan Foreign Minister during his visit to London in March 2002. My right hon. Friend the Secretary of State also discussed the subject with Mohammed Benaissa during his visit to London in February 2002.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what the British contribution has been to Minurso for each of the past five years. [64862]

Mr. Mike O'Brien: The British contribution to Minurso over the past five years is as follows:

	£
1997–98	934,360
1998–99	2,369,371
1999–2000	1,014,550
2000–01	1,984,177
2001–02	2,148,347

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has made to the UN Secretary General concerning the proposals by his representative on the future of the Western Sahara; and if he will make a statement. [64863]

Mr. Mike O'Brien: The mandate for the UN Mission for a Referendum in Western Sahara is due for renewal on 31 July. The UN Secretary General asked UN Security Council members to choose a suitable direction for his special envoy James Baker, to pursue in helping the parties find a solution to the dispute in Western Sahara.

UK officials have been working with American, French and other Security Council colleagues in New York and in the capitals of Security Council members in an effort to reach a consensus on a suitable direction before 31 July.

The UK has maintained a consistent position, that we continue to support the efforts of the United Nations Secretary General in trying to find a just and durable resolution to the dispute.

Zimbabwe

Mr. Andrew Turner: To ask the Secretary of State for Foreign and Commonwealth Affairs which overseas Governments he has consulted since the Zimbabwean Presidential elections on their acceptance of *(a)* the result and *(b)* the legitimacy of these elections. [65999]

Mr. MacShane: We have discussed the result and legitimacy of the Presidential election in Zimbabwe with our European Union partners, the Commonwealth, members of the Southern African Development Community and other concerned members of the international community, including the United States.

Correspondence

David Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter from the hon. Member for Walsall, North of 28 May regarding a constituent. [65576]

Mr. Mike O'Brien: My officials at UKvisas replied to the hon. Member for Walsall, North's letters of 28 May on 24 and 26 June 2002.

Chechnya

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what monitoring of human rights in Chechnya has been undertaken by UK representatives. [64859]

Mr. Mike O'Brien: The embassy in Moscow sends regular reports of the human rights situation in Chechnya, though the security situation has meant that we permit no British Government personnel to visit the region. There are however a number of non-governmental organisations active in monitoring human rights in Chechnya, with whom we are in close touch.

EU Applicants

Mr. Dobson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the Government's assessment of the economic and social impact on the United Kingdom of the accession to the EU of the Eastern European applicant nations. [61765]

Peter Hain *[pursuant to his reply, 17 June 2002, c. 7]:* The answer that was given to my right hon. Friend on 17 June contained an error. The full correct answer is as follows:

The Government have not made an integrated study of the economic and social impact of EU enlargement on the United Kingdom. However, independent economic studies by the European Round Table of Industrialists and the Centre for Economic Policy Reform show that EU enlargement could increase UK GDP by £1.75 billion and create 300,000 jobs among the EU-15. I have placed copies of these reports in the House of Commons Library.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Countryside and Rights of Way Act

Ms Atherton: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to the answer of 8 March 2002, *Official Report*, column 641–2W, what progress has been made on regional introduction of the freedom to roam under the Countryside and Rights of Way Act 2000. [63508]

Alun Michael: As my noble Friend the Lord Whitty answered in another place on 10 April, (HL Deb. column *WA 92*), we are persuaded of the potential advantages to walkers of bringing the right of access into force on a regional basis. We need to think further about the practical considerations in respect of, for example, managing access and ensuring that members of the public are properly informed of their rights and responsibilities.

We are looking very carefully at this, and we will make an announcement when we have reached a decision.

Animal Welfare

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how much her Department and its predecessors have spent on animal welfare in each of the last five years for which figures are available, broken down by category. [63648]

Mr. Morley *[holding answer 24 June 2002]:* These figures represent the outturn for the Animal Health and Veterinary Group (AHVG) and the amount spent on animal welfare R&D for the last five years. The reduction in expenditure in 2001–02 reflects the diversion of effort on to foot and mouth disease. The total figure for that year actually continued the upward trend of previous years.

£ million

Year	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*[1]
AHVG Outturn	107	126	152	183	159
Animal Welfare R&D	4.1	3.7	3.4	3.7	3.2

[1] Provisional—subject to audit

Private Veterinary Surgeons

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how much her Department has paid private veterinary surgeons for contract work with her Department *(a)* in total and *(b)* per hour in each of the last ten years for which figures are available. [63647]

Mr. Morley *[holding answer 24 June 2002]:* DEFRA came into being on 8 June 2001. The information requested can only be provided at disproportionate cost.

Committee Mandates

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the mandate of the Advisory Committee on Forestry and Cork is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if she will list the items currently under its consideration; if she will take steps to increase its accountability and transparency to Parliament; and if she will make a statement. [61715]

Mr. Morley: The mandate of the Advisory Committee on Forestry and Cork is to improve communication throughout the EU forestry sector. It comprises representatives from private sector forestry and forest industries and enables primarily non-governmental practitioners from member states to present their views on forestry and the forestry industry, policy and developments directly to the European Commission.

The committee has met twice in the last 12 months. The UK is represented by the Forestry Commission and the private forestry sector. The approximate annual cost of the committee's work to public funds is £400.

The committee is currently considering the role of forestry in the context of EU rural development policy, implementation of the EU forestry strategy and the availability of wood.

Together with member states, the commission is currently conducting a review to bring existing legislation on the conduct of comitology committees into line with Council Decision 1999/468/EC, to "simplify the requirements for the exercise of implementing powers conferred on the commission".

As an obligation to this decision, the commission undertook to publish an annual report on the working of committees. The first report was deposited in the Library of the House on 26 February (Commission Document 5685/02).

As part of the review process, the UK Government have encouraged the commission to produce and maintain an electronic database of every comitology committee, its agendas and recent actions, to be accessible through its website.

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the mandate of the Scientific Technical and Economic Committee on Fisheries is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if she will list the items currently under its consideration; if she will take steps to increase its accountability and transparency to Parliament; and if she will make a statement. [61704]

Mr. Morley: The Scientific, Technical and Economic Committee for Fisheries is a permanent committee set up within the European Commission as a source of highly qualified scientific assistance (particularly in the application of marine and fisheries biology, fishing technology, fishing economics or similar disciplines) in relation to the implementation of the Community system for fisheries and aquaculture. The committee holds two plenary meetings per year, plus ad hoc expert groups. The UK is currently represented by scientists from the Centre for Environment, Fisheries and Aquaculture Science and the FRS Marine Laboratory. The commission pays travel and subsistence costs: only the cost of the experts' time, as part of their broad duty to provide scientific advice, falls to national Governments. The committee draws up annual reports on the biological, technical and economic aspects of the fisheries resource situation and on work and requirements in relation to the co-ordination of research for the fisheries and aquaculture sector. It also provides advice to the commission on prospective proposals for action.

As the committee's role is to provide scientific, technical and economic advice to the commission, there are no issues over accountability and transparency to Parliament.

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the mandate of the Advisory Committee on Community Policy Regarding Forestry and Forest-based Industries is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if she will list the items currently under its consideration; if she will take steps to increase its accountability and transparency to Parliament; and if she will make a statement. [61727]

Mr. Morley: The mandate of the Advisory Committee on Community Policy regarding Forestry and Forest-based Industries is to encourage the forest-based industry to become a model sector in the field of sustainable development.

The Committee has met once in the last 12 months. The UK is represented by members of the forestry industry. The cost to public funds for the last 12 months was £200.

The key issues currently under consideration are securing sufficient supplies of sustainable produced raw material and the enhanced use of wood.

Together with member states, the Commission is currently conducting a review to bring existing legislation on the conduct of comitology committees into line with Council Decision 1999/468/EC, to "simplify the requirements for the exercise of implementing powers conferred on the Commission".

As an obligation to this Decision, the Commission undertook to publish an annual report on the working of committees. The first report was deposited in the Library of the House on 26 February (Commission Document 5685–02).

As part of the review process, the UK Government have encouraged the Commission to produce and maintain an electronic database of every comitology committee, its agendas and recent actions, to be accessible through its website.

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the mandate of the Advisory Committee on Non-Food and Textile Crops is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if she will list the items currently under its consideration; if she will take steps to increase its accountability and transparency to Parliament; and if she will make a statement. [61719]

Mr. Morley: The Advisory Committee on Non-Food and Textile Crops is a consultative committee of the European Commission. Its purpose is to facilitate consultation with industry representatives with an interest in the EU regime for natural fibres but we understand it has not met for some time. It is not attended by officials of Her Majesty's Government and does not give rise to costs to UK public funds.

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the mandate of the Committee for the adaptation to technical and scientific progress of the Directive on the prevention and reduction of environmental pollution by asbestos is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if she will list the items currently under its consideration; if she will take steps to increase its accountability and transparency to Parliament; and if she will make a statement. [56818]

Mr. Meacher: The mandate of the Committee for the adaptation to technical and scientific progress of the Directive on the prevention and reduction of environmental pollution by asbestos is to make changes to the technical annex on methods of sampling and analysis of asbestos concentrations in air or water. This Committee has not met in the last 12 months, so has had no costs to public funds and has not considered any items.

Staff Numbers

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how many staff were employed by her Department on *(a)* 2 May 1997 and *(b)* 31 May 2002. [60921]

Mr. Morley: I refer the hon. Member to the answer given by the Parliamentary Secretary, Cabinet Office on 13 June 2002, *Official Report*, column 1402W.

Warm Front Scheme

Virginia Bottomley: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made in reducing fuel poverty through the Warm Front Scheme; how many households have been assisted in *(a)* 1999–2000 and *(b)* 2000–01; how much the average cost was in (i) 1999–2000 and (ii) 2000–01 of assisting each household via the Warm Front Scheme in terms of (A) actual cost of the measures carried out and (B) the average cost of the administration which enabled households to receive the measures; what the measures, the planned expenditure is on warm front in (1) 2002–03 and (2) 2003–04; and what the percentage change has been in expenditure in each region of the UK since 1999–2000. [60668]

Mr. Meacher: The new Home Energy Efficiency Scheme, launched in June 2000 is marketed as Warm Front.

The table provides details for the previous HEES, which provided insulation measures only (column two), Warm Front from launch of the scheme in June 2000 to March 2001 (column three) and April 2001 to March 2002 (column four).

	April 1999 to March 2000	*June 2000 to March 2001*	*April 2001 to March 2002*
Number of households assisted who receive either insulation, heating or both	339,000	106,800	254,600
Average value per household (£)	176	322	464
Value of measures (£)	59,670,000	34,360,000	140,600,000

The reduction in the number of households assisted by Warm Front reflects the introduction of the package approach of measures combining insulation and heating under the scheme. There was also a slow start for gas heating due to the national shortage of trained heating engineers. Measures installed may include cavity wall, loft insulation, draught proofing, individual gas wall heaters or electric storage heaters and either gas or electric central heating systems.

These figures do not identify the scheme managers' administration costs. Information regarding administration costs is commercially sensitive and could be used in future tender rounds to unfairly distort the competition process.

The budget for Warm Front, an England only scheme, for the financial years 2000 to 2004 is over £600 million. The information on the percentage change of expenditure for each region in the UK is not held in the format requested for individual households and could be provided only at disproportionate cost. Information on the measures installed at individual property in 2000–01 has previously been provided on 15 January 2002, *Official Report*, column 261W. A copy of the data referred to in that answer is available on CD-Rom in the Library.

We will carry out a review of Warm Front during this financial year to look at how effective its delivery has been, the issues faced, solutions found, examples of best practice and future priorities. This will include consideration of the impact of the scheme on reducing the number of vulnerable fuel poor households.

Bees

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* notifications and *(b)* confirmations of specified diseases under the Bee Diseases Control Order 1982 there were in each region in each of the last 10 years. [63521]

Mr. Morley: There are three notifiable diseases specified under the Bee Diseases Control Order 1982—American foulbrood; European foulbrood; and Varroosis (varroa). All new suspected cases have to be reported, and in England investigations are carried out by the National Bee Unit (NBU). The numbers of notifications and confirmations of these diseases are set out in the table below by NBU region. Data for American and European foulbrood before 1994 is not available.

Numbers of varroa samples received

Region	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*
Varroa positive samples									
Northern	0	0	0	2	19	34	105	141	230
North East	1	10	30	103	124	162	132	47	25
Western	1	28	75	81	197	198	93	34	9
Eastern	17	55	31	200	252	68	17	12	7
South West	124	166	114	87	57	25	7	3	4
Southern	33	176	207	283	152	53	13	15	5
South East	128	165	142	179	116	35	11	9	6
Wales	1	0	11	53	54	94	61	47	15
Totals	305	600	610	988	971	669	439	308	301
Varroa negatives									
Region	1992	1993	1994	1995	1996	1997	1998	1999	2000
Northern	221	345	288	273	309	213	158	92	42
North East	588	734	837	415	611	237	32	5	1
Western	594	752	609	617	607	221	40	10	3
Eastern	530	530	288	254	168	19	2	3	1
South West	593	279	158	86	66	17	3	1	0
Southern	933	837	518	214	110	23	2	3	0
South East	604	508	286	120	35	8	6	2	1
Wales	329	341	310	492	284	160	43	18	21
Totals	4392	4326	3294	2471	2190	898	286	134	69
Total no samples received	4697	4926	3904	3459	3161	1567	725	442	370

[1] 2002 data to 20 June

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what recent *(a)* representations she has received from and *(b)* discussions she has had with the beekeeping industry; and if she will make a statement. [63522]

Mr. Morley: My officials meet annually with representatives of the UK beekeeping sector. The most recent meeting was held on 8 November 2001, when a range of issues affecting the sector were discussed, including measures to control bee diseases. The Central Science Laboratory's National Bee Unit (NBU) also meets beekeepers regularly.

Most recently, the Department has received a number of written representations from beekeepers about financial burdens placed on Bee Diseases Insurance (BDI) Ltd. We welcome BDI's role in encouraging beekeepers in

England to play their part in the identification of notifiable diseases. However, the issue of payments by insurance companies is a matter for the Financial Services Authority (FSA) and affiliated bodies. My officials have passed these representations to these organisations as appropriate.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how much has been spent by her Department on bee *(a)* husbandry and *(b)* disease prevention by category in each of the last 10 years. [63524]

Mr. Morley: The Department assists the beekeeping sector in England by funding a range of measures to protect bee health. Under these measures, the national bee unit provides a free diagnostic and inspection service to the beekeeping sector as well as training and education to help beekeepers become more self reliant through improved bee husbandry. The Department also supports the beekeeping sector through strategic research into bee pests and diseases.

It is not possible to differentiate expenditure between bee husbandry and disease control. All fieldwork undertaken by the national bee unit is for the purpose of disease prevention and control. Departmental expenditure on R&D for the period 1992–93 to 2001–02 is set out in the table. Prior to 1994 the regional offices of the Ministry of Agriculture, Fisheries and Food were responsible for bee disease control. In 1994 this work was centralised within the national bee unit and aggregated figures are not available for earlier years.

£

	Expenditure under memorandum of understanding with Central Science Laboratory National Bee Unit	*R&D Expenditure*	*Total Expenditure*
1992–93	—	61,000	61,000
1993–94	—	140,000	140,000
1994–95	1,511,000	314,000	1,825,000
1995–96	1,534,000	259,000	1,793,000
1996–97	1,300,000	203,000	1,503,000
1997–98	1,300,000	215,000	1,515,000
1998–99	1,300,000	248,000	1,548,000
1999–2000	1,300,000	241,000	1,541,000
2000–01	1,300,000	226,000	1,526,000
2001–02	1,300,000	187,000	1,487,000

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how many registered beekeepers there were in each region in each of the last 10 years. [63578]

Mr. Morley: There is no compulsory registration of beekeepers in England. The database held by the Central Science Laboratory's National Bee Unit, which is used to maintain records of statutory inspections, holds details of some 25,000 beekeepers.

Curry Report

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the timetable and implementation of the Curry report. [63525]

Mr. Morley: My right hon. Friend the Prime Minister announced on 26 March a series of early actions as a first step towards implementing the report. At the same time, a comprehensive process of engagement with a wide range of stakeholders was launched to explore how to translate the commission's vision into action. This has included a series of regional and sectoral events and the publication of a document, "Sustainable Food and Farming: Working Together". Feedback from these is now being analysed and will help inform construction of a Strategy for Sustainable Food and Farming in England, to be launched in the autumn. The strategy will incorporate a response to all of the Policy Commission's recommendations.

Beef Exports

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs when she plans to meet her French counterpart to discuss the ban on British beef exports. [63526]

Mr. Morley: The Secretary of State regularly raises the French Government's illegal ban on British beef with her French counterpart. The Prime Minister also made it clear when he met President Chirac on 19 June that he expected the new French Government to lift their ban on the import of UK date-based export scheme beef rapidly.

Air Pollution

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs on what date the standards for the eight pollutants named in the National Air Quality Strategy were last reviewed; and on what date they will next be reviewed. [64666]

Mr. Meacher *[holding answer 27 June 2002]:* The standards within the Air Quality Strategy are recommended to Ministers by the Expert Panel on Air Quality Standards (EPAQS) or are based on the limit values in the European Union's Air Quality Daughter Directives. The Expert Panel on Air Quality Standards and their secretariat keep a watching brief on the literature for the health effects of air pollutants and make recommendations to the Department when they are aware of information that could change their original point of view.

The table sets out when each of the standards was first proposed, dates of any reviews already carried out and plans for future reviews.

Pollutant	*First produced*	*Reviewed*	*Next review*
Benzene	February 1994 by EPAQS	EU Second Daughter Directive limit value to be adopted in 2002	Daughter Directive requires the European Commission to report by 2004
1,3-butadiene	December 1994 by EPAQS	EPAQS second report due to be published shortly	
Carbon monoxide	December 1994 by EPAQS	EU Second Daughter Directive limit value to be adopted in 2002	Daughter Directive requires the European Commission to report by 2004
Lead	May 1998 by EPAQS	EU First Daughter Directive limit value adopted in 1999	Daughter Directive requires the European Commission to report by 2003

Pollutant	*First produced*	*Reviewed*	*Next review*
Nitrogen dioxide	December 1996 by EPAQS	EU First Daughter Directive limit value adopted in 1999	To be reviewed by European Commission in 2003
Ozone	May 1994 by EPAQS	EU Third Daughter Directive limit value to be adopted in 2003	Under review as part of the Clear Air for Europe programme
Particulate matter	November 1995 by EPAQS	EU First Daughter Directive limit value adopted in 1999	To be reviewed by European Commission in 2003
Sulphur dioxide	September 1995 by EPAQS	EU First Daughter Directive limit value adopted in 1999	Daughter Directive requires the European Commission to report by 2003

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs how many air quality monitoring sites operate in the United Kingdom; how many of these sites monitor all the pollutants named in the National Air Quality Strategy; and how many of these sites recorded air quality exceedences for each of the pollutants named in the National Air Quality Strategy. [64661]

Mr. Meacher *[holding answer 27 June 2002]:* There are a total of 1,709 air quality monitoring sites in United Kingdom. These are broken down by network in Table 1 below.

Table 1: Number of air quality monitoring sites in the United Kingdom

	Number of sites
Automatic monitoring (nitrogen dioxide, sulphur dioxide, PM_{10}, carbon monoxide, ozone, benzene, 1,3-butadiene)	122
Non-automatic monitoring:	
Nitrogen dioxide diffusion tubes	1309
Black smoke/sulphur dioxide	150
Rural sulphur dioxide	40
Rural nitrogen dioxide diffusion tube	32
Lead	6
Benzene	28
Hazardous air pollutants (PCBs, Dioxins, polycyclic aromatic hydrocarbons)	22
Total	1709

No sites monitor all the pollutants in the Air Quality Strategy. However, London Marylebone Road monitors all the pollutants except lead. The number of sites recording air quality exceedences for the pollutants named in the Strategy during 2001 are given in Table 2 below.

Table 2: number of sites exceeding the standards and objectives in the Air Quality Strategy in 2001

Automatic sites	*Standard*	*Objective*	*Number of sites exceeding Air Quality Strategy standard in 2001*	*Number of sites exceeding Air Quality Strategy objective in 2001*
Nitrogen dioxide	Hourly mean, 200 micrograms per metre cubed,	not to be exceeded more than 18 times per year	18	4
	Annual mean, 40 micrograms per metre cubed		32	0
Sulphur dioxide	15 minute mean, 266 micrograms per metre cubed	not to be exceeded more than 35 times per year	17	1
	Hourly mean, 350 micrograms per metre cubed,	not to be exceeded more than 24 times per year	2	0
	Daily mean, 125 micrograms per metre cubed	not to be exceeded more than 3 times per year	1	1
Particulate matter (PM_{10})	24 hour mean, 50 micrograms per cubic metre	not to be exceeded more than 35 times per year	59	6
	Annual mean, 40 micrograms per cubic metre		1	
Carbon monoxide	Running 8 hour mean, 11.6 milligrams per metre cubed		0	0
Benzene	Running annual mean, 16.25 micrograms per metre cubed		0	0
1,3-butadiene	Running annual mean 2.25 micrograms per metre cubed		0	0
Non-Automatic sites			Number of sites exceeding Air Quality Strategy standard in 2001	Number of sites exceeding Air Quality Strategy objective in 2001
Nitrogen dioxide	Annual mean 40 micrograms per metre cubed		251	
Sulphur dioxide	Daily mean, 125 micrograms per metre cubed	not to be exceeded more than 3 times per year	8	4
Lead	Annual mean, 0.5 micrograms per metre cubed		0	0

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs when *(a)* 1,3-butadienes, *(b)* polycyclic aromatic hydrocarbons, *(c)* cadmium, *(d)* arsenic, *(e)* nickel and *(f)* mercury will be added to the pollutants monitored under the National Air Quality Strategy for the United Kingdom. [64663]

Mr. Meacher *[holding answer 27 June 2002]:* Of these pollutants:

(a) 1,3 butadiene is already one of the eight pollutants covered by the Air Quality Strategy for England, Scotland, Wales and Northern Ireland, published in January 2000 ("the Strategy");

(b) we consulted in September 2001 on the possibility of adding polycyclic aromatic hydrocarbons (PAH) to the list of pollutants covered by the Strategy, and hope to make an announcement on this shortly. Levels of PAH in the UK are currently measured at 21 sites, and we hope to add a further 4 sites to the network as soon as possible;

(c) we have no immediate plans to add cadmium, arsenic, nickel and mercury to the list of pollutants covered by the Strategy. Our monitoring shows that levels of these pollutants in ambient air in the UK are not generally a cause for concern, and the UK National Atmospheric Emissions Inventory (NAEI) estimates that emissions of each have fallen significantly in recent years. Between 1990 and 1999, for example, estimated emissions of cadmium, arsenic, nickel and mercury fell by 71 per cent. 69 per cent., 47 per cent., and 65 per cent. respectively.

We understand that the planned Fourth European Union Air Quality Daughter Directive may include proposals in respect of PAH, cadmium, arsenic, nickel and mercury. We intend to keep under review the need for separate national measures on these pollutants in the light of progress with negotiations on the Directive.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what efforts have been taken to ensure the Committee on the Medical Effects of Air Pollutants plays a role in supporting the United Kingdom's input into air pollution policy making within the European Union. [64665]

Mr. Meacher *[holding answer 27 June 2002]:* The Committee on Medical Effects of Air Pollutants is a Department of Health non-departmental public body. Its advice is published in Reports and Statements, which are publicly available on the Committee's website "http://www.doh.gov.uk/comeap/index.htm". As necessary we draw attention to that advice in contacts and in negotiations with the Commission and other member states. The advice from the Committee is taken into account in developing a UK position on proposals for new air quality legislation.

The World Health Organisation (WHO) is currently carrying out reviews on the health impacts of particulate matter and ozone, which will feed into air pollution policy in the European Union. Department of Health officials ensure that WHO is aware of the work of the Committee.

Environmental Performance (FTSE Companies)

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs if she will place a list of FTSE 350 companies and their reporting on their environmental performance in the Library; and if she will make a statement. [64788]

Mr. Meacher: In April we wrote to companies in the FTSE350 asking them what they had done to respond to the Prime Minister's challenge to report on their environmental performance. We are currently awaiting a few late replies and will shortly be able to provide a final update to the list placed in the Library of the House in response to the hon. Gentleman's question of 21 March, showing FTSE 350 companies with details of their reporting.

Environmental Information

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what steps her Department *(a)* has taken and *(b)* plans to take in relation to the development of labelling of environmental information for consumers; and if she will make a statement; [64791]

(2) what steps *(a)* have been taken and *(b)* are planned by her Department to provide environmental information for consumers; and if she will make a statement. [64790]

Mr. Meacher: The Government are keen to ensure that consumers have clear and relevant information about the environmental effects of consumer products. It has appointed the Advisory Committee on Consumer Products and the Environment (ACCPE) to look at opportunities for developing better quality environmental information, as part of the Committee's remit to advise on ways of reducing the impacts of consumer products on the environment.

The Government are considering a number of ACCPE's recommendations for improving product information. These include proposals for improving the quality of self-declared environmental claims, which are being explored further by the Department taking into account stakeholders' views. The Government are also considering ACCPE's proposals for developing a common label for homes, cars and domestic appliances, based on the format of the EU Energy label. In the case of homes, we are looking to develop a methodology for assessing the energy efficiency of existing homes more cost effectively, and this will include a look at the possibilities for comparative energy rating. A comparative label for cars is being considered by DfT in the light of the response to their recent consultation paper on this topic.

ACCPE has also proposed setting up a new internet information service which could provide advice and guidance on the environmental impacts of products and the scope for making more sustainable consumption choices. It recommended that the Government should first commission a feasibility study into such a project, and this has been done. Having considered the results of this study, ACCPE have made further recommendations in their second report, "Action for Greener Products: A toolbox for change", published in May, about the practicalities of piloting a new service. The Government are currently considering how a pilot can be taken forward. Copies of ACCPE's second report have been placed in the Libraries of the House.

The Department already publishes and promotes the Green Claims Code which gives best practice advice to business and the consumer on environmental information and labelling.

We have also published, distributed and continue to promote a number of information leaflets to help business and consumers in this area. These include "Hi I'm Green" which is a guide to the most commonly occurring environmental claims and labels on products and explains how to ask for further information; "Energy labels for refrigeration and washing appliances—helping you make the right choice", which outlines the EU energy label scheme; and "Pick the flower—the ecolabel" which explains the EU ecolabelling scheme. Copies of all these leaflets have been placed in the Libraries of the House.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* guidance and *(b)* legislation is (i) in place and (ii) planned with regards to labelling of environmental information for consumers; and if she will make a statement. [64789]

Mr. Meacher: The Department's Green Claims Code provides guidance on good practice in the making of environmental claims. It is intended as an introduction to the more detailed guidance in the International Standard ISO14021. The Department has no plans at present to revise the Code.

There is no specific piece of legislation regarding environmental information for consumers, but trading standards officers have powers under the Trade Descriptions Act 1968 to deal with claims that are demonstrably false. The Director General of Fair Trading can also take action against misleading environmental claims under the Control of Misleading Advertisements Regulations 1988. The Government are committed to ensuring that the regulatory framework for tackling misleading green claims is effective and will keep the need for any new legislation under review.

In respect of individual environmental labelling schemes, the European Community Energy Label must be displayed on all new domestic refrigerators, freezers and fridge-freezer combinations, washing machines, electric tumble dryers, combined washer-dryers, dishwashers and lamps displayed for sale, hire or hire-purchase. The UK and other member states have until 1 January 2003 to transpose Directives 2002/31/EC and 2002/40/EC which will extend this requirement to household air conditioners and electric ovens. Details of relevant legislation can be found at http://www.defra.gov.uk/environment/mtp/index.htm#S3

A separate scheme, the European ecolabel award, is designed to encourage manufacturers to reduce the environmental impacts of a growing range of products, and to encourage consumers to choose products with the label. The scheme was set up in 1992 by EU Regulation 880–92, which was revised in 2000 by Regulation 1980–2000. As Regulations, these took effect automatically in UK law without further legislation.

Participation by manufacturers is voluntary, but under the Regulations member states are required to promote the scheme and to designate competent bodies to run it. In the UK the scheme is administered by the Secretary of State. DEFRA has a website giving guidance about the scheme http://www.defra.gov.uk/environment/ecolabel/index.htm, and has produced explanatory and promotional leaflets about it for business and consumers.

Food Contamination

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs whether her Department is producing a strategy to reduce emissions of dioxins and dioxin contamination of food. [63904]

Mr. Meacher *[holding answer 26 June 2002]:* With the devolved Administrations, other Government Departments and Agencies my Department will shortly be producing a UK consultation paper on dioxins and dioxin-like PCBs. This will draw on the wealth of recent information coming from scientific research, both in the UK and internationally, to improve our understanding of their formation, emissions, environmental transport and effects.

This consultation paper will provide an opportunity for all stakeholders to consider and comment on what further actions will be required, as part of an UK action plan, to continue the trend of reducing environmental and human exposure to these compounds.

Flood Risk

Brian Cotter: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of information compiled by the insurance industry on flood risk, based upon Environment Agency maps. [64933]

Mr. Morley: Ministers, and officials in DEFRA and the Environment Agency are in active discussions with the insurance industry in developing a shared understanding of genuine flood risk. In order to achieve this, DEFRA and the EA are working together to build upon the information provided by the current flood plain maps to include information on present and future flood defences. Once more informative data on risk have been developed it will be shared with the industry so that they may use it when making commercial decisions based on risk assessments. The Department continues to pursue its aim to reduce flood risk including through significant investments in flood alleviation measures.

Sheep Dip

Annabelle Ewing: To ask the Secretary of State for Environment, Food and Rural Affairs when in 1991 the Health and Safety Executive met representatives from the VMD and the National Office for Animal Health to discuss sheep dip surveys; and if she will place the minutes of the meetings in the Library. [63700]

Mr. Morley *[holding answer 25 June 2002]:* A meeting took place on 25 February 1991 between VMD, HSE and the National Office for Animal Health (NOAH) to discuss the HSE safety survey on sheep dips and Controls of Substances Hazardous to Health (COSHH) in general. Despite extensive searches of records by all three parties in response to earlier inquiries, no minutes from that meeting can be traced.

Annabelle Ewing: To ask the Secretary of State for Environment, Food and Rural Affairs (1) when in 1993 non-OP ingredients in sheep dip were removed from the market; and when the licence for such products was withdrawn by the VMD; [63698]

(2) when in 1991 sheep dip manufacturers were asked by executive agencies and non-departmental public bodies under the remit of her Department to change the formulations for sheep dip; and on what date the changes were effected. [63701]

Mr. Morley *[holding answer 25 June 2002]:* Almost all veterinary medicinal products contain ingredients in addition to their main active ingredient. Minor changes to these ingredients in individual veterinary medicinal products are not unusual.

In 1993 a number of OP sheep dip product manufacturers removed phenols from their formulations. A full report of the regulatory action that led to this action is available on the Veterinary Medicines Directorate (VMD)'s website. Copies of this report have also been placed in the Libraries of both Houses. The manufacture of UK authorised OP sheep dip products containing phenols ceased on 31 March 1993.

Annabelle Ewing: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she has taken to secure publication of the 1992 study into sheep dip products carried out by the Central Veterinary Laboratory for the VMD. [63699]

Mr. Morley *[holding answer 25 June 2002]:* We are not aware of any such Central Veterinary Laboratory study into sheep dip products for the VMD.

Fisheries

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment her departmental scientists have made, or been advised of, of the *(a)* stock levels, *(b)* fishing mortality levels and *(c)* estimated biological limits for each of the commercial species known to be caught by UK fishermen in the deep water at or beyond the continental shelf. [62625]

Mr. Morley *[holding answer 17 June 2002]:* Scientists from the Centre for Environment, Fisheries and Aquaculture Science join with international colleagues in the Advisory Committee on Fisheries Management (ACFM) of the International Council for the Exploration of the Sea (ICES), in agreeing and publishing annual scientific advice on the management of commercially exploited fish stocks. The latest advice from the ACFM on deep water species is contained in the committee's report published following its meeting in May 2002. Broadly, the advice on most such species is that the balance of available evidence suggests that they should be subjected only to substantially reduced—or in some cases to very low—rates of exploitation.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what advice she has received from the European Commission on the extent of competence which it may be possible to convey under the existing regulatory framework to proposed regional advisory councils as set out under its reformed Common Fisheries Policy. [62598]

Mr. Morley *[holding answer 17 June 2002]:* The commission's proposals for the establishment of regional advisory councils envisage that they would have the following functions:

(a) to submit suggestions, of their own accord or at the request of the commission or a member state, on matters relating to fisheries management to the commission of the member states concerned;

(b) to give opinions on commission or member state proposals for fisheries management;

(c) to comment on and recommend improvements in the application of Community legislation.

The precise role to be given to regional advisory councils will be one of the important matters to be addressed in the forthcoming negotiations in the Council of Ministers.

Mr. Letwin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will impose bag limits on the landing of fish by recreational anglers. [64383]

Mr. Morley *[holding answer 27 June 2002]:* Limits on the amount of crabs and lobsters that hobby fishermen can take from the sea are being considered as part of the proposed shellfish licensing scheme. The Department is looking at the possibility of bag limits for other species and I would hope to be able to reach firm conclusions this autumn. Any proposals to introduce bag limits will be the subject of consultation with both commercial and recreational interests.

Mr. Hood: To ask the Secretary of State for Environment, Food and Rural Affairs what the outcome of the Fisheries Council held on 11 June was; what the Government's stance on the issues discussed, including its voting record was; and if she will make a statement. [62931]

Mr. Morley: I represented the United Kingdom at a meeting of the EU Council of Fisheries Ministers in Luxembourg on 11 June, together with Ross Finnie, Minister for Environment and Rural Development in the Scottish Executive and Mrs. Brid Rodgers, the Northern Ireland Minister for Agriculture and Rural Development.

The commissioner gave an introductory presentation on his proposals for the future of the Common Fisheries Policy, as published on 29 May. Negotiations on this are scheduled to take place during the remainder of 2002, with the aim of reaching conclusions by the year-end. Ministers took the opportunity to state their initial reactions. For the United Kingdom I said that, though of course we would have concerns to pursue on some issues, we could support the broad thrust of the proposals, aimed as they are at addressing the risk of stock collapse and creating a sustainable future for the fishing industry: I said the commission was right in particular to have proposed an end to subsidies for building new vessels, continued adherence to relative stability as the method of allocating fishing opportunities among member states, and the setting up of regional advisory councils to improve stakeholders' involvement in decisions on the management of fisheries. I also emphasised the need to examine the socio-economic impact of the commission proposals and to be ready in the short-term to help the communities that depend on fishing to respond to what will inevitably be difficult circumstances.

Some member states expressed similar broad support, while others indicated significant dissent, especially in relation to the reduction of fishing effort, the ending of construction grants and what they alleged was the failure of the commission's proposals to take account of the diversity of fishing operations across the EU.

There was a useful policy debate on the commission proposal for long-term recovery plans for threatened cod and hake stocks. Aspects covered included the methodology for setting recovery targets for these stocks, the need to limit fishing effort and the ways in which this might be done, additional funding for scrapping vessels, monitoring and inspection and the introduction of emergency measures to safeguard stocks. Various views were expressed: for the UK, I gave a qualified welcome to the commission's proposal, emphasising the need for engaging with the industry in a full debate on effort control and the importance of ensuring the permanent scrapping of excess fleet capacity rather than funding the temporary tie-up of vessels. The presidency referred the dossier back to working level for development.

On the protection of deep water species, the Council considered a joint presidency/commission compromise and by qualified majority reached political agreement on total allowable catches (TACs) and quotas for certain stocks of black scabbardfish, blue ling, greater silver smelt, ling, orange roughy, red seabream, roundnose grenadier and tusk. It also agreed, again by qualified majority, a general approach on a measure introducing a permit requirement limiting fishing capacity in relation to certain deep sea species.

I declared the United Kingdom's opposition to this pair of measures. The permit system and associated provisions for data gathering are welcome in that they may eventually facilitate the introduction of the effort limitation that is truly needed to give these fragile stocks the protection that they need. But we could not support the package as a whole because of the lack of urgency in bringing about effort limitation and because of the unsatisfactory measures to protect these species in the interim. We do not consider that these measures go anything like far enough to protect these fragile species, given the bleakness of the scientists' advice. Setting TACs and quotas, especially when some species are omitted and not all areas are covered, is not in our view an adequate response. I also thought the levels of TAC too high and not based on sound science.

The Council also adopted, unanimously, conclusions reiterating its commitment to combat illegal, unreported and unregulated fishing—a very welcome conclusion in view of the threat posed to sustainable management of global fish stocks by the activities of flag of convenience vessels.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with *(a)* the European Commission and *(b)* other EU fishing nations in respect of the maintenance of the relative stability parameters throughout the period of the reformed common fisheries policy commencing in January 2003. [62623]

Mr. Morley *[holding answer 17 June 2002]:* I have welcomed the Commission's proposal to continue to allocate Total Allowable Catches among member states on the basis of relative stability. This mechanism has widespread support, provides a degree of predictability for fishermen and is a fair way to allocate resources. The Commission's proposal on this is one element of a comprehensive package of Commission proposals on the future of the common fisheries policy: I expect extensive discussions with the Commission and other EU member states on the totality of this package to take place during coming months.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the implications of the proposed European road map for the reform of the common fisheries policy in respect of *(a)* in-shore fishermen, *(b)* the future management of shellfish, *(c)* the management of multi-annual quotas, *(d)* the future market for the trade in quotas, *(e)* the confidence in retaining relative stability, *(f)* the opportunities to give fishing industry stakeholders executive power to make policy and management decisions and *(g)* the prospects for the future of the United Kingdom fishing industry. [62597]

Mr. Morley *[holding answer 17 June 2002]:* The Commission published its first set of proposals for reform of the Common Fisheries Policy on 28 May 2002. Our preliminary assessment is that the aims of the proposals are broadly in line with the UK view developed in the light of our consultation with stakeholders last year about the Commission's Green Paper on the subject. We shall in coming weeks be assessing, again in consultation with all interested parties in the UK, all the possible implications of the Commission's proposals.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the European Commission's proposals for fleet reductions set out on page 49 of draft Council Regulation 2002/0114. [61609]

Margaret Beckett *[holding answer 19 June 2002]:* The Commission have made clear that they do not seek to impose cuts in fleet capacity on member states. Their figures which detail fleet cuts by member states are to be taken as purely illustrative. The scale of decommissioning in any individual member state will depend on the decisions taken by the Council on measures to reduce fishing effort and on the decisions by fishermen in the light of the impact of these measures.

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what action she intends to take on the discarding of fish caught in the EU. [64506]

Mr. Morley: The Department and representatives of the UK fishing industry contributed to a workshop convened by the European Commission in May on options to reduce discarding. The Commission intends to publish an action plan this year to tackle discarding as part of its proposals for reform of the common fisheries policy. We will study carefully the Commission's proposals when they are published.

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the impact the seal population has on sustainable fish stocks around the UK. [64543]

Mr. Morley: Based on 1985 diet data it is estimated that in 1998 240,000 tonnes of fish were consumed by grey seals and 75,000 tonnes by common seals. The predominant prey species of seals were sand eels, cod and whiting and most of the fish taken by seals are likely to have been juveniles. Given the high rates of natural mortality for these species, there is no guarantee that had they not been caught by seals, they would have survived to reach a size at which they would have been available to either commercial fishermen or anglers. We are currently funding the Sea Mammal Research Unit to undertake an update of this work.

Mrs. Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the *(a)* gross tonnage and *(b)* kilowatts of engine power permanently withdrawn from (i) the beam trawling sector and (ii) the pelagic sector under MAGP IV; and what assessment she has made of the possibility of the UK meeting the required targets set under this programme by the end of the period. [61267]

Mr. Morley: The MAGP IV programme covers the period 1 January 1997 to 31 December 2002. The latest information available covers the situation up to

31 December 2001. During this period, a decommissioning scheme was operated in the UK in 1997 to permanently withdraw capacity and engine power from the UK fleet using public aid. This resulted in reductions in gross tonnage and engine power of 1,000 tonnes and 4,443 kilowatts for the beam trawl segment of the fleet, and nine tonnes and 97 kilowatts for the pelagic segment. Further reductions in the beam trawling segment are expected in 2002 as a result of the decommissioning schemes this year.

In addition, there have also been reductions in capacity resulting from capacity penalties on licence transfers and aggregations, and action to correct discrepancies in engine power. These reductions are permanent and are included within the assessments made of the overall gross tonnage and engine power of the UK fleet. However, separate data on such reductions are not routinely produced, and could not be made available without use of a disproportionate level of resources.

The MAGP IV programme uses a combination of targets for the total gross tonnage and engine power of different segments of the fishing fleet to be achieved by the end of the programme on 31 December 2002, along with an alternative of effort control objectives for each year that can be used for certain segments of the fleet. Both need to be borne in mind when considering whether or not the UK has met its objectives under MAGP IV. As such, using the fleet situation as at 31 December 2001, the UK was outside the targets for gross tonnage and engine power for the pelagic segment, but within the targets for the beam trawl segment. However, the UK was within the effort control objectives for both of these segments.

GM Crops

Dr. Gibson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will set out the sequence for regulation of the approval process for GM crops in the UK. [63592]

Mr. Meacher: Before a GMO, including a GM crop, can be released in the UK or the EU it must be assessed for safety to human health and the environment and be approved under either Part B or Part C of Directive 90/220/EEC on the Deliberate Release into the Environment of Genetically Modified Organisms.

Directive 90–220 has been updated and is being replaced by the new Directive 2001/18/EC, which must be implemented by member states by October 2002. My Department is currently consulting the public on draft implementing regulations for England. Copies of the consultation paper have been placed in the Parliamentary libraries and are available on the DEFRA website www.defra.gov.uk/environment/gm/index). The Scottish Executive, the National Assembly for Wales and the Department of Environment for Northern Ireland will make separate implementing regulations on issues for which they have devolved powers.

Decision making on proposed non-commercial releases of GMOs under Part B of the directive (e.g. research trials) occurs at the member state level. In England, a person wishing to undertake such a release must apply to DEFRA for a Part B consent, whereupon DEFRA seeks independent expert advice from the Advisory Committee on Releases into the Environment (ACRE) before a decision is taken on whether to grant or refuse a consent. Where appropriate the advice of other experts, for instance the Advisory Committee on Novel Foods and Processes, will also be sought. Directive 2001–18 clarifies and extends risk assessments to ensure that "direct, indirect, immediate and delayed" effects on human health and the environment are covered. It also introduces a new requirement for mandatory public consultation before decisions on Part B applications are taken. We propose that such consultation should last for a minimum of 48 days.

Decision-making on proposed commercial releases of GMOs under Part C of the directive occurs at the EU level. A person wishing to market a GMO in the EU must apply for a Part C consent to a competent authority of one of the member states, and the competent authority must prepare a report recommending a course of action. If the report recommends that a consent is refused, the application is rejected. If the report recommends that a consent is granted it must be forwarded to the European Commission and other member states, which discuss the application and can ask for further information, make comments on, or present reasoned objections to, the proposed release. Under the new directive, the Commission must also consult the public (for two separate periods of 30 days) while the application is being considered, and responses are copied to all member states. The Commission and member states then make a collective decision on the application, and a Part C consent is either granted or refused.

Directive 2001–18 also introduces "post-market monitoring", under which any GMO which is granted a Part C consent must be monitored for unanticipated effects on the environment. The new directive (like its predecessor) ensures that if new information comes to light regarding the risks posed by the GMO to human health or the environment, the consent can be altered or revoked as appropriate.

GM crops are also subject to other legislation. Varieties of the main agricultural and vegetable species, whether GM or non-GM, cannot be marketed commercially until they have been added to the UK national list of plant varieties or to the EU Common Catalogue (a compendium of member states' national lists). Addition to the national list is dependent on satisfactory completion of a minimum of two years of listing trials, to establish that the variety is distinct, uniform and stable and, for agricultural species, has a value for cultivation and use in the UK. A GM crop cannot be formally proposed for addition to the national list until it has Part C marketing approval under the deliberate release directive (and Novel Foods authorisation where appropriate).

In addition to clearance of the crop itself, any foods obtained from a GM crop would have to be approved under the EU Novel Foods Regulation EC/258/97. The Food Standards Agency is the UK competent authority for this legislation. Furthermore, if the GM crop is a herbicide tolerant variety, the associated herbicide use would have to be approved under pesticides legislation.

Agricultural Shows

Mrs. Lait: To ask the Secretary of State for Environment, Food and Rural Affairs what the criteria are for the cost-effectiveness of her Department's stands at agricultural shows. [61813]

Mr. Morley: DEFRA assesses which events it will attend on the basis of target audience and the messages it is trying to communicate. Also taken into account are the numbers and geographical spread of the people who attend the shows.

Mrs. Lait: To ask the Secretary of State for Environment, Food and Rural Affairs how many visitors to the South of England Agricultural Show visited her Department's stand. [61812]

Mr. Morley: No head count of visitors to DEFRA stands at agricultural shows, including the South of England, have been made. The stands have been designed to represent a forward looking approach and to enable effective and accessible explanation of:

the wider interests and responsibilities of the Department, and

policies, issues and activities judged to be relevant to the potential audiences and geographical locations of the shows.

Foot and Mouth

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how much money the Department has paid contractors for foot and mouth related work; and how much further money is owed. [58063]

Mr. Morley: By 24 May 2002 DEFRA and the Rural Payments Agency had spent over £1,100 million on goods and services to eradicate the disease.

Quantity surveyors, forensic accountants and claims surveyors are currently verifying and substantiating contractor accounts.

Wide ranging issues have arisen on the accounts. These include legal issues such as matters of contractual interpretation, forensic accountancy issues and evidential issues involving the assessment of both a large amount of documentation and proofing of witnesses. Some of these disputes will inevitably result in court proceedings, although DEFRA remains committed to resolving matters by mediation where appropriate.

In these circumstances it is not possible at present for reasons of legal and commercial confidentiality to disclose how much, if any, further money is owed.

Scrapie

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the contribution that she expects the Transmissible Spongiform Encephalopathies Regulations 2002 (S.I., 2002, No. 843) to make to the delivery of the National Scrapie Plan. [61550]

Mr. Morley *[holding answer 13 June 2002]:* The National Scrapie Plan is a long term programme aimed at breeding resistance to TSEs into the national sheep flock. Currently it runs on a voluntary basis. It is in no way affected by, or reliant upon, the powers available under the TSE (England) Regulations 2002, which make provision for the enforcement and administration of EU legislation on TSEs and consolidate previously existing domestic legislation.

Fallen Stock

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment she has made of the impact on the competitiveness of British farmers of the existence within the EU of different levels of state aid for eliminating *(a)* fallen stock and *(b)* slaughterhouse waste; [61498]

(2) what her policy is towards state aid for the elimination of fallen stock; [61501]

(3) what plans she has to change her policies in response to the European Commission's working paper, Animal Waste and Fallen Stock—State Aid Policy Issues; [61497]

(4) what her policy is on the possible harmonisation or approximation of state aid for eliminating fallen stock within the EU; [61499]

(5) if she will make a statement on the outcome of the meeting held on 27 May between the European Commission and national Government experts on the disposal of animal wastes and fallen stock. [61591]

Mr. Morley *[Holding answer 13 June 2002]:* DEFRA officials attended a working group with EU counterparts and the Commission where the working paper "Animal Waste and Fallen Stock—State Aid Policy Issues" was discussed, with a view to ensuring consistency in the application of state aid rules relating to animal waste and fallen stock in all Member States. We support the harmonisation of government support given to industry for the disposal of animal wastes and fallen stock. The UK position is that the costs of the collection and disposal of livestock fallen on farm are the responsibility of the farming industry: an application of the so-called "polluter pays" principle.

Grass

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what area is planted to short rotation coppice and miscanthus grass in the UK; and if she will make a statement. [64126]

Margaret Beckett: 1,800 hectares of energy crops have been planted in the UK. This is primarily short rotation coppice but includes about 50 hectares of miscanthus. This Department has allocated support of £29 million to solid biomass crops through the Energy Crops Scheme, part of the England Rural Development Programme. Working with other Departments we have put in place schemes with funding of £70 million which will develop markets for biomass, including purpose grown energy crops and material from forests, in heat, combined heat and power and electricity generation. We are also working closely with the Countryside Agency which has launched the Community Renewables Initiative to help local communities develop renewable energy projects. The Renewables Obligation permits the co-firing of energy crops with fossil fuels. The Government have also welcomed the publication of the Energy Review by the Performance and Innovation Unit, which draws attention to the key role of renewable energy sources, including energy crops, in moving to a low carbon economy. Consultation on the key recommendations of the report will lead to a White Paper in the autumn.

Biomass Crops

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what public money has been spent in research and promotion in each of the past five years concerning *(a)* biomass energy crops and *(b)* biofuels for road transport; and if she will make a statement. [64119]

Margaret Beckett: This Department co-ordinates government research into biomass energy crops and total public expenditure amounts to approximately £2.75 million per annum and has been stable at this level over the last five years. The production technology for transport biofuels from UK grown crops is mature and this results in a low research spend. Expenditure by this Department in the current financial year amounts to £20,000 on work in support of policy development. Expenditure in the previous four years was nil, although the Department does have a large portfolio of research, costing about £6 million per annum, supporting the primary production of crops such as oilseed rape, wheat and potatoes which have the potential to be used for transport fuel production. It is not possible to separately identify the cost of promotion in respect of biomass energy crops and biofuels. The Department has included generic promotion of non-food crops in its work at agricultural shows. We have also organised and attended a small number of promotional meetings and seminars linked to the development of markets for solid biomass crops. The promotion of biomass crops also takes place through our work in support of the England Rural Development Programme, the Energy Crops Scheme forming one element of that programme.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will estimate the amount of carbon saved from 1 million tonnes of biodiesel and bioethanol substituted for the equivalent amount of fossil diesel and petrol; and if she will make a statement. [64128]

Margaret Beckett: The replacement of one million tonnes of fossil diesel with biodiesel from oilseed rape would save between 500,000 and 700,000 tonnes of carbon. Research into the production of bioethanol from starch or sugar crops generally indicates that slightly less carbon is saved through replacing petrol with bioethanol when compared with replacing fossil diesel with biodiesel. In the Budget my right hon. Friend the Chancellor confirmed the new duty rate for biodiesel set at 20 pence per litre below the rate for Ultra Low Sulphur Diesel. The Government have also launched a second round of the Green Fuel Challenge inviting bids for pilot projects for biofuels, including bioethanol, which would qualify for duty reductions. The Forum on the Non-Food Uses of Crops is studying the potential of biodiesel and bioethanol. The Government are considering carefully the recommendation of the Policy Commission on the Future of Farming and Food that duty on biofuels should be reduced to the rates applied to other clean fuels.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will estimate the amount of carbon saved in each of the last five years by the use of biomass crops grown in the United Kingdom; and if she will make a statement. [64127]

Margaret Beckett: One hectare of biomass crops yielding the equivalent of eight tonnes per annum has the potential to save about two tonnes of carbon each year. Achieving these carbon savings depends on functioning end markets for the utilisation of biomass crops. Most plantings of purpose grown energy crops have, to date, been to provide fuel for the Arbre biomass power station near Selby which expects to begin full operation later this year. In April the Government launched the Bioenergy Capital Grant Scheme which will develop markets for biomass, including purpose grown energy crops and material from forests, in heat, combined heat and power and electricity generation. Further funding will be available from a Community and Household Capital Grant Scheme which will be launched later this year. Officials are also working closely with the Local Support Teams set up by the Countryside Agency, through the Community Renewables Initiative, to develop markets for renewables.

Agricultural Shows

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs what the purpose was of the presence of the DEFRA stand at this year's agricultural shows; at which shows it appeared; and how she will assess its effectiveness. [63194]

Mr. Morley: The following list shows the venues at which a DEFRA information/exhibition stand has been or will be present.

The purpose of providing such a stand at these events is to provide information on the interests, responsibilities and activities of the Department. Other issues are covered depending on the location, theme and potential audience.

The cost-effectiveness of these events is kept under review by assessment of the numbers of visitors to the stand, the number of inquiries and/or requests dealt with and feedback from the show organisers.

DEFRA information and exhibition stands

Attendance at agricultural shows: year 2002–03

Devon County Show
Royal Bath and West Show
Northumberland County Show
Royal Cornwall Show
South of England Show
Three Counties Show
East of England Show
Lincolnshire Show
Royal Norfolk Show
Great Yorkshire Show
CLA Game Fair
Royal Lancashire Show
New Forest and Hampshire Show

Pig and Poultry Fair
Grassland 2002
Beef 2002
Cereals 2002
Spray and Sprayers
Sheep Event
European Dairy Event
Royal Smithfield Show
BBC Gardener's World
Hampton Court Flower Show
Tatton Park Flower Show
Fruit Focus.

Salmon

Lawrie Quinn: To ask the Secretary of State for Environment, Food and Rural Affairs what the tonnage of farmed salmon in England was in each year since 1990; and what the average size of the fish produced was in each year. [63361]

Mr. Morley: Statistics for 1990 and 1991 are not currently available.

Farmed Atlantic salmon production in England between 1992 and 2001 primarily involves the production of juvenile fish for on-growing in Scottish marine fish farms and for re-stocking rivers. The juvenile fish concerned are fry, parr and smolts which, depending on their stage of growth have an average weight of between 1 gram and 30 grams. Details are as follows:

Juvenile Atlantic salmon production in England—1992 to 2001

	Juvenile fish	
	Number (millions)	*Estimated tonnes*
1992	7.2	37
1993	5.7	35
1994	3.6	41
1995	6.8	44
1996	6.0	26
1997	8.6	39
1998	8.6	59
1999	14.4	98
2000	6.8	54
2001	7.6	36

There has also been farming of some six tonnes of adult fish (estimated average weight of three kilos) in the period mainly for broodstock and research purpose.

EU Management Committees

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee on the implementation of the Directive establishing a Community policy regarding water is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members; and if she will make a statement. [63928]

Mr. Meacher: Article 20 of Directive 2000/60/EC establishing a framework for Community action in the field of water policy provides that the regulatory committee established by Article 21(1) will assist the Commission in making any necessary technical adaptations to Annexes I, III and section 1.3.6 of Annex V to the directive, and in setting technical specifications and standardised methods for analysis and monitoring of water status. It may also assist the Commission in adopting guidelines on the implementation of Annexes II and V and in setting technical formats for transmission of statistical and cartographic data to the Commission.

The committee has not yet met, and no meeting has been arranged. However, the committee is due to meet at the latest by 22 December 2002. UK representation is likely to vary according to the agenda for each meeting and may include members of the Scottish Executive and other devolved Administrations where there are items of sufficient interest.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committees of the common organisations of agricultural markets for dehydrated fodder is next due to meet; what the UK representation is on it; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members; and if she will make a statement. [63963]

Mr. Morley: I refer the hon. Member to the answer given to the hon. Member for Buckingham (Mr. Bercow), on 10 June 2002, *Official Report,* column 917W.

There is no set schedule of meetings for the Management Committee for Dehydrated Fodder. UK representation on this management committee depends on the agenda items under discussion. Officials from the Scottish Executive and other devolved Administrations attend as necessary in accordance with their interests. However, no representative of the Scottish Executive has attended the Management Committee for Dehydrated Fodder.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committees of the common organisations of agricultural markets for fresh fruit and vegetables are next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members; and if she will make a statement. [63965]

Mr. Morley: I refer the hon. Member to the written answer given to the hon. Member for Buckingham (Mr. Bercow), on 10 June 2002, *Official Report,* column 912W.

The next meeting of the Fresh Fruit and Vegetables Management Committee is scheduled for 16 July 2002. UK representation on this committee depends on the agenda items under discussion. No representative of the Scottish Executive has attended.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of the EU Management Committees of the common organisations of agricultural markets for cereals; and if she will make a statement. [63964]

Mr. Morley: UK representation on the EU's Cereals Management Committee depends on the agenda items under discussion. Officials from the Scottish Executive and other devolved Administrations attend as necessary in accordance with their interests.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs whether experts nominated by the Scottish Executive have been members of the EU Committee for the adaptation to scientific and technical progress of the directive on methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the member states; and if she will make a statement. [63947]

Mr. Meacher: I refer the hon. Member to the answer I gave to the hon. Member for Buckingham (Mr. Bercow) on 23 May 2002, *Official Report,* column 496W. No date has been set for the Committee to meet. UK representation would vary according to the agenda for each meeting and may include members of the Scottish Executive and other devolved administrations where there are items of sufficient interest.

Recycling

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement about the availability of plastic recycling facilities *(a)* in England and *(b)* in Gloucestershire; [62067]

(2) what steps she is taking to increase plastic recycling facilities; and if she will make a statement. [62068]

Mr. Meacher: The Department does not keep a central record of recycling facilities. However, I understand that two local authorities in Gloucestershire collect plastic for recycling—Gloucester City Council and Stroud District Council. In addition, Stroud District Community Recycling group operates a kerbside collection of materials including plastic.

We have set statutory performance standards for recycling or composting household waste for each local authority in England. Authorities are required, on average, to double recycling by 2003–04 and triple it by 2005–06. Future targets for local authorities will be even more demanding and many authorities will need to begin collecting plastic for recycling in order to meet these targets. It is up to local authorities to decide how best to meet their recycling standards, depending on local circumstances such as housing type. However, the Government is taking various steps which should help boost plastic recycling and create more facilities.

Last year the Government set up the Waste and Resources Action Programme (WRAP), with £40 million of Government and Devolved Administration funding, to tackle the market barriers to increased recycling. WRAP has identified plastics as a priority area in its business plan to 2003–04 and they intend to award a grant to address the lack of plastics reprocessing infrastructure, which should result in an additional 20,000 tonnes per annum of post-consumer plastic bottles being diverted from the waste stream. New plastic reprocessing facilities will create more demand for local authorities to collect recyclable plastic.

I recently announced the arrangements for the distribution of the £140 million fund to assist local authorities in meeting their recycling targets. We expect this fund to go towards developing new and existing recycling schemes and in some cases money from the fund may well be used to extend collection schemes to include plastics. We have specifically earmarked a proportion of this funding for tackling more difficult waste streams such as plastic.

Waste Paper Exporters

Jonathan Shaw: To ask the Secretary of State for Environment, Food and Rural Affairs how much was granted to waste paper exporters under the PERN system in each of the last two years. [63775]

Mr. Meacher: In 2001, PERN revenue to accredited exporters for paper packaging waste was £3.3 million. This compares with PRN revenue to accredited reprocessors for paper packaging waste of £32 million.

In 2000, PERN revenue to accredited exporters for paper packaging waste was £476,294. This compares with PRN revenue for accredited reprocessors of £15.5 million.

Jonathan Shaw: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the reasons underlying the Government's use of the packaging export recovery note. [63780]

Mr. Meacher: Packaging waste recovery notes (PRNs) and packaging waste export recovery notes (PERNs) are the main method for businesses obligated under the Producer Responsibility Obligations (Packaging Waste) Regulations 1997 (as amended) to demonstrate compliance with their recovery and recycling obligations. These regulations implement the recovery and recycling targets in the EC Directive on Packaging and Packaging Waste 94/62/EC which has both environmental and single market objectives.

Under this directive, businesses with recovery and recycling obligations may carry out that recovery/recycling either in the UK or elsewhere, subject to the usual rules on the export of waste. In the same way, other countries may have their waste recycled by UK reprocessors.

The PERN system provides a method for obligated businesses to demonstrate compliance with their obligations when they have recycling carried out overseas. In terms of operation, the PERN system is the same as the PRN system in that those issuing the PERN or PRN are scrutinised by the agency before they can be accredited, the system deters fraud, and allows resources to be directed at investment in the infrastructural development needed to meet targets.

Jonathan Shaw: To ask the Secretary of State for Environment, Food and Rural Affairs what the average value was of a packaging export recovery note in each of the last two years. [63777]

Mr. Meacher: In 2001, the average value of a packaging waste export recovery note (PERN) was, for the different packaging materials, as follows:

£

Material	*Value*
Aluminium	28
Steel	22
Paper	18
Glass	13
Plastic	24

Overall average per tonne was £20.

Jonathan Shaw: To ask the Secretary of State for Environment, Food and Rural Affairs what the volume of waste paper exports was in each of the last two years under the PERN system. [63778]

Mr. Meacher: In 2001, 179,439 tonnes of paper packaging waste was exported. In 2000, 59,608 tonnes of paper packaging waste was exported.

Jonathan Shaw: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received on shortfalls in waste paper and other raw materials necessary for domestic paper mills; and what steps the Government have taken to address them. [63779]

Mr. Meacher: The Confederation of Paper Industries have written to explain that they are experiencing difficulties in attracting sufficient quantities of paper/fibreboard packaging waste to UK mills. We are presently discussing this matter with other relevant Government Departments and will be discussing the way forward with the paper industry, with whom we are in regular touch.

Jonathan Shaw: To ask the Secretary of State for Environment, Food and Rural Affairs how many packaging export recovery notes were granted in each of the last two years. [63776]

Mr. Meacher: In 2001, packaging waste export recovery notes (PERNs) were issued against 425,165 tonnes of packaging waste. In 2000, PERNs were issued against 315,841 tonnes of packaging waste.

Greenhouse Gases

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs how large a reduction in global greenhouse gas emissions will be achieved by the current adherents to the Bonn Agreement. [63520]

Mr. Meacher: The emissions limitation or reduction commitments of developed countries listed in Annexe B to the Kyoto Protocol, excluding the United States and Australia who have said they will not ratify, are equivalent to a reduction in emissions of some 4.7 per cent. below 1990 levels from these countries during the first commitment period, 2008 to 2012. This represents about 1.5 per cent. of global emissions in 1990.

Flora and Fauna

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs how many plant and animal species have become extinct in the United Kingdom in the last 25 years. [63517]

Mr. Meacher: The Joint Nature Conservation Committee have advised that over the past 25 years 13 plant and animal species in total have become extinct. However, some species such as the large blue butterfly has been reintroduced successfully.

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* plant and *(b)* animal species are threatened with extinction in the United Kingdom. [63518]

Mr. Meacher: My scientific advisers on wildlife issues, the Joint Nature Conservation Committee, have advised that there are about 489 plant species (including a significant proportion of rare lower plants) and 1,801 animal species (the majority of which are invertebrates) which are classified as endangered and threatened with the possibility of becoming extinct. The Department's second annual report, reviewing progress towards sustainable development in 2001 states that in 1997 16 per cent. of all invertebrates, 21 per cent. lower plant species and 11 per cent. of all vascular plants in the UK are considered nationally scarce.

Kyoto Protocol

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate her Department has made of the economic cost to the United Kingdom of global warming if the Kyoto Agreement is not fully implemented by all signatory countries. [63509]

Mr. Meacher: The costs to Annex 1 parties, including the UK, of meeting their emissions reduction and limitation commitments under the Kyoto protocol have been estimated as a reduction of less than 0.7 per cent. of GDP in 2010 according to assessments assessed by the Inter-Government Panel on Climate Change. If countries do not fully implement their commitments, this will have an adverse effect on the scale of the global effort to tackle climate change which could result in greater adverse impacts. Given uncertainties, these are not possible to quantify.

Biodiversity

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs what steps her Department is taking to protect biodiversity in the United Kingdom. [63514]

Mr. Meacher: The UK biodiversity action plan and subsequent individual action plans for 45 habitat and 391 species set out the measures to be taken to conserve biodiversity in the United Kingdom. The UK biodiversity group report "Sustaining the Variety of Life—5 Years of the UK Biodiversity Action Plan", published in March 2001 detailed progress on the plan and made recommendations for its further implementation. The Government expect to respond to the group's report and recommendations shortly.

Within the UK framework, responsibility for implementing the UK action plan now lies with the Scottish Executive, the National Assembly for Wales and the Northern Ireland Assembly. In the Rural White Paper "Our Countryside: the Future—A Fair Deal for Rural England" the Government announced it would prepare a biodiversity strategy for England. Work streams have been established covering the major sectoral policy areas impacting on biodiversity in England including, agriculture, forestry, water and wetlands, marine and coastal, urban and development, and business. In addition, there are workstreams for the cross-cutting themes of education and local and regional action. We expect to publish the strategy later this year.

Sewage

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on an international ban on disposal of sewage at sea. [63516]

Mr. Meacher: The International Convention for the Prevention of Pollution from Ships (MARPOL 73–78) has an Annex on Regulations for the Prevention of Pollution by Sewage from Ships. The UK ratified this Annex in 1995 and we are working to promote its entry into force.

The UK, other member states and those countries seeking accession to the European Union are, or will be, obliged to implement the requirements of several directives to protect the water and marine environment from land-based sewage discharges.

For example, the Urban Waste Water Treatment Directive requires by 2005 at least secondary treatment for all discharges to coastal waters from sewage treatment works serving more than 10,000 inhabitants. In England and Wales this level of treatment will be provided by the same deadline for coastal discharges from treatment works serving more than 2,000 inhabitants.

Furthermore the UK ceased sea dumping of sewage sludge (a by-product of treatment processes) in 1998 as required by the Urban Waste Water Treatment Directive. Such dumping is now banned in the north-east Atlantic under the OSPAR Convention. At the global level, the London Convention Protocol 1996 requires that sewage sludge may only be considered for disposal at sea following a detailed waste prevention audit, consideration of other waste management options and assessment of potential environmental impacts. The UK was one of the first countries to ratify the protocol and has been active in promoting its entry into force as soon as possible.

Egg Industry

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs what regulatory impact assessment regarding costs to the egg industry has been made by her Department in the event of enriched cages being phased out before 2012. [65227]

Mr. Morley: A partial regulatory impact assessment on the effect of banning enriched cages from 2012 is being prepared and will form part of the public consultation exercise.

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs whether enriched cages for the egg industry will be allowed to operate until 2012. [65229]

Mr. Morley: Yes. The forthcoming public consultation will be on a proposal to ban enriched cages from 2012.

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects the research will be completed into bird welfare and bird behavioural aspects of enriched cages. [65228]

Mr. Morley: Research into systems of production is always ongoing. A specific DEFRA funded project on enriched cages will finish at the end of October 2003.

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to the statement of the Under-Secretary of State, *Official Report, Fifth Standing Committee on Delegated Legislation*, 12 June 2002, c. 22, on the timescale for the operation of enriched cages if she will make a statement on the phasing out of enriched cages; and when the policy was decided. [65231]

Mr. Morley: A public consultation will start shortly on a proposal to ban enriched cages from 2012.

Public Bodies

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs which of the agencies and NDPBs sponsored by her Department have a regional organisation; and if she will list the counties and unitary authorities in each region in *(a)* 1997 and *(b)* 2002. [58935]

Mr. Morley: The Agencies and NDPBs sponsored by DEFRA with a regional organisation are listed as follows:

Food from Britain
Meat and Livestock Commission
Milk Development Council
Sea Fish Industry Authority
Agricultural Wages Board
Agricultural Wages Committee
Regional Flood Defence Committees
Agricultural Land Tribunals
British Wool Marketing Board
British Waterways
Countryside Agency
English Nature
National Forest Co.
Environment Agency.

A full listing of the counties and unitary authorities and the history of their generation is given at http: www.statistics.gov.uk/geography/countiesnonmetua.asp

World Food Summit

Mr. Laxton: To ask the Secretary of State for Environment, Food and Rural Affairs in what ways the outcome of the recent World Food Summit in Rome will help combat the shortage of food in Southern Africa. [64802]

Clare Short: I have been asked to reply.

I do not consider that the meeting helped materially to combat food shortages in Southern Africa. UN organisations did, however, convene an action-oriented meeting of Governments, NGOs and donors in Johannesburg the previous week to discuss the crisis in the region.

Contaminated Land

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs if she will place in the Library the results of the monitoring of arsenic, nickel, cadmium and mercury at industrial sites across the United Kingdom that her Department funded; and when she intends to publish the results. [64664]

Mr. Meacher *[holding answer 27 June 2002]:* Copies of the report entitled: "Monitoring of Lead, Arsenic, Cadmium, Nickel and Mercury around Industrial Sites" produced by Casella Stanger on behalf of the Department have been placed in the Library. The report was published on 4 September 2001. This report is also available electronically on the Air Quality Archive in the reports database at http://www.airquality.co.uk

Transmissible Spongiform Encephalopathy

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will place in the Library copies of the responses to her consultation on S.I. 2002–843. [61574]

Mr. Morley *[holding answer 13 June 2002]:* Responses to the consultation on the TSE (England) Regulations 2002 (S.I. 2002–843) are available from the DEFRA library at Whitehall Place. I will also place them in the Libraries of both Houses of Parliament.

WALES

Oral Questions

Mr. Simon Thomas: To ask the Secretary of State for Wales how many oral questions he has transferred to other Departments in each of the last 18 months. [65505]

Mr. Paul Murphy: None.

Correspondence

Mr. Evans: ~~To ask~~ the Secretary of State for Wales how many letters have been received by each Minister in his Department since June 1997. [63496]

Mr. Paul Murphy: The information is contained in the following table.

Letters received

	Secretary of State	*Under Secretary of State*	*Inter-Departmentals*
July 1999	21	7	360
August 1999	206	68	327
September 1999	174	58	559
October 1999	173	57	636
November 1999	138	46	981
December 1999	115	38	602
January 2000	75	26	870
February 2000	106	35	720
March 2000	102	34	925
April 2000	70	24	592
May 2000	84	28	587
June 2000	72	24	625
July 2000	65	22	620
August 2000	64	22	506
September 2000	49	17	389
October 2000	39	13	540
November 2000	52	17	759
December 2000	13	5	469
January 2001	2	—	405
February 2001	29	4	454
March 2001	34	10	703
April 2001	16	10	368
May 2001	17	4	326
June 2001	11	—	183
July 2001	19	2	546
August 2001	28	1	346
September 2001	25	1	306
October 2001	30	5	581
November 2001	33	2	620
December 2001	13	6	439
January 2002	35	2	340
February 2002	38	1	505
March 2002	30	5	498
April 2002	21	10	517
May 2002	31	11	538

Please note that my Department was established on 1 July 1999.

Advertising Campaigns

Mr. Bercow: To ask the Secretary of State for Wales how much was spent on press and advertising campaigns in 2001–02; and what the planned expenditure is for 2002–03. [60909]

Mr. Paul Murphy: I refer the hon. Gentleman to the answer I gave him on 15 April 2002, *Official Report,* column 752W.

Entertainment Costs

Mr. Bercow: To ask the Secretary of State for Wales what the cost was of the Department's 2001 staff Christmas party; and how many people attended. [61657]

Mr. Paul Murphy: There were two staff parties at Christmas 2001. Both were held outside core hours and neither involved any cost to the public purse.

Departmental Expenditure Limit

Mr. Bercow: To ask the Secretary of State for Wales how much and what proportion of the departmental expenditure limit for 2002–03 will be accounted for by staff costs; what the figures were for 2001–02; and if he will make a statement. [61034]

Mr. Paul Murphy: Running cost information for years up to 2001–02 is given at Annex 3 of the departmental report (Cm 5431). It is too early to provide a dependable forecast for 2002–03.

PRIME MINISTER

Hunting

Mr. Evans: To ask the Prime Minister how many representations he has received in support of hunting with hounds in the last 12 months. [63921]

The Prime Minister: I have received 4,770 campaign cards and 1,280 letters this year about the issue of hunting. My office has not broken them down into categories.

All representations to me on this issue since Thursday 21 March have been passed to my right hon. Friend the Minister of State for Rural Affairs who will consider them as part of the process he announced to the House.

Special Advisers

Mr. Evans: To ask the Prime Minister how many special advisers he has had since June 1997; and what plans he has to alter the number of special advisers working for him. [63967]

The Prime Minister: The information requested is as follows:

June 1997—18

June 1998—20

June 1999—23

June 2000—28

June 2001—22

June 2002—27.

Paragraph 50 of the "Ministerial Code" sets out the rules on numbers of special advisers. I do not anticipate any significant change in the numbers of special advisers in my office.

Cabinet Sub-Committee of Green Ministers

Malcolm Bruce: To ask the Prime Minister what changes have taken place to the Cabinet Sub-Committee of Green Ministers as a result of the governmental reorganisation; and if he will make a statement. [65028]

The Prime Minister: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Hornchurch (John Cryer) on 24 June 2002, *Official Report*, column 722W.

Mr. Alastair Campbell

Mr. Collins: To ask the Prime Minister whether Mr. Alastair Campbell is the accounting officer for the Central Office of Information. [64873]

The Prime Minister: No. The chief executive of the Central Office of Information is the accounting officer.

Mr. Collins: To ask the Prime Minister if he will make a statement on recent changes in the role of Mr. Alastair Campbell. [64875]

The Prime Minister: I refer the hon. Member to the answer I gave him on 28 February 2002, *Official Report*, column 1448W.

Balkans

Mr. Dalyell: To ask the Prime Minister, pursuant to his oral statement of 24 June 2002, on the Seville European Council, if he will itemise the assistance the EU has given to the Balkans to which he was referring in his reply to the hon. Member for Linlithgow. [64741]

The Prime Minister: Between 1990 and 2000, the UK provided £74 million of bilateral assistance for reconstruction and development in the Balkans. This was in addition to the £1.7 billion provided by the EC, to which we contributed £330 million. Together with the £3 billion provided by the remaining EU member states, this amounts to a total EU contribution of £4.8 billion. Since 2000, up to the present date, the EC has committed a further £1.2 billion. In addition, we have allocated £40.6 million as a bilateral assistance since 2000.

The EU has also offered generous trade preferences. These allow tariff free access into EU markets for 95 per cent. of industrial and agricultural products.

Dublin Convention

Mr. Gale: To ask the Prime Minister, pursuant to his oral answer to the hon. Member for North Thanet on 24 June 2002, *Official Report*, column 627, if he will indicate which article in the Dublin Convention supersedes the Sangatte Protocol; and if this assertion has been tested in law. [64871]

The Prime Minister: An agreement was signed with France dated 20 April 1995 in relation to the taking back of passengers who are refused admission on arrival in the UK ("the 1995 Agreement").

That agreement covers, among other things, the arrival of asylum seekers through the channel tunnel and therefore has the effect of qualifying the relevant provisions of the Sangatte Protocol of 25 November 1991.

The 1995 Agreement provided that, in relation to asylum seekers, it would be superseded by the relevant provisions of the Dublin Convention once that Convention entered into force. The Dublin Convention came into force on 1 September 1997. Therefore from that date, in relation to those claiming asylum, the provisions of the Dublin Convention prevail in so far as that Convention determines which state is responsible for deciding the claim.

We are not aware that this issue has ever been litigated.

Departmental Responsibilities

Mr. Howard: To ask the Prime Minister which officials within his Office have responsibility for strategy on the single currency and related issues; and what their remit is. [64969]

The Prime Minister: Work on European Policy in my Office is headed by Sir Stephen Wall, working with other officials as necessary.

Rail Journeys

Mr. Andrew Turner: To ask the Prime Minister what railway journeys he has taken, on official business, since 1997. [65580]

The Prime Minister: I last travelled by train on 1 June from Kings Cross to Darlington. I travel making the most efficient and cost-effective arrangements and will continue to use the railway service regularly when appropriate. My travel arrangements are in accordance with the arrangements for official travel set out in chapter 7 of the Ministerial Code, and the accompanying guidance document, Travel by Ministers.

Official Visits

Mr. Andrew Turner: To ask the Prime Minister if he will list the *(a)* schools, *(b)* hospitals and *(c)* prisons which he has visited, with dates, since 1997. [65579]

The Prime Minister: Records of official visits are not held in this manner and could be obtained only at disproportionate cost. I have undertaken a range of visits to schools, hospitals, universities, police stations, and visited a prison last year.

WORK AND PENSIONS

Youth Unemployment

14. **Phil Hope:** To ask the Secretary of State for Work and Pensions what assessment his Department has made of the effect the new deal has had on youth unemployment. [63399]

Mr. Nicholas Brown: Since 1997 youth unemployment has fallen by more than 40 per cent. to around its lowest level since the mid-1970s, and long-term youth unemployment has been virtually eradicated.

The New Deal for Young People has played an important part in this success. Up to March 2002 the programme had helped over 360,000 young people off benefit and into work. Independent research has found that, without the New Deal, long-term youth unemployment would have been about twice as high.

In my hon. Friend's constituency, nearly 400 young people have moved into jobs through the New Deal.

Carers

15. **Mr. Kidney:** To ask the Secretary of State for Work and Pensions in what circumstances payments to carers for reimbursement of expenses for attending meetings are disregarded for benefit purposes. [63400]

Maria Eagle: All reasonable expenses incurred by a volunteer as a direct result of volunteering are disregarded.

A volunteer is defined as someone who performs a service and does not expect or receive payment other than expenses.

Disabled People

16. **Dr. Iddon:** To ask the Secretary of State for Work and Pensions what assessment he has made of the effectiveness of the new deal for disabled people. [63401]

Mr. Nicholas Brown: The new deal for disabled people is the first national employment programme to help people with disabilities move into and keep jobs, and is using innovative ways of helping them to achieve their full potential through work.

It is too early to make an assessment of the success of the programme. As new deal for disabled people progresses a comprehensive programme of evaluation will measure its effectiveness. This will include qualitative and quantitative research with all key stakeholders. A report of this evaluation will be published.

Action Team for Jobs

17. **Jeff Ennis:** To ask the Secretary of State for Work and Pensions what impact the action team for jobs initiative is having in severely economically deprived areas. [63402]

Mr. Nicholas Brown: Action teams are having a positive impact on the lives of disadvantaged people in the most economically deprived areas of the country. By the end of May they had helped over 34,000 people move into work. An early evaluation study also found that 80 per cent. of these jobs were sustained jobs.

The team working in my hon. Friend's constituency has helped over 320 jobless people into work since October 2001 and, last year, contributed £100,000 towards a new child care unit in the area.

Funded Pension Schemes

18. **Mr. Robathan:** To ask the Secretary of State for Work and Pensions whether he will make a statement on his long-term plans for pensions policy if the present rate of take-up of funded pensions continues. [63403]

Mr. McCartney: I refer the hon. Member to the oral answer I gave today to the right hon. Member for Fylde (Mr. Jack) at column 18.

Jobseeker's Allowance

19. **Mr. Plaskitt:** To ask the Secretary of State for Work and Pensions what steps he is taking to ensure that those in receipt of jobseeker's allowance take up appropriate job offers. [63404]

Malcolm Wicks: It is a fundamental principle of our welfare reform programme to match rights with responsibilities.

For our part we are engaging actively with jobless people to provide them with employment opportunities. For example, our new deals for young people and 25 plus have already helped over 460,000 people to work—450 in my hon. Friend's constituency. And we plan to rollout a further 225 new jobcentre plus offices by spring of next year delivering a single, integrated service to people of working age, with a clear focus on work.

In return, we expect jobless people to take up these opportunities. For the minority who choose not to participate in the new deal, or who fail to take up suitable job offers, we have a rigorous sanctions regime to reduce or suspend their jobseeker's allowance. During 2001–02, just over 38,000 people were subject to a Jobseeker's Allowance sanction for refusing to take up an offer of employment.

Employment Zones

21. **Mr. Mahmood:** To ask the Secretary of State for Work and Pensions if he will make a statement on the effectiveness of employment zones in reducing unemployment. [63406]

31. **Mr. Russell Brown:** To ask the Secretary of State for Work and Pensions if he will make a statement on the effectiveness of employment zones in reducing unemployment levels. [63418]

Mr. Nicholas Brown: Employment Zones are one of a range of initiatives we have introduced to help people move into work.

The performance of the 15 Employment Zones is encouraging. By February this year they had helped over 22,000 long-term unemployed people from some of the country's most deprived areas into work.

We are currently evaluating the Zones and the results of this will feed into their ongoing improvement.

Private Pensions

22. **Sandra Osborne:** To ask the Secretary of State for Work and Pensions what plans he has to simplify the administration of private pensions. [63407]

Mr. McCartney: We are continually looking for ways to improve the pension system. As the hon. Lady will know, we have already made good headway in improving access to private pensions. For exmple, we have introduced stakeholder pensions which are a straightforward way for people to save for their retirement. So far, over 800,000 stakeholder pensions have been sold. We have also improved the way the minimum funding requirement operates in advance of its replacement.

But, of course we can do more. The current pensions regime is too complicated and that is in no-one's interest. So the Government have commissioned a number of reviews to look for ways of simplifying and improving pension provision and regulation. The Pickering review is looking at how we can cut red tape whilst making sure that scheme members are properly protected. Linked to this is the Quinquennial review of the Occupational Pensions Regulatory Authority (Opra) which is looking at how we can ensure that the regulatory rules we put in place are clearly understood by those who need to administer them and are well policed to ensure increased security and confidence. In addition, there is the Sandler review which is looking at how the commercial retail savings market might be made to operate more effectively and efficiently, to the benefit of consumers. The Inland Revenue is also carrying out a review of the tax treatment of occupational pensions and they will consult on proposals later in the year.

The Sandler and Pickering reviews will be published in the next few weeks with the Opra review publishing later in the year. We will consider the proposals in these reports once they are published as part of our deliberations on how best to simplify the administration of private pensions.

20. **Mr. Luff:** To ask the Secretary of State for Work and Pensions what recent assessment he has made of the adequacy of private pension provision in the working population; and if he will make a statement. [63405]

27. **Mr. Swire:** To ask the Secretary of State for Work and Pensions what plans he has to extend private pension provision in the UK. [63413]

Mr. McCartney: The introduction of stakeholder pensions has extended access of private pension provision. It is clear, however, that individuals are not saving enough and more action is needed. We have already made clear the Government's recognition of the importance of this issue and the actions we are taking to address is.

We have already extended access to private pensions in the UK with the introduction of stakeholder pensions and the requirement of employers to designate a scheme. Around 322,000 employes have already designated a stakeholder scheme and over 800,000 stakeholders have been sold. We are removing the disincentive to save for retirement that existed in the Social Security system with the introduction of the Pension Credit. We are also ensuring that individuals have the right information to make informed choices through the introduction of combined pensions forecasts, money purchase illustrations and our ongoing pensions education campaign.

There is a need to ensure that the regulatory system for pensions is appropriate and not unnecessarily complicated and that the retail savings market operates as it should. That is why we commissioned Alan Pickering to review pensions regulation and Ron Sandler to review the retail savings market. Both of these reviews are due to report shortly and we will respond to any proposals in the Autumn.

Jobcentre Plus

23. **Brian White:** To ask the Secretary of State for Work and Pensions what types of personal advice users of Jobcentre Plus are entitled to receive. [63408]

24. **Linda Gilroy:** To ask the Secretary of State for Work and Pensions how many people are receiving services from Jobcentre Plus. [63409]

26. **Judy Mallaber:** To ask the Secretary of State for Work and Pensions what plans he has to make jobcentres more responsive to the needs of those who are out of work. [63412]

Mr. Nicholas Brown: In April this year we created Jobcentre Plus to bring together the Employment Service and the working age functions of the Benefits Agency. Jobcentre Plus provides a work focused service to all benefit claimants of working age, providing services to around five million people. Jobcentre Plus aims to deliver further improvements in customer service throughout its entire network of jobcentres and social security offices.

Jobcentre Plus provides a full range of advice on employment and training opportunities combined with comprehensive benefit advice. This advice is tailored to the individual needs of the people using the service and will help them to move from welfare to work while ensuring they have the support they need while doing so.

56 new Jobcentre Plus offices are already providing the fully integrated and work-focused service which we will extend progressively to cover the whole of Great Britain over the next four years. We have already announced that we plan to open around 225 more integrated offices by April 2003. As part of this upgrade to the service, everyone of working age who is making a new or repeat claim for benefit in these offices will participate in a work-focused interview with a Personal Adviser and be offered their continuing support.

28. **Mr. Pike:** To ask the Secretary of State for Work and Pensions how many benefit offices are Jobcentre Plus offices; and when it is expected to complete the changeover. [63415]

Mr. Nicholas Brown: In April this year we created Jobcentre Plus to bring together the Employment Service and the working age functions of the Benefits Agency. Jobcentre Plus provides a work focused service to all benefit claimants of working age, providing services to around five million people.

56 new Jobcentre Plus offices are already providing the fully integrated and work-focused service which we will extend progressively to cover the whole of Great Britain

over the next four years. We have already announced that we plan to open around 225 more integrated offices by April 2003.

Final Salary Pensions

25. **Mr. Swayne:** To ask the Secretary of State for Work and Pensions what steps he is taking to assist employers administering final salary pension schemes. [63411]

Mr. McCartney: The Pickering Review of pensions regulation is looking at ways of simplifying the regulatory regime for pensions, in order to lessen the administrative burden on employers providing occupational pension schemes, including final salary schemes. This review is due to report in the next few weeks and we intend to respond to it in the Autumn. In addition, the Inland Revenue are undertaking a review of pensions taxation which is due to report later this year.

29. **Hugh Robertson:** To ask the Secretary of State for Work and Pensions if he will make a statement on final salary pension schemes. [63416]

Mr. McCartney: Final salary schemes have provided good pension provision for many individuals. They have been in decline since the 1960s and recently there has been an increase in the number of final salary schemes closing to new members. The reasons for this are complex, in particular that people are living longer which increases scheme liabilities, and that investment returns have been lower than in the past.

What is required is a regime that allows sustainable pension provision. It is Government's role to ensure that the right framework is in place. That is why we commissioned the review of pensions regulation by Alan Pickering that is due to report in the summer.

Biometric Benefit Entitlement Cards

30. **Mike Gapes:** To ask the Secretary of State for Work and Pensions what plans he has to introduce biometric benefit entitlement cards. [63417]

Malcolm Wicks: This Department has no plans to introduce biometric benefit entitlement cards.

Pension Service

33. **Mr. Baron:** To ask the Secretary of State for Work and Pensions what assessment he has made of the effectiveness of the Pension Service in meeting the needs of all pensioners. [63420]

Mr. McCartney: It is very early days yet but we are committed to making a real difference to the lives of pensioners.

The Pension Service, formally launched on 1 April 2002, will provide a modern, efficient and customer focused service, dedicated to combating poverty and encouraging saving for both today's and future pensioners.

It will comprise centralised pension centres working with an improved local service nationwide which will operate in the community working with local partners to provide face to face contact for pensioners. To date ten pension centres are starting to establish themselves along call-centre lines as planned.

A key aim of The Pension Service is to provide an excellent customer service by making use of the advances in new technology. This will be done through our call-centres. Customers can access us easily through a simple range of telephone numbers, and can get their claims and queries dealt with quickly by trained experts who understand state pensions and the needs of their customers.

We fully recognise that not everyone can access the service using the telephone, post or internet—and for those customers there will be a community based local service.

On current planning assumptions the local service is being introduced on a phased basis and should be in place nationwide by October 2002. It will be made up of two key elements. A direct local service, providing support directly to customers which will include a targeted visiting service both in the home and at third party locations, and a 'drop in' surgery service for outreach and take up activities; and partnership services provided with partners such as local authorities and voluntary sector organisations.

The Pension Service sees a key shift in emphasis from processes to people: their needs, what they want and the way they want it delivered. This improved service will be rolled out over the next few years. In the interim, our customers will continue to deal with their existing social security offices until they are contacted in writing about the new arrangements.

Workplace Training

34. **Dr. Palmer:** To ask the Secretary of State for Work and Pensions what he is doing to encourage an increase in labour force skills by means of workplace training. [63421]

Mr. Nicholas Brown: We offer a range of work-based training opportunities to ensure that long-term unemployed and economically inactive people have the skills and experience they need to find and remain in work.

Work-based training is an important element in the New Deals and the Work-Based Learning for Adults programme. These offer participants real work experience with employers and the opportunity to develop job-related skills.

We are working closely with employers to ensure that their skill needs are met. For example, we are introducing Ambition programmes to enable people to gain the right skills through work experience and undertaking training designed by employers. Ambition programmes will engage with key sectors such as construction, retail, information technology and energy.

We, and colleagues at the Department for Education and Skills and the Department for Trade and Industry, have asked the Regional Development Agencies to lead in the development of the Framework for Regional Employment & Skills Action (FRESA). This strategic partnership of organisations includes Jobcentre Plus, the CBI, the TUC, the Learning and Skills Council and local authorities. FRESAs will promote a collaborative, proactive approach to employment and skills in regions.

They will give a clear focus to what is needed to ensure that each region has a wide range of job opportunities and a workforce with the skills employers require.

Child Benefit

35. **Mr. Wiggin:** To ask the Secretary of State for Work and Pensions what plans he has to change the entitlements to child benefit. [63422]

Malcolm Wicks: As a consequence of the introduction of the Child Tax Credit and the transfer of the administration of Child Benefit to the Inland Revenue from April 2003, there are minor changes to the entitlement conditions of Child Benefit contained in the Tax Credit Bill currently before Parliament.

New Deal 50 Plus

36. **Colin Burgon:** To ask the Secretary of State for Work and Pensions what recent assessment he has made of the effectiveness of the new deal 50 plus. [63423]

Mr. Nicholas Brown: New deal 50 plus has been subject to a comprehensive programme of evaluation, including quantitative surveys and qualitative research. A number of research reports have been published, the most recent of which is a summary report published in December 2001 (Atkinson, J. Evaluation of the new deal 50 plus: Summary Report. ESR103, December 2001). Copies of the reports can be found in the Library.

Research findings show generally positive views about the programme from both clients and staff. The key element of the programme is seen to be the tax-free earnings top-up (Employment Credit). It has been successful in moving a high proportion of clients from benefits into employment. By the end of April 2002, nearly 70,000 people had claimed the Employment Credit.

Pensions

Mr. Willetts: To ask the Secretary of State for Work and Pensions, (1) pursuant to his answer of 16 May 2002, *Official Report*, column 849W, on pensions, what the average amount contributed to pension in 2001 was for each member covered by a funded pension arrangement; and if he will make a statement on his assessment of the adequacy of this amount; [64205]

(2) pursuant to his answer of 16 May 2002, *Official Report*, column 849W, on pensions, if the figures in Table 1 exclude contributions to unfunded occupational pension arrangements; and if the number of members in Table 3 includes members of unfunded occupational pension arrangements. [64204]

Mr. McCartney: Contributions to unfunded occupational pensions are excluded.

It is not possible to calculate reliably average contribution amounts per person. This is because relevant figures are not available from comparable data sources.

In my written answer to the hon. Member, 16 May 2002, *Official Report*, column 849W, I provided estimates of contributions to private pensions. These figures contained some transfers, as indicated in footnote 6 to table 1. But footnote 6 also stated 'Information on the amount of these transfers is not available.' However I am now advised by ONS that information on transfers is derivable and could be significant. The ONS are examining urgently the basis on which such figures could be reliably produced and published.

My answer of 16 May used figures published in ONS's MQ5 publication to estimate contributions to private pensions. Such contributions can also be estimated by using Inland Revenue figures on tax relief given on pension contributions and the average rates of this tax relief. My hon. Friend the Financial Secretary to the Treasury has provided details today in answer to a question from the hon. Member. The implication of the published Inland Revenue series is of a clear increase in the rate of contributions.

However, the statistical breakdown of figures relating to private pensions produced by either method is complex. ONS are carrying out an investigation to establish the best way to calculate and present such figures as a matter of priority. This work will include external experts. Until it concludes, estimates of the level of pension contributions will need to be treated with particular care.

Benefit Fraud/Error

Mr. Gibb: To ask the Secretary of State for Work and Pensions, pursuant to his answer of 12 March 2002, *Official Report*, column 859–60 ref 39869, how many cases of benefit fraud and claimant error there were in each of the relevant benefits in each year since 1995; [43819]

(2) what his estimate is of the number of cases of *(a)* fraud, *(b)* customer error and *(c)* official error in respect of (i) income support and (ii) jobseeker's allowance for 1999–2000 and 2000–01. [44960]

Malcolm Wicks: It is not possible to provide a breakdown of how many cases of benefit fraud and claimant error there were in each of the relevant benefits in each year since 1995. However, since 1999, fraud investigators have recorded the number of cases where benefit ceases, or a change in benefit occurs, following an investigation. These figures include both fraud and customer error cases (as well as a very small number of cases where an underpayment is discovered) but it is not possible to provide a breakdown. The figures, which cover investigations across all benefits administered by the Department, are in the table.

Number of cases where benefit rate changes following action by a fraud investigator

	Number
1999–2000	198,467
2000–01	182,569

Comparable figures are not available before 1999.

Separately, by means of the continuous Area Benefit Review/Quality Support Team exercise, the Department is able to provide estimates of the total number of cases of fraud, customer error and official error at any one time in Income Support and Jobseeker's Allowance. Figures are given in the table below. There is a degree of overlap inherent in the sampling process between the estimates of numbers of customer error and official error in these figures, caused in part by the measurement methodology. These figures therefore cannot be added together, as the resulting figure would include double counting. This overlap had no impact on the final published results for the estimated overall value of monetary loss as analysts made compensatory adjustments, reducing the figures by around 1 per cent. of expenditure.

The average levels of monetary loss in cases of customer and official error are lower than those in fraud cases, as shown in the table.

Estimate of number of cases of fraud and error and average weekly incorrectness in Income Support and Jobseeker's Allowance

1999–2000 Data	*Fraud*	*Average value of incorrectness per week £*	*Customer error*	*Average value of incorrectness per week £*	*Official error*	*Average value of incorrectness per week £*
Income Support	216,000	51	301,000	13	493,000	18
Jobseeker's Allowance	120,000	44	32,000	17	125,000	27
2000–2001 Data						
Income Support	204,000	55	296,000	14	476,000	17
Jobseeker's Allowance	86,000	47	20,000	15	86,000	25

Notes:

1. The average values represent the average weekly value of fraud or error (overpayment and underpayment) for cases where there is fraud or error (not average error per case on the live load).
2. Figures are presented as weekly values of incorrectness because the total value of an error over all the weeks it lasted is not available.
3. The figures are estimates based on samples, and as such are subject to sampling error; none of the changes between 1999–2000 and 2000–01 are statistically significant.
4. The figures for fraud, customer error and official error cannot be added together. They apply to different groups of cases, and in the case of official error, there is overlap with customer error in the definition of error.

Source:

Area Benefit Review/Quality Support Team.

Mr. Sheerman: To ask the Secretary of State for Work and Pensions how much the Government have spent on advertising *(a)* the Targeting Fraud Hotline and *(b)* other campaigns to report benefit fraud in each of the last 10 years. [53749]

Malcolm Wicks: There is no Targeting Fraud Hotline. The information available on the amount spent on advertising the National Benefit Fraud Hotline is in the table.

	£ *Amount*
1996–97	476,000
1997–98	225,000
1998–99	290,247
1999–2000	337,672
2000–01	425,178
2001–02	0
2002–03	0 to date

The Targeting Fraud campaign is part of our long-term strategy to reinforce our message that benefit fraud is wrong, unfair and will not be tolerated. Expenditure on the pilot phase of the campaign was £2.2 million spanning the financial years 1999–2000 and 2000–01. The success of the pilot campaign led to the launch of the national Targeting Fraud campaign. The initial spell of advertising in March 2001 cost £4.6 million and £8.9 million was spent on the campaign running from September 2001 to March 2002.

Information is not available on the amount spent on other advertising campaigns prior to 1997.

Departmental Helplines

Mr. Willetts: To ask the Secretary of State for Work and Pensions if he will list the targets for each of his Department's telephone helplines, with performance figures for each helpline for the last year for which figures are available. [56416]

Mr. Nicholas Brown: The table shows the performance of the Department's telephone helplines against their internal performance targets for the last year for which figures are available (to March 2002 except where otherwise indicated).

Most lines are expected to answer a set percentage of calls within a specified number of seconds and this is the measure given in the table; but some operate different targets and, where applicable, this is shown in the notes.

	Target		*Performance*
Telephone helplines	*Percentage calls*	*Seconds*	*Percentage*
Jobcentre Plus Chief Executive's helpline (formerly BA and ES CE helplines)	100	20	100
Job Seeker Direct (formerly ES Direct)	95	20	86.7
CSA National Enquiry Line and Client Helplines	85 20	[1]— [2]—	92.4 10
National Benefit Fraud Hotline	99	[1]—	96
Disability Living Allowance Customer Care helpline	90	30	18
Retirement Pensions Teleclaim Line	90	30	57

	Target		*Performance*
Telephone helplines	*Percentage calls*	*Seconds*	*Percentage*
Pensions Direct	90	30	58
Customer Liaison Team (formerly Overseas Customer Service helpline)	95	30	91
MIG (Minimum Income Guarantee) Claimline	90	30	98
Retirement Pension Forecasting and Advice (RPFA)	90	30	66
Public Enquiry Office	65	[4]—	60
Employer Direct			
Answered	80	20	[5]—
Abandoned	5	[6]—	[5]—
Child Benefit Enquiry Line	100	5 rings	[7]100
	90	[8]—	90.3
Benefit Enquiry Line (BEL)			
Answered	85	60	88.4
Ineffective	20 max.	[9]—	12.8
New Deal Information Line	85	[1,10]—	89.1
New Deal for Disabled People	85	[1,10]—	79
New Deal for Lone Parents	85	[1,10]—	87.9
The Publicity Register	85	[1,10]—	96.1
Inherited SERPS Enquiry Line (BroadSystems)[11]	85	[1,10]—	93.0
Pensioner Guide Orderline	85	[1,10]—	95.2
Winter fuel Helpline	85	[1,10]—	90.1
Pensions Information Line	85	[1,10]—	[5]—
Welfare Reform Orderline	85	[1,10]—	98.2

[1] 85 per cent. of calls to be answered first time ie where the customer gets through on the first attempt without having to ring back again.

[2] No more than 20 per cent. of calls to be abandoned (abandoned calls are those where the customer hangs up before getting a reply).

[3] 99 per cent. of calls offered (that is those reaching the switchboard) are to be answered within three seconds. A facility administered by an outside organisation is available to take overflow calls.

[4] 65 per cent. of all calls are to be answered.

[5] These are new services for which a full year's data are not yet available.

[6] No more than 5 per cent. of calls are to be abandoned after 20 seconds.

[7] Calls automatically answered after three rings.

[8] To be answered.

[9] No more than 80 per cent. of calls should be ineffective (ineffective calls are those that receive the engaged tone, receive a network message from BT or are abandoned).

[10] These centres are administered by outside organisations. In addition to the numbers of calls answered first time, they have to be answered within an average of 10 seconds.

[11] Line outsourced to another provider from 7 March 2002.

Child Poverty

Helen Jackson: To ask the Secretary of State for Work and Pensions what contribution increases in child benefit have made to reducing the numbers of children living in poverty over the past five years. [57952]

Malcolm Wicks: Child poverty and social exclusion are complex, multi-dimensional concepts, affecting many aspects of children's lives. The third opportunity for all report (Cm 5260) sets out the Government's strategy for tackling child poverty and social exclusion and presents information on the indicators used to monitor progress against this strategy.

As part of this strategy, since 1997 there have been significant increases in child benefit—the rate for the first child has increased by over 25 per cent. in real terms.

Computers

Dr. Kumar: To ask the Secretary of State for Work and Pensions how many computers were replaced in his Department in each of the past three years; how the replaced units were disposed of and by which companies; and at what cost. [60744]

Malcolm Wicks: The Department for Work and Pensions is a new Department formed in June 2001. The new Department encompasses the former DSS (and its Executive Agencies) and the former Employment Service (ES). While the new Department is currently converging the IT infrastructure of these two former Departments, the information requested is shown against the relevant Department which originally purchased the equipment.

Employment Service (ES)

On 1 August 1998 the Employment Service (ES) entered into a partnership agreement with EDS (Electronic Data Systems) for provision of all IT and Telephony services. This included the replacement of 41,000 desktop computers during the period October 2000 to March 2002. The replaced units were donated by EDS to Paces, a charitable organisation based in Sheffield. The cost of disposal cannot be separately identified as this formed an integral part of a commercial agreement to provide new equipment.

Department of Social Security (DSS)

As part of the Government's modernisation agenda, the Early Office Infrastructure (EOI) Project is currently in the process of implementing in excess of 100,000 PCs across the former DSS estate. The vast majority of computers being provided are replacing dumb terminals with no commercial value. Rollout of computers commenced in August 2001 and is due to be complete by December 2002. Approximately 60,000 computers have been deployed in this period. Disposal of IT equipment is handled by the Ministry of Defence Disposal Services Agency.

Prior to the commencement of the EOI Project, ICL Multi-Vendor Computing disposed of computers in the former DSS. The contract allowed ICL to dispose of Computers at no cost to the Department, unless the contractor could demonstrate that the cost of disposal exceeded revenue generated by resale. Details of computers purchased in this period are shown in the table:

Year	
1999–2000	20,270
2000–01	5,825
2001–02	3,748

Child Support

Mr. Salmond: To ask the Secretary of State for Work and Pensions what plans he has to allow the Child Support Agency to impose deduction from earnings orders on service personnel; and if he will make a statement. [60768]

Malcolm Wicks: None.

Mr. Salmond: To ask the Secretary of State for Work and Pensions what plans he has to review the Child Support (Collection and Enforcement) Regulations 1992 with regard to service personnel; and if he will make a statement. [60767]

Malcolm Wicks: None.

Antisocial Tenants

Mrs. May: To ask the Secretary of State for Work and Pensions what representations he has received on the proposal to give local authorities the power to reduce housing benefit for antisocial tenants; and if he will place related correspondence in the Library. [60442]

Malcolm Wicks: The idea of withholding people's housing benefit if their behaviour is persistently anti-social was raised in a Bill put before this House by my right hon. Friend the Member for Birkenhead (Mr. Field).

We believe in the principle that rights should be matched by responsibilities and support the underlying objectives of the Bill. We are currently considering how the Bill could be put into a workable format.

We have received some representations about the Bill. However, it would be inappropriate to publish the few letters received, as they are not in response to public consultation.

Verification Framework

Mr. Kirkwood: To ask the Secretary of State for Work and Pensions, pursuant to his answer to the hon. Member for Harrow, West (Mr. Thomas) of 15 April 2002, *Official Report*, column 699W, if he will provide a breakdown for the estimated figure of £100 million of net savings from the introduction of the verification framework. [61383]

Malcolm Wicks: The information requested is in the table.

Estimated net annual savings in benefit expenditure from the verification framework at January 2002 compliance levels

£ million

	Overpayments	*Underpayments*	*Net savings*
New claims	40	0	40
Renewal claims	53	20	33
Visits	33	6	27
Total	126	26	100

Source:

Analytical Services Division analysis

Basic State Pension

Paul Flynn: To ask the Secretary of State for Work and Pensions what would be the value of the basic pension for *(a)* a single pensioner and *(b)* married couple (i) if the link to average earnings or prices had not been repealed and (ii) if the pension had been increased in line with average earnings since then. [61151]

Mr. McCartney: The information requested is set out in the table. Our priority is to ensure that all pensioners have a decent and secure income in retirement and to share fairly in the rising prosperity of the country. The basic state pension will remain the foundation of income in retirement. To achieve this, we have increased the basic state pension over the last two years above the level of RPI and we have provided extra help for pensioners through the minimum income guarantee, winter fuel payments and free TV licences for the over-75s. We have given a guarantee that the basic state pension will be increased by at least £100 a year for single pensioners and £160 for couples in 2003–04 and in future years by 2.5 per cent. or the increase in the September retail prices index, whichever is the higher.

Compared with the 1997 system, an average pensioner household will be £840 a year better off and around 1.8 million of the poorest pensioner households will be over £1,000 a year better off, and the Government will be spending an extra £6 billion a year in real terms on pensioners this year. This £6 billion includes £2.5 billion more on the poorest third of pensioners, which is three times more than an earnings link since 1998 would have given them.

	£ per week	
	Single	Couple
Basic state pension at November 1979	23.30	37.30
Actual amount in April 2002	75.50	120.70
Amount in April 2002 if up-rated by higher of RPI/earnings	105.70	169.00
Amount in April 2002 if up-rated with average earnings	102.60	164.20

Notes:

1. Rates are taken from November 1979 as the earnings link was broken in November 1980.
2. The retail prices index (all items) has been used as published by the Office for National Statistics.
3. Average Earnings Index Whole Economy (non-seasonally adjusted) has been used as published by the Office for National Statistics.
4. Figures have been rounded to the nearest five pence at each uprating.

Source:

Information Centre, Analytical Services Directorate

Alignment Payments

Mr. Webb: To ask the Secretary of State for Work and Pensions how many alignment payments were awarded in each of the last 10 years; what the expenditure on alignment payments was in each of those years; and if he will make a statement. [62001]

Malcolm Wicks: Social Fund alignment payments provide valuable help to people awaiting their first payment of wages on taking up work. They can also help people with essential day-to-day living expenses in advance of their first payment of benefit.

The information is in the table.

Social Fund crisis loan alignment payments

Year	Number of payments	Expenditure (£ million)
1992–93	226,737	9
1993–94	273,171	11
1994–95	326,864	13
1995–96	366,865	14
1996–97	[1]344,737	14
1997–98	[1]398,731	17
1998–99	[1]433,851	20
1999–2000	474,076	23
2000–01	476,936	24
2001–02	486,031	27

[1] Technical problems with Social Fund Policy, Budget and Management Information System mean that figures for the years 1996–97 to 1998–99 may be subject to a margin of error of 5 per cent to 10 per cent. and should therefore be treated as a guide only.

Notes:

1. Expenditure figures are rounded to the nearest £ million.
2. Awards including alignment payments may include other items.

Source:

Annual Reports by the Secretary of State on the Social Fund 1992–93 to 2000–01 and Social Fund Policy, Budget and Management Information System.

Carers Allowance

Mr. Weir: To ask the Secretary of State for Work and Pensions whether persons over 65 who are to receive carers allowance will receive it in addition to their pensions. [62390]

Maria Eagle: Retirement pension (RP) and invalid care allowance (ICA) are income maintenance benefits. The former provides income replacement for those who have reached pensionable age, while the latter provides a measure of financial support for those who have given up the opportunity of full-time paid employment in order to care for a severely disabled person. It is a basic principle of the social security system that only one such benefit can be paid at any time because to pay both of them in full at the same time would amount to duplicate provision for the same need.

The Regulatory Reform (Carer's Allowance) Order 2002, made on 29 May 2002, will enable older carers with little or no retirement pension to receive invalid care allowance, while those with low incomes will benefit by gaining access to the carer premium worth £24.80 a week, paid with income-related benefits such as the minimum income guarantee. This follows the substantial increases to the carer premium and to the earnings limit for entitlement to invalid care allowance made in April 2001.

There are no plans to change these arrangements.

Disability Living Allowance

Mr. Alan Reid: To ask the Secretary of State for Work and Pensions how many applicants for DLA were *(a)* granted on first application, *(b)* rejected on first application and did not appeal, *(c)* granted on appeal and *(d)* rejected on appeal in each of the last five years. [63502]

Maria Eagle: Information is not available in the form requested. The available information is in the following tables.

Outcomes of first applications for disability living allowance in each of the last five years

Year	Successful applications	Unsuccessful applications[1]
1997–98	211,200	255,700
1998–99	175,600	208,200
1999–2000	181,000	190,400
2000–01	211,300	206,100
2001–02[2]	171,200	158,000

[1] Figures represent total number of unsuccessful applications; information is not available on how many did not appeal.

[2] Figures are for nine months to 1 December 2001

Source:

Analytical Services Division Information Centre; 5 per cent. data rounded to nearest 100.

Awards of disability living allowance made on review or appeal in each of the last five years[1]

Year[2]	Awards made on review[3]	Awards made on appeal
1997–98	37,700	13,100
1998–99	27,000	15,400
1999–2000	24,800	15,500
2000–01	16,600	[4]25,900
2001–02	10,400	24,200

[1] A claim for DLA which is unsuccessful in one year may not be reviewed or go to appeal until the next year, so the tables are not directly comparable.

[2] Figures relate to 12 month periods to the end of February

[3] Figures include reconsiderations under the new system of decision making and appeals introduced from October 1999

[4] The numbers of appeals increased substantially after the introduction of the new system of decision making and appeals

Source:

Analytical Services Division Information Centre; 5 per cent. data rounded to nearest 100.

Discrete figures are not available for unsuccessful appeals involving first applications for DLA.

West Pilton Post Office

John Barrett: To ask the Secretary of State for Work and Pensions (1) when officials at the Benefits Agency were first informed of suspected fraud at West Pilton post office in Edinburgh; [63481]

(2) when officials at the Benefits Agency expect to conclude their investigations into suspected fraud at West Pilton post office in Edinburgh; [63484]

(3) what allegations led officials at the Benefits Agency to investigate fraud at West Pilton post office in Edinburgh. [63479]

Malcolm Wicks: In line with part 2 paragraph 4 of the Code of Practice on Access to Government Information we do not discuss information about on-going investigations.

Lone Parents

Mr. Willetts: To ask the Secretary of State for Work and Pensions how work is defined in relation to the target of getting 70 per cent. of lone parents into work. [64123]

Mr. Nicholas Brown: The lone parent employment rate is calculated using the Labour Force Survey (LFS) definition of employment. This definition includes anyone aged 16 or over who does at least one hour's paid work in the week prior to their LFS interview, or who has a job that they are temporarily away from (for example because they are on holiday). Also included are people who do unpaid work in a family business and people on Government-supported employment training schemes, in line with ILO definitions.

Criminal Offences

Mr. Willetts: To ask the Secretary of State for Work and Pensions, pursuant to his answer to my hon. Friend the Member for Isle of Wight (Mr. Turner), of 20 May 2002, *Official Report*, column 46W, on criminal offences, which offences have been *(a)* created, *(b)* abolished and *(c)* redrafted. [64209]

Malcolm Wicks: Sections 13 and 14 of the Social Security Administration (Fraud) Act 1997 created six new offences (four triable in the Crown court or magistrates court and two offences triable in the magistrates court) by adding new sections 112(1A) and 111A(c) and (d) to the Social Security Administration Act 1992. Section 13 of the Child Support Pensions and Social Security Act 2000 creates three new offences relating to information required to be furnished to a child support officer.

The offences in sections 112A and 111A(c) and (d) were redrafted and substituted for the previous ones by the Social Security (Fraud) Act 2001 because of difficulty in drafting linked regulations sufficiently precisely to be workable. Section 19 of the Social Security (Fraud) Act repeals the previous provisions.

New offences created by the Jobseekers Act 1995 were brought within the scope of the offences in the 1992 Act and the original provisions were consequentially repealed by schedule 1 para 4 and schedule 2 to the 1997 SSA (Fraud) Act.

Benefits (Scotland)

John Barrett: To ask the Secretary of State for Work and Pensions, pursuant to his answer of 13 June 2002, *Official Report*, column 1422W on benefits, how many people in Scotland are in receipt of *(a)* income support, broken down by parliamentary constituency and *(b)* council tax benefit and housing benefit, broken down by local authority area. [63972]

Malcolm Wicks: The available information has been placed in the Library.

National Insurance (Reduced Rate)

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will list the contributory benefits to which married women paying the reduced rate of national insurance contributions would have been entitled to in each year since 1972. [65295]

Mr. McCartney: I refer the hon. Member to the answer given to him by my hon. Friend the Paymaster General on 10 June 2002, *Official Report*, columns 838–39W.

Widows and Widowers' Benefits

Ms Drown: To ask the Secretary of State for Work and Pensions what steps he is taking to ensure that widows and widowers are informed of their entitlement to widows and widowers' benefits. [63414]

Malcolm Wicks: We recognise that at the time of a spouse's death it is important for a bereaved person to know about the full range of benefits that he or she may be entitled to.

Information about benefits that may be claimed is made available in a variety of ways. In the case of bereavement benefits, since March 2001 the Department has issued leaflets to doctors' surgeries, post offices and support organisations. Articles explaining the new benefits were placed in a variety of magazines prior to their introduction in April 2001. As with other benefits, information and a claim form can also be accessed through a number of Government internet sites.

TRANSPORT

Ministerial Salaries

Mr. Bercow: To ask the Secretary of State for Transport what the annual cost was of ministerial salaries in his Department in *(a)* 1997–98 and *(b)* 2001–02. [60939]

Mr. Jamieson: The level of ministerial salaries are recommended by the Senior Salaries Review Body. From May 1997, in the Department of Environment, Transport and the Regions there were two Cabinet Ministers, at an annual salary of £43,991; three Ministers of State, at an annual salary of £31,125; and four Parliamentary Under-Secretaries of State, at an annual salary of £23,623. From June 2001, in the Department for Transport, Local Government and the Regions there was one Cabinet Minister, at an annual salary of £68,157; three Ministers of State, at an annual salary of £35,356 and three Parliamentary Under-Secretaries of State, at an annual salary of £26,835.

Advertising

Mr. Bercow: To ask the Secretary of State for Transport how much was spent on press and advertising campaigns in 2001–02; and what the planned expenditure is for 2002–03. [60911]

Mr. Jamieson: Details of media expenditure incurred by the then DTLR on press and advertising campaigns for the period 2001–02, together with planned expenditure by the Office of the Deputy Prime Minister and the Department for Transport for the period 2002–03, is:

Expenditure	*Advertising—media spend (£ million)*
2001–02	13.85
2002–03[1]	9.2

[1] Estimated

Of the 13.85 million spent last year most expenditure was on safety campaigns with £8.6 million spent on road safety and £2.25 million on fire safety. £1.2 million was also spent on promoting travel line.

Transport Costs

Mrs. May: To ask the Secretary of State for Transport if he will give the cost of *(a)* rail, *(b)* bus and *(c)* car travel in (i) large cities, (ii) other towns and cities and (iii) rural areas in pounds per kilometre in (A) 1997 and (B) 2001. [61286]

Mr. Spellar: The estimated average cost per passenger for travel per kilometre by rail, bus and car is as follows:

£

	1996–97	*2000–01*
(a) Rail		
London Underground	0.13	0.15
National Rail	0.08	0.09
(b) Bus		
London buses	0.13	0.14
English met area buses	0.12	0.13
English shire buses	0.14	0.17
(c) Car		
All motoring[1]	0.10	0.14

[1] Includes expenditure on purchase of vehicles spares, repairs, insurance, taxation, fuel, parking.

Figures for bus and rail travel have been estimated by dividing total revenue from passenger fares (including revenue from payments for concessionary fares) by the total number of passenger kilometres travelled. They therefore represent an average cost to passengers over all journeys made, and do not necessarily reflect the cost for any individual journey.

Figures for car travel have been estimated by dividing household expenditure on motoring and fuel by the estimated total number of passenger kilometres travelled by car, by those living in households.

For rail and car it is not possible to split the revenue/expenditure and passenger figures by area type—a single journey may cover a number of different areas.

Figures are in current prices.

10-year Plan

Mr. Don Foster: To ask the Secretary of State for Transport what *(a)* public investment, *(b)* public resource expenditure, *(c)* private resource expenditure and *(d)* private investment is expected under the 10-year plan for (i) road building and (ii) road maintenance broken down by road type; and if he will make a statement. [64132]

Mr. Jamieson: The requested information is set out in the tables.

10-year plan public spending on roads: 2001–02 to 2010–11, £ billion, outturn prices

	Road building	*Road maintenance*	*Other expenditure*	*Total expenditure*
Strategic				
Public investment	7.1	4.3	2.2	13.6
Public resources	3.9	2.8	2.2	8.9
Local				
Public investment	1.3	9.6	0.0	10.9
Public resources	0.9	19.0	0.0	19.8
London				
Public investment	2.2	0.0	0.0	2.2
Public resources	0.0	2.6	0.0	2.6
Total	15.4	38.2	4.4	58.0

10-year plan private investment on roads: 2001–02 to 2010–11, £ billion, outturn prices

	Road building	*Road maintenance*	*Other expenditure*	*Total expenditure*
Strategic	2.6	0.0	0.0	2.6
Local	2.4	0.0	0.0	2.4
Total	5.0	0.0	0.0	5.0

Note:

Figures may not total due to rounding.

No assumptions were made in the plan about the level of private resource expenditure, or about the breakdown of public expenditure and private investment between road types.The actual level of spending on roads in London will be a matter for the London Mayor.

Correspondence (Wales)

Mr. Evans: To ask the Secretary of State for Transport how many written representations his Department has received from people in Wales since June 1997. [64546]

Mr. Jamieson: The Department does not hold central records relating to the number of written representations received from people in Wales.

Noise Mitigation (Biggleswade)

Alistair Burt: To ask the Secretary of State for Transport what plans he has for the funding within this financial year of noise mitigation measures along the stretch of the A1 known as the Biggleswade by-pass; and if he will make a statement. [64912]

Mr. Jamieson: I have asked the chief executive of the Highways Agency, Mr. Tim Matthews, to write to the hon. Member.

Letter from Tim Matthews to Mr. Alistair Burt, dated 1 July 2002:

I have been asked by the Transport Minister, David Jamieson, to reply to your recent Parliamentary Question about noise mitigation on the Biggleswade Bypass.

In line with the Government's aim, set out in the 10 Year Plan, of reducing noise for the motorway and trunk road network, Biggleswade Bypass was resurfaced with noise reducing materials in November 2000.

Although we have no plans for further noise mitigation measures in this financial year (2002/03) we do recognise that there is a case for further mitigation measures. But our priority is to deal with those sites announced in the House of Commons on 11 November 1999, and known as the Hansard List, by 2004/05. We will look at other sites, such as Biggleswade Bypass after that.

Special Needs Transport

Mr. Cox: To ask the Secretary of State for Transport what plans he has to develop a system of special needs transport in England and Wales; and if he will make a statement. [65055]

Mr. Jamieson: At the local level English authorities outside London are required to develop five-year local transport plans to tackle the transport issues faced by their communities. Our guidance on LTPs makes clear the importance of improving public transport and the vital role of voluntary and community transport in bringing benefits and better mobility for all sections of society through the provision of door-to-door and other specialised services.

Non-profit making organisations may use permits issued under section 19 of the Transport Act 1985. This enables them to run, among other things, special needs transport without the need to meet the requirements of bus operator licensing.

Safety Risk Assessments

Albert Owen: To ask the Secretary of State for Transport how many safety risk assessments, in accordance with the Health and Safety at Work Act, have been carried out by *(a)* county highways authorities on county roads in England and Wales and *(b)* the Highways Agency on motorways and trunk roads to identify the number of locations where roads cross railway lines since the Selby train crash; and what action the authorities have taken to prevent accidents at the locations identified. [65219]

Mr. Jamieson: The Health and Safety at Work Act 1974 places a general duty on employers to conduct their undertaking in such a way as to ensure, so far as is reasonably practicable, the health and safety of the public. In general, this is not enforced where public and worker safety is adequately protected by a more specific and detailed law enforced by another authority, such as the Highways Act 1980 and the Road Traffic Regulation Act 1984.

We have endorsed the risk ranking guidance produced by Railtrack and the CSS (formerly the County Surveyors' Society) and have commended it to highway authorities and rail infrastructure authorities. Details of risk assessments and any measures installed as a result are not held centrally.

Learning to Drive

Mr. Pike: To ask the Secretary of State for Transport how many responses the Department received to the consultation document, "Introducing a More Structured Approach to Learning to Drive". [65047]

Mr. Jamieson: I refer my hon. Friend to my answer of 24 June 2002, *Official Report,* column 669W to my hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz).

Vehicle Registration

Ms Walley: To ask the Secretary of State for Transport if the DVLA vehicle register will provide on request details of country of registration of coaches used for school trips. [65066]

Mr. Jamieson: The DVLA vehicle register contains information about all vehicles used or kept on public roads in Great Britain. The fact that a vehicle has been previously registered—for example, in a different country—is recorded on the register and shown on the vehicle registration document. This fact would be disclosed on request. Details of where a vehicle was previously registered are not recorded.

Sangatte Refugee Camp

Miss McIntosh: To ask the Secretary of State for Transport what the cost will be to the Strategic Rail Authority of strengthening the perimeter fence between the Sangatte refugee camp and the entrance to the channel tunnel. [65743]

Mr. Jamieson: The Strategic Rail Authority (SRA) will contribute towards the cost of the works in progress to increase security at the Fréthun rail freight terminal, adjacent to the channel tunnel, in order to enable early resumption of full and reliable rail freight services through the channel tunnel. The works will cost around £5 million in total. The amount of the SRA contribution is still to be settled.

Railways (Financial Support)

Mrs. May: To ask the Secretary of State for Transport (1) what the criteria are for determining whether money paid to the railway industry by *(a)* the Office of the Rail Regulator and *(b)* SRA is subject to state aid approval from the EU; [65290]

(2) what the criteria are for determining whether money paid by the Government to the *(a)* Office of the Rail Regulator and *(b)* SRA is subject to state aid approval from the EU. [65291]

Mr. Jamieson: Apart from receiving money for its own administration, the Office of the Rail Regulator is not involved in receiving or paying out money. Any financial support provided to the railway industry by the SRA is compared with the EC state aid rules. Financial support that constitutes or may constitute a state aid, and is not covered by an existing state aid approved scheme, is notified to the Commission.

Bradford Forster Square to King's Cross Service

Mr. Rooney: To ask the Secretary of State for Transport for what reason the frequency of the Bradford Forster Square to King's Cross service has been reduced to two journeys each way per day. [65230]

Mr. Jamieson: Great North Eastern Railway's Passenger Service Requirement, which is a key part of their Franchise Agreement, requires them to provide two services each weekday between London King's Cross and Bradford and one in the opposite direction. The new Summer Timetable does, however, provide an additional 11 daily trains between London and Leeds offering connections to Bradford.

Public Transport (Safety)

Mr. Steinberg: To ask the Secretary of State for Transport what plans he has for the compulsory fitting of seat belts on coaches used to transport pupils to and from school. [65787]

Mr. Jamieson: Since 1998 all coaches specifically used to transport pupils to and from school have been required to be fitted with seat belts.

Coastguard Helicopter Services

Mr. Viggers: To ask the Secretary of State for Transport what changes are proposed for coastguard helicopter services on the south coast. [65719]

Mr. Jamieson: Contracts for the provision of search and rescue helicopter services along the south coast will continue until they expire in May 2003. The future location of the helicopter that is currently based at Portland remains under discussion between the Maritime and Coastguard Agency and the South West Regional Development Agency.

Iwade-Queenborough A249

Mr. Wyatt: To ask the Secretary of State for Transport when he will announce the winning consortia for the Iwade-Queenborough A249 improvements; and if he will make a statement. [65594]

Mr. Jamieson: I expect the contract for this project to be awarded in the late summer of 2003.

Road Tax

Mr. Steinberg: To ask the Secretary of State for Transport how much revenue he expects to be lost on unpaid vehicle road tax in 2002. [65788]

Mr. Jamieson: A roadside survey of vehicle excise duty evasion is currently taking place and the results will be known in the autumn.

The last such survey took place in June 1999. This showed the level of VED evasion as 3.9 per cent. of revenue due. This equated to £191 million in 2001–2. This was offset by £110 million recovered through enforcement activities.

Bus Fuel Duty Rebate

Mr. Don Foster: To ask the Secretary of State for Transport, pursuant to his answer of 25 June 2002, *Official Report*, column 774W, on bus fuel duty rebate, what was the last occasion on which he received a representation with regards the fuel duty rebate; from whom this was received and what changes were suggested; and what the timetable is to take forward the review of bus subsidies. [66068]

Mr. Jamieson: The most recent representation we have received is a letter dated 29 May from BP Oil UK Ltd. This drew attention to the current trials of diesel emulsion fuel in London and proposed either the equalisation of the fuel duty rebate rate paid on that fuel with the rate paid on ordinary diesel or the replacement of the rebate by a payment on a per mile basis.

The review of bus subsidies will start this month and is due to be completed by the end of February 2003.

Urban Bus Challenge Fund

Mrs. May: To ask the Secretary of State for Transport if he will list the projects being operated as a result of the Urban Bus Challenge Fund, giving *(a)* the start date of the project, *(b)* the project location and *(c)* the money attributed to each project. [64965]

Mr. Spellar *[holding answer 27 June 2002]:* The results of the first Urban Bus Challenge competition were announced on 2 November 2001 *Official Report*, column 923W-924W. This involved awards to 24 local authorities for 32 separate schemes, details of which have been placed in the Libraries of the House. 27 of these schemes have commenced and the remainder are due to be started by the local authorities concerned this financial year.

Bus Punctuality

Mrs. May: To ask the Secretary of State for Transport if he will give the bus punctuality figures for each of the last six years for *(a)* local buses including London, *(b)* local buses excluding London, *(c)* local London buses and *(d)* non-local buses. [64966]

Mr. Jamieson *[holding answer 27 June 2002]:* Information is not available in the form requested.

Road and Rail Intersections

Albert Owen: To ask the Secretary of State for Transport in how many locations *(a)* motorway and trunk roads and *(b)* country roads in England and Wales cross railway lines. [65220]

Mr. Jamieson: The report of the Highways Agency Working Group "To Review the Standards for the Provision of Nearside Safety Fences" gives the following figures for the number of road over rail bridges:

	England	*Wales*
Motorways	198	24
All purpose trunk roads	313	64
Local roads	3,955	299
	4,466	387

The figures for local road bridges over 'live' railway lines is based on replies from CSS Area Bridge Conference members as at 8 August 2001, not all replies having been completed.

Road Studies

Mrs. May: To ask the Secretary of State for Transport, pursuant to the answer of the right hon. Member for Tyneside, North (Mr. Byers) of 10 April 2002, *Official Report*, column 103W, on the M4, if he will similarly list, by road number, the studies initiated by his Department and other Government agencies covering all or part of each road making up the Strategic Road Network, including *(a)* multi modal, *(b)* Highways Agency and *(c)* other studies. [64964]

Mr. Spellar *[holding answer 27 June 2002]:* The following studies initiated by my Department on the trunk road network have been or are being taken forward:

(a) Multi-modal studies

Multi modal studies take a broad view of significant issues affecting transport corridors across all the modes, and are proposing major investments in roads and public transport. The main trunk roads within the study areas are listed below:

A21/A27/A258: Access to Hastings

A14: CHUMMS—Cambridge to Huntingdon

M60/A6: SEMMMS—South-East Manchester

M6/M5/M42: West Midlands area

M6: MIDMAN—West Midlands to North-West

A453: (M1-Nottingham)

M18/M62/M1/A1: SWYMMS—South and West Yorks Motorway Box

A1/A19: TAMMS—Tyneside area

M1/A52: North/South movements in East Midlands

M25: ORBIT—Transport Solutions Around London

M4/M5/A303: SWARMMS—London to South-West and South Wales

A63: Hull Corridor

A1: (North of Newcastle)

A12/A120: London to Ipswich

M60

Junctions 12–18 (West to North Manchester)

M27/A27/A259: South Coast Corridor (SoCCoMMS)

M1/A1(M)/M11/A10: London to South Midlands

M69/M42/A38: West Midlands to East Midlands

M4/M3: Thames Valley (London to Reading)

A47: Norwich to Peterborough

A34: North from Southampton

A52: Corridor (to Bingham).

Road Based Studies

Road based studies are designed to address more localised or specific problems on the trunk road network, where road improvements are expected to provide the solution.

A1: Bramham to Barton

A66: Safety Study

M40/A46: Longbridge roundabout

A3: Hindhead

M1: Junction 19

A419: Blunsdon

A5117/A550: Deeside Park Junctions

A47: Norwich to Great Yarmouth

A5/A483: Shrewsbury to Chester

A38: Derby Junctions.

(b) Highways Agency

Route Management Strategies

The principal aim of route management strategies is to develop, in consultation with the public and other stakeholders, 10-year action plans for the HA's management of trunk roads and motorways within the frameworks established by regional transport strategies.

A35/A31/A30 (Southampton to Exeter)

A417/A419 (Swindon to Gloucester)

M5 (J21–31) (Weston to Exeter excluding J21)

A1 (London to Peterborough)

A12 (M25 to Ipswich)

M62/A63/A1033 (Liverpool—Hull)

A1 (Gateshead—Scottish Border)

A14 (M1—Felixstowe)

M5 (South of J9 to North of J15)

A46 (Leicester—Lincoln)

M1 (J30-J42) (inc M1-A1 Link) and M621 Leeds

M18 (M1—M62)

M57/M58/A5036 (M6—Liverpool—M62)

M53/A55/A483 (Birkenhead to Welsh border)

A64 (A1 to Scarborough)
M180/A180/A160 (M18 to Grimsby)
M6 (J20–44)/A74 (Warrington to Scottish border)
A69 (Newcastle to Carlisle)
A168/A19 (A1 Dishforth to Gateshead)
M55 (Blackpool to M6)
M65/A56/M66 (M6 to Burnley to M62)
A49 (A40 to A5)
M6 (M1-J4)/A45/M45/A46 (A45-M6) and A5 (M1-Lichfield)
A1 (Peterborough to Blyth)
M4 (J1–15) (London to Swindon excl J15) and A404/A404M Windsor—Beaconsfield
A421/A428 (M1 to Cambridge)
M20/M26/A20 (London to Dover)
A47/A12 (Peterborough to Lowestoft)
M3 (J1–13)/M27 (J4–1)/M271 London to Southampton
M11 (London to Cambridge)
M1/M10 (London to M6)
A27/A259/M27 (J4–12) Southampton—Folkestone
M25 London Orbital (North) and (South)
A13 London—Tilbury.

(c) Other studies

At any one time the Highways Agency as part of the day-to-day management of the trunk road network is progressing, and contributing to, numerous other studies concerned with development pressures, safety issues, or other matters affecting the operation of motorways and trunk roads.

Buses

Mrs. May: To ask the Secretary of State for Transport how many low-emission buses were introduced in each of the last five years, broken down by type of *(a)* fuel and *(b)* engine that cause the lower emissions [64968]

Mr. Jamieson: To help reduce traffic pollution, low-emission buses and other heavy vehicles are eligible for lower 'reduced pollution certificate' (RPC) rates of Vehicle Excise Duty. The numbers of buses being registered in the last five years and qualifying for RPCs, broken down by fuel/engine type, are as follows:

	1997	*1998*	*1999*	*2000*	*2001*
Petrol	0	0	0	6	2
Diesel	29	122	385	583	429
Gas	23	7	30	12	5
Total	52	129	415	601	436

Road Safety

Bob Russell: To ask the Secretary of State for Transport how many people in each of the last five years for which figures are available have been killed as a result of motorists driving under the influence of *(a)* alcohol and *(b)* drugs; what new proposals he has to stop (i) drink and (ii) drug driving; and if he will make a statement. [64717]

Mr. Jamieson: The information requested is in the following table.

Estimates of road users killed in accidents where one or more drivers were above the legal limit

	Number
1996	580
1997	550
1998	460
1999	460
2000[1]	520

[1] Provisional

National road accident statistics do not identify cases where drivers involved were under the influence of drugs.

Publicity remains a major factor in combating drink driving. We are moving to a year round more diversified campaign involving a wide variety of media. With respect to drugs, we are considering the best way of targeting advice to potential users about the dangers of driving after taking drugs.

We intend also to strengthen enforcement by giving the police the power to undertake roadside evidential breath-testing and, where appropriate, to take blood samples from unconscious subjects in hospital. We are monitoring the impact of the new police drug recognition and impairment tests and also intend to take legislative powers to enable the police to require suspect drivers to undertake roadside tests which, could include specialised drug detection devices if they become available.

Roads (North-West)

Mr. Evans: To ask the Secretary of State for Transport what plans he has for new road schemes in the north-west; and if he will list those schemes, giving in each case the *(a)* cost and *(b)* commencement date. [64540]

Mr. Jamieson: The planned new road schemes in the Government's targeted programme of improvements that are not yet at the construction stage in the north-west are as follows. (The TPI is a programme of major road improvements announced in July 1998 in support of the Integrated Transport White Paper 'A New Deal for Transport'.)

Scheme and brief details	*Estimated cost (£ million)*	*Start of Works*
M60 Motorway Junctions 5 to 8 Widening. Widening the motorway from the present dual two and three lane carriageways to dual three and four lane carriageways with associated improvements to junctions.	80	2003–04
A595 Parton to Lillyhall. Upgrading the route between Parton and Lillyhall, including improvements to junctions, and a dual carriageway bypass of the villages of Distington and Howgate.	17.7	2005–06
A66 Temple Sowerby Bypass (dual carriageway). Removal of some 90 per cent. of traffic through Temple Sowerby, including a substantial number of heavy goods vehicles, bringing safety and environmental benefits.	18	Spring 2004–05

Scheme and brief details	*Estimated cost (£ million)*	*Start of Works*
M6 Motorway Extension Carlisle to Guards Mill. Upgrading to motorway status the only non-motorway link between Central Scotland and Southern England, which will include the replacement of the Mossband Viaduct.	65	2005–06
M62 Motorway Junction 6 Improvement. Improvements to the junction by providing links from the M62 motorway (westbound) to the M57 (northbound), and from the M57 (southbound) to the M62 (eastbound). The scheme will contribute to the regeneration of Merseyside and relieve congestion at the junction 6 Roundabout.	24	2007–08

The start dates given are subject to the satisfactory completion of the necessary statutory procedures.

There are two other TPI schemes that are currently under construction. These are:

Scheme	*Estimated cost (£ million)*	*Completion date*
A500 Basford Hough Shavington Bypass. Removal of some 80 per cent. of traffic through Basford Hough and Shavington, including a substantial number of heavy goods vehicles.	28.2	Spring 2003
A66 Stainburn and Great Clifton Bypass. Removal of some 75 to 80 per cent. of traffic through Stainburn and Great Clifton, including a substantial number of heavy goods vehicles.	7.2	December 2002

There is also one other scheme that is not in the TPI, but which is currently under construction. This is the provision of a new junction 8 on the M62 at Warrington, and the widening of the motorway between junctions 8 and 9. The cost of the scheme [illegible] around £20 million, which is being met by the developer of the nearby Omega Development site. The expected completion date is December 2002.

There are also a number of local authority road schemes, which have been provisionally accepted for funding by the Secretary of State. They are:

Scheme	*Estimated cost (£ million)*	*Completion date*
Alderley Edge Bypass	38	October 2003
Bridgefoot Environmental Enhancement	6	April 2003
Carlisle Northern Development	22	June 2004
The Glossop Spur	7	August 2004
Hall Lane Improvement—Liverpool	9	April 2005

The SEMMMS report recommended three new road proposals to be taken forward by the local authorities. These are: Poynton Bypass; A555 MALRW; and the A6(M) Stockport north-south Bypass.

Roads

Mr. Don Foster: To ask the Secretary of State for Transport what the total lengths of roads controlled by each local authority is, sub-divided between road classification. [66001]

Mr. Jamieson: The total length of public road controlled by local authorities in Great Britain was 377,346 kilometres as at 1 April 2001. A full analyses of the 11 classes of local authority roads within each of the 204 local authorities within Great Britain can be found by following the links at the following website: http://www.transtat.dft.gov.uk/roadtraf/gorlen01.htm

Chris Grayling: To ask the Secretary of State for Transport what plans he has to reduce the value he puts on reducing road congestion when calculating a rail scheme's value for money. [66060]

Mr. Jamieson: The Strategic Rail Authority's Freight Strategy, published in May 2001, announced that it was undertaking a review of the valuation of road congestion costs in time and money for lorry miles switched to rail. This review is on-going and I cannot prejudge the SRA's conclusions.

Mr. Wiggin: To ask the Secretary of State for Transport what action the Government are taking to reduce road congestion. [64351]

Mr. Jamieson: It is intended that the 10-year plan will reduce road congestion below current levels by 2010. Under the 10-year plan £181.9 billion of investment will improve strategic roads, railways and local transport.

Speed Limits

Mr. Don Foster: To ask the Secretary of State for Transport what research has been conducted *(a)* for and *(b)* by his Department into the impact of variable speed limits; what plans he has in relation to variable speed limits; and if he will make a statement. [64133]

Mr. Jamieson: The Transport Research Laboratory (TRL) monitored trials on the effectiveness of variable speed limits outside schools. Variable Message Signs were installed outside schools that reduced the speed limit typically one hour around school arrival and leaving times. The result showed very little reduction in vehicle speeds and the report concluded that as a speed reducing feature they were ineffective.

The Highways Agency is also currently trialling variable speed limits on sections of the M25. Independent monitoring and assessment of the scheme is being undertaken by TRL and the results so far have been encouraging. The area over which the variable speed limits operate has recently been extended. The extension is being closely monitored and results are expected next year.

"Walking in Towns and Cities"

Bob Russell: To ask the Secretary of State for Transport what action has been taken to implement the Transport Committee's report, "Walking in Towns and Cities"; and if he will make a statement. [64223]

Mr. Jamieson: Since the Government's response to the Select Committee was published in November 2001, a number of actions have taken place. A draft national walking strategy is being prepared and will be issued for consultation in due course. A series of regional seminars is under way throughout England and we are reviewing proposals for the establishment of an interactive website. We are developing a specification for research on attitudes to walking. Finally, we are reviewing and updating our technical guidance on walking.

Railtrack

Mrs. May: To ask the Secretary of State for Transport (1) when each of the asset registers are expected to be placed in the data room that is being prepared by the administrators of Railtrack; [65283]

(2) what the status of the data room being prepared by the administrators to Railtrack is; and if he will make a statement; [65280]

(3) what the location is of the data room being prepared by the administrators of Railtrack; [65282]

(4) if he will place in the Library the index of reports in, or due to be placed in, the data room by the administrators of Railtrack. [65281]

Mr. Jamieson: These are matters for the administrators.

Railway Byelaws

Mr. Don Foster: To ask the Secretary of State for Transport, pursuant to his answer of 25 June 2002, *Official Report*, column 771W, on railway byelaws, for what reasons *(a)* Union Railways (North), *(b)* Union Railways (South) and *(c)* Hull Trains have written to the Department about their proposals for making byelaws based on the framework set; what advice, guidance and directions were given by his Department in response; and if he will list the questions raised related to the (i) interpretation and (ii) application of current byelaws by (A) GNER, (B) Arriva Trains Merseyside and (C) Thameslink. [66075]

Mr. Jamieson: Union Railways (North) Ltd. and Union Railways (South) Ltd. approached the Department in respect of the application of the framework set of byelaws to infrastructure for which they are responsible. The Department is in discussion with them on the most appropriate means. Hull Trains Ltd. sought advice on the procedure for making byelaws, which the Department has provided.

GNER inquired about the level of fine available for the offence of trespass under their byelaws. Arriva Trains Merseyside inquired about changing the name of the operator on their byelaws. Thameslink inquired about the scope of the definition of 'authorised persons' in their byelaws.

Strategic Rail Authority

Chris Grayling: To ask the Secretary of State for Transport if the Strategic Rail Authority's balance sheet will reflect the potential liabilities incurred as a result of its underwriting of loans to Network Rail. [65403]

Mr. Jamieson: I refer the hon. Member to the statement given by my right hon. Friend the Secretary of State, on 27 June 2002, *Official Report*, columns 971–73, and to the subsequent reply given to a question from the hon. Member, *Official Report*, column 983.

Potters Bar Rail Crash

Dr. Tonge: To ask the Secretary of State for Transport what plans he has for a public inquiry into the Potters Bar rail crash. [64606]

Mr. Jamieson: A formal independent investigation into the causes of the Potters Bar train derailment is being undertaken by the Health and Safety Executive (HSE). The terms of reference allow for a thorough and broad investigation into all the circumstances and the root causes. We will await the outcome of HSE's investigations before deciding whether they raise issues which would merit further investigation by a public inquiry. Any safety-critical information that comes to light will immediately be disseminated to the railway industry to prevent any further similar accidents in the future.

Rail Freight

Tom Brake: To ask the Secretary of State for Transport what measures he will implement to help achieve the Government's target for an increase in rail freight; and if he will make a statement. [65170]

Mr. Jamieson: The Strategic Rail Authority set out in its Freight Strategy last year the detailed plans for achieving the rail freight growth envisaged by the Government's 10-year Plan for Transport.

Reading Station

Jane Griffiths: To ask the Secretary of State for Transport what the average age is of the rails at Reading station. [64597]

Mr. Jamieson: My Department does not hold such information. It is an operational matter for Railtrack.

Railways

Mr. Don Foster: To ask the Secretary of State for Transport what *(a)* guidance he has given and *(b)* legislation is in place with regard to delay attribution on the railways; what plans there are to change them; and if he will make a statement. [64150]

Mr. Jamieson: Delay attribution is undertaken in accordance with internal rail industry processes and is not specifically regulated. The Track Access Agreements between Train Operating Companies and Railtrack (which are overseen by the Rail Regulator) contain a schedule (Schedule 8) which gives high level guidance about delay attribution. An Industry Delay Attribution Board, with representatives from the whole of the rail industry handles the day to day detailed attribution of individual delays.

Women's Refuges

Mrs. Spelman: To ask the Secretary of State for Transport, Local Government and the Regions (1) how many women's refuges have received Government funding in each of the last five years; [59841]

(2) how many refuges for women have been built in Britain in each of the last five years. [59842]

Mr. McNulty: I have been asked to reply.

The Government's main capital and revenue funding for refuge and support provision is provided from the following sources:

The Housing Corporation's Approved Development Plan (ADP) provides capital allocations to RSLs for the provision of social housing, including women's refuges. Revenue funding for housing management and support is provided via the Corporation's Supported Housing Management Grant (SHMG).

Transitional Housing Benefit: provides rent and housing support costs, for those women who are eligible. (Note that from 1 April 2003, the elements of THB that provide support, and SHMG, will become part of Supporting People Grant.)

Over the past five years, women's refuges will also have been eligible for funding from Government regeneration programmes, such as the Single Regeneration Budget (SRB).

Local Government funding is provided by many local authorities, who provide a range of services, including housing and support, advice, advocacy and children's services.

Records are not held centrally of all women's refuges in England which have received funding or been built over the last five years as funding comes from a wide range of sources, and it is impossible to quantify the total amount and the total number of units completed. However, the table shows the number of schemes funded through the Housing Corporation's ADP and Safer Communities Supported Housing Fund over the last five years. The table also shows the number of completed units through the same funding streams.

Housing Corporation ADP and Safer Communities Supported Housing Fund

	Number of:	
	Schemes approved	*Units completed*
1998–99	13	177
1999–2000	17	234
2000–01	30	45
2001–02	41	226
2002–03	30	n/a

Note:

Figures for Scotland and Wales are a matter for the devolved Administrations.

Performance Targets

Tony Wright: To ask the Secretary of State for Transport if he will list the performance targets that his Department, its agencies and non-departmental public bodies are required to meet, apart from those set out in the public service agreements for 1999 to 2002 and 2001 to 2004; and if he will specify for each target *(a)* who sets it and *(b)* who monitors achievement against it. [60462]

Mr. Leslie: I have been asked to reply.

In addition to its PSA targets, the former DTLR had a number of targets set in the supporting Service Delivery Agreement (SDA) agreed between the then DETR and Treasury Ministers following the 2000 Spending Review. (Those relating to the Fire Service were agreed with Home Office Ministers, whose responsibility the Fire Service then was.) Achievement against these targets is monitored by the Department's Finance Directorate and reported quarterly to Ministers and to the Treasury. The 19 SDA targets and progress against them were published in the DETR Annual Report for 2001 (Command 5105) and in the DTLR Annual Report for 2002 (Command 5405).

Each of the former DTLR's 10 executive agencies were set key targets for 2002–03 by Ministers. These were announced to Parliament through written answers, details of which are set out as follows. Each agency chief executive is accountable to Ministers for the performance of their agency. The Department also regularly monitors performance against each agency's targets. All DTLR agencies publish annual report and accounts at the end of every financial year, which report on their performance against their targets.

I refer my hon. Friend to the answers on DTLR agencies targets as given on:

29 January 2002, *Official Report*, column 203W—Highways Agency

26 March 2002, *Official Report*, column 678W—Planning Inspectorate

26 March 2002, *Official Report*, column 947W—Maritime and Coastguard Agency

29 April 2002, *Official Report*, column 554W—The Rent Service

9 May 2002, *Official Report*, column 298W—Fire Service College

15 May 2002, *Official Report*, column 674W—Queen Elizabeth II Conference Centre

16 May 2002, *Official Report*, column 795W—Driver and Vehicle Licensing Agency, Driving Standards Agency, Vehicle Certification Agency, Vehicle Inspectorate.

Performance targets for executive NDPBs sponsored by the former DTLR, including outputs to be achieved, are normally agreed by Ministers and set out in the published business or corporate plan of the NDPB. Copies of such plans are available from the bodies. In most cases the Department monitors performance against these targets and for the more high profile bodies progress is discussed with Ministers. Outputs and achievements of each executive body are set out in its annual report. Copies of the annual report are available in the Library of the house.

The Secretary of State has no powers of direction over the General Lighthouse Authorities' operational activities and those bodies are responsible for setting their own performance targets and the level of service required. A business plan for the Standards Board for England (created in 2001) is being prepared and performance targets will be agreed with the Department. The Strategic Rail Authority (SRA) is required, by its Directions and Guidance from the Secretary of State, to work within its statutory framework to deliver the key rail targets set out in "Transport 2010: the Ten Year Plan" and to work with the rail industry to achieve substantial improvements in performance. Statistics in SRA's regular publications, "On track" and "National Rail Trends", provide an indication of achievement.

No performance targets are set for the former Department's advisory NDPBs. Each advisory body normally sets its own programme of work for each year within its remit to advise Ministers on the particular policy area and agree this with the Department. No formal monitoring of performance takes place for these advisory bodies but outputs are set out in each body's annual report.

British Transport Police

Chris Grayling: To ask the Secretary of State for Transport what recent discussions he has held with the Home Secretary about the future deployment of the British Transport Police; and if he will make a statement. [65741]

Mr. Jamieson: The deployment of the British Transport Police (BTP) is an operational matter for the Chief Constable. My right hon. Friends the Secretary of State for Transport and the Home Secretary have agreed to provide central funds of £1.36 million to the BTP to support their participation in the Street Crime Initiative in London. This funding will enable the BTP to procure additional officers and equipment so that they can maximise their contribution to the initiative by targeting street crime in and around London's tube and rail network.

TREASURY

Refrigerators

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer when Her Majesty's Customs and Excise first stopped the export of second-hand fridges in response to the European Regulation; when it lifted that ban, and why; when it restored it; and what the total value was of second-hand fridges exported in *(a)* 1999, *(b)* 2000 and *(c)* 2001. [62609]

John Healey *[holding answer 17 June 2002]:* I refer the hon. Member to the answer given on 13 March, *Official Report,* column 1107W. Customs statistics do not separately identify the value of second hand fridges exported.

Financial Ombudsman

Mr. Wyatt: To ask the Chancellor of the Exchequer what power the financial ombudsman has to *(a)* impose and *(b)* collect fines from recalcitrant companies and individuals found guilty of selling incorrect policies. [65592]

Ruth Kelly: The Financial Ombudsman Service deals with complaints against financial services firms. It does not impose fines but where it decides a complaint against a firm, it can require the firm to make good the complainant's losses. The Financial Services Authority, as regulator, makes rules for regulated firms, including rules that they comply promptly with an ombudsman's decision. The FSA has a full range of disciplinary and enforcement powers over regulated firms, including the power to impose and collect fines.

State Pensions

Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 12 June, *Official Report*, column 1290W, on state pensions, what proportion of the rise for each of the listed pension schemes since 1997 is caused by *(a)* increases in prices and salaries, *(b)* a growth in the number of public servants, *(c)* reassessments of mortality rates and *(d)* other reasons; and if he will make a statement. [64500]

Mr. Boateng: I refer the hon. Gentleman to my answer of 21 June, *Official Report,* column 586W.

Pensions Mis-selling

John Mann: To ask the Chancellor of the Exchequer if he will make a statement on recent action which he has taken on mis-selling of pensions. [63410]

Ruth Kelly: The Financial Services Authority announced earlier this year that it expected to bring the review of mis-sold pensions to a close by its target date of 30 June 2002. By the end of this year the vast majority of consumers with outstanding claims will have received the compensation due to them.

Spending Review

Mr. Howard: To ask the Chancellor of the Exchequer whether he has determined the date for this year's spending review announcement. [65730]

John Healey: The Chancellor expects to announce the date shortly.

Regional Organisation

Mr. Andrew Turner: To ask the Chancellor of the Exchequer which of the agencies and NDPBs sponsored by his Department have a regional organisation; and if he will list the counties and unitary authorities in each region in *(a)* 1997 and *(b)* 2002. [58941]

Mr. Boateng: None of the agencies and NDPBs sponsored by the Treasury has a regional organisation.

OECD PISA Survey

Mr. Gibb: To ask the Chancellor of the Exchequer how many *(a)* pupils and *(b)* schools who were asked to take part in the OECD PISA survey refused to participate. [65134]

Mr. Boateng: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nick Gibb, dated 1 July 2002:

As National Statistician I have been asked to reply to your recent question concerning how many (a) pupils and (b) schools who were asked to take part in the OECD PISA survey refused to participate. (65134)

The numbers of pupils and schools in England that were asked to take part in the OECD PISA survey and refused to participate are shown in Table 2.1 of "Student Achievement in England—Results in reading, mathematical and scientific literacy among 15-year-olds from the OECD PISA 2000 study", published by ONS in May 2002.

The report is available for free at: http://www.statistics.gov.uk/statbase/Product.asp?vlnk=8169&More=N

Mr. Gibb: To ask the Chancellor of the Exchequer what steps were taken to assess the educational achievements of pupils who refused to sit the OECD PISA survey tests; and whether this information was incorporated into the PISA results. [65135]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nick Gibb, dated 1 July 2002:

As National Statistician I have been asked to reply to your recent question concerning what steps were taken to assess the educational achievements of pupils who refused to sit the OECD PISA survey tests; and whether this information was incorporated into the PISA results.(65135)

The educational achievement of pupils who refused to sit the OECD PISA survey test were not assessed for the reasons given in Section A.4 under 'Representativeness of the sample of students', in Appendix A of "Student Achievement in England—Results in reading, mathematical and scientific literacy among 15-year-olds from the OECD PISA 2000 study". This report was published by ONS in May 2002.

As an alternative, test results at Key State 3 were sought directly from participating students so a comparison could be made with national statistics. However due to poor recollection by students, these data were incomplete and unreliable and therefore no comparison could be made.

The report is available free at: http://www.statistics.gov.uk/statbase/Product.asp?vlnk=8169&More=N

Mr. Gibb: To ask the Chancellor of the Exchequer what reasons the schools which refused to participate in the OECD PISA survey gave for their refusal. [65133]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nick Gibb, dated 1 July 2002:

As National Statistician I have been asked to reply to your recent question concerning what reasons the schools which refused to participate in the OECD PISA survey gave for their refusal. (65133)

For each school that chose not to participate in the OECD PISA survey in England, ONS attempted to ask the reasons why. Responses from schools varied in their level of detail and so it was not possible to conduct a systematic analysis. However, the most frequently cited reasons related to the time demands the survey would place upon school staff and on the selected students.

Mr. Gibb: To ask the Chancellor of the Exchequer how many pupils were asked to sit the OECD PISA survey test for *(a)* reading, *(b)* mathematical and *(c)* scientific literacy; and how they were chosen. [65137]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nick Gibb, dated 1 July 2002:

As National Statistician I have been asked to reply to your recent question concerning how many pupils were asked to sit the OECD PISA survey test for (a) reading, (b) mathematical and (c) scientific literacy; and how they were chosen.(65137)

Thirty-five students were randomly sampled in each participating school by ONS using lists of all students born in 1984 provided by the schools. Student sampling procedures and student response for PISA are described in Section 2.3 of Chapter 2 of "Student Achievement in England—Results in reading, mathematical and scientific literacy among 15-year-olds from the OECD PISA 2000 study" (ONS, May 2002).

The survey in England assessed all 4,120 participating pupils in reading literacy, 2,292 pupils in mathematical literacy and 2,284 in scientific literacy. The subjects that pupils were assessed in were determined by which of nine PISA test booklets had been randomly assigned to them.

The report is available for free at: http://www.statistics.gov.uk/statbase/Product.asp?vlnk=8169&More=N

Mr. Gibb: To ask the Chancellor of the Exchequer on what basis schools were selected for inclusion in the OECD PISA survey; and how replacement schools were selected. [65129]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nick Gibb, dated 1 July 2002:

As National Statistician I have been asked to reply to your recent question concerning on what basis schools were selected for inclusion in the OECD PISA survey; and how replacement schools were selected. (65129)

Section 2.3 of Chapter 2 of "Student Achievement in England—Results in reading, mathematical and scientific literacy among 15-year-olds from the OECD PISA 2000 study", (ONS, May 2002) outlines how schools were randomly sampled for the OECD PISA survey in England and describes the steps taken to represent the different types of schools in the correct proportions. For each school that was selected to take part, two potential replacement schools had been identified. Appendix A of this report describes the sampling procedures for replacement schools, which were designed so that the replacement schools had similar educational characteristics to the original school.

The report is available for free at: http://www.statistics.gov.uk/statbase/Product.asp?vlnk=8169&More=N.

Mr. Gibb: To ask the Chancellor of the Exchequer what the OECD's policy is regarding the inclusion of replacement schools in the OECD PISA survey. [65130]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nick Gibb, dated 1 July 2002:

As National Statistician I have been asked to reply to your recent question concerning the OECD's policy regarding the inclusion of replacement schools in the OECD PISA survey. (65130)

The OECD's specification for sampling schools for the OECD PISA survey required that a minimum response rate of 85 per cent. be achieved. Where this response rate fell between 65 per cent. and 85 per cent., it could still be achieved by using replacement sampling in line with procedures specified by the OECD. These are outlined in Section A.2 under "Replacement Sampling" in Appendix A of the ONS report, published in May 2002: "Student Achievement in England—Results in reading, mathematical and scientific literacy among 15-year-olds from the OECD PISA 2000 study".

The report is available for free at: http://www.statistics.gov.uk/statbase/Product.asp?vlnk=8169&More=N.

Mr. Gibb: To ask the Chancellor of the Exchequer if he will list the schools selected as replacement schools for the OECD PISA survey. [65131]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nick Gibb, dated 1 July 2002:

As National Statistician I have been asked to reply to your recent question concerning the list of schools selected as replacement schools for the OECD PISA survey. (65131)

The Data Protection Act requires the Office for National Statistics (ONS) to honour any pledge that it makes to respondents before taking part in its surveys. Both the sampled schools and sampled pupils were assured before agreeing to co-operate that their decision to take part and the information they gave would be held in confidence by ONS. Consequently ONS cannot release the names of participating or non-responding schools or pupils.

Mr. Gibb: To ask the Chancellor of the Exchequer what proportion of schools selected for the OECD PISA survey agreed to take part *(a)* prior to the inclusion of replacement schools and *(b)* after the inclusion of replacement schools; and what the minimum proportion of the originally selected schools is deemed acceptable by the OECD for inclusion in the international survey. [65128]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nick Gibb, dated 1 July 2002:

As National Statistician, I have been asked to reply to your question concerning what proportion of schools selected for the OECD PISA survey agreed to take part (a) prior to the inclusion of replacement schools and (b) after the inclusion of replacement schools; and what the minimum proportion of the originally selected schools is deemed acceptable by the OECD for inclusion in the international survey. (65128)

The numbers of schools in England that were selected for PISA and agreed to take part (a) prior to the inclusion of replacement schools and (b) after the inclusion of replacement schools are shown in Table 2.1 of "Student Achievement in England—Results in reading, mathematical and scientific literacy among 15-year-olds from the OECD PISA 2000 study", published by ONS in May 2002.

The corresponding response rates calculated by the OECD are (a) 59% and (b) 82% These fall below the response rates required by OECD for all participating countries of 65% and 85% respectively. The OECD therefore reviewed which schools had taken part and found that their profile of GCSE exam results was not statistically significantly different from that of all schools in England. An international review panel of experts that was established for this purpose by the OECD therefore concluded that low response from schools had not distorted English or UK results. Further details of this review can be found in Section A.4 under 'Representativeness of the sample of schools', in Appendix A of "Student Achievement in England—Results in reading, mathematical and scientific literacy among 15-year-olds from the OECD PISA 2000 study", published by ONS in May 2002.

The report is available for free at: http://www.statistics.gov.uk/statbase/Product.asp?vlnk=8169&More=N

Pension Funds

Mr. Willetts: To ask the Chancellor of the Exchequer what the average rate of tax relief was on contributions to pension funds for each of the years 1996–97 to 2000–01 corresponding to the rate of 30 per cent. estimated for 2001–02 in Table t7.9 on the Inland Revenue Website. [64125]

Ruth Kelly: The information requested is contained in the table.

	Estimated average rate of tax relief on contributions
1996–97	28
1997–98	28
1998–99	29
1999–2000	29
2000–01	29

My right hon. Friend the Secretary of State for Work and Pensions has today announced a review of Government statistics on contributions to private pensions involving ONS, DWP, Inland Revenue and external advisers.

PFI Contracts

Mr. Tyrie: To ask the Chancellor of the Exchequer what estimate his Department has made of the payments under PFI contracts for each year from 2002–03 to 2027–28 for PFI deals which are expected to reach preferred bidder stage in the next three years. [65149]

Ruth Kelly: The Treasury has no deals approaching preferred bidder stage at present.

Demographic Change

Mr. Burstow: To ask the Chancellor of the Exchequer what the Government projection is for demographic change in *(a)* London and *(b)* for all other regions in England over the next (i) five and (ii) 10 years for the age groups (A) 45 to 50, (B) 50 to 55, (C) 55 to 60, (D) 60 to 65, (E) 65 to 70, (F) 70 to 75, (G) 75 to 80, (H) 80 to 85 and (I) 85 years and over. [65143]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Mr. Paul Burstow, dated 1 July 2002:

The National Statistician has been asked to reply to your Parliamentary Question on what the Government projection is for demographic change in (a) London and (b) for all other regions in England over the next (i) five and (ii) 10 years for the age-groups (A) 45–50, (B) 50–55, (C) 55 to 60, (D) 60–65, (E) 65–70, (F) 70–75, (G) 75–80, (I) 85 years and over. I am replying in his absence. (65413).

The attached table provides the required information.

Projected population for London and rest of England

	Projected population (thousands)			*Projected population change*			
				2002–07		*2007–12*	
Age	*2002*	*2007*	*2012*	*Thousands*	*Percentage*	*Thousands*	*Percentage*
London							
45–49	455.8	561.2	638.1	105.4	23.1	76.9	13.7
50–54	414.0	434.1	532.9	20.1	4.9	98.8	22.8
55–59	372.0	388.3	406.8	16.3	4.4	18.5	4.8

Projected population for London and rest of England

				Projected population change			
	Projected population (thousands)			*2002–07*		*2007–12*	
Age	*2002*	*2007*	*2012*	*Thousands*	*Percentage*	*Thousands*	*Percentage*
60–64	288.1	337.2	352.4	49.1	17.0	15.3	4.5
65–69	247.3	251.4	296.4	4.0	1.6	45.0	17.9
70–74	214.0	207.9	213.4	–6.2	–2.9	5.5	2.6
75–79	175.1	167.3	165.8	–7.8	–4.4	–1.6	–0.9
80–84	126.0	119.9	117.3	–6.1	–4.8	–2.6	–2.2
85+	117.7	114.6	112.0	–3.1	–2.6	–2.6	–2.3
Rest of England							
45–49	2,751.3	3,115.8	3,438.6	364.4	13.2	322.8	10.4
50–54	2,837.2	2,729.7	3,096.9	–107.5	–3.8	367.2	13.5
55–59	2,709.5	2,784.3	2,685.4	74.9	2.8	–99.0	–3.6
60–64	2,102.8	2,624.7	2,704.3	521.9	24.8	79.6	3.0
65–69	1,901.0	1,988.2	2,490.8	87.3	4.6	502.6	25.3
70–74	1,717.2	1,715.6	1,808.9	–1.7	–0.1	93.3	5.4
75–79	1,427.2	1,426.9	1,452.2	–0.2	0.0	25.3	1.8
80–84	1,018.4	1,038.2	1,060.6	19.8	1.9	22.4	2.2
85+	865.1	939.6	997.1	74.5	8.6	57.5	6.1

Notes:

1. ONS 1996-based long-term projections
2. London is defined as the Government Office Region
3. Figures my not sum due to rounding

Northern Ireland (Euro)

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what assessment he has made of the extent of the use of the euro in Northern Ireland, especially in border areas. [65589]

Ruth Kelly: The Government have not made any assessment of euro-based transactions in the UK.

It is entirely a commercial decision for UK business to determine whether or not they wish to accept the euro or any other foreign currency.

EU (Sustainable Convergence)

Denzil Davies: To ask the Chancellor of the Exchequer if he will include the economies of the applicant countries to the EU in the assessment of whether there can be sustainable convergence between the UK and the economies of the single currency. [66092]

Ruth Kelly: The Government have said that they will complete an assessment of the five economic tests within two years of the start of this Parliament.

Correspondence

Mr. Kaufman: To ask the Chancellor of the Exchequer when he intends to reply to the letter to him dated 23 May from the right hon. Member for Manchester, Gorton with regard to Mr. J. Greenhalgh. [66205]

Ruth Kelly: A reply will be sent to the right hon. Member for Manchester, Gorton shortly. As the right hon. Member's constituent's letter points out, there have been a number of international meetings where aid and aid spending have been discussed. We have been awaiting the outcome of these meetings, most notably the G8 summit in Kananaskis, to include the latest information in the reply.

EU Committees

Angus Robertson: To ask the Chancellor of the Exchequer when the EU Committee on statistics relating to the trading of goods between member states is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [64910]

John Healey: The Committee on Statistics relating to the trading of goods between member states met on 27 and 28 June, and is next due to meet on 14–15 November 2002. The UK is normally represented by two officials from HM Customs and Excise. The Customs delegates at this committee represent all of the UK.

CULTURE, MEDIA AND SPORT

School Playing Fields

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport, pursuant to her oral statement of 24 June 2002, *Official Report,* column 599, on the sale of school playing fields, if she will place in the Library the figures available to her Department in respect of sales between 1979 and 1997. [64703]

Mr. Caborn: Statistics on playing field sales were not collected until our playing fields legislation came into force. Public concern about the loss of school playing fields led directly to the introduction in October 1998 of Section 77 of the School Standards and Framework Act 1998. Before Section 77 was introduced, only grant-maintained schools were required to seek consent from the Secretary of State before selling land, including areas of their playing fields. Local authorities and other schools that owned their own playing fields were free to sell without restriction.

The then Department for Education and Employment estimated that an average of 40 playing fields a month were sold in this way before October 1998. Their estimate is based on the number of playing field disposals at grant-maintained schools between April 1996, when the previous Government further encouraged the disposal of playing fields by relaxing the Local Authority Capital Finance Regulations which governed the use of sale proceeds, and 1 October 1998, when section 77 took effect. During this 30-month period, some 64 grant-maintained schools were given approval to dispose of areas of playing field, which is an average of over two a month. Using the proportion of grant-maintained schools at that time compared with the number of other schools, the Department for Education and Skills estimate the total number of playing field disposals each month to have been around 40.

Sport England

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport in *(a)* 2000–01 and *(b)* 2001–02 what percentages of Sport England's Exchequer grant-in-aid was spent on (i) staff costs, excluding national centres, (ii) administrative expenses, (iii) publicity, promotions and communications, (iv) grants to national governing bodies, (v) grants to Sportscoach UK, (vi) grants to the Youth Sports Trust, (vii) sports science and sports medicine, (viii) national centres, (ix) grants to other national sports bodies, excluding NGBs and (x) regional support. [64846]

Mr. Caborn: The information requested is as follows:

Percentage

	2000–01	*2001–02*
Staff costs excluding national centres	20.56	15.56
Administrative expenses	10.60	9.08
Publicity, promotions and communications	3.29	2.37
Grants to national governing bodies	17.08	15.43
Grants to Sportscoach UK	3.83	3.32
Grants to Youth Sport Trust	0.00	0.00
Sports science/medicine	0.71	0.23
National centres	6.79	11.08
Grants to other national sports bodies	8.54	7.36
Regional support	28.60	35.56
Total	100.00	100.00

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport if she will list the projections for 2002–03 for the percentages of Sport England's grant-in-aid which will be spent on *(a)* staff costs, excluding national centres, *(b)* administrative expenses, *(c)* publicity, promotions and communications, *(d)* grants to national governing bodies, *(e)* grants to Sportscoach UK, *(f)* grants to the Youth Sports Trust, *(g)* sports science and sports medicine, *(h)* national centres, *(i)* grants to other national sports bodies, excluding NGBs and *(j)* regional support. [64847]

Mr. Caborn: The information requested is as follows:

Percentage

	2002–03
Staff costs excluding national centres	12.76
Administrative expenses	6.41
Publicity, promotions and communications	1.66
Grants to national governing bodies	12.85
Grants to Sportscoach UK	2.69
Grants to Youth Sports Trust	0.00
Sports science/medicine	0.19
National Centres	11.39
Grants to other national sports bodies	6.67
Regional support	45.37
Total	100.00

Sport (West Cumbria)

Dr. Jack Cunningham: To ask the Secretary of State for Culture, Media and Sport what progress has been made by the Sports Action Zone in West Cumbria; what investment has taken place in each of the local authorities covered by the Action Zone; and if she will make a statement. [64856]

Mr. Caborn: Eight months into the delivery of year one of the West Cumbria and Barrow Sport Action Zone Action Plan, programmes and projects with total funding of £1,210,031 have been approved in the zone. These vary from strategic programmes to local projects, lasting between one day and five years. The contribution so far from the Lottery funded Sport Action Zone Magnet Fund is £435,833. Partnership development with a wide range of cross boundary agendas and strategic partners has been a feature of the implementation of the Action Plan and a number of projects have emerged from the strategic programmes in the zone, resulting in additional investment and localized activities.

In summary the position in each local authority area for primary funded Sport Action Zones programmes and projects is as follows:

Allerdale:

Total programme costs £169,493; magnet funding £89,000.

Projects include:

1. Allerdale Baton Relay race—linking local activities and events with the Commonwealth games.
2. Stop smoking walking for health days—developed in partnership with the Health Action Zone and the Primary Care Trust.
3. Promotion of the value of physical activity in schools and GP practices.
4. Allerdale Community Chest small grants scheme—developed in partnership with the borough council and county council.
5. Salterbeck Sport Development Officer and Co-ordinator—covering various Workington wards, developed in partnership with Impact Housing Association.
6. Home Housing SOS programme—activities for young people on housing estates developed in partnership with Home Housing Association and the Millennium Volunteers Programme—aiming to foster a closer relationship between residents and social landlords.

Barrow:

Total programme costs £390,418; magnet funding £125,313.

Projects include:

1. Ba[illegible]ommunity Chest small grants scheme—developed in partnersh[illegible]ith the Barrow borough sports council.
2. Active Living Fo[illegible]All Consortium Programme—employing three specific sport development officers, linking Age Concern, Barrow Sport Development Team, the Community Safety

Officer, Morecambe Bay Primary Care Trust and Health Promotion. Many smaller localized projects have been developed from this strategic programme.

3. Barrow Equity Officer—development of opportunities and removal of barriers to participation, specifically with disability and sport.
4. Summer Scheme 2001 and Summer Scheme 2002—activities for young people throughout the summer holidays.
5. Sports Directory and website—development of a web-based directory of sporting provision in the borough of Barrow.

Copeland:

Total programme costs £460,984; magnet funding £105,500.

Projects include:

6. Copeland Community Chest small grants scheme—developed in partnership with the borough council.
7. Egremont Rural Youth Works—development of a range of programmes and projects tackling anti-social behaviour in Egremont, aiming to reduce crime by 50 per cent. over five years.
8. Healthier Communities Worker—in partnership with South Whitehaven Single Regeneration Budget—development of local activity projects linked with capacity building in South Whitehaven.
9. General Practitioner Referral Scheme—exercise on prescription in partnership with the borough council and Health Action Zone.
10. Summer scheme 2002 providing activities for young people throughout the summer holidays in partnership with a range of other agencies and organisations.

Allerdale and Copeland:

Total costs for cross-district programmes £89,700 magnet funding £48,500.

Projects include:

1. links and jointly funded programmes and projects with the Health Action Zone and health authority.
2. Sports Directory—development of a directory and web-based source of information on sporting and physical activity opportunities in West Cumbria.
3. Walking your Way to Health schemes.
4. Co-ordination of Cardiac rehabilitation stage IV throughout West Cumbria.

Allerdale, Barrow and Copeland:

Total costs for cross-district programmes £74,640 magnet funding £67,320.

Projects include:

1. Research on the impact that sporting activities bring to the wider economic and social agendas.
2. Administration assistant for the zone manager.

Allerdale, Barrow, Copeland, Carlisle, Eden and Kendal:

Total costs for cross-district programmes £24,796 magnet funding £7,500.

Projects include:

Adults Other Than Teachers—in partnership with the local education authority and Cumbria Sport. Training of adults to participate in the delivery and development of extra-curricular activities linked to Cumbrian schools.

National Lottery

Sue Doughty: To ask the Secretary of State for Culture, Media and Sport if she will provide a list for each distributor of lottery money of how much money from held funds has been committed, and to whom and when the commitment was made. [65777]

Mr. Caborn: Money raised by the National Lottery for good causes is paid into the National Lottery Distribution Fund (NLDF). Any interest earned is added to the amount available for distribution. Money is subsequently drawn down from the fund by lottery distributors when it is needed to pay grant recipients and not before.

Commitments by the 15 lottery distributors at 31 March 2002 totalled £4,127,025,203. This is broken down as follows.

	£
Heritage Lottery Fund	1,058,936,426
Sport England	847,653,000
New Opportunities Fund	881,804,894
Community Fund	549,556,460
Arts Council of England	245,735,456
Millennium Commission	229,000,000
Film Council	59,866,380
Sport Scotland	53,300,138
UK Sports Council	50,913,971
Sports Council of Wales	39,435,417
Arts Council of Wales	37,839,215
Scottish Arts Council	35,566,366
Arts Council of Northern Ireland	18,112,610
Sports Council of Northern Ireland	14,360,700
Scottish Screen	4,944,170

These funds will have been committed by distributors to a great number of projects, which could not be listed individually except at disproportionate cost.

Select Committee Report

Mr. John Smith: To ask the Secretary of State for Culture, Media and Sport when she will publish the Government's response to the Culture, Media and Sport Committee's Fourth report on Communications. [66471]

Tessa Jowell: My right hon. Friend the Secretary of State for Trade and Industry and I are today jointly publishing the Government's response to the Select Committee's Fourth report on Communications. The response is available on both the DTI (www.dti.gov.uk) and DCMS (www.culture.gov.uk) websites. Copies of the response were laid before Parliament earlier today and placed in the Libraries of both Houses.

TRADE AND INDUSTRY

Liabilities Management Authority

Mr. Weir: To ask the Secretary of State for Trade and Industry when she expects to publish the White Paper on the Liabilities Management Authority. [65114]

Mr. Wilson: The White Paper on managing the nuclear legacy will be published shortly.

Mr. Drew: To ask the Secretary of State for Trade and Industry what discussions she has had with British Energy and BNFL on the proposed Liabilities Management Authority. [65003]

Mr. Wilson *[holding answer 27 June 2002]:* Since the announcement made by my hon. Friend the Secretary of State for Trade and Industry on 28 November 2001, *Official Report*, column 990, my officials have had discussions with both companies on a range of issues, including the setting up of the Liabilities Management Authority (LMA).

A White Paper on managing the nuclear legacy will be published shortly. This will set out the Government's proposals for the LMA as a body responsible to Government for ensuring that public sector civil nuclear liabilities are dealt with safely, securely, cost-effectively and in ways which protect the environment for the benefit of current and future generations.

Dr. Jack Cunningham: To ask the Secretary of State for Trade and Industry what progress has been made on the development of policy on nuclear liabilities management; when she expects to publish the White Paper; and if she will make a statement. [64857]

Mr. Wilson: The White Paper on managing the nuclear legacy will be published shortly.

Energy Policy

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry what targets have been set for the development of combined heat and power plants. [64345]

Mr. Meacher: I have been asked to reply.

The Government have set a target of at least 10,000 MWe of installed combined heat and power by 2010. [illegible] draft "CHP Strategy to 2010" was launched for consultation by me on 15 May. The closing date for responses is 7 August 2002. The draft strategy sets out measures to support the achievement of the Government's CHP target. Copies of the draft strategy have been placed in the House of Commons Library.

Arms Exports

Sue Doughty: To ask the Secretary of State for Trade and Industry what net cash flow from the Export Credits Guarantee Department was attributed to defence exports in each of the last five years, broken down by *(a)* interest rate support, *(b)* claims paid, *(c)* interest paid and *(d)* operating expenses. [62032]

Ms Hewitt: I refer the hon. Member to the answer given on 21 June 2002, *Official Report*, column 589W.

Ann Clwyd: To ask the Secretary of State for Trade and Industry what support Trade Partners UK provided to assist British companies to attend or exhibit at the IPAS 2002 (International Police & Security Equipment Exhibition) in Iran; and which *(a)* companies and *(b)* amounts were involved. [62015]

Nigel Griffiths: Trade Partners UK provided no support to British companies to attend IPAS 2002 in Iran.

Redundancy Payments

Mr. Crausby: To ask the Secretary of State for Trade and Industry how much was paid out from public funds in redundancy payments in lieu of companies in liquidation in the last financial year. [62791]

Alan Johnson: For the financial year ending 31 March 2002 the redundancy payments service paid some £208.7 million to redundant workers out of the National Insurance Fund. Most of their former employers were insolvent but in some cases the service made payments where solvent employers were unable or willing to pay. The figure includes statutory redundancy pay, unpaid wages, unpaid holiday pay and payments to compensate workers for not receiving proper notice. It does not include some £15.2 million in tax and national insurance contributions paid on behalf of workers and £2.1 million paid in pension contributions.

Heat Transfer Technology

Mr. Gareth Thomas: To ask the Secretary of State for Trade and Industry what action she is taking to encourage the development of interseasonal heat transfer technology in the UK. [62551]

Mr. Wilson: Ground source heat pumps (GSHP) are a proven and reliable technology that can be commercially attractive in certain situations. DTI helped fund the establishment of a UK heat pump network in 1999 to promote the technology. The Government now encourages the development of this technology through the Carbon Trust's "Action Energy" programme, which is supported by DEFRA, the Scottish Energy Efficiency Office, the National Assembly for Wales and Invest Northern Ireland. The Carbon Trust currently supports the following GSHP activities:

(i) a new study to monitor the performance of domestic GSHP systems on three sites;

(ii) a proposed new study of a GSHP system in a single commercial building;

(iii) two small part-funded R&D projects;

(iv) the UK Heat Pump Network.

Export Finance (Energy Production)

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry if she will list the coal power plants which have had British business involvement with ECGD assistance since 1992; and if she will make a statement in each case on *(a)* project name, *(b)* country location, *(c)* capacity in MW, *(d)* estimated carbon emissions and *(e)* the value of the loan guaranteed. [63200]

Ms Hewitt: The table lists the name, country location, capacity in MW, estimated carbon emissions per year, and the value of the loan guaranteed by ECGD for each of the coal-fired stations for which ECGD has guaranteed the repayment of a loan since 1992. The list does not include projects for which ECGD has solely provided overseas investment insurance and other insurances since such cases are treated as commercial in confidence.

In estimating the value of carbon emissions it has been assumed that, upon completion, the stations will operate for 60 per cent. of the time (5,256 hours per year). It has also been assumed that carbon makes up 27.3 per cent. of the atomic mass of CO_2 and that coal produces CO_2 at 0.687 tonnes per MW per hour.

These assumptions are taken from the greenhouse gas protocol website www.ghgprotocol.org and are the 1999 average values for power plants in "Economies In Transition" (i.e. markets where ECGD most commonly provides guarantees).

It should be noted that for most large power stations ECGD is only one of several financial providers.

Project	*Country*	*Capacity (MW)*	*Carbon emissions (tonnes per year)*	*Loan value (£ million)*
Balagarh	India	500	492,481	3.5
Budge Budge	India	500	492,481	64.5
Dalate	China	700	689,474	17.8
Fuzhou	China	700	689,474	63.1
Nantong	China	660	650,075	20.0
Fushan City	China	100	98,496	22.1
Gao Bei Dian	China	[1]—	[1]—	3.3
Shaijao 'C'	China	[1]—	[1]—	42.5
Omblin	Indonesia	200	196,992	60.9
Dalian	China	700	689,474	66.5
Dandong	China	700	689,474	67.8
Majuba	South Africa	3,600	3,545,864	239.0
Harare and Munyati	Zimbabwe	255	251,165	7.1
Shandong	China	3,000	2,954,887	213.5
Sual	Philippines	1,200	1,181,955	296.6
Bulawayo	Zimbabwe	120	118,195	5.6
Manjung	Malaysia	2,100	2,068,421	522.3
Afsin-Elbistan	Turkey	1,080	1,063,759	8.4

[1] Not known, as ECGD's records do not show the capacity of these stations. Both cases involved the basic supply of goods and so details of construction/capacity were not required. Shaijao was underwritten in 1993 and details of loan utilisation are no longer available.

Telephone Exchanges (Essex)

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry which telephone exchanges in Essex have been converted to DSL; and what plans there are to convert the remaining exchanges. [63772]

Ms Hewitt: BT's website provides details of enabled exchanges by county: "http://www.bt.com/broadband/"

According to the information they provide, 35 exchanges in Essex have to date been enabled to provide ADSL services.

BT announced on 18 June that they will enable an exchange where a specified number of users have registered their interest, and will publicise how many more registrations are needed to reach the target. At first this offer will cover 300 exchanges, to be followed by a further 600.

Job Sharing

Mr. Jenkins: To ask the Secretary of State for Trade and Industry what plans she has to encourage businesses to employ job-share employees. [63668]

Alan Johnson: We are working with a wide range of businesses to raise awareness of the business benefits of flexible working, including job sharing. In addition, through our successful £10.5 million Work-Life Balance Challenge Fund programme, we are providing support and guidance to employers who want to adopt flexible working.

Evidence to date indicates an increase in people taking up opportunities to job share in projects supported by the Challenge Fund. We are also actively disseminating the emerging best practice, so that more businesses and employees will be able to benefit from flexible working arrangements.

In addition, from April 2003, parents of children aged under six and disabled children aged under eighteen will have a right to request to work flexibly (which includes job share) and employers will have a duty to consider requests seriously. This important new right will be accompanied by a package of support for both employers and employees.

Mr. Jenkins: To ask the Secretary of State for Trade and Industry how many of the Department's staff are job-share employees. [63669]

Ms Hewitt: There are currently 10 staff sharing five jobs in DTI HQ and its agencies. The assumption is that all posts will be open to part-time and job share staff. If, exceptionally, there are objective reasons why a job may not be undertaken on a part-time or job share basis, the reasons would be stated clearly in the advertisement.

Nuclear Installations

Llew Smith: To ask the Secretary of State for Trade and Industry, pursuant to the answer to the hon. Member for Bury, North (Mr. Chaytor), of 10 June 2002, *Official Report*, column 968, if she will place in the Library a copy of the presentation from the Chief Inspector of Nuclear Installations. [63909]

Mr. Wilson: HSE is placing copies of the Chief Inspector's presentation in the Libraries of the House. It is also available on the HSE website.

Office for Civil Nuclear Security

Llew Smith: To ask the Secretary of State [illegible] Trade and Industry with whom the office for Civil Nuclear Security discussed the potential vulnerability to attack of the Sellafield MOX plant, following the terrorist attacks in the United States on 11 September 2001; and if she will place in the Library a declassified version of the report prepared by the OCNS on SMP security. [63839]

Mr. Wilson: The Office for Civil Nuclear Security consulted with HSE's Nuclear Installations Inspectorate and other Government departments and agencies as appropriate, as well as the Sellafield site licensees in considering the consequences of the attacks in the United States last September and in reviewing security measures in place at Sellafield. OCNS reports concentrate on security measures and as it is not Government policy to disclose details of security measures taken at civil nuclear sites, I will not be placing any declassified versions in the Libraries of the House.

Llew Smith: To ask the Secretary of State for Trade and Industry whether there is a prohibition against employing staff members of non Governmental organisations or independent research institutes as specialists for the office for Civil Nuclear Security. [63840]

Mr. Wilson: There is no such restriction. All applicants for posts to be filled are assessed on their suitability to meet the requirements of the post and vetting requirements. OCNS, as elsewhere in Government, is an equal opportunities employer.

Llew Smith: To ask the Secretary of State for Trade and Industry if she plans to increase the operating budget of the Office for Civil Nuclear Security. [63837]

Mr. Wilson: It has been agreed by the Treasury that the budget for the office for Civil Nuclear Security will be increased by £200,000 for the financial year 2002–03 and by £300,000 for the financial year 2003–04 in order to cover additional security and vetting posts.

Public Holidays

Mr. Evans: To ask the Secretary of State for Trade and Industry what estimate she has made of the cost to business of each public holiday in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland. [64534]

Alan Johnson: Based on the most recent data available on Compensation of Employees from the Regional Accounts (produced by the Office for National Statistics), the estimated cost of a bank holiday to UK business in 1999 was £1.89 billion. The breakdown by country is *(a)* £1,610 million in England *(b)* £80 million in Wales *(c)* £160 million in Scotland and *(d)* £40 million in Northern Ireland. These figures are probably an overestimate since they assume that all businesses are closed on bank holidays; and that all employees, who do not work on bank holidays, are still paid.

Retail Sector (Start-up Assistance)

Brian Cotter: To ask the Secretary of State for Trade and Industry what Government sponsored financial assistance is available to those wishing to start an enterprise within the retail sector. [64930]

Nigel Griffiths: The SBS operates a number of programmes aimed at helping small businesses in all sectors (including start-ups) to obtain finance. These include: Regional Venture Capital Funds; the Phoenix Fund; and the soon to be launched Early Growth Funding programme.

In addition, the SBS has been providing advisory support to start-up businesses identified with the potential for high growth. Since October 1999, some 8,500 pre and early start businesses have received support from Business Link Operators to assist them in reaching their high growth potential.

The SBS is currently consulting across Government and with the business support organisations in the private and public sectors, on a comprehensive strategy for helping people to start a business. The SBS Consultation document of 6 May sets out the issues involved and invites proposals for how to address them. A key theme is the need for resources to be targeted to ensure high quality help is available to all who seek it. Following the consultation exercise in July, an action plan will be published in the Autumn to detail the steps that the Government and key stakeholders will take to help more people to start and grow a business.

Small Firms Loan Guarantee Scheme

Brian Cotter: To ask the Secretary of State for Trade and Industry whether a decision has been made on whether to extend the Small Firms Loan Guarantee scheme to excluded sectors. [64931]

Nigel Griffiths: I have received representations from a variety of bodies over a period of time about the extension of the Small Firms Loan Guarantee Scheme to excluded business activities. The Scheme is currently being considered as part of the DTI's wider review of business support.

Temporary Agency Workers

Mr. Alan Campbell: To ask the Secretary of State for Trade and Industry if she will make an announcement on the Commission proposal for a directive on temporary agency workers. [58081]

Alan Johnson: The Government will begin a 16-week public consultation on the Commission proposal for a directive on temporary agency workers from today. It will give interested parties an opportunity to comment on the Commission proposals and their likely impact on the UK.

Nuclear Waste Storage (Dounreay)

Mr. Weir: To ask the Secretary of State for Trade and Industry what recent discussions she has had with the UKAEA on the progress of construction of facilities at Dounreay for the long-term storage of nuclear waste. [65113]

Mr. Wilson: None.

Committee Mandates

Mr. Bercow: To ask the Secretary of State for Trade and Industry what the mandate of the European Energy and Transport Forum is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if she will list the items currently under its consideration; if she will take steps to increase its accountability and transparency to Parliament; and if she will make a statement. [61711]

Ms Hewitt: The European Energy and Transport Forum is a consultative committee which was established by the European Commission on 11 July 2001. Its purpose is to consider Commission initiatives in the field of energy and transport and gives its views. Its mandate is Commission Decision 2001/546/EC. The Forum comprises 34 members, including five from the UK. These were selected by a Commission process set out in Commission Decision 2001/C 205–06. The Forum has not yet met. When it does it will establish a programme of work that will, no doubt, include issues from the Commission White Paper on Transport and the Commission Green Paper on Energy Security. No costs to UK public funds arise from the Forum. More details are available on the EU website "http://europa.eu.int/comm/energy"-transport/en/forum en.html

Mr. Bercow: To ask the Secretary of State for Trade and Industry what the mandate of the Consumer Committee is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if she will list the items currently under its consideration; if she will take steps to increase its accountability and transparency to Parliament; and if she will make a statement. [61699]

Ms Hewitt: The Consumer Committee was established by the European Commission in its "Decision (2000/323/EC)" of 4 May 2000. The Committee's mandate is to:

constitute a forum for general discussions on problems relating to consumer interests.

give opinions on Community matters affecting the protection of consumer interests.

advise and guide the Commission when it outlines policies and activities having an effect on consumers.

inform the Commission of developments in consumer policy in the member states.

act as a source of information and soundboard on Community action for the other national organizations.

The Committee meets on average four times a year in Brussels.

The Committee is composed of 20 member members and 20 alternates appointed by the Commission for a 3-year (renewable) mandate (1 per member state plus five representatives from the European consumer associations: AEC, ANEC, BEUC, COFACE, EURO COOP).

The secretariat and the presidency of the Committee are held by the European Commission. There is no cost to the UK public funds.

The items for consideration in the Committee are based on the requests for opinion made prior to each meeting by the Commission.

The minutes of meetings and Committee Opinions are published on the European Commission website.

Small and Medium-sized Enterprises

Mr. Drew: To ask the Secretary of State for Trade and Industry if she will make a statement on what assistance is available to firms that expand beyond the definition of SME. [65005]

Alan Johnson *[holding answer 27 June 2002]:* The Department has a range of support available for larger companies. This includes support for regional investment, innovation, collaborative research and development and knowledge transfer, exports and international trade and competitiveness activities in particular sectors such as the aerospace or automobile sectors. They also benefit from the Department's major investment in maintaining the excellence of the UK's science and engineering base.

Details of the Department's activities in these areas are set out in DTI's expenditure plans report (Cm 5416) which my right hon. Friend the Secretary of State for Trade and Industry submitted to Parliament on 14 June.

Renewable Energy

Mr. Andrew Turner: To ask the Secretary of State for Trade and Industry what targets have been sought from or set for each local authority for increasing use of renewable energy; and what funding is contingent upon the achievement of these targets. [64284]

Mr. Wilson *[holding answer 25 June 2002]:* The Government are committed to promoting a positive and strategic approach to regional planning for renewable energy development in the UK. Last year, we initiated the preparation of regional studies, including regional assessments of the potential for renewables and targets, representing the practical capacity achievable in regions by 2010. These studies have now been completed and the findings were published by Oxera in February 2002. These findings have also been channelled to my right hon. Friend the Deputy Prime Minister's office, who are currently revising the Planning Policy Guidance Note, PPG22, to give local planning authorities more up-to-date guidance on renewables planning.

I have also announced the allocation of £1.7 million worth of work in England, Wales and Northern Ireland, to take forward the facilitation of renewable energy planning. In addition, the Scottish Executive will continue to work with local authorities in Scotland on renewables planning. This is the first tranche of funding from the £2.5 million for planning announced by the PIU energy review. In addition to the DTI funding, the bids we received showed that matched funding of over £2 million can be expected from local organisations.

That is a real boost to this work and a very encouraging indication of the interest being taken at local level in renewables planning. This fund will be used to support the development of sub-regional targets and to take forward initiatives such as good practice guidelines and further stakeholder engagement in renewable energy developments.

The Renewables Obligation, which came into force on 1 April 2002, is the main instrument through which renewable energy development will be supported. The Obligation will be backed up by direct Government funding worth over £260 million for the period 2001–04, including the allocation of £74 million for the development of offshore wind projects, £78.5 million for the establishment of energy crops and biomass schemes and £20 million to kick-start a major solar PV demonstration scheme.

Insolvency Service

Mr. Ben Chapman: To ask the Secretary of State for Trade and Industry what targets she has set the Insolvency Service executive agency for 2002–03. [66090]

Miss Melanie Johnson: The Insolvency Service's planning assumption is that compulsory insolvencies will total 28,000 in the year to 31 March 2003, and I have therefore set it the target of completing 28,500 case administrations in the year to 31 March 2003 and to maintain the levels of Income Payment Orders achieved.

I have set the Service two new targets for 2002–03. The first is to publish quarterly results of the Service's User Satisfaction Index and introduce a benchmark score by 31 March 2003; and the second is to achieve IiP re-accreditation in the autumn of 2002.

I have also set it the targets of containing increases in the unit cost of administering bankruptcy and compulsory liquidation cases by 1 per cent. in real terms over the period 2002–04; and containing increases in the cost of investigations of bankruptcy and compulsory liquidation cases by 10 per cent. in real terms over the period 2002–04. These increases reflect plans by the Service to invest in information technology and staff resources to prepare for implementation of the Enterprise Bill and are expected to generate net reductions in unit costs over a five-year period.

I expect the Service to continue to achieve the levels of proceedings for disqualification taken against unfit directors as in previous years and reports on cases of criminal misconduct as in 2001–02. At the same time I look to the Service reducing the average time of the conclusion of disqualification proceedings arising from non-compulsory insolvencies from 27.5 months to 26 months by 31 March 2003; and to increasing the percentage of disqualification cases concluded within 30 months from 72 per cent. to 78 per cent. and those within 24 months from 33 per cent. to 40 per cent.

I also expect the Service to check and action at least 98 per cent. of Insolvency Services Account payment requisitions within four days or the due date, and to action 100 per cent. of invoices for payment within 30 days of receipt and 95 per cent. of invoices for payment within 20 days.

SCOTLAND

Employment Statistics

Mr. Joyce: To ask the Secretary of State for Scotland how many people were in employment *(a)* at the most recent date for which figures are available and *(b)* in May 1997 for each constituency in Scotland. [61293]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Eric Joyce, dated 1 July 2002:

As National Statistician, I have been asked to reply to your Parliamentary Question about employment in Scotland. (61304)

ONS publishes employment rates but not levels from the Labour Force Survey (LFS) for parliamentary constituencies.

The attached table gives estimates of working age employment rates for each constituency in Scotland for the periods March 1997 to February 1998, and March 2000 to February 2001. These estimates are from the LFS and are not seasonally adjusted.

Annual working age[1] employment rates[2] by parliamentary constituency; Scotland; March 1997 to February 1998 and March 2000 to February 2001; not seasonally adjusted

Per cent

	March 1997 to February 1998	*March 2000 to February 2001*
Scotland	71.0	73.1
Aberdeen Central	74.2	70.5
Aberdeen North	81.8	81.5
Aberdeen South	81.1	81.8
Airdrie and Shotts	66.0	62.2
Angus	78.7	77.3
Argyll and Bute	70.7	71.2
Ayr	77.2	70.0
Banff and Buchan	72.8	77.5
Caithness, Sutherland and Easter Ross	66.3	77.5
Carrick, Cumnock and Doon Valley	65.0	67.7
Central Fife	66.8	70.2
Clydebank and Milngavie	68.1	68.6
Clydesdale	70.4	73.3
Coatbridge and Chryston	62.2	64.6
Cumbernauld and Kilsyth	70.5	71.2
Cunninghame North	66.5	66.7
Cunninghame South	64.4	69.9
Dumbarton	73.3	72.2
Dumfries	71.6	72.4
Dundee East	70.4	69.9
Dundee West	64.9	61.3
Dunfermline East	71.9	75.8
Dunfermline West	78.8	78.5
East Kilbride	75.2	84.0
East Lothian	73.9	72.6
Eastwood	81.6	79.4
Edinburgh Central	64.7	76.1
Edinburgh East and Musselburgh	76.9	71.8
Edinburgh North and Leith	72.4	78.3
Edinburgh Pentlands	77.3	81.2
Edinburgh South	66.5	66.0
Edinburgh West	76.7	80.8
Falkirk East	73.3	78.6
Falkirk West	74.3	74.4
Galloway and Upper Nithsdale	68.5	74.6
Glasgow Anniesland	60.2	71.7
Glasgow Baillieston	55.5	59.9
Glasgow Cathcart	64.5	70.4
Glasgow Govan	69.1	61.5
Glasgow Kelvin	66.6	60.6
Glasgow Maryhill	49.1	58.7
Glasgow Pollok	57.9	64.4
Glasgow Rutherglen	64.0	63.5
Glasgow Shettleston	48.6	54.3
Glasgow Springburn	49.7	57.4
Gordon	85.5	84.1
Greenock and Inverclyde	73.2	76.8
Hamilton North and Bellshill	66.0	70.9
Hamilton South	61.0	61.9
Inverness East, Nairn and Lochaber	77.2	79.5
Kilmarnock and Loudoun	64.1	72.4
Kirkcaldy	73.3	66.7
Linlithgow	79.4	78.6
Livingston	81.2	78.6
Midlothian	78.2	80.0
Moray	71.7	79.6
Motherwell and Wishaw	64.7	59.8
North East Fife	71.0	78.7
North Tayside	77.5	82.1
Ochil	65.4	67.3
Orkney and Shetland	81.3	87.3
Paisley North	63.3	63.4
Paisley South	71.4	79.2
Perth	78.4	81.6
Ross, Skye and Inverness West	77.2	77.4
Roxburgh and Berwickshire	75.8	84.2
Stirling	72.6	71.7
Strathkelvin and Bearsden	76.7	74.1
Tweeddale, Ettrick and Lauderdale	79.5	84.7
West Aberdeenshire and Kincardine	76.1	85.2
West Renfrewshire	76.0	81.6
Western Isles	78.9	78.5

[1] Men aged 16–64 and women aged 16–59

[2] Working age people in employment as a percentage of the working age population

Source:

ONS Labour Force Survey, Annual Data

NORTHERN IRELAND

Terrorists

Mr. Quentin Davies: To ask the Secretary of State for Northern Ireland if he will make a statement on his plans to inform persons suspected of involvement in terrorist activities that their cases will not be pursued. [63943]

Dr. John Reid: We are still considering how best to implement the proposals which we and the Irish Government made in relation to this following the Weston Park talks. In the meantime, any inquiries received in relation to individuals wishing to establish whether they are wanted in Northern Ireland in relation to suspected terrorist activities have been communicated to the Attorney-General, who has referred them to the prosecuting authorities and the police.

Mr. Quentin Davies: To ask the Secretary of State for Northern Ireland (1) how many people suspected of involvement in terrorist activities have been informed by the Northern Ireland Office since 10 April 1998 that they are no longer wanted by the prosecuting authorities; [63945]

(2) how many people residing outside the United Kingdom and suspected of involvement in terrorist activities have been informed by the Northern Ireland Office since 10 April 1998 that if they return to any part of the United Kingdom their cases will not be pursued by the prosecuting authorities. [63942]

Dr. John Reid: As a result of inquiries received and referred to the prosecuting authorities and the police, 32 individuals have been informed over the past two years that they are not wanted for arrest in relation to terrorist offences. In accordance with the policy announced by my predecessor on 29 September 2000, an additional 25 persons, who had left Northern Ireland without completing their sentences, have been informed since then that they can return to Northern Ireland without serving more time in custody and that the prosecuting authorities and police have confirmed they will not face fresh charges.

Mr. Quentin Davies: To ask the Secretary of State for Northern Ireland (1) how many people suspected of involvement in terrorist activities will benefit from the provisions contained in paragraph 20 of the joint proposals published by the British and Irish Governments on 1 August 2001; [63944]

(2) how many people stand to benefit from the measures envisaged in paragraph 20 of the joint communique issued by her Majesty's Government and the Government of the Irish Republic on 1 August 2001 following their meeting at Weston Park. [56292]

Jane Kennedy: The British and Irish Governments recognised at the talks at Weston Park last summer that the issue of terrorists on the run needed to be dealt with. Paragraph 20 of the joint communique made following those talks committed both Governments to taking steps to resolve this issue. The Government stands by that commitment and is considering the options for discharging it. Until the Government have concluded how best to resolve the matter, it is not possible to give a reliable estimate of how many people it would effect.

Evelyn Glenholmes

Mr. Quentin Davies: To ask the Secretary of State for Northern Ireland when the decision was taken not to proceed with outstanding prosecutions against Evelyn Glenholmes; at which point she was informed of this decision; and if he will place the relevant correspondence in the Library. [63941]

Dr. John Reid: Ms Glenholmes' case was reviewed in 1995 by the Director of Public Prosecutions for England and Wales. He concluded that the evidence against her was insufficient and that the outstanding prosecution and extradition request to the Republic of Ireland should be dropped. Inquiries were made on her behalf in 2000 in the light of her wish to return to Northern Ireland. She was informed that there were no outstanding prosecutions against her.

Annual Leave

Mr. Bercow: To ask the Secretary of State for Northern Ireland what the average annual leave entitlement is for staff in his Department in 2002. [64649]

Jane Kennedy: The average annual leave allowance entitlement of Northern Ireland civil servants and home civil servants in 2002 was 26 days.

Annual leave allowances are as follows:

Probationers

22 days allowance (increasing to 25 days after one year in service or on appointment if there has been a previous period of casual service providing there has been no break in service exceeding 12 months).

Full time staff

25 days during qualifying period

Grade A

30 days after 10 years service

Grade B1

30 days after 10 years service

Grade B2

30 days after 15 years service

Grade D2-C

30 days after 20 years service

Senior civil servants

30 days on entry to the service.

Members of Parliament (Personal Data)

Mr. Forth: To ask the Secretary of State for Northern Ireland what information is held by his Department on each hon. Member in relation to *(a)* personal relationships, both current and past, *(b)* financial status and dealings, *(c)* connections with companies and interest groups, *(d)* connections with Governments and *(e)* published works; and what was held in January 2002. [61828]

Jane Kennedy: Ministers and officials in this Department have access to published reference sources, as well as to the information about hon. Members made publicly available by the House authorities, for the purpose of parliamentary business.

Police and Prison Officer Fatalities

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will list those members of the *(a)* RUC and *(b)* Northern Ireland Prison Service who resided in the Ards borough council area and have been killed in the line of duty since 1972. [62395]

Jane Kennedy: The PSNI does not maintain records of the address at the date of the death or by council area. If a next of kin changes address after the death the previous address is deleted from the system. The information provided in the table is therefore based on that currently available and should not be taken as being definitive.

Records are not maintained of the addresses of members of the Northern Ireland Prison Service who were killed in the line of duty. However, since 1972, 29 members of the Northern Ireland Prison Service have been killed.

Members of the RUC killed in the Ards borough council area since 1972

Name	*Rank*	*Number*	*Date of death*
S. J. Montgomery	Constable	14875	7 September 1981
S. A. Fyffe	Sergeant	13620	4 November 1983
W. McDonald	Sergeant	11363	12 August 1984
S. C. McHenry	Reserve Constable	R12176	28 February 1985
W. L. Smyth	Constable	14417	22 May 1986
D. E. Patterson	Constable	11352	10 November 1986
L. M. Robinson	Constable	10395	16 September 1990
S. Todd	Constable	13206	15 October 1990
S. Gillespie	Constable	13296	2 May 1991

INTERNATIONAL DEVELOPMENT

Sudan

Mr. Alan Duncan: To ask the Secretary of State for International Development if her Department is responsible for co-ordinating the Government's policy on the peace process in Sudan. [64805]

Clare Short: The day-to-day co-ordination of UK Government policy on the Sudan peace process is led by Alan Goulty, UK Special Representative for Sudan. Alan Goulty reports jointly to both the Foreign Secretary and the Secretary of State for International Development. He is supported by a joint DFID/FCO team, the Sudan Unit.

Dr. Tonge: To ask the Secretary of State for International Development what representations he has made to the Government of Sudan regarding the legalisation of female genital mutilation. [64601]

Clare Short: Our embassy in Khartoum has made representations at ministerial level in Khartoum, both bilaterally and in co-ordination with EU Partners, on the Sudanese Government's reported plans to legalise female genital mutilation (FGM). The Government of Sudan reassured us that there were no plans to legalise the practice. The embassy also works closely with Sudanese civil society groups in advocating the eradication of FGM. It forms part of the campaign for ratification of the UN Convention on the Eradication of Discrimination Against Women (CEDAW) in which we have actively supported the growing women's rights movement and UN attempts to address these issues. In particular, our embassy has ongoing contact with UNICEF. We have also funded various projects aimed at eradication of FGM, including the national advocacy campaign for 2002–03.

Uganda

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the level and impact of her Department's financial support for the Education Management Information System in Uganda. [64980]

Clare Short: DFID's financial and technical support for the Education Management Information System (EMIS) in Uganda has achieved a high level of impact and has contributed greatly to improved decision making in education and the establishment of a rational well-managed education system.

European Heads of Government Meeting

Sue Doughty: To ask the Secretary of State for International Development if she will make a statement on the outcome of the European Heads of Government Meeting in Seville on 21 and 22 June regarding trade and development. [62925]

Clare Short: The meeting of European Heads of Government at Seville considered trade and development in the context of the EU's preparations for the World Summit on Sustainable Development which will be held in Johannesburg later this year.

It was agreed that the EU should continue to seek a comprehensive and timely conclusion to the Doha Development Agenda, in order to increase the benefits of trade liberalisation as an engine for the sustainable development of developing countries, and support efforts to create regional free-trade areas between them. The EU will invite other developed countries to join its positive agenda on globalisation, trade and finance to help developing countries benefit from access to developed—country markets so that globalisation can work to the advantage of all.

Tony Worthington: To ask the Secretary of State for International Development if she will make a statement on the outcome of the European Council Meeting in Seville on 21 and 22 June regarding trade and development. [64670]

Clare Short: The meeting of European Heads of Government at Seville considered trade and development in the context of the EU's preparations for the World Summit on Sustainable Development which will be held in Johannesburg later this year.

It was agreed that the EU should continue to seek a comprehensive and timely conclusion to the Doha Development Agenda, in order to increase the benefits of trade liberalisation as an engine for the sustainable development of developing countries, and support efforts to create regional free-trade areas between them. The EU will invite other developed countries to join its positive agenda on globalisation, trade and finance, to help developing countries benefit from access to developed-country markets so that globalisation can work to the advantage of all.

Arms Trade (Indian Sub-continent)

Gregory Barker: To ask the Secretary of State for International Development which licence applications her Department has examined for arms exports to *(a)* Pakistan and *(b)* India since January 2000; and how many her Department (i) supported and (ii) opposed. [65450]

Clare Short: Along with the Foreign Office and the Ministry of Defence my Department provides advice to the Department of Trade and Industry on relevant export licence applications.

The advice given to the Department of Trade and Industry is exempt from disclosure under Part II, Section 2 of the Code of Practice on Access to Government Information, as information whose disclosure would harm the frankness and candour of internal discussion.

Millennium Development Goals

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on progress towards the millennium development goals. [64702]

Clare Short: Latest forecasts from the World Bank suggest that globally, meeting the 2015 target of halving the proportion of people living in extreme poverty is attainable. There has been progress. During the 1990s, the proportion of people living on less than $1 a day in the developing world fell from 29 per cent. in 1990 to 23 per cent. in 1999. This was mainly due to the substantial progress made during the 1990s in east Asia and, in particular, China.

In the developing world, progress has also been made during the 1990s against almost all the other 2015 millennium development targets. The proportion of children completing a full course of primary school increased from 68 per cent. to 73 per cent.; the under-five mortality rate decreased from 88 to 84 deaths per 1,000 births; and the proportion of people with access to an improved water source increased from 73 per cent. to 79 per cent.

However, to meet all of the 2015 targets we must do more. The sub-Saharan African region presents the biggest challenge to meeting the 2015 targets. We therefore need to make an enormous effort internationally to accelerate progress in Africa.

A detailed description of progress towards all the 2015 targets is contained in a recent World Bank publication: "World Development Indicators 2002", which can be found at the following website: http://www.worldbank.org/data/wdi2002/worldview.pdf

Development Partner Countries

Mr. Bercow: To ask the Secretary of State for International Development if updated data on the gender disparity in secondary education in UK development partner countries have been published. [64955]

Clare Short: We expect updated data on gender disparity in secondary education in developing countries to be published by the World Bank within the next two months. We will then use it to update our reporting against our Public Service Agreement targets.

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the nature of the problems with the data on primary education in UK development partner countries that are published by the World bank. [64981]

Clare Short: There are difficulties both in the coverage and the timeliness of primary education data compiled by the United Nations Educational, Scientific and Cultural Organisation (UNESCO), and published by the World bank, for some of the major UK development partner countries.

The problems with coverage which we have encountered in reporting against the Public Service Agreement targets are due partly to the difficulty of calculating net primary enrolment rates (ie proportion of children of primary school age in school), often due to lack of data on the ages of children in school. Gross enrolment data (which use the total number of children in school regardless of age) are relatively easy to obtain for most countries, but do not give a clear picture of the number of children who are out of school.

In some countries the reliability of the pupil data is also questionable due either to lack of technical capacity, poor school record keeping, or, in a few cases, political manipulation of the figures. Calculating net enrolment rates also requires figures for the population of school age children, which are often based on out-of-date census data. Where there are doubts about the reliability of either the pupil or population figures, UNESCO can often either decline to publish figures for a country, or revise earlier figures.

For most countries, it can take a long time for data produced at country level to be provided to international bodies (principally the UNESCO Institute for Statistics), be verified by them and published in international reports. For example, the latest officially published net primary enrolment figure for Uganda is 57 per cent. although we knew from our work in country that the figure is much higher and is probably over 85 per cent. This published figure is more than five years old.

We are working at country level and with the World bank and UNESCO Institute of Statistics to improve the availability of timely data on primary education to assist with policy making, both for developing countries and for bilateral donors and the international community.

United Nations Development Programme

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the progress of the work of the United Nations Development Programme in HIV/AIDS. [64979]

Clare Short: UNDP, as one of the co-sponsoring organisations of the joint UN programme on HIV/AIDS (UNAIDS), plays an important role in helping create enabling policy, legislative and resource environments for an effective multisectoral response to the epidemic. UNDP's key areas for action lie in supporting developing countries to take effective leadership, in developing capacity for action, promoting a rights-based approach and in impact mitigation.

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the progress of the work of the United Nations Development Programme in energy and the environment. [64977]

Clare Short: DFID is providing support to UNDP's Poverty and Environment initiative, which aims to ensure that 'win-win' options for reducing poverty while improving the environment are reflected in the strategies and practices of developing country Governments and their international partners. We are supportive of the work of UNDP as an implementing agency of the Global Environment Facility and of the Montreal Protocol on Substances that Deplete the Ozone Layer. We are also supportive of UNDP's co-sponsorship of Energy Sector Management Programme (ESMAP) and their work in the Global Village Energy Partnership.

Mr. Bercow: To ask the Secretary of State for International Development what recent discussions she has had with representatives of the United Nations Development Programme about the progress of its work on poverty reduction. [64687]

Clare Short: I met UNDP's Administrator, Mark Malloch Brown, in Monterrey in March. We discussed a range of issues, including UNDP's work to promote the Millennium Development Goals for poverty reduction.

Mr. Bercow: To ask the Secretary of State for International Development what recent discussions she has had with representatives of the United Nations Development Programme about the progress of its work on democratic governance. [64695]

Clare Short: Democratic Governance is one of UNDP's six priority action areas, and an area that DFID also prioritises in its work. I last had discussions with UNDP's administrator, Mark Malloch Brown, on this and other issues at the UN's Conference on Financing for Development (FfD) in Monterrey in March 2002.

My officials work closely with UNDP colleagues on democratic governance programmes in a number of partner countries. There is also regular contact between headquarters staff. For example, last month DFID's Chief Governance Adviser and other governance advisers met with the resident experts working at UNDP's newly established Thematic Facility on Governance, based in Oslo, Norway.

I have also accepted an invitation from UNDP to speak at the launch in July of their 2002 Human Development Report which has as its main theme the examination of the challenges of democratic governance and development.

Afghanistan

Joan Ruddock: To ask the Secretary of State for International Development if she will make a statement on the withdrawal of female foreign aid workers from field operations in northern Afghanistan. [65726]

Clare Short: We are concerned about reports of insecurity in northern Afghanistan, including sexual attacks on women aid workers. The United Nations temporarily suspended the involvement of female staff on field missions in the north, but this suspension has now been lifted. Some non-governmental organisations have withdrawn staff as a precautionary measure. We support the actions of the Special Representative of the United Nations Secretary General, Lakhdar Brahimi, who has written to President Karzai, and visited the north to discuss security issues with the various factions.

Dr. Tonge: To ask the Secretary of State for International Development what her Department's response has been to the *(a)* World Food Programme and *(b)* UNHCR donor appeals for Afghanistan. [65553]

Clare Short: The UN World Food Programme's (WFP) current appeal is for $285 million (approximately £204 million) to feed up to 9.8 million people for nine months. Since October 2001, my Department has contributed £7 million towards WFP's operations inside Afghanistan—for both direct procurement and transportation of food, technical support and logistical support to help speed up the movement of food aid into the country.

We have also provided £3 million to the United Nations High Commission for Refugees (UNHCR) in response to its $271 million (approximately £194 million) appeal to support its operations for refugees in the region. This has included technical personnel, material and financial support.

We have allocated a further £2 million each to WFP and UNHCR, which will be disbursed shortly.

Dr. Tonge: To ask the Secretary of State for International Development how much of the financial assistance committed by the United Kingdom Government to the reconstruction of Afghanistan has been disbursed since April, broken down by UN agency. [65555]

Clare Short: Since April the UK has given £5 million to the Afghanistan Reconstruction Trust Fund, the first donor to do so. In addition we have allocated over £10 million to UNAMA, UNDP, UNHCR, WFP, UNICEF and WHO and are currently in discussion with them to identify where the money might best be used. We are also in the process of disbursing £15 million to a range of NGOs, quick-impact projects and to the Afghan Authority for the Co-ordination of Assistance.

Dr. Tonge: To ask the Secretary of State for International Development what her assessment is of the food security situation in Afghanistan. [65554]

Clare Short: The food security situation throughout Afghanistan remains grave, as a result of decades of conflict and four years of drought. These shocks have overwhelmed the capacity of Afghan communities to cope with the loss of agriculture and livestock production, unemployment and burgeoning debt burdens. Afghanistan currently meets less than half of its national grain requirements, and around half its population is dependent on food aid. However, improved security and political stability will help provide a better environment for the efforts to improve food security in the country. Since October 2001, my Department has contributed £7 million to the World Food Programme and £2 million to the United Nations Food and Agriculture Organization, for the provision of both emergency food aid and measures to increase food security.

Food Shortage (Southern Africa)

Mr. Laxton: To ask the Secretary of State for International Development what steps her Department is taking to tackle the shortage of food in southern Africa. [64798]

Clare Short: I refer my hon. Friend to the answers I gave to the hon. Member for Banbury (Tony Baldry) on 17 June 2002, *Official Report*, columns 58–59W.

Cotonou Agreement

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the improvements in the development, trade and political relationship between the EU and Africa, the Caribbean and the Pacific that will be achieved by the Cotonou Agreement. [64693]

Clare Short: The ACP-EU Partnership Agreement, often referred to as the Cotonou Agreement, was signed in Cotonou on 23 June 2000. Pending ratification by all member states and two thirds of the ACP states, it will enter into effect.

The Cotonou Agreement is the successor to the Lomé Conventions. It marks the most important revision of the relationship between EU and the ACP states since the first Lomé Convention was signed in 1975. It provides an overall framework for political dialogue, development co-operation and trade relations with 78 developing countries. Together with the wider on-going reform of EC development assistance, the Cotonou Agreement is a step towards improving the European Community contribution to the meeting of the millennium development goals.

Most importantly, the Cotonou Agreement has established poverty reduction as its central aim. Respect for human rights, democratic principles and the rule of law together with the importance of good governance underpin the agreement and have been given much more emphasis than in past relations. A process for consultations and possible action has been defined if these basic elements of the agreement have been breached. The principle of partnership between EU and ACP states has also been reaffirmed in the agreement, supporting the emphasis on mutual responsibility and dialogue. Likewise, consultations with civil society in all aspects of the implementation of the agreement have been put to the fore.

One of the most important aspects of Cotonou is the new trade deal between EU and the ACP, whereby ACP's access to the EU market will be maximised while promoting their gradual integration into the global economy. The EU is now committed to open its markets to a substantial block of developing countries.

EU Committees

Angus Robertson: To ask the Secretary of State for International Development when the EU Committee on implementation of the programme of assistance to promote the transition to a market economy and to strengthen democracy and the rule of law in the partner states of eastern Europe and central Asia (Tacis) is next due to meet; whether representatives of the Scottish Executive have been members of it; and if she will make a statement. [64907]

Clare Short: The next meeting of the Tacis Committee is scheduled for 24 July 2002.

Schedule 5 of the 1998 Scottish Act sets out areas of policy that are reserved, that is, where responsibility has not been devolved to the Scottish Executive. Section 7(1) of schedule 5 states:

> "International relations, including relations with territories outside the United Kingdom, the European Communities (and their institutions) and other international organisations, regulation of international trade, and international development assistance and co-operation are reserved matters".

The United Kingdom is represented on the Tacis Committee by officials from my Department and by members of staff from the United Kingdom Permanent Representation to the European Union in Brussels.

Angus Robertson: To ask the Secretary of State for International Development when the EU Committee on financial and technical assistance and economic cooperation with developing countries in Asia and Latin America is next due to meet, what the UK representation is on it, whether representatives of the Scottish Executive have been members of it; and if she will make a statement. [64906]

Clare Short: The next meeting of the EU Committee on financial and technical assistance and economic co-operation with developing countries in Asia and Latin America (ALA) is scheduled for 18 July 2002.

Schedule 5 of the 1998 Scottish Act sets out areas of policy that are reserved, that is, where responsibility has not been devolved to the Scottish Executive. Section 7 (1) of Schedule 5 states:

> "International relations, including relations with territories outside the United Kingdom, the European Communities (and their institutions) and other international organisations, regulation of international trade, and international development assistance and co-operation are reserved matters."

The United Kingdom is represented on the ALA Committee by officials from the Department for International Development.

Angus Robertson: To ask the Secretary of State for International Development when the EU MED Committee (financial and technical cooperation between the Community and Mediterranean non-member countries) is next due to meet; whether representatives of the Scottish Executive have been members of it; and if she will make a statement. [64909]

Clare Short: The next meeting of the EU MED Committee is scheduled for 17 July 2002.

Schedule 5 of the 1998 Scottish Act sets out areas of policy that are reserved, that is, where responsibility has not been devolved to the Scottish Executive. Section 7 (1) of Schedule 5 states:

> "International relations, including relations with territories outside the United Kingdom, the European Communities (and their institutions) and other international organisations, regulation of international trade, and international development assistance and co-operation are reserved matters."

The United Kingdom is represented on the MED Committee by officials from the Department for International Development.

Angus Robertson: To ask the Secretary of State for International Development when the EU Committee on aid for Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia is next due to meet; whether representatives of the Scottish Executive have been members of it; and if she will make a statement. [64908]

Clare Short: The next meeting of the EU CARDS Committee on aid for Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia is scheduled for 24 October 2002.

Schedule 5 of the 1998 Scottish Act sets out areas of policy that are reserved, that is, where responsibility has not been devolved to the Scottish Executive. Section 7 (1) of Schedule 5 states:

> "International relations, including relations with territories outside the United Kingdom, the European Communities (and their institutions) and other international organisations, regulation of international trade, and international development assistance and co-operation are reserved matters."

The United Kingdom is represented on the CARDS Committee by officials from the Department for International Development.

Commission on Intellectual Property Rights

Dr. Tonge: To ask the Secretary of State for International Development what the conclusions were of the Commission on Intellectual Property Rights. [65552]

Clare Short: The Commission on Intellectual Property Rights report is due to be launched in mid-September, DFID will receive an embargoed copy one week prior to this. Conclusions will not be publicised before the launch date.

Western Sahara

Jeremy Corbyn: To ask the Secretary of State for International Development what support has been given in each of the past five years to the refugee camps of the Sahrawi people of the Western Sahara. [64860]

Clare Short: Our support to the refugees from the Western Sahara is mostly channelled through the European Commission's Humanitarian aid Office (ECHO).

Total ECHO assistance to Sahrawi refugees in the Western Sahara

	Euro 000
1997	7,000
1998	17,200
1999	7,500
2000	13,935
2001	15,570

Source:
ECHO Global Plan 2002.

Approximately 19 per cent. of this support is attributable to contributions from the UK.

We also contribute to the budgets of UNHCR and WFP who cooperate closely with ECHO in providing support to the Sahrawi refugees. In addition in 1997–98 we provided £79,000 in direct humanitarian assistance.

Poverty

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the comprehensiveness of her Department's poverty reduction strategies in recognising the multidimensional nature of poverty. [64697]

Clare Short: The Government's first and second White Papers on International Development clearly recognise the multidimensional nature of poverty and commit us to supporting the achievement of the Millennium Development Goals (MDGs). My Department has set out comprehensive strategy papers for achieving the MDGs and thus reducing poverty. These papers provide DFID with the necessary skills and knowledge it needs to engage with partner government and support their efforts to implement nationally owned and administered plans for reducing poverty.

HEALTH

Heroin

Mr. Mullin: To ask the Secretary of State for Health if he will commission a report on the average waiting time for treatment for heroin addiction in *(a)* 1997 and *(b)* 2002 in (i) Sunderland, (ii) Manchester, (iii) Birmingham, (iv) Teesside and (v) Central London; and if he will make a statement. [63771]

Ms Blears: The Department commissioned an England-wide research project into waiting times for substitute prescribing and in-patient detoxification for opiate users in 2000. The project is due to report this summer.

Average waiting times for drug treatment services in 2001 in the areas requested are given in the table. This is the latest data available, and comparative data are not available for earlier years.

		Community prescribing by:		*Structured:*		
Average waiting time (weeks) by drug action team area	*In-patient detoxification*	*Specialist*	*GPs*	*Counselling*	*Day care*	*Residential rehabilitation*
Sunderland	[1]—	5	[1]—	6	2	2
Manchester	26	4	2	4	4	4
Birmingham	24	24	8	8	1	4
Teesside						
Middlesbrough	0	6	4	0	[1]—	2
Hartlepool	12	10	[1]—	[1]—	0	12
Stockton	7	20	1	0	0	7
Central London						
Camden	5	42	8	3	8	8
City of London	6	23	6	4	1	3
Hackney	4	23	2	2	2	4
Islington	5	41	8	11	7	21
Lambeth	28	25	2	1	8	4
Lewisham	22	5	4	3	8	[1]—
Southwark	29	25	4	3	8	12
Tower Hamlets	10	12	6	6	2	14
Waltham Forest	6	3	[1]—	0	0	0
Wandsworth	10	2	0	0	4	4

[1] Information not supplied

The national treatment agency for substance misuse issued waiting times guidance to drug action teams in March 2002. This sets out recommended maximum waiting times for each type of treatment, and the national treatment agency is monitoring the progress of drug action teams in working towards these. In April 2002, each health authority area received an uplift in central funding for drug treatment of at least 30 per cent. to support this work.

Multiple Sclerosis

Mr. Todd: To ask the Secretary of State for Health (1) with reference to the announcement by his Department on 4 February, regarding the assessment of multiple sclerosis patients, who will be responsible for arranging the tests; [54025]

(2) when the payment by results agreement on drugs for treating multiple sclerosis will come into effect. [54024]

Ms Blears: The UK health departments have reached agreement with manufacturers on a risk-sharing scheme for the supply of disease modifying treatments for multiple sclerosis on the national health service to patients who meet criteria set by the Association of British Neurologists (ABN). Full details of the scheme were issued in Health Service Circular (HSC) 2002/004 on 4 February 2002. The scheme started on 6 May 2002 for those centres with the appropriate infrastructure in place. Some centres will start later depending on the work that has to be undertaken to set up specialist clinics.

The scheme involves groups of patients being specifically monitored over the lifetime of the scheme to confirm the cost-effectiveness of these treatments. Monitoring of patients and potential price adjustments under the scheme are expected to continue over 10 years.

The ABN recommends that initial assessments be undertaken by designated consultants to whom patients should be referred by other neurologists, not directly by general practitioners. The precise service arrangements and referral protocols will be for local agreement taking into account the current spread of specialist services.

Acquired Brain Injury

Mr. Berry: To ask the Secretary of State for Health (1) what plans he has to ensure that rehabilitation services for those with acquired brain injury are maintained in advance of the National Service Framework provision; [56437]

(2) what plans he has to improve access to vocational rehabilitation for individuals with acquired brain injury. [56434]

Jacqui Smith: Recently announced budget settlements for the national health service (annual average increase of 7.5 per cent. above inflation over the five years 2003–04 to 2007–08) and personal social services (PSS) (annual average increase of 6.0 per cent. above inflation over the three years 2003–04 to 2005–06), will provide the investment needed to support services which best meet patients' and users' needs.

The national service framework for long-term conditions and the clinical guideline on the initial assessment, management and first referral of patients with head injury that the National Institute for Clinical Excellence is developing will help improve access to rehabilitation services for people with acquired brain injury generally.

The Government are investing in job retention and rehabilitation pilots which will evaluate the relative effectiveness of health and employment strategies in supporting people with long-term conditions to remain in or return to work.

Mr. Berry: To ask the Secretary of State for Health, pursuant to his answer of 4 February 2002, *Official Report*, column 788W, what plans he has to assess the number of people who successfully return to work following a brain injury. [56468]

Jacqui Smith: The Department does not plan on assessing the number of people who return to work after a head injury.

However, jobcentre plus management information systems monitor the outcomes (including job entries) of its services and programmes for disabled people including those with brain injury.

We are keen to help ensure that disabled people, including those with head injury, are able to return to work whenever possible. Currently local authorities are taking the lead on joint investment plans on the welfare to work for disabled people initiative. The idea of these plans is to provide effective and joined-up services for disabled people who want to work, to stay in work, or to move closer to the world of work.

Mr. Berry: To ask the Secretary of State for Health what recent discussions he has had with the Department of Work and Pensions in relation to vocational rehabilitation for individuals with acquired brain injury. [56432]

Jacqui Smith: The Department has held no discussions with the Department of Work and Pensions (DWP) specifically in relation to vocational rehabilitation for individuals with acquired brain injury. However, the Department is playing an active role in agenda, working in partnership with DWP on job retention and rehabilitation pilots, health and work and joint investment plans for disabled people.

Head Injury

Mr. Berry: To ask the Secretary of State for Health if he will list those meetings that have taken place in the last 12 months with the voluntary and professional organisations involved in rehabilitation services for people with head injury. [56501]

Jacqui Smith: Last November, the Department held a scoping workshop to inform the development of the national service framework (NSF) for long-term conditions. A wide range of stakeholders, including professional and voluntary organisations, patients and service users, carers and experts attended the workshop. This included those with a particular interest in rehabilitation service for people with head injury, including Headway, the UK acquired brain injury forum (UKABIF), and the British society of rehabilitation medicine (BSRM).

The NSF project team has also visited hospital based rehabilitation units across England including Leeds, London, Cambridge and Wakefield.

Additionally, departmental officials have held separate meetings with representatives of Headway (October 2001 and April 2002) and the UKABIF (April 2002).

Care Homes

Mr. Arbuthnot: To ask the Secretary of State for Health when care home providers received the requests for information and documents required by the care home regulations; and by which date the providers were required to respond. [60797]

Jacqui Smith: The Care Homes Regulations 2001 were laid before Parliament on 12 December 2001 and came into effect on 1 April 2002. The regulations were contained in booklets setting out the national minimum standards for care homes for older people and for care homes for younger adults and adult placements, published by the Department. In March 2002, the Department issued order forms along with guidance on the Care Standards Act directly to providers who were already registered. The National Care Standards Commission issued, from February 2002, application packs to providers not previously registered and new to regulation. Those applying to register care homes were required to respond by 31 March 2002. As some delays occurred in issuing registration packs, the National Care Standards Commission has not penalised any care home which has responded after that date.

Mr. Drew: To ask the Secretary of State for Health if he will investigate the level of service available to care home owners from *(a)* the National Care Standards Commission and *(b)* the Criminal Records Bureau. [65000]

Jacqui Smith *[holding answer 27 June 2002]:* I am satisfied that the National Care Standards Commission has made good progress in getting up to speed with its responsibilities, taking account of its extremely large initial workload and the transitional arrangements relating to the commission's establishment. The Department has regular formal and informal monitoring arrangements in respect of the commission's performance.

Measures are being taken to overcome the early operating difficulties experienced by the Criminal Records Bureau (CRB), which have led to delays in responding to applications for disclosures. We are determined that the CRB will be in a position as soon as possible to meet the high standards of service that it has made clear it will deliver to its customers. The short-term implications for particular service areas using the CRB service are being closely monitored.

Mr. Drew: To ask the Secretary of State for Health when there will be an investigation of the impact of inspection costs linked to the transfer of free nursing care to care homes. [65001]

Jacqui Smith *[holding answer 27 June 2002]:* The Department is currently consulting on amendments to the Care Homes Regulations 2001. There are no specific plans to investigate the inspection costs to the National Care Standards Commission as a result of these. The overall costs of inspection are monitored routinely by the Department.

Mr. Kidney: To ask the Secretary of State for Health what assessment he has made of the differences between the full costs of operating efficient, good quality care in care homes and the average fees paid by local authorities. [64270]

Jacqui Smith: In October 2001 the Government published an agreement, "Building Capacity and Partnership in Care", which states that: "Fee setting must take into account the legitimate current and future costs faced by providers as well as the factors that affect these costs and the potential for improving performance and more effective ways of working". We expect councils to follow this advice when setting the costs of care. According to independent consultants, Laing and Buisson, the vast majority of councils have recently agreed fee increases in excess of 3 per cent. and some councils have agreed much higher increases—one third of councils increased fees by in excess of 10 per cent.

Mr. Kidney: To ask the Secretary of State for Health if he will introduce a care home modernisation grant payable to local authorities to be paid in line with local care homes' compliance with national minimal standards. [64271]

Jacqui Smith: Decisions about the distribution of resources to local councils for personal social services are likely to be announced later this year.

NHS Cancer Plan

Dr. Evan Harris: To ask the Secretary of State for Health, pursuant to his answer of 10 May 2002, *Official Report*, column 401W, on the NHS Cancer Plan, what consultations he undertook and what representations he received prior to developing the two-week-wait target for cancer diagnosis in the NHS Cancer Plan. [60818]

Ms Blears: A cancer waiting times multi-disciplinary working group met in 1997. The group made recommendations to improve access to cancer services including the need to set specific waiting time targets for all stages of the patient journey. The first of these was the introduction of the two week out-patient waiting times standard. The NHS Cancer Plan introduced further targets to reduce the time patients have to wait for diagnosis and treatment.

Weight

Mr. Amess: To ask the Secretary of State for Health whether overweight and obesity has decreased since the setting of milestones for its reduction within the national health service framework for coronary heart disease. [61475]

Ms Blears: The annual health survey for England provides information on the prevalence of overweight and obesity for the general population. Based on figures from the health survey for England 2000, the year for which the latest data are available, 45 per cent. of men are overweight and 21 per cent. obese, and 34 per cent. of women are overweight and 21 per cent. obese.

The national service framework for coronary heart disease was published in March 2000. Pending the publication of data for the years 2001 and 2002 no information exists to determine the national impact of the milestones.

Mr. Amess: To ask the Secretary of State for Health what information he has collated on the health promotion milestones set within the national service framework for coronary heart disease in relation to obesity and overweight. [61478]

Ms Blears: It is the role of strategic health authorities to manage the performance of primary care trusts against the milestones of national service frameworks (NSF).

However the Department has commissioned work to review local activity relevant to the prevention aspects of the national service framework for coronary heart disease.

The results suggest that implementation of local prevention programmes and the availability of quantitative data in response to the NSF has been variable. As a first step in addressing this the Department is preparing a handbook aimed at helping primary care professionals to deliver the NSFs.

Mr. Amess: To ask the Secretary of State for Health how many registered patients in England had a recorded body mass index of above 35 in *(a)* April 2001 and *(b)* April 2002. [61474]

Ms Blears: Although we do not hold data centrally on the body mass index (BMI) of registered patients, data are available on the BMI of the general population. The health survey for England for the year 2000 provides the most up to date information on the prevalence of overweight (BMI 25–30) and obesity (BMI over 30) among UK adults. The Survey found that 45 per cent. of men are overweight and 21 per cent. obese, and 34 per cent. of women are overweight and 21 per cent. obese.

The national centre for social research hold data for BMI above 35 but these data are not published as part of the health survey for England.

Royal College of Paediatrics and Child Health

Dr. Fox: To ask the Secretary of State for Health what discussions he and Ministers in his Department have had with representatives of the Royal College of Paediatrics and Child Health in the last three months. [61455]

Jacqui Smith: The then Parliamentary Under-Secretary of State for Public Health, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper) and the Parliamentary Under-Secretary of State, my noble Friend the Lord Hunt of Kings Heath, met Professor David Hall, President of the Royal College of Paediatrics and Child Health on 19 March this year to discuss neonatal care.

Also on the 23 April this year I met with the Children's Taskforce.

Home-based Care

Dr. Fox: To ask the Secretary of State for Health how many people the Government estimate are in care homes but who could be treated in their own homes; and what targets they have for increasing capacity for home-based care. [61435]

Jacqui Smith: The NHS Plan, published in July 2000, set a target to increase by 2004 the numbers of people helped to live in their own home by 50,000 through home care and other support.

The Department does not collect information about people currently in care homes, who might be cared for in their own home.

Chiropody

Mr. Heald: To ask the Secretary of State for Health what the findings of Feet First II were; and if he will make a statement on his response to the review. [61841]

Jacqui Smith: We currently have no plans to publish any findings from the review of "Feet First".

In April 2001 the then Minister responsible for the policy area, my right hon. Friend the Member for Barrow and Furness (Mr. Hutton), made a statement about the review in his response to a question from the hon. Member for Hazel Grove (Mr. Stunell). I refer the hon. Member to the answer given on 10 April 2001, *Official Report*, volume 366, column 604W.

Asthma

Bob Spink: To ask the Secretary of State for Health if he will make a statement on the trend in the incidence of asthma in children. [61857]

Jacqui Smith: The reasons for the increase in the prevalence of asthma among children (and adults) particularly over the past 30 years are largely unknown and are likely to be due to a number of different factors including an over-sensitivity to substances that irritate the airways, and deterioration in air quality

Due to the rise in the prevalence of asthma and the fact that the causes remain unknown, the Government have and continue to sponsor research in this area. Research is continuing both on asthma in general and on possible links between outdoor and indoor air pollution and asthma. The Medical Research Council always welcomes high quality applications from the scientific community for support into any aspect of biomedical research and these are judged in open competition with other demands on funding. The Department's spend on directly commissioned research projects on asthma since 1997 is an estimated £7.24 million.

The national service framework (NSF) for children will be setting standards to improve the health and healthcare of children and young people. Asthma will be considered in depth from prevention through to an acute attack within the work on the NSF.

GPs

Mr. Evans: To ask the Secretary of State for Health how many people are served, on average, by each general practitioner in the North West. [63498]

Jacqui Smith: The information requested is shown in the list.

North West

1. NHS Plan GPs—3,722
2. Unrestricted principals and equivalents (UPEs)—3,595
3. Population—6,608,382

NHS Plan GPs per 100,000 population—56. 3

UPEs per 100,000 population—54.4

Notes:

1. NHS plan GPs include GMS unrestricted principals, PMS contracted GPs, PMS salaried GPs, restricted principals, assistants, salaried doctors (para. 52 of the statement of fees and allowances) and PMS others;

2. UPEs include GMS unrestricted principals, PMS contracted GPs and PMS salaried GPs; and population data based on 2,000 ONS population projections; and

3. Population data based on 2,000 ONS population projections.

Source:

Department of Health General and Personal Medical Services Statistics.

Herbal Remedies

Dr. Murrison: To ask the Secretary of State for Health how many deaths occurred in each of the past five years as a result of the use of traditional or herbal remedies. [63822]

Ms Blears: It is not possible reliably to estimate the number of deaths attributable to the use of traditional or herbal remedies.

The yellow card scheme provides for voluntary reporting of suspected adverse drug reactions by doctors, dentists, coroners and pharmacists. It was extended to include all herbal products in October 1996.

The table provides details of the number of reports received each year since 1997 in relation to herbal products as well as the number of reports with a fatal outcome.

Year received	*Total number of report*	*Number with a fatal outcome*
1997	46	0
1998	40	0
1999	64	0
2000	139	1
2001	74	1
2002 to date	31	2

A report of a suspected reaction does not necessarily mean that it was caused by the medicine. As the scheme is voluntary, not all adverse reactions are reported.

It is generally recognised that the reporting rate for medicines supplied over the counter is lower than for prescription medicines. Therefore, data obtained on suspected adverse reactions associated with herbal medicines through the yellow card scheme, cannot be directly compared to reporting for licensed pharmaceutical medicines. With herbal medicines in particular, consumers often do not tell their general practitioner or pharmacist that they are taking a herbal remedy.

Mencap

Hugh Bayley: To ask the Secretary of State for Health what representations he has received recently from Mencap about housing for older people with learning disabilities; and if he will make a statement. [64473]

Jacqui Smith: We recognise that there is particular concern about the position of people with learning disabilities living with older carers aged 70 and over. They and their families must be able to plan for the future in good time. Promoting supported living for older people with learning disabilities is one of the priorities for both the revenue and capital elements of the £42 million learning disability development fund, announced in the White Paper "Valuing People: A New Strategy for Learning Disability for the 21st Century" published in March 2001. The fund has been made available to the new learning disability partnership boards, now established in each local authority area. Each partnership board has produced a local plan to improve services for people with learning disabilities and their families.

I have received a copy of Mencap's report, "The Housing Timebomb" (June 2002), which considers housing, care and support issues affecting people with learning disabilities living with older parents. We will consider the report and its recommendations carefully.

Audiology Services

Mr. Berry: To ask the Secretary of State for Health what plans he has to spend more than the £20 million investment in audiology services announced on 24 December 2001. [65084]

Jacqui Smith: Since 2000–01, we have invested £30.75 million in modernising hearing aid services, including the provision of digital hearing aids. Recently a team led by James Strachan, chief executive of Royal National Institute for the Deaf, has been successful in negotiating a significant reduction in the cost to the national health service of purchasing digital hearing aids. These price reductions will enable the rollout of modernised services to proceed more quickly.

Health Action Zone (Cumbria)

Dr. Jack Cunningham: To ask the Secretary of State for Health what policy initiatives have been introduced by the Health Action Zone in Cumbria; what progress has been made in identifying problems needing special attention; and if he will make a statement. [64855]

Jacqui Smith: Over the last year the ethos of the North Cumbria health action has changed following the development of local health groups. These groups determine the needs of their respective areas and the appropriate degree of resources.

A number of projects have been funded by the local health group in Copeland over the last 12 months. These include:

Welfare advice in primary care;

A physical activity directory;

A healthy communities worker;

Debt advice service;

A community cardiac rehabilitation programme manager;

Howgill community garden;

A smoking cessation adviser; as well as a number of smaller local projects such as the;

Aqua aerobics in Mirehouse and healthy eating and physical activity in Distington.

Private Finance Initiative (Bradford)

Mr. Rooney: To ask the Secretary of State for Health what the status is of the Bradford Hospital Trust PFI bid to redevelop Bradford Royal Infirmary and St. Luke's Hospital. [64868]

Jacqui Smith *[holding answer 27 June 2002]:* Bradford Hospitals National Health Service Trust is currently preparing their outline business case for this scheme. Subject to its approval, the trust is expected to go out to tender by placing an *Official Journal* of the European Community notice early next year.

Care Provision

Mr. Drew: To ask the Secretary of State for Health if he will publish statistics for levels for the provision of care, broken down by area. [65016]

Jacqui Smith *[holding answer 27 June 2002]:* The Department publishes a wide range of health and social care statistics for relevant areas and some of these statistics are available broken down by level of care. As well as printed publications available in the Library, these statistics may be found on the Department's website.

The address for health care statistics is: www.doh.gov.uk/public/pub_health_care.htm.

The address for social care statistics is: www.doh.gov.uk/public/pub_social_care.htm.

Figures on national health service in-patient care are available for a range of areas from the hospital episode statistics (HES) database and may be found at the HES website at: www.doh.gov.uk/hes/index.html.

Stroke

Mr. Jim Cunningham: To ask the Secretary of State for Health how many hospitals have not been equipped with stroke units; and in which areas they are. [60133]

Jacqui Smith *[holding answer 12 June 2002]:* Stroke sentinel audits 1999–2001 carried out by the Royal College of Physicians, showed that the number of people treated in a stroke unit had increased. However, none of the data identify individual hospitals. The next audit will be available later this year.

The monitoring of the national service framework stroke standard, April 2002 milestone, requiring the development of integrated stroke services will be available shortly.

Fostering

Mr. Burstow: To ask the Secretary of State for Health how many foster parents were registered by *(a)* region and *(b)* health authority in each of the last five years. [61355]

Jacqui Smith *[holding answer 17 June 2002]:* The information available is shown in the table.

Details of the numbers of approved foster carers taken from the TSP application forms for the five years 1998–99 to 2002–03

	1998–99			1999–2000			2000–01		
Local authority names	*Directly contracted by local council*	*Contracted via independent agency*	*Total number of foster carers*	*Directly contracted by local council*	*Contracted via independent agency*	*Total number of foster carers*	*Directly contracted by local council*	*Contracted via independent agency*	*Total number of foster carers*
Barking and Dagenham	116	10	126	89	10	99	77	33	110
Barnet	66	0	66	79	18	97	83	40	123
Barnsley	147	0	147	137	0	137	122	7	129
Bath and North East Somerset	101	2	103	97	6	103	99	6	105
Bedfordshire	156	12	168	139	13	152	190	13	203
Bexley	113	32	145	87	31	118	108	15	123
Birmingham	707	67	774	670	62	732	657	0	657
Blackburn	78	0	78	80	0	80	63	1	64
Blackpool	88	0	88	97	4	101	91	0	91
Bolton	150	1	151	149	1	150	152	1	153
Bournemouth	84	0	84	72	0	72	84	4	88
Bracknell Forest	45	0	45	32	1	33	70	0	70
Bradford	186	0	186	185	0	185	190	0	190
Brent	162	23	185	150	45	195	114	58	172
Brighton and Hove	233	8	241	344	6	350	336	9	345
Bristol	272	40	312	232	40	272	232	40	272
Bromley	103	29	132	77	82	159	77	82	159
Buckinghamshire	141	0	141	126	9	135	275	0	275
Bury	124	4	128	133	5	138	108	6	114
Calderdale	132	0	132	120	6	126	120	2	122
Cambridgeshire	323	0	323	295	4	299	281	3	284
Camden	93	0	93	106	40	146	132	33	165
Cheshire	444	0	444	444	0	444	360	0	360
City of London	0	0	0	0	0	0	0	0	0
Cornwall	355	0	355	325	0	325	342	1	343
Coventry	229	9	238	208	32	240	210	40	250
Croydon	0	0	0	149	6	155	281	14	295
Cumbria	298	3	301	295	0	295	250	2	252
Darlington	48	0	48	54	8	62	59	7	66
Derby City	368	0	368	210	3	213	184	4	188
Derbyshire	444	0	444	444	0	444	447	2	449
Devon	326	6	332	363	8	371	363	8	371
Doncaster	130	0	130	130	0	130	233	2	235
Dorset	276	0	276	276	0	276	263	0	263
Dudley	152	0	152	150	4	154	150	4	154
Durham	237	1	238	256	1	257	215	0	215
Ealing	110	0	110	180	0	180	125	0	125
East Riding of Yorkshire	109	0	109	205	0	205	170	0	170
East Sussex	347	0	347	347	0	347	300	0	300
Enfield	0	[illegible]	0	107	11	118	107	11	118
Essex	514	34	548	625	5	630	430	0	430
Gateshead	133	0	133	120	2	122	120	0	120
Gloucestershire	330	0	330	266	0	266	650	140	790
Greenwich	135	0	135	150	35	185	150	35	185
Hackney	250	0	250	160	12	172	183	50	233

Details of the numbers of approved foster carers taken from the TSP application forms for the five years 1998–99 to 2002–03

	1998–99			*1999–2000*			*2000–01*		
Local authority names	*Directly contracted by local council*	*Contracted via independent agency*	*Total number of foster carers*	*Directly contracted by local council*	*Contracted via independent agency*	*Total number of foster carers*	*Directly contracted by local council*	*Contracted via independent agency*	*Total number of foster carers*
Halton	61	0	61	57	0	57	68	2	70
Hammersmith and Fulham	65	0	65	155	40	195	188	56	244
Hampshire	670	19	689	910	0	910	750	0	750
Haringey	289	109	398	128	11	139	128	11	139
Harrow	86	5	91	160	4	164	119	15	134
Hartlepool	72	1	73	69	3	72	67	0	67
Havering	106	0	106	74	6	80	100	0	100
Herefordshire	162	0	162	138	2	140	143	4	147
Hertfordshire	445	0	445	472	10	482	470	10	480
Hillingdon	67	0	67	76	19	95	97	51	148
Hounslow	132	32	164	72	23	95	42	34	76
Hull	267	18	285	284	18	302	314	4	318
Isle of Wight	190	0	190	110	0	110	115	0	115
Isles of Scilly	0	0	0	0	0	0	0	0	0
Islington	151	25	176	151	0	151	151	0	151
Kensington and Chelsea	104	0	104	104	0	104	104	0	104
Kent	605	0	605	609	6	615	620	15	635
Kingston Upon Thames	65	1	66	75	0	75	75	0	75
Kirklees	104	1	105	107	1	108	113	0	113
Knowsley	164	0	164	164	0	164	164	0	164
Lambeth	0	0	0	0	0	0	130	0	130
Lancashire	587	13	600	550	19	569	500	35	535
Leeds	420	0	420	430	0	430	430	0	430
Leicester City	196	0	196	190	0	190	210	0	210
Leicestershire	220	0	220	256	0	256	270	0	270
Lewisham	186	0	186	200	30	230	220	40	260
Lincolnshire	300	60	360	277	3	280	263	3	266
Liverpool	530	1	531	390	0	390	400		400
Luton	169	0	169	110	0	110	91	23	114
Manchester	420	40	460	420	0	420	360	29	389
Medway	160	0	160	165	6	171	165	6	171
Merton	120	1	121	120	1	121	104	3	107
Middlesbrough	110	0	110	70	2	72	77	3	80
Milton Keynes	267	47	314	216	37	253	220	35	255
Newcastle Upon Tyne	230	0	230	203	25	228	270	37	307
Newham	227	25	252	246	29	275	253	22	275
Norfolk	617	0	617	501	1	502	509	10	519
North East Lincolnshire	127	0	127	114	1	115	114	1	115
North Lincolnshire	176	0	176	179	0	179	186	0	186
North Somerset	160	0	160	160	0	160	160	0	160
North Tyneside	140	0	140	185	2	187	135	0	135
North Yorkshire	300	0	300	160	0	160	360	0	360
Northamptonshire	708	28	736	720	28	748	564	0	564
Northumberland	170	0	170	160	2	162	140	2	142
Nottingham	243	25	268	45	25	70	220	15	235
Nottinghamshire	327	0	327	400	0	400	420	13	433
Oldham	143	0	143	141	3	144	144	1	145
Oxfordshire	355	0	355	350	0	350	350	3	353
Peterborough	160	0	160	152	14	166	150	0	150
Plymouth	135	9	144	132	0	132	261	0	261
Poole	64	1	65	64	1	65	75	1	76
Portsmouth	102	6	108	109	9	118	107	7	114
Reading	47	0	47	59	8	67	58	4	62
Redbridge	78	3	81	80	4	84	92	5	97
Redcar and Cleveland	70	0	70	65	0	65	70	0	70
Richmond Upon Thames	52	0	52	46	5	51	45	12	57
Rochdale	73	0	73	76	0	76	81	4	85
Rotherham	245	0	245	120	0	120	133	0	133
Rutland	0	0	0	0	0	0	3	0	3
Salford	270	0	270	396	0	396	460	10	470
Sandwell	330	6	336	330	6	336	220	6	226
Sefton	214	0	214	221	0	221	236	0	236
Sheffield	390	0	390	650	1	651	650	1	651
Shropshire	232	0	232	227	0	227	205	0	205
Slough	0	0	0	58	3	61	60	7	67
Solihull	79	9	88	111	8	119	60	5	65
Somerset	714	0	714	701	0	701	556	3	559
South Gloucestershire	92	10	102	110	6	116	122	3	125
South Tyneside	142	0	142	142	0	142	142	0	142
Southampton	250	0	250	250	0	250	206	12	218
Southend	87	0	87	97	0	97	150	0	150
Southwark	206	0	206	206	0	206	290	0	290
St. Helens	83	8	91	73	12	85	73	18	91
Staffordshire	327	18	345	365	10	375	367	85	452
Stockport	150	0	150	150	0	150	150	0	150
Stockton	93	0	93	83	0	83	69	5	74
Stoke on Trent	156	1	157	152	2	154	162	1	163
Suffolk	225	0	225	225	0	225	280	0	280
Sunderland	218	0	218	218	0	218	218	0	218
Surrey	264	0	264	229	16	245	256	29	285
Sutton	70	0	70	51	10	61	55	10	65
Swindon	165	0	165	279	0	279	310	0	310
Tameside	122	0	122	130	12	142	120	11	131

Details of the numbers of approved foster carers taken from the TSP application forms for the five years 1998–99 to 2002–03

Local authority names	1998–99 Directly contracted by local council	1998–99 Contracted via independent agency	1998–99 Total number of foster carers	1999–2000 Directly contracted by local council	1999–2000 Contracted via independent agency	1999–2000 Total number of foster carers	2000–01 Directly contracted by local council	2000–01 Contracted via independent agency	2000–01 Total number of foster carers
Thurrock	48	0	48	52	1	53	82	0	82
Torbay	85	0	85	75	0	75	79	0	79
Tower Hamlets	101	0	101	135	0	135	117	0	117
Trafford	69	0	69	67	0	67	81	0	81
Wakefield	286	0	286	280	0	280	235	0	235
Walsall	120	2	122	120	9	129	147	15	162
Waltham Forest	136	15	151	76	11	87	110	15	125
Wandsworth	177	0	177	183	5	188	167	10	177
Warrington	171	0	171	109	0	109	120	0	120
Warwickshire	369	0	369	395	0	395	560	0	560
West Berkshire	0	0	0	49	0	49	54	14	68
West Sussex	453	15	468	500	30	530	500	25	525
Westminster	86	0	86	87	2	89	102	23	125
Wigan	101	0	101	191	0	191	170	4	174
Wiltshire	400	0	400	280	0	280	190	0	190
Windsor and Maidenhead	56	0	56	46	5	51	44	1	45
Wirral	143	0	143	150	0	150	160	0	160
Wokingham	63	0	63	63	0	63	63	0	63
Wolverhampton	210	8	218	202	11	213	184	0	184
Worcestershire	390	2	392	760	12	772	439	16	455
Wrekin	88	0	88	101	3	104	146	10	156
York	80	0	80	55	2	57	57	4	61
Total	29,805	845	30,650	30,166	1,085	31,251	30,645	1,532	32,177

Local authority names	2001–02 Directly contracted by local council	2001–02 Contracted via independent agency	2001–02 Total number of foster carers	2002–03 Directly contracted by local council	2002–03 Contracted via independent agency	2002–03 Total number of foster carers
Barking and Dagenham	46	0	46	75	0	75
Barnet	79	50	129	110	27	137
Barnsley	130	0	130	177	0	177
Bath and North East Somerset	137	6	143	129	10	139
Bedfordshire	157	35	192	174	0	174
Bexley	116	10	126	106	0	106
Birmingham	934	217	1,151	934	217	1,151
Blackburn	66	0	66	87	6	93
Blackpool	101	0	101	111	0	111
Bolton	150	0	150	150	1	151
Bournemouth	80	0	80	80	0	80
Bracknell Forest	71	0	71	45	0	45
Bradford	185	0	185	173	0	173
Brent	103	57	160	146	12	158
Brighton and Hove	225	33	258	289	60	349
Bristol	244	40	284	248	40	288
Bromley	80	158	238	100	60	160
Buckinghamshire	165	10	175	137	10	147
Bury	132	0	132	172	0	172
Calderdale	115	0	115	66	0	66
Cambridgeshire	271	11	282	280	11	291
Camden	85	0	85	130	0	130
Cheshire	714	0	714	762	0	762
City of London	0	0	0	0	0	0
Cornwall	351	3	354	334	0	334
Coventry	166	0	166	170	0	170
Croydon	252	30	282	218	0	218
Cumbria	240	6	246	210	0	210
Darlington	49	12	61	51	0	51
Derby City	184	0	184	186	0	186
Derbyshire	455	0	455	455	0	455
Devon	310	26	336	303	30	333
Doncaster	170	0	170	244	0	244
Dorset	256	1	257	251	0	251
Dudley	25	0	25	124	7	131
Durham	215	0	215	225	0	225
Ealing	125	0	125	117	0	117
East Riding of Yorkshire	75	19	94	70	19	89
East Sussex	264	25	289	253	0	253
Enfield	93	0	93	93	0	93
Essex	479	0	479	506	0	506
Gateshead	130	0	130	130	0	130
Gloucestershire	650	140	790	270	0	270
Greenwich	126	65	191	92	0	92
Hackney	170	57	227	0	0	0
Halton	73	0	73	68	0	68
Hammersmith and Fulham	188	60	248	182	54	236
Hampshire	364	0	364	1,100	0	1,100

	2001–02			*2002–03*		
Local authority names	*Directly contracted by local council*	*Contracted via independent agency*	*Total number of foster carers*	*Directly contracted by local council*	*Contracted via independent agency*	*Total number of foster carers*
Haringey	128	11	139	196	35	231
Harrow	74	0	74	70	0	70
Hartlepool	67	0	67	54	1	55
Havering	78	8	86	84	0	84
Herefordshire	145	3	148	156	4	160
Hertfordshire	500	10	510	393	0	393
Hillingdon	97	50	147	103	50	153
Hounslow	43	0	43	48	0	48
Hull	333	0	333	330	22	352
Isle of Wight	120	0	120	155	0	155
Isles of Scilly	0	0	0	0	0	0
Islington	109	0	109	93	0	93
Kensington and Chelsea	94	0	94	94	0	94
Kent	685	25	710	800	0	800
Kingston Upon Thames	75	0	75	73	0	73
Kirklees	120	3	123	143	5	148
Knowsley	164	0	164	160	0	160
Lambeth	119	157	276	130	0	130
Lancashire	500	35	535	520	0	520
Leeds	385	0	385	380	0	380
Leicester City	235	3	238	250	0	250
Leicestershire	274	0	274	251	0	251
Lewisham	152	31	183	143	0	143
Lincolnshire	291	0	291	288	0	288
Liverpool	350	0	350	412	0	412
Luton	109	0	109	118	0	118
Manchester	401	21	422	401	0	401
Medway	170	6	176	170	6	176
Merton	90	3	93	113	0	113
Middlesbrough	86	11	97	99	9	108
Milton Keynes	192	0	192	207	0	207
Newcastle Upon Tyne	321	19	340	290	28	318
Newham	288	70	358	237	40	277
Norfolk	882	30	912	872	47	919
North East Lincolnshire	110	11	121	146	9	155
North Lincolnshire	136	0	136	142	0	142
North Somerset	92	0	93	160	0	160
North Tyneside	140	0	140	155	0	155
North Yorkshire	360	0	360	178	15	193
Northamptonshire	576	0	576	580	0	580
Northumberland	172	2	174	172	2	174
Nottingham	195	17	212	227	0	227
Nottinghamshire	415	19	434	415	19	434
Oldham	117	0	117	118	28	146
Oxfordshire	350	0	350	330	13	343
Peterborough	130	0	130	145	0	145
Plymouth	270	0	270	260	0	260
Poole	77	4	81	91	4	95
Portsmouth	107	0	107	108	0	108
Reading	64	4	68	70	0	70
Redbridge	92	4	96	99	1	100
Redcar and Cleveland	70	0	70	61	0	61
Richmond Upon Thames	56	7	63	42	0	42
Rochdale	126	7	133	100	21	121
Rotherham	120	0	120	154	0	154
Rutland	3	0	3	3	0	3
Salford	439	50	489	441	52	493
Sandwell	220	0	220	310	0	310
Sefton	233	0	233	130	0	130
Sheffield	388	0	388	334	24	358
Shropshire	207	0	207	113	0	113
Slough	48	8	56	29	0	29
Solihull	71	0	71	59	0	59
Somerset	704	0	704	628	2	630
South Gloucestershire	121	3	124	125	3	128
South Tyneside	97	15	112	61	0	61
Southampton	205	10	215	205	10	215
Southend	195	0	195	105	0	105
Southwark	210	30	240	170	0	170
St. Helens	75	16	91	90	0	90
Staffordshire	478	0	478	360	0	360
Stockport	192	84	276	189	86	275
Stockton	73	9	82	0	0	0
Stoke on Trent	170	7	177	178	32	210
Suffolk	350	0	350	350	0	350
Sunderland	238	0	238	301	0	301
Surrey	212	37	249	307	0	307
Sutton	63	21	84	67	9	76
Swindon	259	0	259	189	0	189

	2001–02			2002–03		
Local authority names	*Directly contracted by local council*	*Contracted via independent agency*	*Total number of foster carers*	*Directly contracted by local council*	*Contracted via independent agency*	*Total number of foster carers*
Tameside	98	7	105	102	0	102
Thurrock	82	0	82	56	0	56
Torbay	133	0	133	126	0	126
Tower Hamlets	109	0	109	200	0	200
Trafford	84	4	88	90	21	111
Wakefield	240	0	240	245	0	245
Walsall	180	13	193	142	0	142
Waltham Forest	76	3	79	83	5	88
Wandsworth	157	3	160	0	0	0
Warrington	93	0	93	180	0	180
Warwickshire	573	0	573	516	0	516
West Berkshire	52	15	67	73	14	87
West Sussex	463	17	480	463	0	463
Westminster	102	23	125	110	0	110
Wigan	170	4	174	65	0	65
Wiltshire	250	0	250	240	0	240
Windsor and Maidenhead	37	0	37	38	0	38
Wirral	196	0	196	240	0	240
Wokingham	28	0	28	28	0	28
Wolverhampton	170	0	170	160	0	160
Worcestershire	219	0	329	281	0	281
Wrekin	95	0	95	181	19	200
York	125	2	127	71	6	77
Total	30,342	2,023	32,365	30,353	1,206	31,559

Private Medical Insurance

Mr. Burstow: To ask the Secretary of State for Health what statistics his Department holds on the coverage of private medical insurance for over-65s. [59002]

Ruth Kelly *[holding answer 24 May 2002]:* I have been asked to reply.

None.

Health Checks (Over-75s)

Dr. Murrison: To ask the Secretary of State for Health what assessment has been made of the effectiveness of over-75 health checks. [56049]

Jacqui Smith: The Medical Research Council has been funding a trial of assessment and management of elderly people in the community since 1994. The Department has contributed towards the funding of this study. The study is being conducted in over 100 general practitioners practices in the UK covering nearly 33,000 people aged 75 years or over registered with participating practices. It will determine both the cost effectiveness of these different strategies of assessment and management and their effectiveness as measured by mortality, hospital admissions and quality of life. Findings will be available in autumn 2002.

DEPUTY PRIME MINISTER

Re-offending

Mr. Ross: To ask the Deputy Prime Minister what progress the Social Exclusion Unit has made on its project on reducing re-offending by ex-prisoners. [65921]

Mrs. Roche: The Social Exclusion Unit has published its report on reducing re-offending by ex-prisoners today.

The report sets out the enormous cost, both in financial and human terms, of re-offending by ex-prisoners and makes recommendations for reducing the risk of re-offending in the future.

Copies of the report have been placed in the Libraries of both the House of Commons and the House of Lords.

Asbestos

Mr. Laurence Robertson: To ask the Deputy Prime Minister what requirement there is for people looking to sell their houses to remove asbestos from roofing before doing so; and if he will make a statement. [64442]

Mr. Leslie: There is no such requirement. Our proposals to require sellers and their agents to market homes with a seller's pack will help raise the awareness of sellers and buyers. The seller's pack will include a home condition report that will disclose the presence of asbestos where it is a safety hazard and is apparent from a visual inspection of the property. The necessary legislation will be introduced as soon as parliamentary time allows.

London Fire and Emergency Planning Authority

Angela Watkinson: To ask the Deputy Prime Minister if a further bid will be considered for PFI credits for an integrated clothing project by the London Fire and Emergency Planning Authority; and for what reason the original bid was refused. [64904]

Mr. Raynsford: The Authority's bid, which was made on behalf of a number of fire authorities, was assessed according to the criteria set out in Fire Service Circular 3/2001, dated 14 February 2001, a copy of which is in the Library. It did not score as highly as some of the other bids received. Unsuccessful bidders were given feedback on their bids. Any future bid in respect of this project would fall to be considered under the criteria attached to that bidding round.

Planning

Mr. Norman: To ask the Deputy Prime Minister which organisations Baker Associates consulted when preparing a consultation brief for the Department on possible changes to the Use Classes Order and Temporary Uses Provisions of the Town and Country Planning (General Permitted Development) Order 1995. [64591]

Mr. McNulty: The research carried out by Baker Associates included: a survey sent to all local planning authorities in England, in-depth case studies involving the views of a wide range of participants, and seminars and workshops at which developing ideas were tested. The research report does not include a list of all the organisations involved in the study. Nor does the Office of the Deputy Prime Minister hold this information centrally.

Mr. Norman: To ask the Deputy Prime Minister for what reason Baker Associates were chosen, and what qualifications they have, to carry out the original research in preparing a consultation brief for the Department on possible changes to the Use Classes Order and Temporary Uses Provisions of the Town and Country Planning (General Permitted Development) Order 1995. [64592]

Mr. McNulty: The Office of the Deputy Prime Minister places its research contracts by competitive tender based on a contractor's technical capacity to carry out the work.

Social Housing Grant

Ms Oona King: To ask the Deputy Prime Minister how much social housing grant has been spent by *(a)* the Housing Corporation and *(b)* local authorities in each region in each year since 1996–97. [63906]

Mr. McNulty: The following tables (rounded to one decimal place) show the Housing Corporation Approved Development Programme (ADP) expenditure and Local Authority Social Housing Grant (LASHG) for the years 1996–97 to 2001–02.

Housing Corporation ADP

£ million

Region	*1996–1997*	*1997–1998*	*1998–1999*	*1999–2000*	*2000–2001*	*2001–2002*
London	408.4	261.6	252.2	264.2	315.3	341.2
South East	120.4	82.7	64.8	71.5	77.3	93.5
South West	77.0	48.4	40.8	42.3	48.3	51.1
East Midlands	53.4	34.6	27.6	28.3	32.2	34.4
Eastern	65.3	44.4	36.7	38.3	43.7	51.6
West Midlands	87.6	57.8	46.7	45.1	52.3	58.5
Yorkshire and Humber	70.0	47.3	40.0	43.2	44.8	47.7
North East	35.9	21.7	18.9	18.4	20.5	22.9
North West	85.8	58.5	55.4	61.4	57.0	51.2
Merseyside	40.2	26.5	23.2	25.4	25.6	21.4
Total	1,044.0	683.4	606.3	638.1	717.0	773.5

Notes

Table shows gross ADP. It excludes grant provided by Housing Corporation HQ manual payments which cannot be attributed to regions.

LASHG

(in £ million)

Region	*1996–1997*	*1997–1998*	*1998–1999*	*1999–2000*	*2000–2001*	*2001–2002*
London	89.3	108.0	74.3	81.0	116.6	112.5
South East	119.8	130.6	124.8	109.9	123.2	140.9
South West	32.9	30.8	35.0	43.6	52.0	58.2
East Midlands	14.4	10.8	8.9	14.8	15.7	12.7
Eastern	51.2	42.9	46.9	46.2	58.9	58.7
West Midlands	19.1	24.2	26.6	18.0	17.9	15.2
Yorkshire and Humber	7.3	4.4	5.2	4.0	2.9	3.3
North East	1.6	0.5	0.8	0.4	0.7	0.5
North West	10.0	8.1	10.0	9.0	10.3	7.0
Merseyside	3.7	3.1	2.2	1.2	1.9	1.5
Total	349.3	363.6	334.6	328.1	399.9	410.4

Wind Farms

Mr. Drew: To ask the Deputy Prime Minister how many wind turbine applications there have been in each of the last three years, broken down by planning authority; and how many of these were successful. [65020]

Mr. McNulty: The information requested is not held centrally and could only be provided at disproportionate cost.

Planning Green Paper

Mr. Drew: To ask the Deputy Prime Minister how many responses he has received to the Planning Green Paper; and how many of these were from organisations. [65021]

Mr. McNulty: 16,230 responses were received to the Green Paper. The Smith and Williamson report comprised a detailed analysis of the 10,417 responses using the standard form, and includes a breakdown by interest group. A copy is available in the House Library. Further information is not held centrally and could only be provided at disproportionate cost.

Regional Assemblies

Margaret Moran: To ask the Deputy Prime Minister what measures he intends to take to ensure that equality issues are integral to the work of regional assemblies. [65182]

Mr. Raynsford: As stated in paragraph 7.17 of the Regional Governance White Paper, "Your Region, Your Choice", we are proposing that elected regional assemblies should be under a duty to exercise their general powers with due regard to the principle of equal opportunity for all (and to report annually on progress in fulfilling this duty); to eliminate unlawful discrimination; and to have regard to the need to promote equal opportunities for all persons irrespective of their race, gender, disability, age, sexual orientation or religion.

Margaret Moran: To ask the Deputy Prime Minister what measures he intends to take to ensure equal representation of women on regional assemblies. [65183]

Mr. Raynsford: As stated in para 7.16 of the Regional Governance White Paper, "Your Region, Your Choice", the Government wants to encourage women, and other traditionally under-represented groups, to stand for election to regional assemblies. We are proposing that assembly members should be elected by the Additional Member System of Proportional Representation, which can facilitate diversity in the selection of candidates by political parties. We are also planning to apply the Sex Discrimination (Election Candidates) Act 2001 to regional assembly elections, so that a political party can choose to adopt positive measures that aim to reduce inequality in the numbers of men and women elected as candidates to the party.

LORD CHANCELLOR'S DEPARTMENT

Child Abductions

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to her answer of 20 June 2002, *Official Report*, column 530W, on child abductions, to which countries the children were abducted. [65277]

Ms Rosie Winterton: Further to my answer on 20 June 2002, *Official Report*, column 530W, on child abductions, the information is in the table.

2002 outgoing cases from the United Kingdom

Country	*Number of cases*	*Return of child achieved*	*Other result achieved*	*Pending*
Australia	3	—	—	3
Belgium	1	—	—	1
Canada	1	—	—	1
Cyprus	1	1	—	—
Czech Republic	1	—	—	1
France	10	1	1	8
Germany	3	2	—	1
Ireland	16	2	2	12
Israel	1	—	1	—
Italy	1	—	1	—
Netherlands	2	—	—	2
New Zealand	2	1	1	—
Portugal	2	1	1	—
Poland	1	—	—	1
South Africa	3	—	—	3
Spain	7	2	1	4
Sweden	1	—	—	1
Turkey	3	—	—	3
USA	16	3	2	11

Contact Centres

Mr. Burstow: To ask the Parliamentary Secretary, Lord Chancellor's Department how many contact centres for absent parents and children there have been in England over the last five years, broken down by *(a)* health authority and *(b)* region. [64522]

Ms Rosie Winterton: Child contact centres are run by the voluntary sector. No current data are kept on how many child contact centres exist or their location. The Child Contact Centre Working Group, which is facilitated by the LCD, will be undertaking a mapping exercise of child contact centre service provision in England and Wales. 264 child contact centres in England are currently affiliated to the National Association of Child Contact Centres (NACCC). The Government are working in partnership with NACCC, through the working group, to develop standards for child contact centres and a national network of child contact centres, which will provide safe and meaningful contact between children and their non-resident parent.

Annual Leave

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the average annual leave entitlement is for staff in her Department in 2002. [64655]

Ms Rosie Winterton: *(a)* The annual leave entitlements for staff below the Senior Civil Service in LCD and its agencies is as follows.

LCD Headquarters and Associated Offices, and the Public Guardianship Office

Grades AA to SEO and equivalent

22 days on entry to the civil service;

25 days after one year's service;

30 days after 10 years' service.

Grades 7 and 6 and equivalent

25 days on entry;

30 days after 10 years.

Court Service

Spans 1–9 (AA to Grade 6)

22 days on entry;

25 days after 1 year,

30 days after 10 years.

(b) The annual leave entitlement for members of the Senior Civil Service is currently set by the Cabinet Office at 30 days.

The actual average annual leave entitlement could be provided only at disproportionate cost.

Entertainment Costs

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost was of the Department's 2001 staff Christmas party; and how many people attended. [61658]

Ms Rosie Winterton: The Lord Chancellor's Department 2001 Christmas party was not paid for by the Department.

Road Traffic Accidents

Mr. Drew: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the role of hearing costs in settlements resulting from serious road traffic accidents. [65025]

Ms Rosie Winterton: The settling of a dispute of any kind is a private matter between the parties and the court has no role in determining the basis on which the parties settle. Where the parties to a dispute have reached an agreement on all issues, including which party is to pay costs, but have not agreed the amount of those costs, then if they both agree, they may start "costs only" proceedings, whereby the court will determine the level of costs payable. This procedure was introduced in July 2000.

Mr. Drew: To ask the Parliamentary Secretary, Lord Chancellor's Department what discussions she has had with representatives of the *(a)* legal profession and *(b)* insurance industry on bringing quicker settlements to cases where a serious injury has been sustained as a result of a road traffic accident. [65024]

Ms Rosie Winterton: Ministers and officials of this Department have regular discussions with both the legal profession and the insurance industry. However, since the introduction of the Civil Procedure Rules in April 1999, the specific issue of quicker settlement of disputes concerning injuries sustained in a road traffic accident has not been discussed.

Judicial Appointments

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many judicial appointments she has made since 1 May 1997 in each category; and how many are *(a)* women, *(b)* black and *(c)* Asian. [63803]

Ms Rosie Winterton: The table shows the number of appointments in the main categories of the judiciary made between 1 May 1997 and 21 June 2002. It shows the total number, the number of women judges and those judges who have stated on an ethnic monitoring questionnaire that they are of black or Asian origin.

The Lord Chancellor is committed to the principles of equality of opportunity and appointment on merit and is keen to see an increasingly diverse judiciary. The number of women and minority ethnic judges should be seen in the context of the composition of the profession from which judges are drawn. In 2000–01 5.4 per cent. of barristers with over 15 years' experience were of ethnic minority origin (there were no comparable figures for solicitors) and 14.4 per cent. of barristers with over 15 years' experience were women and 15.5 per cent. of solicitors with over 15 years' experience were women. The average length of time lawyers are in practice before being appointed to first rung judicial appointments is between 15 and 20 years. Those appointed to the more senior levels have much longer experience in the profession.

The proportion of ethnic minority and women judges in post has been steadily increasing over the years. For example, in April 1998 the proportion of women in the main tiers of the judiciary was 10.3 per cent. This had increased to 14.4 per cent. by April 2002. The proportion of ethnic minority judges in post in April 1998 was 1.6 per cent.; in April 2002 it was 2.3 per cent.

Judicial appointments 1 May 1997 to 21 June 2002

	Total	*Women*	*Black*	*Asian*
Lords of Appeal in Ordinary	5	0	0	0
Heads of Divisions (excluding Lord Chancellor)	4	1	0	0
Lords Justices of Appeal	20	2	0	0
High Court Judges	52	3	0	0
Circuit Judges (including Judges of the Technology and Construction court)	208	37	1	0
Recorders[1]	389	66	1	6
Assistant Recorders[2]	381	64	7	6
District Judges (including Family Division)	156	40	1	5
Deputy District Judges (including Family Division)	470	129	2	4
District Judges (Magistrates court)	15	5	0	0
Deputy District Judges (Magistrates courts)	111	21	2	1
Immigration Appeals Tribunal Vice Presidents	15	3	1	1
Immigration Appeals Tribunal Part-time Legal Members	46	6	0	2
Full-time Immigration Adjudicator	60	17	2	3
Part-time Immigration Adjudicator	492	147	15	23
Full-time Chairman Employment Tribunal	58	7	2	2
Part-time Chairman Employment Tribunal	202	50	4	3
Full-time Chairman Appeals Tribunal	65	24	1	1
Part-time Legal Panel Members Appeals Tribunal[3]	767	257	5	9

[1] Those appointed on promotion from Assistant Recorder on merit, but not including those promoted automatically to Recordership because of the abolition of the post of Assistant Recorder. It also includes those appointed direct to Recordership under the new arrangements after April 2000.

[2] Those appointed as Assistant Recorders prior to the abolition of the post of Assistant Recorder in April 2000.

[3] Includes re-appointments.

Repossessed Homes

Bob Spink: To ask the Parliamentary Secretary, Lord Chancellor's Department what recent assessment she has made of the effectiveness of the rules issued by the Law Society relating to the handling of surplus funds arising from the sale of repossessed homes and efforts to return such funds to the original mortgagee who is not a client of the solicitors who holds those funds. [63914]

Ms Rosie Winterton: None. But if the hon. Member wishes to pursue the matter, he should write to me setting out the substance of his concerns.

"Making Decisions"

Mr. Laurence Robertson: To ask the Parliamentary Secretary, Lord Chancellor's Department what consultations she had with *(a)* Right to Life, *(b)* Alert, *(c)* Care, *(d)* the Pro-Life Alliance and *(e)* the Hospice Movement, when preparing the document "Making Decisions: Helping People who have Difficulty Deciding for Themselves"; and if she will make a statement. [64446]

Ms Rosie Winterton: As part of the preparation of this guidance, groups who had specialist expertise in certain issues were contacted to confirm that the information given on these issues was factually correct, and accurately represented the current law on decision-making on behalf of mentally incapacitated adults. It was not possible in terms of time and resources to make contact with every group in the area of mental incapacity and the organisations listed were not consulted prior to publication. The consultation paper has, however, been sent to a wide audience, including Alert, Care, the Pro-Life Alliance and organisations within the Hospice Movement. The Government will consider all responses and amend the guidance as necessary to ensure that it reflects the needs and concerns of all mentally incapacitated adults and those who care for them.

Office for the Supervision of Solicitors

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) if she will make a statement about the operation of the OSS; [63802]

(2) what proposals she has concerning the operation of the Office for the Supervision of Solicitors. [64830]

Ms Rosie Winterton: The performance of the Office for the Supervision of Solicitors (OSS) has been in some respects disappointing. The Lord Chancellor has therefore asked the Legal Services Ombudsman to maintain increased oversight of the OSS and to report to him regularly on progress against a range of issues. He expects to receive the Ombudsman's report on the integrity of the data provided by the OSS and her advice as to future performance measures this autumn.

Immigration Appellate Authority

Mr. Gerrard: To ask the Parliamentary Secretary, Lord Chancellor's Department how many adjournments there have been in hearings dealt with by the IAA since January 2001; and of these how many have been requested by the *(a)* IAA, *(b)* Home Office, *(c)* appellant's representative and *(d)* appellant, respectively. [63459]

Ms Rosie Winterton: During the period 1 June 2001 to 31 May 2002, the IAA heard 84,254 cases; of these, 17,893 adjudicator hearings and 449 tribunal hearings were adjourned.

Figures prior to June 2001 are not available.

Information about which party requested the adjournment is not available, save and except as is implied by the statistics provided in answer PQ 63460.

Mr. Rooney: To ask the Parliamentary Secretary, Lord Chancellor's Department when the decision was taken to relocate the Immigration Appellate Authority court in Leeds; what options are being looked at for an alternative venue; what consultations have taken place with *(a)* users, *(b)* staff, *(c)* representatives and *(d)* interpreters; what she calculates the implications of this move are for the satellite courts; and when she expects to announce her decision. [64869]

Ms Rosie Winterton: The IAA is not currently planning to shut the existing hearing centre in Leeds—they are opening an additional centre in Bradford which was identified from possible options in the Yorkshire area. This is part of the publicised expansion of the IAA to deal with 6,000 asylum cases per month from November 2002. Consultation on the new site has taken place within the IAA, and with the Home Office and Legal Services Commission. Staff and adjudicators will be given the option of moving to the new site in Bradford if they wish to do so.

As part of the expansion of the IAA the emphasis has been placed on larger hearing centres. Small satellite courts, consisting of only one or two hearing rooms, have less flexibility in relation to listing and hence lower efficiency. As a result, it is intended that the IAA will cease to use its small satellite courts as the new centres come on stream. The hearing centre at Leeds is not, however, classified as a satellite court.

Announcements in respect of new hearing centres will be made once lease and contractual negotiations have progressed sufficiently to assure completion.

Correspondence

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department what the average length of time is that her Department has taken to reply to hon. Members in the last 12 months. [65382]

Ms Rosie Winterton: The average length of time to reply to correspondence from hon. Members during the period 1 June 2001 to 31 May 2002 was 18.56 days. The Whitehall target for responding is 20 days.

Judges (Complaints)

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) how many complaints she has received about judges since 1 May 1997; [65380]

(2) how many letters of reprimand he has sent to judges since 1 May 1997. [65381]

Ms Rosie Winterton: I refer my hon. Friend to the reply I gave on 26 June 2002, *Official Report*, column 951W. Since that reply was prepared the Lord Chancellor has sent an additional letter reprimanding a judge, bringing the total to 24.

Statutory Instruments

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department how many statutory instruments have been *(a)* introduced, *(b)* removed and *(c)* amended by her Department since 1 January; and what the (i) cost and (ii) saving has been in each case. [64633]

Ms Rosie Winterton: A list of statutory instruments has been placed in the Libraries of both Houses. It includes those originated by the Lord Chancellor's Department and signed by or on behalf of the Lord Chancellor since 1 January 2002, and also Orders in Council made during that period for which the Lord Chancellor's Department was responsible. A list of Northern Ireland statutory rules signed by or on behalf of the Lord Chancellor is also included. Where any such instrument amended or revoked another instrument, the name of the amended or revoked instrument is mentioned in the table.

Policy decisions implemented by secondary legislation may or may not result in costs on the one hand, or savings on the other. It is not possible, save at disproportionate cost, if at all, to attribute specific costs or savings to specific statutory instruments.

HOME DEPARTMENT

Drugs

Mr. Stinchcombe: To ask the Secretary of State for the Home Department whether the key performance indicators for drugs in prisons seek to make a differentiation between opiates and cannabis; and if he will make a statement. [61778]

Hilary Benn: The Prison Service's key performance indicator based on random mandatory drug tests does not separate drug types found. It provides a composite figure and as such is the best measure of overall drug misuse in prisons. Separate figures relating to the nine drug types tested are available and are used locally and nationally for management purposes.

New figures for 2001–02 will be available shortly and will be placed in the Library.

Custodial Sentences

Ms Abbott: To ask the Secretary of State for the Home Department how many London residents, broken down by ethnic origin and offence, were issued with a custodial sentence at magistrates courts in the last 12 months. [58906]

Hilary Benn: Information is not currently collected in the form requested.

Louis Farrakhan

Mr. Dismore: To ask the Secretary of State for the Home Department if he will make a statement on the ruling in the Court of Appeal concerning Louis Farrakhan. [54478]

Beverley Hughes: We were extremely pleased to have won this case in the Court of Appeal. This vindicates the view of my right hon. Friend, the Home Secretary and his predecessors that the Home Secretary has the right to exclude someone from the United Kingdom if it is considered that their presence is not conducive to good public order.

Ministerial Accommodation

Mr. Evans: To ask the Secretary of State for the Home Department what publicly owned accommodation is made available to him in his official role; how many nights he has been in residence at each of these properties in the last 12 months; and what the total cost was of maintaining each of these properties in the last 12 months. [55094]

Mr. Blunkett *[holding answer 9 May 2002]:* I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister to the hon. Member for Lewes (Norman Baker) on 28 February 2002, *Official Report*, column 1443W and my right hon. Friend the Deputy Prime Minister to the hon. Member for Westmorland and Lonsdale (Mr. Collins) on 21 January 2002, *Official Report*, column 599W and 28 January 2002, *Official Report*, column 91W.

The Home Office leases one property, acquired for security reasons, as the London residence of the Home Secretary of the day.

The total running costs of this property in 2001–02 were £12,122 including utilities and ground rent of £7,100.

In addition, a major programme of cyclical refurbishment—the first for some years—is now largely complete. This was needed to maintain the repair and value of the property and to deal with the impact of substantial flood and storm damage. Subject to final bills, the estimated committed expenditure in 2001–02 was £85,000. Completion of this cycle of work will put the property on a sound footing for the future; no further major refurbishment work should be required.

European Border Management

Mr. Rosindell: To ask the Secretary of State for the Home Department when the first drafts of the European Commission Communication on European Border Management will be released. [57919]

Beverley Hughes: The communication from the Commission to the Council and the European Parliament towards integrated management of the external borders of the member states of the European Union was deposited for parliamentary scrutiny on 17 May 2002. The communication proposes the following action in the short and medium term:

A common corpus of legislation

A common and operational co-ordination mechanism

Common integrated risk analysis

Inter-operational personnel and analysis

Burden-sharing between the member states and the union.

The Government are supportive of closer co-operation between national border authorities of the European Union, which we believe is one of the ways to tackle the criminal networks responsible for human trafficking and illegal immigration. We are also keen to discuss practical ways of strengthening the European Union's external borders, in line with our frontiers protocol. We welcome the fact that the commission is responding to calls from member states for action in this area.

The Government will provide Parliament with detailed views on this document in its explanatory memorandum, which was submitted on the 29 May.

Conviction Rates

Dr. Julian Lewis: To ask the Secretary of State for the Home Department if he will make a statement on progress towards meeting the Government's pledge to bring 100,000 more criminals to justice. [56386]

Hilary Benn *[holding answer 23 May 2002]:* In the year ending March 2000, 1.1 million offences were brought to justice. In the year ending March 2001, this figure was 1.02 million. The most recent data (for the year ending November 2001) shows an improvement in performance. 9,900 more offences were brought to justice than in the year ending July 2001.

Domestic Violence

Mrs. Spelman: To ask the Secretary of State for the Home Department how many women have been victims of domestic violence in each of the last five years. [59850]

Mr. Denham: Domestic violence is not separately identified in recorded crime statistics collected by the Home Office. Her Majesty's Inspectorate of Constabulary (HMIC) collects figures from police forces on the number of recorded incidents of domestic violence. Incidents can be counted in the HMIC figures regardless of whether or not the incident is subsequently recorded as a crime, and all incidents initially recorded as domestic violence are counted regardless of the final outcome.

The British Crime Survey (BCS) can provide trend information on the number of incidents of domestic violence against women.

Number of BCS incidents of domestic violence against women, 1997 to 2000

Thousands

Year	*Number*
1997	583
1999	560
2000	354

Source:
1998, 2000 and 2001 British Crime Surveys

The 2001 British Crime Survey estimates that there were, in total 354,000 incidents of domestic violence against women in England and Wales in 2000. This was a decrease from the previous sweep, the 2000 BCS, which estimated there were 560,000 incidents against women in the year preceding that survey (1999). This in turn was a reduction from the 1998 BCS, which estimated that there were 583,000 incidents of domestic violence suffered by women in 1997 in England and Wales.

Young Offenders

Dr. Cable: To ask the Secretary of State for the Home Department what the average length of time prisoners at Feltham (A and B) young offenders' prison spent locked in their cells each day was in *(a)* 1995, *(b)* 2000, *(c)* 2001 and *(d)* 2002 to date; and if he will make a statement. [61374]

Hilary Benn: The Prison Service collects information on average time unlocked at each establishment, but does not break those figures down below establishment level.

The average time unlocked for all prisoners at Feltham young offender institution (YOI) for the periods specified is given in the table.

	Average week day time unlocked at Feltham YOI
1995–96	7.9
2000–01	10.3
2001–02	8.0
April 2002	7.1

Criminal Justice System

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on the work of the Criminal Justice Joint Planning Unit in relation to the development and testing of joint and shared performance measures and the date envisaged for the production of a set of indicators on criminal justice system priorities. [59658]

Hilary Benn *[holding answer 12 June 2002]:* The current criminal justice plan already contains joint objectives and public service agreement targets for the criminal justice system as a whole. These are the targets towards which the criminal justice agencies must collectively work.

The Criminal Justice Joint Planning Unit is currently working with the criminal justice agencies in Merseyside to examine the whole range of targets, investigate inconsistencies and develop a set of joint and shared performance measures for that area. Once they have been agreed, they will be further tested in a number of other criminal justice areas.

Our intention is that the shared indicators will be introduced into the next set of local criminal justice business plans during 2003–04.

Correspondence

Mr. Webb: To ask the Secretary of State for the Home Department when he will reply to the letter of 8 May from the hon. Member for Northavon regarding Mr. Jason Davis and Ms Elaine Smith, a constituent. [61409]

Hilary Benn *[holding answer 13 June 2002]:* A reply to the hon. Member was dispatched on 10 June 2002. This was within the Prison Service's 20 working day target for ministerial correspondence.

Mr. Kaufman: To ask the Secretary of State for the Home Department (1) when he will reply to the letter to him dated 9 April from the right hon. Member for Manchester, Gorton with regard to Mr. Rahemi Aminulah; [61680]

(2) when he will reply to the letter to him dated 22 April from the right hon. Member for Manchester, Gorton with regard to Mr. Zakaria Hussein; [61686]

(3) when he will reply to the letter to him dated 22 April from the right hon. Member for Manchester, Gorton with regard to Mr. S. Balekey. [61678]

Mr. Blunkett: I wrote to my right hon. Friend on 27 June 2002.

Mr. Gibb: To ask the Secretary of State for the Home Department when he will provide an answer to the question tabled by the hon. Member for Bognor Regis and Littlehampton on 11 June regarding the letter to chief police officers Ref. 62195. [64607]

Mr. Bob Ainsworth: I replied to the hon. Member's question on 25 June 2002, *Official Report*, column 841W. I apologise for the delay in responding.

Royal Prerogative of Mercy

Mr. Wareing: To ask the Secretary of State for the Home Department if he will make a statement on the review of the exercise of the Royal Prerogative of Mercy; what its findings have been; what action he plans to take; and if he will make a statement. [61339]

Hilary Benn *[holding answer 17 June 2002]:* Applications for the exercise of the Royal Prerogative of Mercy are rare. Each one is considered on its own merits. The review completed last year (which did not lead to any significant change of policy or practice) was conducted by means of communications between Ministers and officials, and legal advice to Ministers. The Code of Practice on Access to Government Information indicates that such internal discussion and advice is exempt from the commitments to provide information in that Code.

Justice and Home Affairs Council

Mr. Hood: To ask the Secretary of State for the Home Department what the outcome of the Justice and Home Affairs Council held on 13 and 14 June was; what the Government's stance on the issues discussed, including its voting record was; and if he will make a statement. [62932]

Mr. Blunkett: I together with my right hon. Friend the Deputy First Minister and Minster for Justice for Scotland, and my right hon. and noble Friend Lord Filkin, represented the United Kingdom at the Justice and Home Affairs Council in Luxembourg on 13 June.

A points

The A points were approved as in document 9825/02 PTS A 31 and ADD 1 and COR 1 (a copy of which has been placed in the Library), except points 23, 24, 25 and 45.

Terrorism

The Council noted a terrorism threat assessment document, Europol reports on security measures taken since 11 September and extremist terrorism, and a report on the current list of terrorist organisations. The Director of Europol reported on the work of the Europol Counter-Terrorism Task Force, noting that the provision of information to Europol had improved but remained insufficient and that more could be done to improve co-operation with the United States.

Activities of the Spanish presidency on the subject of violence against women, to be submitted by the Ministers of Education, Justice, Home Affairs and Health at forthcoming Councils:

The presidency presented a study on measures adopted by member states to combat violence against women and a guide to good practice to mitigate the effects of and eradicate violence against women.

Illegal immigration and external borders

During a general debate on illegal immigration and asylum, I called for the Seville European Council to deliver concrete results so that citizens could see the relevance of a European Union (EU) approach. I said that the message should not be one of fortress Europe but a coherent policy which opposed racism, welcomed legal inward migration, protected refugees and ensured that each member state accepted its responsibilities. I supported common action to work to protect the European Union's external frontier, arguing that this should be achieved through the use of joint operations at weak points in the border, extensions of the immigration liaison officer network and greater use of Europol's expertise, rather than through the establishment of a new border police. I also supported the need to complete work on common asylum measures and co-operation with third countries in a spirit of "positive conditionality", involving the provision of assistance to support returns and develop migration infrastructures.

The Council also noted a presidency report on progress made in the fight against illegal immigration, agreed conclusions on measures to be established for the prevention of and the fight against illegal immigration and the trafficking of human beings by sea and agreed a plan on the management of external borders.

Proposal for a Council regulation establishing the criteria and mechanisms for determining the member state responsible for examining an asylum application lodged in one of the member states by a third-country national:

In discussing key aspects of the draft Dublin II Regulation, the majority of member states, including the United Kingdom, said that the existing Dublin Convention criteria should be taken as a starting point but that procedures should be improved and time limits shortened. Two member states with difficult external frontiers argued that they should not be penalised by virtue of their geographical position. Two other member states also opposed the proposed new criterion on tolerated illegal presence.

Proposal for a Council Decision on the implementation of specific measures for police and judicial co-operation to combat terrorism in accordance with Article 4 of Common Position 2001/931/CFSP:

The Council reached a general approach on the Council Decision. Portugal, France, Ireland, the Netherlands and the United Kingdom maintained parliamentary scrutiny reserves on the text.

Proposal for a Council Framework Decision laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of drug trafficking:

The Council reached a general approach on the majority of the text. However, member states were divided by a proposal to permit the imposition of lower penalties for trafficking in small quantities of drugs. The presidency concluded that discussions on this item would continue under the Danish presidency.

Proposal for a Council Directive to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid and other financial aspects of civil proceedings:

The Council agreed that the scope of the draft Legal Aid Directive should be limited to cross-border claims.

Proposal for a Council Regulation creating a European enforcement order for uncontested claims:

The Commission presented its proposal for a European enforcement order. This would abolish, in uncontested cases, the requirement for a court to examine the procedure by which a judgment was issued in another member state before recognising the validity of that judgment.

Civilian aspects of crisis management:

The presidency reported that member states had met the targets set by the Gothenburg European Council for the provision of officials and judges to international missions intended to strengthen the rule of law in third countries.

Any Other Business

The Commission presented its revised scoreboard on the implementation of the Tampere European Council conclusions.

Mixed Committee

The Mixed Committee with Norway and Iceland met at ministerial level in the margins of the Council. It noted the existence of two negotiating mandates for the association of Switzerland with the implementation of the Schengen acquis, the Dublin Convention and Eurodac acquis; of a general approach on the proposal for a Decision amending Article 40 of the Schengen Convention, subject to parliamentary scrutiny reserves from Germany, Sweden, Denmark, the Netherlands and the United Kingdom; of conclusions concerning the new requirements for the Schengen Information System (SIS) and a technical solution for the participation in the SIS by the United Kingdom and Ireland, reflecting the partial participation of the United Kingdom and Ireland in Schengen; and of a plan on the management of external borders.

Criminal Records Bureau

Mr. Oaten: To ask the Secretary of State for the Home Department what plans he has to reduce the amount of paperwork for volunteers completing forms required by the Criminal Records Bureau. [61766]

Hilary Benn *[holding answer 17 June 2002]:* In order to ensure that Criminal Records Bureau (CRB) Disclosure Applications are processed accurately and in the interests of public safety 42 questions are asked of applicants. This is the case for all applicants, whether their positions are voluntary or paid.

There are no plans to reduce the amount of information requested for volunteers completing forms required by the CRB to process disclosure applications.

The CRB offers two application channels to request a disclosure, the telephone application line and the paper application form route. A third option is planned to be introduced later this year, when applicants will be able to apply via the CRB website. These measures have all been put in place to help keep the amount of paper work to a minimum.

Work Permits

Tony Baldry: To ask the Secretary of State for the Home Department how many people who were awarded work permits to recruit them to *(a)* UK police forces, *(b)* UK schools and *(c)* the UK NHS from (i) India, (ii) South Africa, (iii) Bangladesh and (iv) Jamaica have returned to those countries in the last five years. [62634]

Beverley Hughes: Work Permits (UK), who administer the work permit arrangements, do not collect information to determine the number of work permit holders who return overseas.

The full number of work permit approvals issued for the Government, health and medical industry and education and cultural industry, for (i) India, (ii) South Africa, (iii) Bangladesh and (iv) Jamaica for the previous five years is listed in the table. It encompasses all of the sector, including the United Kingdom police forces, United Kingdom schools and the national health services (NHS), but also any other employers within these sectors. The way in which information is collated does not provide a separate breakdown for the requested specific employer groups.

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
Government sector						
India	0	0	0	3	14	7
South Africa	0	0	5	83	212	73
Bangladesh	0	0	0	0	1	1
Jamaica	0	0	0	0	2	1
Total	0	0	5	86	229	82
Health and medical sectors						
India	189	457	916	1,940	4,134	2,411
South Africa	243	753	2,024	2,882	4,141	2,631
Bangladesh	0	9	16	24	24	9
Jamaica	11	25	199	322	315	134
Total	443	1,244	3,155	5,168	8,614	5,185
Education and cultural sectors						
India	121	159	232	331	559	368
South Africa	28	47	73	360	1,986	920
Bangladesh	10	10	9	19	28	8
Jamaica	1	2	1	8	360	136
Total	160	218	315	718	2,933	1,432

Note:

The figures for 1997–2001 are for the calendar years. Figures for 2002 are for those up until 18 June.

Criminal Injuries Compensation

Andrew Mackinlay: To ask the Secretary of State for the Home Department if he will propose amendments to the criminal injuries compensation legislation in order to entitle victims of child abuse to benefit from the funds in those cases where the victim *(a)* lived with abuser and *(b)* the abuser was a close relative. [61922]

Hilary Benn *[holding answer 18 June 2002]:* We conducted a thorough review of the criminal injuries compensation scheme following a public consultation exercise launched in 1999, and made a number of significant changes to the scheme with effect from 1 April 2001. As part of that exercise we considered whether to change the rule which precludes payment of compensation for intra-family sexual abuse which occurred before 1 October 1979. However, we decided for a number of reasons that the rule should not be changed.

Hunting

Hugh Bayley: To ask the Secretary of State for the Home Department what the cost has been of policing *(a)* demonstrations and other events arguing against legal restrictions on hunting and *(b)* hunting events (i) in 2001 and (ii) so far this year. [63438]

Mr. Denham: The information is not held centrally and could be obtained only at disproportionate cost.

Hugh Bayley: To ask the Secretary of State for the Home Department how many incidents of vandalism, criminal damage and other offences apparently carried out by those supporting hunting were reported to the police *(a)* in 2001 and *(b)* so far this year. [63437]

Mr. Denham: Figures for incidents reported to the police are not collected centrally. Details of those that the police then record as crimes are submitted to the Home Office by forces. Overall totals are broken down by type of offence, but information on the motivation of those who carry them out is not included.

Crime Statistics

Mr. Laws: To ask the Secretary of State for the Home Department what recent analysis he has made of a link between changes in crime and changes in the number of children *(a)* born to teenage women, *(b)* born outside marriage, *(c)* born into poverty and *(d)* in one-parent families; and if he will make a statement. [62409]

Mr. Denham *[holding answer 19 June 2002]:* There is no evidence of a link between changes in the level of crime and changes in the number of children born to teenage women, outside marriage or in one parent families. Research, however, has suggested that the following risk factors are cumulatively important:

poverty and poor housing;

poor parenting (including neglect, abuse, harsh and inconsistent discipline, lack of supervision and marital conflict);

association with delinquent peers, siblings and partners;

low measures of intelligence, poor performance and persistent truancy;

high levels of impulsiveness and hyperactivity; and

being brought up by a criminal parent or parents.[1]

The Home Office has also undertaken research to explore the influence of aggregate demographic and socio-economic factors on the level of crime. This demonstrated a link between changes in certain socio-economic variables, such as changes in GDP, the stock of economy-wide goods, and the number of young males aged 15–20; and property crime.[2]

Work is on-going to develop and improve the Home Office models and to examine the impact of a wider range of socio-economic factors on crime trends.

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[1] "Reducing offending: an assessment of research evidence on ways of dealing with offending behaviour"; HORS 187.

[2] "Modelling and predicting property crime trends in England and Wales"; HORS 198.

Dutch Somalians

Mr. Vaz: To ask the Secretary of State for the Home Department what recent discussions he has had with his Dutch colleagues about Dutch Somalians who have left the Netherlands to settle in the UK. [63446]

Beverley Hughes: We are aware of increasing numbers of individuals of Somali origin arriving in the United Kingdom and claiming local authority support. It is in response to this issue that we have introduced an amendment to the Nationality, Immigration and Asylum Bill. The purpose of this amendment is to clarify in law the duty that local authorities have to provide social assistance to these individuals, and will limit support available to this category of person when they have support available elsewhere.

The Dutch have recently expressed concern about this issue. My officials are in the process of liaising with other Government Departments and the Dutch Embassy in London about setting up channels of communication with the Dutch in response to this issue.

Ethnic Minorities

Mr. Grieve: To ask the Secretary of State for the Home Department if he will meet the representatives from the Sikh Secretariat on 4 July to discuss the issues set out in the Sikh Agenda for the UK Government; and if he will make a statement. [63615]

Beverley Hughes *[holding answer 21 June 2002]:* My noble Friend Lord Filkin is meeting a group of representatives from a number of Sikh organisations, likely to include one from the Sikh Secretariat, on 31 July to discuss issues relating to the British Sikh community.

Mr. Grieve: To ask the Secretary of State for the Home Department how many Sikhs are serving as police officers in England and Wales, broken down by police authority. [63608]

Mr. Denham *[holding answer 21 June 2002]:* The information is not collected centrally.

Antisocial Behaviour Orders

Mr. Hendry: To ask the Secretary of State for the Home Department how many antisocial behaviour orders have been issued in each police authority area. [63879]

Mr. Denham *[holding answer 24 June 2002]:* Official statistics on the number of antisocial behaviour orders (ASBOs) issued are based on quarterly returns received from magistrates' courts committees (MCCs). From 1 April 2001 MCC areas were aligned with all police force areas.

The latest available information up to December 2001 is given in the table.

Number of antisocial behaviour orders issued as from 1 April 1999 to 31 December 2001 by police force area and MCC

Police force area/MCC	*ASBOs issued*
Avon and Somerset	27
Bedfordshire	4
Cambridgeshire	8
Cheshire	2
Cleveland	9
Cumbria	2
Derbyshire	12
Devon and Cornwall	11
Dorset	4
Durham	13
Essex	—
Gloucestershire	4
Metropolitan police[1]/GLMCA	41
Great Manchester	26
Hampshire	7
Hertfordshire	9
Humberside	13
Kent	17
Lancashire	17
Leicestershire	5
Lincolnshire	2
Merseyside	17
Norfolk	18
Northamptonshire	8
Northumbria	18
North Yorkshire	11
Nottinghamshire	16
South Yorkshire	11
Staffordshire	10
Suffolk	7
Surrey	4
Sussex	9
Thames Valley	9
Warwickshire	3
West Mercia	51
West Midlands	67
West Yorkshire	19
Wiltshire	—
Dyfed Powys	—
Gwent	2
North Wales	1
South Wales	4
England and Wales	518

[1] Including City of London

Carrier Liability

Miss McIntosh: To ask the Secretary of State for the Home Department what steps he has taken to consult the freight transport industry over the recent amendments to the Nationality, Immigration and Asylum Bill imposing fines on lorry operators. [64305]

Beverley Hughes: Due to the tight legislative timescale, a formal consultation process in respect of amendments to the penalty regime has not been possible on this occasion. There was widespread consultation prior to the introduction in April 2000 of the regime, the provisions for which are contained in the Immigration and Asylum Act 1999. There was further consultation when the regime was extended first to rail freight trains and then to freight shuttle trains. Industry representatives and other interested parties have been informed about the proposed changes to the legislation and have been sent copies of the draft code of practice for determining the level of penalty. We would welcome their comments during the remainder of the parliamentary process, and meetings are being arranged between officials and representatives.

Public Service Pensions

Mr. Andrew Turner: To ask the Secretary of State for the Home Department what his estimate is of *(a)* the aggregate liability for pensions and *(b)* the increase in liability for pensioners in the most recent year for which information is available for (i) the police, (ii) the Prison Service and (iii) the Immigration and Nationality Service. [63883]

Mr. Denham *[holding answer 24 June 2002]:* Police authorities are in the process of estimating, for the first time, their accrued liabilities for pensions in preparing their accounts for the year ended 31 March 2002. The Government Actuary's Department estimated as at 31 March 2001, that the liability in Great Britain for the police pension scheme was around £25 billion.

Those employed in the Prison Service and in the Immigration and Nationality Service participate in the principal civil service pension scheme, which is managed by the Cabinet Office. Cabinet Office civil superannuation resource accounts 2000–01 (HC554) give a capitalised value of the liabilities of the scheme as at 1 April 2000 of £58.6 billion. A breakdown of this amount between different parts of the civil service is not available.

There is no baseline against which to measure a change from one year to the next, so no figure for the increase in liabilities is available.

Criminal Records Checks

Mr. Andrew Turner: To ask the Secretary of State for the Home Department for how long the Criminal Records Office retains information sent to it in respect of those for whom criminal records checks in connection with work with children are sought, in the case of data subjects *(a)* with and *(b)* without criminal records. [63882]

Hilary Benn *[holding answer 24 June 2002]:* Information that is received by the Criminal Records Bureau from individuals who are applying for criminal records checks in connection with working with children is retained on the database for a period of six months, after which it is archived for a period of 10 years. There is no distinction made by the Criminal Records Bureau in the retention of such data between those individuals who have criminal records and those who do not.

The Criminal Records Bureau has and is continuing to work in close association with the information commissioner to ensure that it adheres to data protection legislation.

DNA Samples

Norman Baker: To ask the Secretary of State for the Home Department how many individuals have their DNA samples held by the police. [64244]

Mr. Denham *[holding answer 25 June 2002]:* DNA samples and the profiles derived from them are held on behalf of the police by the national DNA database custodian at the Forensic Science Service. As of 19 June 2002, the national DNA database holds 1,662,827 samples taken from individuals in England and Wales.

Norman Baker: To ask the Secretary of State for the Home Department whether an individual who has been required to provide a DNA sample by the police has the right to have that sample destroyed in the event of an acquittal for the charge which prompted the sample being taken. [64242]

Mr. Denham *[holding answer 25 June 2002]:* An individual does not have the right for their DNA sample to be destroyed in the event of an acquittal. Under section 82 of the Criminal Justice and Police Act 2001, amending section 64 of the Police and Criminal Evidence Act 1984, a chief constable may decide to retain DNA samples in all cases, including following acquittal or a decision to drop a prosecution, except where the sample was taken as part of a mass screening process and the individual does not consent to the retention of the sample. Samples can only be used for purposes related to the prevention or detection of crime, the investigation of an offence or the conduct of a prosecution.

Norman Baker: To ask the Secretary of State for the Home Department whether there is central access to DNA samples held by different police forces. [64243]

Mr. Denham *[holding answer 25 June 2002]:* DNA samples are retained in England and Wales by the laboratories authorised to analyse them. They are the Forensic Science Service, the Laboratory of the Government Chemist and Cellmark. The laboratories submit the DNA profiles from these samples to the Forensic Science Service which acts as custodian of the national DNA database.

As the custodian, the Forensic Science Service inputs, updates and manages the information on the national DNA database and searches it for intelligence data at the request of the police.

Asylum Seekers

Tony Worthington: To ask the Secretary of State for the Home Department if Clause 25 of the Nationality, Immigration and Asylum Bill will ensure that adequate provision is made for asylum seekers with special medical needs. [57995]

Beverley Hughes: Asylum seekers have access to national health service care in the same way as people who are settled here. Clause 26 (previously clause 25) of the Nationality, Immigration and Asylum Bill contains a power to enable the Secretary of State to provide accommodation centre residents with facilities relating to health. Using this power, we intend to provide on-site primary health care to asylum seekers in accommodation centres.

Asylum seekers with special health needs will only be housed in accommodation centres if the on-site health care provider is equipped to deal with their needs or if it is possible make other arrangements that would still enable them to live at the centre. Each case will be considered on its merits.

Police

Mr. Steen: To ask the Secretary of State for the Home Department (1) what discretion is given to individual police services in recruiting police officers that do not match the prescribed eyesight criteria set by his Department; [62655]

(2) what national standards are set by his Department for *(a)* unaided and *(b)* aided vision for new recruits to the police service. [62656]

Mr. Denham: The Home Office provides guidance to forces on eyesight standards. The present guidance for eyesight is that candidates' unaided vision must be 6–24 or better in either eye and aided vision must be 6–12 or better in either eye and 6–6 binocularly.

All forces are expected to follow the guidance, but responsibility for the appointment of constables rests with the Chief Officer of each force.

A Home Office project is under way to establish national recruitment standards (NRS) for the police service. It is reviewing all current entry requirements, to ensure they are job related, evidence based and non discriminatory. The eyesight guidelines are currently under review as part of the NRS project.

When the new standards are in place, forces will be required to follow them.

Paddy Tipping: To ask the Secretary of State for the Home Department how many police officers there were in Nottinghamshire on 31 March of each year since 1981; and how many there are expected to be on 31 March 2003. [64246]

Mr. Denham *[holding answer 25 June 2002]:* The table sets out police numbers for each year since 1981. I am told by the Chief Constable of Nottinghamshire (Mr. Stephen Green QPM) the force has a target strength of 2,434 officers for 31 March 2002.

Police force performance does not depend solely upon the number of officers available. The proposals in the White Paper "Policing a New Century: A blueprint for reform" set out a radical and ambitious programme of reform, with the overall aim of reducing crime and the fear of crime and to tackle anti-social behaviour. The test of success will be whether the measures being put in place will make a real difference to the quality of life of individuals and communities up and down the country.

The public have a right to expect the same high standards of service wherever they live and the Government propose to put a framework in place to ensure that all police forces come up to the standard of the best.

Nottinghamshire Constabulary: Police numbers 1981 to 2002

Year (as at 31 March)	*Police officer numbers*
1981	2,241
1982	2,252
1983	2,249
1984	2,229
1985	2,150
1986	2,210
1987	2,226
1988	2,252
1989	2,298
1990	2,316
1991	2,336

Nottinghamshire Constabulary: Police numbers 1981 to 2002

Year (as at 31 March)	*Police officer numbers*
1992	2,331
1993	2,327
1994	2,328
1995	2,319
1996	2,318
1997	2,323
1998	2,323
1999	2,225
2000	2,204
2001	2,212
2002[1]	2,323

[1] 31 January

Norman Baker: To ask the Secretary of State for the Home Department what mechanism exists to prevent duplication of activity between *(a)* HMIC, *(b)* the Police Standards Unit, *(c)* the Audit Commission and *(d)* Home Office-based teams in respect of the police. [64241]

Mr. Denham *[holding answer 25 June 2002]:* Her Majesty's Inspectorate of Constabulary (HMIC), the Police Standards Unit, the Audit Commission and the Home Office have separate but complementary roles which together seek to ensure that the police service in England and Wales is efficient and effective.

A steering group chaired by myself, due to my responsibility for policing, oversees implementation of the police reform programme and ensures a cohesive and prioritised approach to police activity. Senior Home Office officials, Her Majesty's Chief Inspector of Constabulary and the Police Standards Director attend these meetings.

There are close working relationships between HMIC and the Police Standards Unit. Her Majesty's Chief Inspector of Constabulary and the Police Standards Director meet regularly. Their respective roles are clearly defined. HMIC has an independent inspection and monitoring role as distinct from the police standards unit's policy implementation and support role.

There are well developed mechanisms for co-ordination of HMIC and the audit commission's work which in turn ensure that both those organisations' work is properly integrated with that of the police standards unit. There are regular meetings between Her Majesty's Chief Inspector of Constabulary and the Audit Commission Controller. There are formal agreements in place where duplication is possible, for example on the integration of audit and inspection of best value performance plans.

Norman Baker: To ask the Secretary of State for the Home Department what targets have been set within the police for the recruitment and retention of officers from ethnic minorities; and what the latest outturns are in respect of these targets. [63621]

Mr. Denham *[holding answer 24 June 2002]:* The latest recruitment figures available are as at 30 September 2001. The following table shows, by police force, the minority ethnic (ME) officer strength target for 2009, ME officer strength and percentage as at 30 September 2001.

Police force	*2009 target (percentage)*	*Number of ME officers September 2001*	*Percentage of ME officers September 2001*
Avon and Somerset	2.0	39	1.3
Bedfordshire	10.0	42	4.0
Cambridgeshire	4.3	34	2.5
Cheshire	1.0	9	0.4
City of London	7.3	18	2.6
Cleveland	2.0	18	1.3
Cumbria	1.0	4	0.4
Derbyshire	3.3	51	2.8
Devon and Cornwall	1.0	15	0.5
Dorset	1.0	10	0.7
Durham	1.0	14	0.9
Dyfed-Powys	1.0	5	0.5
Essex	1.9	31	1.1
Gloucestershire	1.6	16	1.4
Greater Manchester	7.6	200	2.8
Gwent	1.1	18	1.4
Hampshire	2.0	39	1.1
Hertfordshire	4.7	35	1.9
Humberside	1.1	16	0.8
Kent	2.0	50	1.5
Lancashire	5.0	57	1.7
Leicestershire	11.0	98	4.8
Lincolnshire	1.2	10	0.8
Merseyside	2.0	81	2.0
Metropolitan Police	25.0	1,117	4.4
Norfolk	1.0	15	1.0
Northamptonshire	2.3	28	2.4
Northumbria	1.5	35	0.9
North Wales	1.1	7	0.5
North Yorkshire	1.3	6	0.4
Nottinghamshire	3.5	66	2.9
South Wales	1.5	45	1.4
South Yorkshire	3.3	86	2.7
Staffordshire	1.8	31	1.5
Suffolk	1.1	20	1.7
Surrey	3.2	29	1.4
Sussex	2.4	31	1.1
Thames Valley	5.4	94	2.5
Warwickshire	4.0	24	2.6
West Mercia	2.0	23	1.2
West Midlands	16.1	382	5.1
West Yorkshire	9.5	148	3.0
Wiltshire	1.0	10	0.9

Note: Figures have been set to 1 per cent. for areas below 1 per cent.

The targets for retention are that the percentage of minority ethnic officers leaving the service through resignation or dismissal each year should equal the percentage of white officers leaving each year under similar circumstances within three years in each of the following bands:

six months to under two years service

two years to under five years service

five years to under 10 years service

with demonstrable, significant progress made each year to reduce the overall figure.

Figures for March 2000 act as baseline and forces' progress against targets is due to be monitored at 31 March 2003.

Lady Hermon: To ask the Secretary of State for the Home Department how many police officers there were in England and Wales on *(a)* 9 September 1999 and *(b)* 31 May 2002. [64090]

Mr. Denham *[holding answer 24 June 2002]:* Information for the specified dates has not been collected centrally. However, on 30 September 1999 there were 125,394 officers and on 31 January 2002 (the latest date for which figures are available) there were 128,748 officers in England and Wales. This was a record number.

The increase in police strength reflects the impact of the crime fighting fund (CFF), which is enabling forces in England and Wales to recruit 9,000 officers over and above previous recruitment plans in the three years to March 2003.

Prisons

Mr. Wilshire: To ask the Secretary of State for the Home Department if he will make a statement on the fire insurance problems facing new privately funded prisons. [59446]

Hilary Benn *[holding answer 24 May 2002]:* The new privately managed prisons to be built at Ashford, Middlesex and at Peterborough are facing problems in securing insurance cover for fire. These problems are being addressed both by the consortium that is to build and operate the prisons and by the Prison Service and the Home Office.

Harry Cohen: To ask the Secretary of State for the Home Department with which companies the Prison Service have contracts for the transport of prisoners to court; if he will place the terms of their contracts in the Library; what assessment he has made of the effect of transport delays on the operation of courts and the associated costs to public funds; how many times penalty clauses have been invoked against each company, with the sums involved in each case; and if he will make a statement. [62599]

Hilary Benn: The Prison Service has entered into eight contracts with private sector companies for the movement of prisoners from prisons and police stations to court. These are set out in the table.

Contract area	*Company*
South West England and South Wales	Reliance Custodial Services
South and South East England	Premier Prison Services
London	Securicor Custodial Services
East Anglia	Group 4 Court Services
East Midlands	Group 4 Court Services
West Midlands and Mid Wales	Premier Prison Services
Greater Manchester, Merseyside and North Wales	Group 4 Court Services
Northern England	Group 4 Court Services

Contract documentation, excluding those parts which contain price sensitive information, are available in the Library.

Contractors, prisons and the police are all aware of the effect of late deliveries to court and the potential cost to public funds. Each contract is monitored by a team of Prison Service staff against a series of performance measures. These cover a range of issues including delivery to court. Failures against the performance measures result in the application of penalty points and if these exceed a prescribed total in any single year they result in the application of a financial remedy.

Financial remedies have been applied on six occasions since 1999 and have affected all contractors. The total sum recovered or withheld is approximately £621,000. This is made up as follows.

Company	*Occasions*	*Total value (£)*
Group 4 Court Services	1	60,000
Premier Prison Services	1	36,000
Securicor Custodial Services	2	500,000
Reliance Custodial Services	2	25,000

The £500,000 in financial remedies imposed upon Securicor related to performance shortfalls during the years 1999–2000 and 2000–01, when shortages of staff contributed to a number of failures to meet the requirements of the contract, including the timely delivery of prisoners to court. The situation was the subject of discussion between Home Office Ministers and members of Securicor's senior management, as a result of which an improvement plan was produced by the company. This has now been implemented and there are indications that it is beginning to achieve positive results.

Mr. Dismore: To ask the Secretary of State for the Home Department if he will publish his response to the joint thematic report "Through the Prison Gate" published by the Chief Inspector of Prisons and the Chief Inspector of Probation. [66650]

Hilary Benn: "Through the Prison Gate" was the first joint thematic report by Her Majesty's Chief Inspector of Prisons and Her Majesty's Chief Inspector of Probation on the theme of resettlement. The two chief inspectors have provided an authoritative and thoughtful analysis of what the prison and probation services are doing together to reintegrate offenders back into the community and so reduce re-offending, and of what more both services need to do. I am very grateful to them for this analysis, much of which is reinforced in the report "Reducing re-offending by Ex-Prisoners" published today by the Social Exclusion Unit (SEU).

Both of these reports recognise the importance of identifying the factors which need to be addressed for individual offenders if the risks of them re-offending are to be reduced. They also recognise the importance of developing an integrated approach to the management of offenders throughout their sentence.

The chief inspectors' report makes recommendations on the need for:

a national resettlement strategy;

the position of short-term prisoners to be taken into account when reviewing the sentencing framework;

the Prison and Probation Services to develop the what works strategy and to achieve consistency and continuity in preventing re-offending and reintegrating offenders into the community;

a case management approach, and for the Prison and Probation Services to review the respective roles of their staff at different stages of a prison sentence;

the Prison Service to develop a strategy for prisoners to be located closer to home;

the Prison and Probation Services to develop a co-ordinated partnership plan as part of their what works resettlement strategy;

both services to develop a joint strategy for drug and alcohol misuse;

both services to provide guidance on the role of home detention curfew (HDC); and

both services to ensure that a national public protection policy is developed for the assessment and management of risk in all cases.

Many of these issues are also picked up in the SEU report. The Government will now be producing an action plan setting out our proposals for taking forward the recommendations. In drawing up that action plan we will also take account of the recommendations made by the chief inspectors.

As the chief inspectors acknowledge, the Prison and Probation Services have made progress in developing and co-ordinating their resettlement policies under the what works approach. However, there is a need for greater overall strategic direction including greater sharing of good practice and performance targets.

We have already taken steps to provide greater strategic direction by making arrangements for the establishment of the Correctional Services Board, which will bring together the heads of the Prison and Probation Services and the chair of the Youth Justice Board. Outside experience and skills will be provided by non-executive members. Early priorities for the board will include the development of a strategic plan for the correctional services, with a particular focus, as the report recommends, on improving provision for those sentenced to less than 12 months, and, in particular, 18 to 20 year old offenders.

In taking forward both the chief inspectors' and the SEU reports we will also be developing a national resettlement strategy. Details will be set out in the action plan which will now be developed.

That action plan will also include proposals for developing and piloting a case management approach, as recommended by the chief inspectors, building upon the pilot schemes which the Prison and Probation Services are already running.

"Through the Prison Gate" draws attention to the benefits of keeping prisoners closer to their homes in the months before release and to the benefits of home detention curfew in helping prisoners prepare for release. We believe that HDC can play an important part in helping offenders to settle back into the community in a controlled way.

We also recognise the advantages for resettlement of prisoners being able to serve their sentences closer to home. Although the increasing prison population makes it difficult to achieve this we will continue to explore both nationally and regionally what more can be done to minimise the number of prisoners held outside their home area.

The importance of tackling drug and alcohol problems is highlighted in both "Through the Prison Gate" and the SEU report. A good deal of investment has been made by both services in this area, but there is clearly more to be done, particularly in ensuring continuity of care and of provision in the community. We will be addressing this issue further as we take forward the planning and implementation of our resettlement strategy.

"Through the Prison Gate" also highlights the importance for a national public protection policy of the assessment and management of risk in all cases. The effective management of dangerous offenders is a priority for both the Prison and Probation Services. Both services have a detailed programme of work in support of their public protection objectives, and are represented on the Home Office Dangerous Offenders Advisory Group. The establishment of multi agency public protection panels has placed a statutory duty on police and probation services to make joint arrangements for the assessment and management of sexual, violent and other offenders who may cause serious harm. These panels work closely with the prison service and other agencies in managing the risk presented by such offenders. In addition the National Probation Service is working with the Police Information Technology Organisation on the development of a joint police/probation database, which will cover all offenders falling under the public protection duty placed on the police and the National Probation Service by the Criminal Justice and Court Services Act 2000.

Both services are also working together with the Parole Board to develop revised guidance on the setting of licence conditions to ensure a more consistent approach and are piloting the use of electronic monitoring as a licence condition, focusing in particular on dangerous offenders.

A detailed commentary on all the recommendations contained in the inspectorates' report describing work currently in hand by the Prison Service and the National Probation Service has been placed in the Library.

"Through the Prison Gate" together with the SEU report, has set out a challenging set of tasks and the new Correctional Services Board. We will in due course be publishing an action plan setting out our detailed proposals in response to the SEU report, and the recommendations of the chief inspectors.

Police Authorities

Mr. Evans: To ask the Secretary of State for the Home Department how many households there are in each police authority. [64539]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nigel Evans, dated 1 July 2002:

As National Statistician, I have been asked to reply to your Parliamentary Question about the number of households in each police authority area. (64539)

The latest available estimates, for the three month period ending November 2001, are given in the table attached.

These estimates are from the Labour Force Survey and are not seasonally adjusted.

Number of householder in each police authority in England and Wales; Autumn (September to November) 2001; not seasonally adjusted

	Thousands
All households in England and Wales	22,002
Police authorities:	
Avon and Somerset	646
Bedfordshire	239
Cambridgeshire	290
Cheshire	381
Cleveland	225
Cumbria	228
Derbyshire	421
Devon and Cornwall	657
Dorset	299

Number of householder in each police authority in England and Wales; Autumn (September to November) 2001; not seasonally adjusted

	Thousands
Durham	272
Essex	667
Gloucestershire	254
Greater Manchester	1,066
Hampshire	805
Hertfordshire	470
Humberside	396
Kent	662
Lancashire	591
Leicestershire	361
Lincolnshire	275
Merseyside	574
City of London	[1]—
Metropolitan Police District	3,005
Norfolk	341
Northamptonshire	245
Northumbria	606
North Yorkshire	298
Nottinghamshire	436
South Yorkshire	559
Staffordshire	415
Suffolk	291
Surrey	422
Sussex	636
Thames Valley	816
Warwickshire	203
West Mercia	507
West Midlands	1,044
West Yorkshire	896
Wiltshire	266
North Wales	283
Dyfed Powys	195
South Wales	513
Gwent	243

[1] Sample size too small for reliable estimate

Source:

ONS Labour Force Survey, Household Dataset

Children in Care

Mr. Burstow: To ask the Secretary of State for the Home Department how many children in care have been *(a)* homeless, *(b)* in bed-and-breakfast accommodation and *(c)* in temporary accommodation in each of the last five years. [64525]

Mr. McNulty: I have been asked to reply.

The information requested is not held centrally and could be provided only at disproportionate cost.

CABINET OFFICE

Departmental Website

Mr. Collins: To ask the Minister for the Cabinet Office when the Cabinet Office website will be amended to reflect the recent organisational changes. [63580]

Mr. Alexander: The Cabinet Office website has been amended to reflect ministerial changes.

Written Answers to Questions

Tuesday 2 July 2002

PRIME MINISTER

Elections

Richard Burden: To ask the Prime Minister if he will list the responsibilities of Ministers and Government Departments for electoral systems and electoral arrangements relating to elections for *(a)* councils, *(b)* the Scottish Parliament and Welsh Assembly, *(c)* the European Parliament, *(d)* the London Assembly and future English regional assemblies and *(e)* the House of Commons, with particular reference to consideration of proposals for review and reform. [62958]

The Prime Minister: Ministerial responsibility for policy, including for reform and modernisation, on election matters is for:

the Lord Chancellor for House of Commons and European Parliament elections in England and Wales, and for co-ordination on UK-wide electoral matters;

the Deputy Prime Minister for elections to English, and to the extent issues are not devolved Welsh, councils, the Greater London Authority, and any future English regional assembly;

the Secretary of State for Scotland for all elections in Scotland, other than those for councils, which is a devolved matter;

the Secretary of State for Northern Ireland for all elections in Northern Ireland;

the Secretary of State for Wales for Welsh Assembly elections.

All these responsibilities are exercised in consultation with the Electoral Commission, which is accountable through the Speaker's Committee to the House of Commons.

Intelligence Services

Norman Baker: To ask the Prime Minister for what reason the Ministerial Committee on the Intelligence Services has not been asked to endorse the UK's Requirements and Priorities for Secret Intelligence. [65152]

The Prime Minister: The UK's requirements for secret intelligence are submitted to the Ministerial Committee on the Intelligence Services each year for endorsement.

Interception of Communications Commissioner

Norman Baker: To ask the Prime Minister if he will make a statement on paragraph 30 of the Intelligence and Security Committee annual report 2001–02 with specific reference to the resources available to the Interception of Communications Commissioner. [65151]

The Prime Minister: As stated in the Government Response to the Intelligence and Security Committee's annual report for 2001–02, officials are discussing with the Commissioner what extra resources would be required to deal with the anticipated increase in work. The Government will make available to the Commissioner an appropriate level of resources to enable him to carry out his responsibilities.

National Energy Research Centre

Mr. Dalyell: To ask the Prime Minister what proposals he has for a national energy research centre. [65093]

The Prime Minister: The Department for Trade and Industry has lead responsibility on this issue.

The establishment of a national energy research centre was a key recommendation of the review of Government support for energy research led by the Chief Scientific Adviser last autumn. Like all the other recommendations of that review, it was incorporated into the report of the Performance and Innovation Unit's wider review of energy policy published on 14 February. The Government intend to set out their response to that report in a White Paper around the turn of the year.

In the meantime, the Research Councils are developing detailed proposals for an energy research centre in consultation with the Chief Scientific Adviser and other interested parties. These would form part of a broader proposal for sustainable energy research.

TRANSPORT

Rail Services (West Cornwall)

10. **Andrew George:** To ask the Secretary of State for Transport what recent assessment he has made of the reliability of rail services to west Cornwall. [63721]

Mr. Spellar: The Strategic Rail Authority produces performance figures for each of the train operating companies in its publication 'On Track'. The latest version was published on 6 June and has been placed in the Libraries of the House.

Rail and LRT Services

11. **Mr. Pickthall:** To ask the Secretary of State for Transport what plans he has to provide *(a)* rail and *(b)* LRT services to towns that have neither. [63723]

Mr. Jamieson: The Strategic Rail Authority's Strategic Plan sets out priorities for development of the national rail network. In addition to national strategic priorities it includes increased funding for the Rail Passenger Partnership scheme, which is available to support local schemes. It is for local authorities to promote, through the Local Transport Plan process, the public transport modes best suited to their area.

Bus Travel (Worcester)

12. **Mr. Michael Foster:** To ask the Secretary of State for Transport what plans he has to encourage the greater use of bus travel within Worcester. [63724]

Mr. Spellar: The Secretary of State provides funding to Worcestershire County Council to implement its Local Transport Plan. The first annual progress report on the Local Transport Plan includes a draft bus strategy which provides more detail on how the Council will be developing their bus services. Recent initiatives which have been implemented in Worcester include:

Park and Ride—the first of three proposed sites opened in May 2001,

Bus access scheme—Angel Street, and

Bus quality partnership—Worcester to Eckington.

In addition the Council has received bursaries which have allowed them to appoint school and workplace travel co-ordinators. These co-ordinators are dedicated to encouraging sustainable transport, including the use of buses, across the county.

Fuel Duty Rebate

13. **Mr. Kidney:** To ask the Secretary of State for Transport what progress he has made in his review of fuel duty rebate for providers of bus passenger services. [63725]

Mr. Spellar: Work is under way on the review of bus subsidies, including fuel duty rebate, announced in the April Budget. We will take this forward over the coming months. It will build on ongoing work by the Commission for Integrated Transport, due to conclude in the autumn, and other related studies. It will also invite views from other interested bodies.

30. **Judy Mallaber:** To ask the Secretary of State for Transport what assessment he has made of the likely impact of the fuel duty rebate introduced in May for community transport services. [63744]

Mr. Jamieson: Over 320 community transport organisations have already applied for eligibility to receive fuel duty rebate. Eligible organisations will be making their first claims for payment this autumn. This funding will enable the improvement and expansion of services which have an important role in improving accessibility and combating social exclusion.

Speed Controls

14. **John Mann:** To ask the Secretary of State for Transport what alternatives to speed cushions his Department is investigating. [63726]

Mr. Jamieson: The Department has an extensive programme of road safety research covering a wide range of topics including development and evaluation of a variety of road humps and traffic calming works designed to reduce road accidents and encourage improved driving styles. Full details of current research and summaries of results of completed research are provided in a Road Safety Research Compendium, which is available on the Department's website and in the Library of the House.

Mr. Pike: To ask the Secretary of State for Transport what plans he has to change the policy in relation to the use of speed limit repeater signs; and if he will make a statement. [65781]

Mr. Jamieson: Local authorities are required to sign all speed limits where the speed limit has been created by way of a speed limit order. The exemptions are where the road is a restricted road (30mph indicated by a system of street lighting) where repeater signs are strictly prohibited, or on roads where the national speed limit applies.

However, we are looking at signing as part of the overall package on developing improved speed management. The issue of speed limit repeater signs will form part of our considerations.

Mr. Pike: To ask the Secretary of State for Transport what guidance he gives on the visibility of speed cameras. [65780]

Mr. Jamieson: Visibility rules for those areas participating in the safety camera netting off scheme were announced on 3 December 2001. These state that fixed site camera housings should be clearly signed and made visible by being painted or marked in yellow. Mobile enforcement units should also be clearly marked and visible to drivers. Areas currently outside the netting off scheme would need to comply with all the visibility requirements as a condition of joining.

Railways (Trespass and Vandalism)

15. **Mr. Burstow:** To ask the Secretary of State for Transport if he will make a statement on incidences of trespass and vandalism on the railways. [63729]

Mr. Jamieson: Trespass and vandalism is a serious problem for the railways.

It is very disappointing that over half of all train incidents are due to vandalism. The Government are pleased that all sections of the rail industry recently came together in the National Route Crime Group to examine and promote ways of tackling trespass and vandalism on the railways.

School Run (Congestion)

16. **Fiona Mactaggart:** To ask the Secretary of State for Transport what his assessment is of the impact on congestion of children being driven to school. [63730]

Mr. Jamieson: 16 per cent. of cars on urban roads at 8.50 am in term time in 1998–2000 were taking children to school. This is a reduction from 20 per cent. in 1995–97. We have asked local authorities to include strategies for further reductions in their local transport plans and have increased funding for associated measures.

Gourock Station (Redevelopment)

17. **David Cairns:** To ask the Secretary of State for Transport what recent discussions he has had with Railtrack concerning the redevelopment of the transport interchange at Gourock station. [63731]

Mr. Jamieson: None. I understand that the Scottish Executive is working with the promoting authorities for the scheme to try to find the way forward. Signal design and engineering resources remain at a premium within the rail industry although Railtrack and the Strategic Rail Authority are taking steps to address the shortage.

Airport Capacity

18. **Mr. John Smith:** To ask the Secretary of State for Transport what assessment he has made of the ability of current airport capacity to meet demand for air travel over the next 10 years. [63732]

Mr. Spellar: We are currently finalising a series of regional consultation documents on airports and air services, between them covering the whole of the UK, which we intend to publish shortly. These consultation documents include an assessment of current airport capacity to meet demand for air travel up to 2030, and identify the capacity enhancements which might be required over that period under a range of policy scenarios.

Train Punctuality

19. **Mr. Baron:** To ask the Secretary of State for Transport if he will make a statement on the trends in train punctuality over the last five years. [63733]

Mr. Spellar: Between 1997 and 2000 the rolling annual average Public Performance Measure (PPM), which measures punctuality and reliability, slowly declined from about 90 per cent. to 86 per cent. as the number of train kilometres ran (passengers and freight) increased by some 20 per cent. Punctuality and reliability fell sharply after Hatfield due, in large part, to the temporary speed restrictions imposed to deal with gauge corner cracking and other rail defects. The rolling annual average PPM fell to 75 per cent. though it is now rising. The Strategic Rail Authority is working with the rail industry to achieve substantial, lasting improvements in performance.

Train Services (London)

20. **Roger Casale:** To ask the Secretary of State for Transport what plans he has to improve the reliability of train services in London. [63734]

Mr. Jamieson: It is a primary objective for the Strategic Rail Authority to work with the rail industry to achieve substantial lasting improvements in performance. £400 million has been allocated to a new Rail Performance Fund set up to co-invest with rail companies in short-term schemes to improve reliability for passengers.

Rail Stops (Leeds)

21. **Colin Burgon:** To ask the Secretary of State for Transport what plans he has to encourage the opening of new suburban rail stops in the Leeds area. [63735]

Mr. Spellar: The Rail Passenger Partnership scheme administered by the Strategic Rail Authority helps fund new or enhanced rail services or facilities, including stations.

I understand that the West Yorkshire Passenger Transport Executive (PTE) has commissioned a study into five potential new stations as part of the proposed new Northern franchise.

High Speed Rail Links

22. **Mr. Foulkes:** To ask the Secretary of State for Transport when he next expects to meet the chairman of the Strategic Rail Authority to discuss the development of high speed rail links. [63736]

Mr. Spellar: The Strategic Rail Authority's study into the need for and viability of a high speed line running between London and the North of England and Scotland is due to be completed later this year. The Chairman of the Authority will report the findings to Ministers at that time.

Freight (Railways)

23. **Sir Teddy Taylor:** To ask the Secretary of State for Transport what progress has been made in transferring freight traffic to railways in the past five years. [63737]

Mr. Jamieson: Our policy is to help establish an integrated, sustainable freight distribution system to support economic growth and bring social and environmental benefits. In the past five years, the amount of rail freight moved has grown by 30 per cent., including 9 per cent. in the past year.

Transatlantic Air Services

24. **Mr. Ben Chapman:** To ask the Secretary of State for Transport if he will make a statement on transatlantic air services. [63738]

Mr. Spellar: The UK Government is keen to liberalise the UK-US Air Services Agreement as we would like consumers to benefit from increased competition and airlines to benefit from improved access to the world's largest market. But that competition has to be on fair terms. We are currently reviewing a range of options that are open to us.

Road User Charging

25. **Richard Ottaway:** To ask the Secretary of State for Transport what recent representations he has received regarding road user charging. [63739]

Mr. Jamieson: We have received various representations, reflecting various points of view.

A303 (Safety)

26. **Mr. Heath:** To ask the Secretary of State for Transport if he will make a statement on safety improvements to the A303. [63740]

Mr. Jamieson: A number of safety improvement schemes have recently been undertaken on the A303. The Highways Agency continues to monitor the safety record of this and other trunk roads and, if further improvements are needed, they will be added to the Agency's programme.

Railways (Private Finance)

27. **Mr. Robathan:** To ask the Secretary of State for Transport what assessment he has made of the railways' ability to raise private finance. [63741]

Mr. Spellar: The 10-Year Plan for Transport and the SRA Strategic Plan have projected a total amount of private sector investment in rail of around £34 billion over the 10 years to March 2011. This investment will be supported and levered in by £33.5 billion of public sector funding for rail.

We remain confident that this level of private investment will be delivered, indeed over £7 billion has already been committed.

Airports (Consultation)

28. **Mr. Jim Cunningham:** To ask the Secretary of State for Transport what plans he has to consult on the future of airports in Great Britain. [63742]

Mr. Spellar: We are currently finalising a series of regional consultation documents on airports and air services between them covering the whole of the UK, which we intend to publish shortly; these documents will seek views on the future development of airports and air services in each region over the next 30 years.

Light Railway and Tram Schemes

29. **Mr. George Howarth:** To ask the Secretary of State for Transport what plans he has to expand light railway and tram schemes. [63743]

Mr. Jamieson: Our 10-Year Plan reflects our commitment to light rail in major cities. However, whether light rail offers the most appropriate and cost-effective response to local transport needs is a matter, in the first instance, for the local authorities concerned, to consider while formulating and reviewing their Local Transport Plans. Thereafter, any light rail scheme or other major transport project would need to undergo rigorous appraisal, and examination under any relevant statutory procedures, before funding approval could be considered.

Buses (Pupil Overcrowding)

31. **Mr. Edwards:** To ask the Secretary of State for Transport what recent representations he has received about changing the law on pupil overcrowding on scheduled bus services. [63745]

Mr. Spellar: We have received no recent representations, other than the parliamentary questions tabled by my hon. Friend the Member for Monmouth at the end of last year, which dealt with overcrowding on a bus route in Monmouth and related matters.

Fire Safety

Mrs. May: To ask the Secretary of State for Transport what *(a)* statutory duty and *(b)* guidelines have been given to fire authorities on giving fire safety advice to the public. [60439]

Mr. Raynsford: I have been asked to reply.

Fire authorities have a statutory duty under The Fire Services Act 1947 1(1)(f) to secure efficient arrangements for the giving, when requested, of advice in respect of buildings and other property in the area of the fire authority as to fire prevention, restricting the spread of fires, and means of escape in case of fire.

In addition to this, we intend to introduce a duty on fire authorities to secure efficient arrangements for providing advice, assistance and encouragement in respect of the steps to be taken to prevent fires in their area and to prevent the death of, or injury to, any person being caused by such a fire. This will form part of a Regulatory Reform Order, which will be out for consultation shortly.

The National Community Fire Safety Centre was established in 1998 to provide a resource for brigades in community fire safety work, whose toolbox gives guidance on advising the public on fire safety issues as well as examples of best practice.

Illegal Fuel

John Barrett: To ask the Secretary of State for Transport what action the Government are taking to tackle fuel fraud; and how much has been allocated to this task in the last three years. [62944]

John Healey: I have been asked to reply.

Following consultation in the November 2001 pre-Budget report, the Chancellor announced in the Budget a comprehensive strategy to tackle the rising problem of oils fraud including the release of additional resources in 2002–03 to enable the effective enforcement of these new controls, involving the deployment of more staff and investment in new technology. Details of this are contained in the Budget 2002 Press Notice, HMG 2, published on 17 April.

Customs' estimate of officers wholly dedicated to the oils sector over the last three complete financial years is:

	Dedicated oils officers
1999–2000	172
2000–01	253
2001–02	285

These officers assure and assist compliant traders and also tackle those who seek to evade revenue through fraudulent activities.

In addition, multi-functional Customs officers undertake a range of activities in their areas of responsibility including work in the oils sector. It is not possible to separate the time spent by these officers on oils work alone.

Motoring Costs

Mr. Cox: To ask the Secretary of State for Transport what research his Department has carried out as to the cost of running a private motor car within the Greater London area. [65053]

Mr. Jamieson: The average expenditure on motoring per car per week for people living in Greater London, averaged over the period 1998–99 to 2000–01, was £54.30.

Bus Priority Schemes

Mrs. May: To ask the Secretary of State for Transport what bus priority schemes have been introduced since 1997, giving *(a)* the date of introduction of the scheme and *(b)* the body introducing and responsible for the scheme, distinguishing between (i) guided bus systems, (ii) infrastructure improvements and (iii) other schemes. [64967]

Mr. Spellar *[holding answer 27 June 2002]:* Since 1997 we have approved or provisionally approved the following bus-based major local transport schemes in England outside London. The table lists the schemes, their type, the local authority and the year of approval.

Authority	*Scheme*	*Type*
1998		
West Yorkshire PTA	East Leeds Quality Bus Project	Guided
1999		
Bradford	A641 Manchester Road Quality Bus Project	Guided
West Midlands PTA	Town Centre Strategy	Infrastructure

Authority	*Scheme*	*Type*
2000		
Bradford	South Bradford Integrated Transport Improvements	Infrastructure
Bradford	City Centre Integrated Transport Scheme	Infrastructure
Cheshire	Chester-Deeside Transport Scheme	Guided
Derby	Connecting Derby	Infrastructure
Doncaster	A638 Great North Road Quality Bus Corridor	Infrastructure
Greater Manchester PTA	Urban Traffic Management Scheme	Other
Newcastle	Quayside Public Transport Project	Infrastructure
Warwickshire	Nuneaton Development Project	Infrastructure
Plymouth	Northern Corridor Scheme	Infrastructure
Wiltshire	Salisbury Integrated Transport Measures	Infrastructure
Southend	A13 Transport Corridor	Infrastructure
Tyne and Wear PTA	Centrelink	Infrastructure
Tyne and Wear PTA	Stephensons Corridor Joblink	Infrastructure
Walsall	Integrated Transport Strategy	Infrastructure
Warrington	Urban Traffic Management Scheme	Other
West Midlands PTA	Hagley Road Bus Showcase	Infrastructure
West Midlands PTA	Outer Circle Bus Showcase	Infrastructure
West Sussex	Fastway	Guided
Wolverhampton	Centre Access Scheme	Infrastructure
2001		
Barnsley	Barnsley Interchange	Infrastructure
Durham	Belmont Interchange	Infrastructure
Greater Manchester PTA	Northern Orbital Quality Bus Corridor	Infrastructure
Kent	Fastrack	Guided
Leeds	A65 Quality Bus Project	Guided
Surrey	School Bus Initiative	Other
Tyne and Wear PTA	Four Lane Ends Interchange	Infrastructure
West Midlands PTA	Masshouse Circus	Infrastructure
2002		
Greater Manchester PTA	South East Manchester Quality Bus Corridor	Infrastructure

Allocation of road space is a matter for the local highway authority. In addition to the major schemes, local authorities outside London indicate that they proposed to implement over 100 smaller scale bus priority schemes in both the last and present financial years.

In London, since 3 July 2000 the implementation of bus priority measures has been the responsibility of the London local authorities and Transport for London (which reports to the Mayor). They are taking forward the London Bus Initiative, which is a strategic initiative to improve the service on London's key bus routes and includes priority measures. This £60 million initiative is being funded by the Government, including £50 million from the Capital Modernisation Fund.

Before 3 July 2000, bus priority measures in London were taken forward by the London local authorities through the London Bus Priority Network initiative.

Details about schemes in London and specific smaller schemes outside, including their timetable for introduction and detailed cost break-down, are not kept centrally.

Network Rail

Chris Grayling: To ask the Secretary of State for Transport who is selecting the initial non-executive board members of Network Rail; and who has selected the member organisations of Network Rail. [66053]

Mr. Jamieson: The appointments of directors and members are for Network Rail to determine.

Mr. Austin Mitchell: To ask the Secretary of State for Transport for what reason the bridging loan to Network Rail is shown on the balance sheet of the Strategic Rail Authority; what assets the Strategic Rail Authority has to back the loan; what consultations took place with the European Commission about whether this loan should be included in Government accounts; and to whom the loss is charged if there is default on the loan. [65486]

Mr. Jamieson: The Comptroller and Auditor General, in his capacity as statutory auditor of the Strategic Rail Authority (SRA), has concluded that Network Rail should be accounted for as a subsidiary of the SRA. At the same time, the Office for National Statistics has confirmed that Network Rail—once its board has been confirmed by its members—would not be classified as a public sector organisation. The ONS classification is based upon the European System of Accounts 1995.

The contingent credit facility has been notified as a potential state aid to the European Commission, and it set out in the statutory contingent liability minute laid before Parliament on 27 June. As a contingent liability, the credit facility would only score as public expenditure in the extremely unlikely event of it being drawn.

The assets of the SRA were outlined in its 2000–01 annual report and will be updated in its 2001–02 annual report to be published shortly.

Road Accidents

Mr. Hancock: To ask the Secretary of State for Transport how many deaths and serious injuries there were in road accidents in 2001; and if he will make a statement. [66466]

Mr. Jamieson: Provisional figures, published in June, show that there were 3,443 people killed and 37,094 seriously injured on the public roads in Great Britain in 2001.

This year, despite our firm commitment to improving road safety, it is sad to see an increase in the number of road deaths when both serious and slight injuries have continued to fall. We will be looking to see if there are identifiable reasons for this year's increase in the number of road deaths.

Delay Indicator Maps

Mr. Don Foster: To ask the Secretary of State for Transport if he will place copies of the Highways Agency delay indicator maps in the Library; and if he will make a statement. [66213]

Mr. Jamieson: The Highways Agency's annual report for 2000–01 contains on page 39 the latest version of a map depicting stress levels on the trunk road network. The annual report was published on 31 January 2002 and copies were placed in the Libraries of the House.

Road Schemes

Mr. Don Foster: To ask the Secretary of State for Transport (1) what road schemes will be proposed in the next round of local transport plan annual progress reports; and if he will make a statement; [66301]

(2) when the next set of local transport plan annual progress reports will be published; and if he will make a statement. [66300]

Mr. Jamieson: Our guidance to authorities makes clear that local transport plan annual progress reports for 2001–02 should be made available to the public and easily obtainable at a reasonable cost. The reports are required to be submitted to my Department by English local authorities outside London by 31 July 2002 as are any proposals for new major local transport schemes. When received, both the reports and any bids for new major schemes will be considered as part of the determination of local transport capital settlement for 2003–04.

Ladbroke Grove Rail Inquiry

Mr. Don Foster: To ask the Secretary of State for Transport when the next progress report on the Ladbroke Grove rail inquiry part I will be published; and if he will make a statement. [66307]

Mr. Jamieson: On 29 April 2002, the Health and Safety Commission (HSC) stated that in future it will report progress on all 295 public inquiry recommendations in a single report under eight broad headings. This will include the Southall inquiry, so far as it is still relevant, the joint inquiry into Train Protection Systems, and the two Ladbroke Grove inquiries. The HSC plan to publish this report in November 2002.

The HSC and the Health and Safety Executive (HSE) will continue to track action on each recommendation to ensure that none are overlooked. The HSC believes that presenting the information in this format will help everyone involved to gain a better appreciation of the overall safety benefits being delivered as well as sharpening focus on the key issues.

Bus Services

Mr. Don Foster: To ask the Secretary of State for Transport what *(a)* guidance has been given to local authorities and *(b)* legislation is in place covering (i) uncompetitive practices, (ii) improving integration and timetabling, (iii) regulation and de-regulation and (iv) quality partnerships for local bus services; and if he will make a statement. [66004]

Mr. Jamieson: My Department's guidance to local authorities on Local Transport Plans covers many of these matters. It emphasises the need for bus policies and provision to be integrated with other transport policies and encourages through-ticketing, better connections and co-ordination of services. Good practice guidance notes on quality bus partnerships and on public transport interchange have been produced on our behalf by consultants. The Office of Fair Trading will shortly be issuing guidance on the ticketing schemes block exemption and the application of the competition test contained in the Transport Act 2000, for the benefit of both local government and bus operators.

The relevant legislation is Part II of the Transport Act 2000, chapter I of Part I of the Competition Act 1998 and the Competition Act 1998 (Public Transport Ticketing Schemes Block Exemption) Order 2001 (SI 2001 No. 319). Other legislation on the regulation of buses is in the Public Passenger Vehicles Act 1981 and the Transport Act 1985.

Secure Stations Scheme

Mr. Don Foster: To ask the Secretary of State for Transport if he will list the stations which are not accredited under the secure stations scheme, indicating the total number of passengers using those stations used by more than 100,000 passengers each year; and if he will make a statement. [66003]

Mr. Jamieson: The secure stations scheme is voluntary.

Currently 143 stations are accredited under the scheme. Approximately one third of annual national rail passenger journeys involve these stations. Some TOCs are committed to seeking accreditation for all their stations.

Quiet Lanes

Mr. Don Foster: To ask the Secretary of State for Transport, pursuant to his answer of 25 June 2002, *Official Report,* column 775W, on quiet lanes, what the total length of roads designated as quiet lanes is for each local authority; and what proportion of these roads is within each road classification. [66065]

Mr. Jamieson: The information required to answer the question is not recorded centrally.

London Underground

Mr. Austin Mitchell: To ask the Secretary of State for Transport for what reason preferred bidder status was conceded to contractors for the London Underground PPP before closing major parts of the deal; and if he will assess the costs and benefits of reducing competition before final agreements were reached. [65480]

Mr. Jamieson: The negotiation of the PPP contracts is a matter for London Underground. However, I understand that, in line with guidance from the Office of Government Commerce, preferred bidder decisions were taken at the time they were because it was judged that the advantages to be gained from maintaining competitive tension were outweighed by the disadvantages of higher procurement costs and an increased risk of bids being withdrawn.

Mr. Austin Mitchell: To ask the Secretary of State for Transport (1) whether the seven-and-a-half-year review of the 30-year PPP contract for the London Underground is an upwards only review; and what extra costs may fall on his Department for cost overruns; [65482]

(2) what price protection London Underground Ltd has for the 22.5 years for which pricing is not yet established under the PPP; and what the cost is of contract termination provisions of periodic review. [65587]

Mr. Jamieson: In line with the provisions of the GLA Act 1999, the Secretary of State for Transport intends to appoint an independent arbiter. At periodic reviews, the arbiter has the power to set prices at a level appropriate for an economic and efficient infrastructure company. Prices set by the arbiter at these reviews could be either higher or lower than those currently expected. At this stage, it is not possible to say either by how much or in which direction they might vary.

Mr. Austin Mitchell: To ask the Secretary of State for Transport how much will be invested in the tube under the London Underground PPP; how much of this comes from the private sector; and how much of the private sector contribution the Government have guaranteed to pay back. [65484]

Mr. Jamieson: Under our plans for modernising the London Underground, private sector infrastructure companies will carry out an investment and maintenance programme that is expected to amount to at least £16 billion over the first 15 years of the contracts. This will be funded through a combination of private finance and payments from London Underground. The payments London Underground make will vary in line with the level of performance the infrastructure companies deliver. In total, we expect some £6.2 billion in private finance to be raised in the first 15 years.

The Government will not guarantee any private sector finance. However, the Secretary of State does intend to issue a letter of comfort in relation to the London Underground PPPs. This is intended to clarify his role in relation to the Greater London Authority and Transport for London, including his intentions towards providing funding for London Underground. This letter of comfort was reported to Parliament using the Minute procedure on 20 March 2002.

Mr. Austin Mitchell: To ask the Secretary of State for Transport what estimate he has made of the rate of return the private consortia will earn on the London Underground PPP; and what assessment he has made of the fees earned by the financial and legal consultants engaged on developing the PPP. [65485]

Mr. Jamieson: I refer my hon. Friend to the answers given to the hon. Member for Carshalton and Wallington (Tom Brake) on 14 May 2002, *Official Report*, columns 522–23W.

Tom Brake: To ask the Secretary of State for Transport which business men advised the Government to adopt the structure chosen for the tube PPP; which companies they worked for; and who they work for now. [66495]

Mr. Jamieson: The Government sought a wide range of views before deciding to proceed with the manifesto commitment to modernise the underground through a Public Private Partnership.

Public Transport (Safety)

Mr. Redwood: To ask the Secretary of State for Transport what safety requirements are imposed on *(a)* bus operators and *(b)* train operators to secure luggage to avoid it hitting passengers when (i) braking and (ii) cornering. [65634]

Mr. Spellar *[holding answer 1 July 2002]:* *(a)* Regulation 100 of the Road Vehicles (Construction and Use) Regulations 1986 requires that the load carried by a motor vehicle shall at all times be so secured, if necessary by physical restraint other than its own weight, and be in such a position, that neither danger nor nuisance is likely to be caused to any person or property by reason of the load or any part thereof falling from that vehicle.

The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 require that anyone taking a cumbersome or bulky article or one that may cause an annoyance to another passenger shall place it on the vehicle where either the driver, inspector or conductor recommend.

(b) The Health and Safety Executive's (HSE) Railway Safety Principles and Guidance includes guidance on railway construction to ensure that luggage is sufficiently secured to avoid hitting passengers when braking and cornering.

Mr. Redwood: To ask the Secretary of State for Transport what assessment his Department has made of evidence received as to whether seat belts would *(a)* save lives and *(b)* limit injuries in (i) train and (ii) bus crashes. [65638]

Mr. Spellar *[holding answer 1 July 2002]:* The use of seat belts in buses for non-urban operation is estimated by the Department to reduce fatal and serious injuries to seated passengers by 30–40 per cent.

The Department has made no such assessment on the fitting of seat belts to trains. However, the Health and Safety Executive (HSE), which is responsible for monitoring and enforcing safety on the railways, advises that although the use of properly fitting seat belts could in certain circumstances protect passengers in a train accident, it is not persuaded that the fitting of seat belts in trains is a reasonably practicable safety precaution. While some passengers may use seat belts voluntarily, there would be little point in fitting them without reasonable expectation that they would be relatively widely used.

Drug and Alcohol Screening

Mr. Steinberg: To ask the Secretary of State for Transport what statutory requirements there are for drug and alcohol screening tests for employees of transport companies. [65789]

Mr. Jamieson: There are no statutory screening tests for employees of transport companies.

The Government are aware that many transport operators already have strict policies that may include screening programmes.

Mr. Steinberg: To ask the Secretary of State for Transport what plans he has to introduce drug screening tests alongside breathalysers for traffic offences. [65790]

Mr. Jamieson: Drug screening is already used by the majority of police forces who have trained officers in the techniques of drug recognition and tests of impairment. Devices that detect the presence of drugs chemically are being developed and tested by a number of commercial companies. If these prove successful and appropriate, they may be used to assist the police at the roadside. Under current legislation the police do not have the same power to test drivers at the roadside for possible drugs as they do for alcohol. It is the Government's intention to amend the legislation to enable this.

Railtrack Group

Mr. Chope: To ask the Secretary of State for Transport, (1) pursuant to his statement of 27 June, what his estimate is of the value of the relief to be offered to Railtrack Group PLC in respect of corporation tax on capital gains; [66508]

(2) pursuant to his statement of 27 June, whether Railtrack employees with shares in Railtrack Group will be exempt from capital gains tax on the realisation of their shares, pursuant to the proposals from Network Rail. [66507]

Mr. Jamieson: The Government have been advised that Railtrack Group should be able to take advantage of the exemptions referred to in paragraphs 24 and 25 of the Non-Statutory Contingent Liability minute laid before the House of Commons on 27 June. This would ensure that, in all likelihood, Railtrack Group incurs no tax liability as a result of the Railtrack plc disposal.

Mrs. May: To ask the Secretary of State for Transport if he will list the projects given in Railtrack's Network Management Statement 2001 that, by the end of March 2002, had *(a)* been completed, *(b)* been started but not completed, indicating the expected completion date and *(c)* not been started, indicating the expected start date. [66601]

Mr. Jamieson: Railtrack advise that details of the work identified in the 2001 Network Management Statement (NMS) against details of work that has been completed, started but not completed, and of work that has not been started, will form a paper to be published as part of an update to the 2001 NMS. It is expected that this will be published in the summer of 2002.

Mrs. May: To ask the Secretary of State for Transport what duty is placed on the administrators of Railtrack PLC to provide accurate and timely information to Railtrack Group. [66529]

Mr. Jamieson: This is a matter for the Administrators who are Officers of the High Court.

Asset Maintenance Plan

Mrs. May: To ask the Secretary of State for Transport if he will make a statement on *(a)* the timing, *(b)* the responsibility for and *(c)* the basis of preparation of the asset maintenance plan. [66534]

Mr. Jamieson: Railtrack's duties in respect of asset maintenance are primarily those set out in its network licence, in particular Conditions 7 and 24. Railtrack also has duties set out in regulated track access agreements with train operating companies. Railtrack produced asset maintenance plans for civil engineering (track and structures) in 1998 and for signalling assets in 1999. These formed critical inputs to the Rail Regulator's periodic review of access charges which concluded in October 2000. Railtrack also must produce a Network Management Statement (NMS) annually, in compliance with Condition 7 of its network licence. The NMS sets out how the company will manage the operation, efficiency and capability of its assets to meet the reasonable requirements of its customers.

Night Flights

Mrs. May: To ask the Secretary of State for Transport when the Government's appeal against the decision of the European Court of Human Rights on the banning of night flights will be heard; and if he will make a statement. [65565]

Mr. Jamieson: I refer the hon. Member to the answer that I gave to the hon. Member for Loughborough (Mr. Reed) on 19 December 2001, *Official Report,* columns 519–20W. The Judgment of the Third Section of the Court, issued on 2 October 2001, would not require a ban on night flights. The hearing before the Grand Chamber of the Court in the case of Hatton and Others *v.* the United Kingdom is scheduled for 9 October 2002.

Mrs. May: To ask the Secretary of State for Transport what recent representations he has received on noise relating to night flights at East Midlands airport. [65563]

Mr. Jamieson: I and my Department received over recent months a substantial number of personal and written representations on this subject, some advocating and others opposing designation of the airport for the purpose of imposing night restrictions.

Pedestrian Environment

Mrs. May: To ask the Secretary of State for Transport what research he has conducted into improving the pedestrian environment for the disabled; if he will place a copy of results in the Library; and if he will list schemes introduced in the last two years to improve the pedestrian environment for the disabled. [66613]

Mr. Jamieson: My Department has carried out a wide range of research over a number of years aimed at improving access to the pedestrian environment for disabled people. Research findings have been disseminated in the form of guidance for local authorities and others.

We are currently finalising a comprehensive guidance document based on research to establish best practice in providing for disabled people both in the pedestrian environment and in transport infrastructure. "Inclusive Mobility—A Guide to Best Practice on Pedestrian and Transport Infrastructure" has been produced by my

Department with support from Transport for London, the Institution of Highways and Transportation, the County Surveyor's Society, the Association of Transport Co-ordinating Officers and the Passenger Transport Executive Group. The guidance will help local authorities and transport providers to understand and fulfil their duties under Part III of the Disability Discrimination Act 1985. I will place a copy in the Library when it is published.

We do not hold details of individual schemes that have been introduced by local authorities.

Heathrow Terminal 5

Mrs. May: To ask the Secretary of State for Transport, pursuant to the statement by the right hon. Member for Tyneside, North (Mr. Byers), *Official Report*, 20 November 2001, column 178, on Heathrow Terminal 5, when he will open the consultation on extending the night quota period; and if he will make a statement. [65567]

Mr. Jamieson: We aim to commence consultation on all aspects of the next night noise regime for the BAA London airports before the end of this year. It is likely to be a two stage process.

Mrs. May: To ask the Secretary of State for Transport, pursuant to the statement by the right hon. Member for North Tyneside, *Official Report*, 20 November 2001, column 178, on Heathrow Terminal 5, if he will make a statement on Government policy on the limit on the number of flights at Heathrow when Terminal 5 at Heathrow is built. [65566]

Mr. Jamieson: The Secretary of State for Transport, Local Government and the Regions imposed a condition on the planning consent for Heathrow Terminal 5, requiring that from the date the core terminal building opens for public use, the number of occasions on which aircraft may take-off or land at Heathrow shall not exceed 480,000 during any period of one year.

West Coast Main Line

Mrs. May: To ask the Secretary of State for Transport if he will estimate the cost of the West Coast Main Line upgrade; and if he will make a statement. [66549]

Mr. Jamieson: I refer the hon. Member to my answer of 8 May 2002, *Official Report*, column 216W, to the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan).

East Midlands Airport

Mrs. May: To ask the Secretary of State for Transport what criteria he used to determine that East Midlands Airport should not be designated under section 78 of the Civil Aviation Act 1982 in relation to night flights. [65564]

Mr. Jamieson: The decision not to designate the airport is explained in my letter of 18 June to North West Leicestershire district council. I have placed a copy of that letter in the Library of the House.

Mrs. May: To ask the Secretary of State for Transport what meetings he or his predecessor had with representatives of North West Leicestershire district council prior to his decision not to designate East Midlands airport under section 78 of the Civil Aviation Act 1982 in relation to night flights. [65562]

Mr. Jamieson: I met representatives of North West Leicestershire district council, along with others, on 13 November last, to discuss this matter. Subsequently the Department also received further written representations from the council.

Strategic Rail Authority

Mrs. May: To ask the Secretary of State for Transport if he will list the *(a)* subsidiary companies, *(b)* agencies and *(c)* other boards to the Strategic Rail Authority, giving their (i) responsibilities, (ii) powers and (iii) current turnovers. [66596]

Mr. Jamieson: The Strategic Rail Authority has the following subsidiaries:

Company name	*Activity*	*Issued share capital*	*Percentage SRA control*
BRB (Residuary) Ltd.	Custodian of property, rights and liabilities previously belonging to the British Railways Board.	1	100
Rail Documentation and Drawing Services Ltd.	Custodian of rolling stock drawing and documents.	1	100
DoA Ltd.	DoA Ltd. was acquired by SRA Investment Company Ltd. on 1 October 2001 for £1 from the former DTLR. DoA Ltd. holds deeds of assumption with passenger transport executives (PTEs) requiring the repayment of capital sums and interest to the PTEs.	1	100
SRA Investment Company Ltd.	On 1 July 2001, the authority acquired SRA Investment Company Ltd. for the purpose of holding shares in new ventures in which the authority has an interest. It currently has a 100 per cent. holding in DoA Ltd. and a 50 per cent. holding in Cross London Rail Links Ltd.	100	100
Cross London Rail Links Ltd.	On 1 August 2001, the SRA Investment Company, together with Transport Trading Ltd. acquired Cross London Rail Links Ltd. This is a joint venture for the purpose of undertaking development and design work for two new train routes across London.	100	50
Bridge Rail Ltd.	Dormant	1	100
British Rail Engineering Ltd.	Dormant	1,000,000	100
British Rail Ltd.	Dormant	1	100
British Railways Board Ltd.	Dormant	1	100
British Transport Hotels Ltd.	Dormant	9,582,537	100
Britravel Nominees Ltd.	Dormant	100	100
Cross Channel Catering Ltd.	Dormant	100	100
Crossrail Ltd.	Dormant	2	100
Goldings Rail Ltd.	Dormant	1	100

Company name	*Activity*	*Issued share capital*	*Percentage SRA control*
Hays Rail Ltd.	Dormant	1	100
OQS Rail Ltd.	Dormant	1	100
Pullman Car Company Ltd.	Dormant	1,244,000	100
Rail Property Ltd.	Dormant	1	100
RailDirect Ltd.	Dormant	1	100
RFD (Channel Tunnel) Ltd.	Dormant	10,100	100
SRA Company Ltd.	Dormant	100	100
SRA Transport Ltd.	Dormant	5,000	100
Thameslink 2000 Ltd.	Dormant	2	100
Tower Rail Ltd.	Dormant	2	100

Notes:

1. No current turnover figures are available for the dormant companies or the recently formed companies.

2. The latest available figure for BRB (Residuary) Ltd. is £4.7 million for the two months following formation of the subsidiary to the end of March 2001.

East London Line

Joan Ruddock: To ask the Secretary of State for Transport when he expects the start of construction works on the southern extension of the East London Line. [64294]

Mr. Jamieson: London Underground are currently undertaking advance works on the northern extension. The Strategic Rail Authority, together with Transport for London and London Underground, is looking at the programme for the project as a whole, including the southern extension, as part of a project review. The review should be completed in the autumn.

Public Transport (West Sussex)

Mr. Soames: To ask the Secretary of State for Transport what steps he is taking to improve co-ordination between local bus and rail services in West Sussex. [66146]

Mr. Spellar: As part of the Government's Local Transport Plan process, West Sussex county council are introducing a number of initiatives through their plan to improve links between bus and rail services. These include the upgrade of 6 interchange stations (at Worthing, Chichester, Three Bridges, Haywards Heath, Crawley and Horsham), improvements to Railbus links, particularly with new housing developments, and the introduction and improvement of Passenger Information Terminals and freephone telephone links to the County's travel information line.

Coastal Emergency Planning

Mr. Simon Thomas: To ask the Secretary of State for Transport what recent discussions he has held with local authorities regarding a new statutory duty for coastal emergency planning. [63748]

Mr. Jamieson: As part of the review process which culminated in the publication of the revised "National Contingency Plan for Marine Pollution from Shipping and Offshore Installations" in January 2000, officials of my Department engaged in discussions, in a working group which included representatives of local authorities, on the subject of a statutory duty to plan for shoreline clean-up and to implement such plans following marine pollution incidents.

More recently, the issue of emergency planning has been addressed in the Government's Emergency Planning Review. In the event of a generic statutory emergency planning duty being introduced under new legislation following that Review, the question would arise as to whether such a duty should apply to coastal local authorities' preparation of contingency plans for shoreline clean-up.

Road Safety

Gillian Merron: To ask the Secretary of State for Transport what plans he has to promote safer driving. [63727]

Mr. Jamieson: One of our key road safety goals is to improve the standard of driving and our road safety strategy sets out a number of measures to achieve this. In particular we want to ensure that drivers obtain better skills and gain more experience before they take the driving test.

Quiet Road Surfacing

Mr. Don Foster: To ask the Secretary of State for Transport, pursuant to his answer of 25 June 2002, *Official Report*, column 776W, on quiet road surfacing, if he will list the proportion of quiet road surfacing in each case according to road classification. [66066]

Mr. Jamieson: The information required to answer the question is not recorded centrally.

Rural Bus Challenge

Mrs. May: To ask the Secretary of State for Transport (1) if he will list the wards served by the projects that are supported by the Rural Bus Challenge; [66566]

(2) when he will announce the results of the latest Rural Bus Challenge. [66565]

Mr. Jamieson: The results of the Rural Bus Challenge 2001 competition were announced in January this year, and we anticipate the results of the 2002 competition to be announced early next year.

A list of the projects that have been awarded Rural Bus Challenge funding in each of the four competitions since it was introduced in 1998 is deposited in the Library of the House. A total of £69.8 million has been awarded to 213 schemes.

Variable Speed Limits

Mr. Don Foster: To ask the Secretary of State for Transport what research has been conducted *(a)* by and *(b)* for his Department on the effect of variable speed limits; and if he will make a statement. [66005]

Mr. Jamieson: The Transport Research Laboratory (TRL) monitored trials on the effectiveness of variable speed limits outside schools. Variable message signs were installed outside schools that reduced the speed limit typically one hour around school arrival and leaving times. The results showed very little reduction in vehicle speeds and the report concluded that as a speed reducing feature they were ineffective.

Road Maintenance Backlog

Mr. Don Foster: To ask the Secretary of State for Transport how he will ensure that funds allocated to local authorities to clear the road maintenance backlog are used for this purpose. [66010]

Mr. Jamieson: The Best Value regime, introduced by the Local Government Act 1999, requires continuous improvement in highway maintenance. Authorities are required to report annually against Best Value indicators, which measure carriageway condition on all classes of local authority roads.

DfT is working with local authorities to develop highway management systems which will lead to more consistent standards and a better system for effective targeting of resources.

Light Transport Schemes

Mrs. May: To ask the Secretary of State for Transport if he will list the light rail schemes in operation, giving *(a)* the start date of operation and *(b)* the Government body responsible for oversight. [66577]

Mr. Jamieson: There are currently six light rail schemes in operation, as listed in the table. The Health and Safety Executive is responsible for the regulation of tram and light rail systems and tram drivers must also comply with certain highways legislation, enforced by the police.

Light rail scheme	*Start date*
Tyne and Wear Metro	Original system opened between 1980 and 1984 Newcastle airport extension opened 1991 Extension to Sunderland and South Hylton opened on 31 March 2002
Docklands Light Railway (London)	First phase opened 1987 Bank extension opened 1991 Beckton extension opened 1994 Lewisham extension opened 1999
Manchester Metrolink	Altrincham-Bury opened 1992 Extension to Salford Quays and Eccles opened in 1999 and 200[illegible] respectively
South Yorkshire Supertram (Sheffield)	Opened in stages during 1994–95
Midland Metro	Opened in 1999
Croydon Tramlink	Opened in June 2000

Mrs. May: To ask the Secretary of State for Transport how many light rail passengers there have been in each of the last five years. [66570]

Mr. Jamieson: The following is the most recent information available:

Million

Year	*Number of light rail passenger journeys*
1996–97	73
1997–98	79
1998–99	85
1999–2000	94
2000–01	120

Mrs. May: To ask the Secretary of State for Transport if he will make a statement on each proposed light rail scheme under consideration. [66578]

Mr. Jamieson: The light rail schemes currently being appraised by the Department for Transport on which promoters are seeking a provisional view before possible Transport and Works Act applications, are as follows:

Merseytram Line 1

Manchester Metrolink—Stockport Extension.

In addition, my officials are also appraising the proposed upgrade to the Blackpool Tramway.

Mr. Don Foster: To ask the Secretary of State for Transport, pursuant to his answer of 25 June 2002, *Official Report*, column 773W, on light transport schemes, if he will *(a)* list the occasions on which his Department has met the promoters of individual schemes, giving the scheme and promoter in each case, *(b)* list the schemes to which information, support and guidance has been given and *(c)* list the occasions on which workshops on light rail and guided bus schemes have taken place, giving the scheme on each occasion, since 7 June 2001. [66046]

Mr. Jamieson: The following charts contain the available information on meetings and workshops. In addition, information, support and guidance has been provided by my Department and the relevant Government Office to the promoters of every scheme to the extent requested, by telephone, email or post.

List A—Meetings held with promoters of light rail schemes since 7 June 2001

Scheme and Promoter	*Number of meetings*
Blackpool Tram—Blackpool borough council	2
Bristol and South Gloucestershire Tram Scheme—Bristol city council and South Gloucester council	3
Croydon Tramlink	2
Docklands LR	1
Hull LRT—Hull city council	1
Leeds Supertram—West Yorkshire Passenger Transport Executive	3
Manchester Metrolink Extensions—Greater Manchester Passenger Transport Executive	9
Merseytram—Merseytravel	5
Midland Metro—Centro	1
Nottingham Express Transit—Nottingham city council	3
South Hampshire Rapid Transit—Hampshire county council	2
South Yorkshire Supertram Extensions—South Yorkshire Passenger Transport Executive	3
Meetings held with promoters of guided bus schemes since 7 June 2001	
Barnsley Interchange and Busway—South Yorkshire Passenger Transport Executive	1
South Bradford Integrated Transport Scheme—Bradford city council	1
Cambridge Guided Bus—Cambridge county council	1
Cambridge Guided Bus—Cambridge Rapid Transport System (Commercial)	1
Chester Deeside Transport Scheme—Chester city council	2
Doncaster Bus—South Yorkshire Passenger Transport Executive	4
Crawley Fastway—West Sussex county council	3
Kent Fastrack—Kent county council	2
Leeds A65—West Yorkshire Passenger Transport Executive	1
Luton-Dunstable Translink—Bedfordshire county council and Luton borough council	5

List B—Workshops

Workshops		
Workshop on monitoring processes for light rail schemes in operation	29 June 2001	Approximately 45 attended from various promoters.
Workshop on light rail appraisal	21 February 2002	Approximately 45 attended from various promoters.
Workshop on other major public transport schemes including guided bus	1 March 2002	Approximately 50 attended from various promoters.
'Surgery' on funding/appraisal issues before submission of annual progress reports (31 July 2002)	19 and 20 June 2002	Attendance included one guided bus scheme.

Road Widening

Mr. Don Foster: To ask the Secretary of State for Transport what schemes for road widening under the 10-year plan have been *(a)* proposed, *(b)* accepted and *(c)* started; what the location and length of road is in each case; what research has been conducted into the effects on (i) traffic, (ii) safety, (iii) congestion, (iv) social and environmental impacts and (v) economic effects in each case; and if he will make a statement. [66310]

Mr. Jamieson: There are currently 15 on-line widening schemes in our targeted programme of improvements (TPI). As with all such schemes a substantial amount of assessment work is undertaken which looks at the current situation and the impact of the proposals. This is published during the statutory procedures and may be debated at a public inquiry, if one is necessary, and then by the Secretary of State when deciding whether to authorise the making of the necessary orders.

The following such schemes are under construction:

A1 Willowburn to Denwick Improvement (Northumberland—4.2km)

A11 Roudham Heath to Attleborough Dualling (Norfolk—9.9km)

A43 M40 to B4031 Dualling (Oxfordshire—6.5km)

A46 Newark to Lincoln Improvement (Lincolnshire—28km).

Construction on the following will start in the next financial year:

M25 J12–15 Widening (Surrey—10.9km)

M60 J5–8 (Greater Manchester—7.4km).

And statutory procedures have still to be completed on the following schemes:

A74(M) Carlisle to Guardsmill upgrading to motorway (Cumbria—9km)

A1 Bramham to Wetherby (N. Yorkshire—9km)

A1 Dishforth to Leeming (N. Yorkshire—22km)

A1 Leeming to Barton (N. Yorkshire—16km)

A2 Bean to Cobham Widening Phase 1 (Kent—4.1km)

A2 Bean to Cobham Widening Phase 2 (Kent—6.5km)

A11 Fiveways to Thetford Improvement (Suffolk—14.9km)

A11 Attleborough Bypass Improvement (Norfolk—5.5km)

A46 Newark to Widmerpool Improvement (Nottinghamshire—28km).

Other widening schemes have been proposed as possible solutions to transport problems being investigated under the programme of multi-modal (MMS) and road based studies. So far the only widening scheme which the Secretary of State has accepted coming out of an MMS is the proposal to widen the A14 between Cambridge and Huntingdon and the Cambridge Northern Bypass. The Highways Agency are now undertaking more detailed work on the scheme design than was possible during the study with a view to it being added to the TPI in the near future. Again substantial work will be undertaken on all the effects of the scheme during future statutory processes.

Journey Times

Mr. Don Foster: To ask the Secretary of State for Transport what recent research has been conducted *(a)* for and *(b)* by his Department on predicting journey times for (i) freight, (ii) passengers and (iii) car journeys; and if he will make a statement. [66312]

Mr. Jamieson: The Highways Agency has carried out research to investigate the feasibility of providing road users with predictions of journey times to selected local destinations, such as airports, for display on variable message signs.

The Highways Agency has recently completed a study of journey times experienced around motorways in the west midlands and is presently considering options for wider promulgation of the results of the study.

The Highways Agency is also analysing the suitability of journey time data collected by a number of systems both within the Agency and developed by the private sector, for the purposes of scheme evaluation by the Agency.

The Department is undertaking research at present to provide a better understanding of the causes of journey time variability in congested conditions on motorways.

EU Working Time Directive

Mr. Don Foster: To ask the Secretary of State for Transport what *(a)* guidance and *(b)* legislation (i) has been given or is in place and (ii) is planned by his Department on the EU Working Time Directive; and if he will make a statement. [66321]

Mr. Jamieson: My Department is responsible for implementing the EU directive on the organisation of the working time of persons performing mobile road transport activities (2002/15/EC). This directive was published in the Official Journal of the European Communities on 23 March 2002, and is scheduled to come into force in the UK by 23 March 2005.

No formal guidance on the directive has been produced at this stage. However, we are currently consulting with key representatives from both sides of industry on the transposition of the directive.

My right hon. Friend the Secretary of State for Trade and Industry is responsible for guidance on and the implementation of domestic legislation relating to the original working time directive (93/104/EC) and the horizontal amending directive (2000/34/EC).

Channel Tunnel

Miss McIntosh: To ask the Secretary of State for Transport, pursuant to the answer of 11 June 2002, *Official Report*, column 1133W, on the Channel Tunnel, for what reason Government policy towards payment for security measures at the Channel Tunnel has changed; and for what reason the SRA will be asked to contribute to such costs. [66581]

Mr. Jamieson: There has been no change in policy. The SRA originally offered assistance, which is for security at the Frethun freight yard, not the tunnel itself, in December last year. The objective is to bring forward to the earliest possible date the resumption of full and reliable international rail freight services.

Cycling

Mrs. May: To ask the Secretary of State for Transport how many cycling trips were made and what the total distance travelled by cyclists was in each of the last four years. [66571]

Mr. Jamieson: Figures for Great Britain from the national Travel Survey are as follows:

	1997	*1998*	*1999*	*2000*
Trips per person per year	18	15	17	16
Stages per person per year	18	15	17	17
Distance per person per year	41	36	42	37

Note:

Figures for 2001 are not yet available. Stages include all travel by bicycle but trips only include those where cycling was the main mode of travel. Averages are taken over all the population living in households, not just cyclists. The volatility of the single year figures is likely to be a result of the relatively small sample sizes and the geographical clustering of the sample. Cycling patterns over individual years are also very dependent on the weather.

Mrs. May: To ask the Secretary of State for Transport what research he has commissioned into making *(a)* cycling and *(b)* walking routes safer; if he will place a copy in the Library; and if he will list those schemes introduced in the last two years in order to make these routes safer. [66579]

Mr. Jamieson: Details of a number of current research projects on cycling and walking are listed in the "Road Safety Research, Compendium of Research Projects 2001–02" and in "Roads and Local Transport Research Programme Compendium of Research Projects 2000–01". The compendia are updated at regular intervals, deposited at the House of Commons Library, and are available on the Department's website. A list of schemes to make walking and cycling routes safer is not recorded centrally.

Mrs. May: To ask the Secretary of State for Transport (1) what Government funding was provided directly for cycle lanes in each of the last four years; and if he will make a statement; [66575]

(2) how much money was allocated to local authorities in each of the last four years for the provision of cycle lanes. [66574]

Mr. Jamieson: The Department has not funded any cycle lanes in the last four years. Since December 1999 local transport capital allocations have been provided to English local authorities outside London through the local transport plan system. Apart from major local transport schemes (those with a gross cost exceeding £5 million) funding is allocated in the form of a single block allocation the use of which is at the authorities discretion. Such funds can be used to implement cycle lanes but it is for authorities to decide their local priorities.

In the first three years of local transport plan system, total single block allocations were as follows:

	£ million
2002–03	1,200
2003–04	1,100
2004–05	514

Comparable figures for 1999–2000 are not available.

Mrs. May: To ask the Secretary of State for Transport what the total length of cycle lanes is in the UK; and what percentage of these are *(a)* on the side of the carriageway, *(b)* on the pavement and *(c)* independent of a road or pavement. [66573]

Mr. Jamieson: This information is not held centrally. Local cycling strategies contain plans for up to 4,300 km of new cycle routes in England by 2005, but it is for individual local traffic authorities to monitor and hold the details of cycle lane provision in the area they control.

Multi-modal Studies

Mr. Don Foster: To ask the Secretary of State for Transport what *(a)* guidance has been given by his Department and *(b)* legislation is in place with regard to the methodology for multi-modal studies (i) proposals and (ii) assessment; and if he will make a statement. [66311]

Mr. Jamieson: The Department issued Guidance on the Methodology for Multi-Modal Studies (GOMMMS) in March 2000. In addition one errata; two supplementary pieces of GOMMMS guidance; and a report commissioned by the Department on 'Soft Factors Likely To Affect Travel Demand' have been published since that date. All of these documents can be found on the Departmental website at:

http://www.roads.dft.gov.uk/roadnetwork/heta/hetapubs.htm

There is no legislation in place relating to the methodology for multi-modal studies.

Mr. Don Foster: To ask the Secretary of State for Transport (1) pursuant to his answer of 25 June 2002, *Official Report*, columns 769–70W, on multi-modal studies, if he will list the *(a)* number, *(b)* type, *(c)* length, *(d)* expected impact on the numbers of passengers and journeys and *(e)* expected impacts on congestion and pollution of bus schemes (i) proposed, (ii) accepted and (iii) under way for each of the multi-modal studies that have reported; [66069]

(2) pursuant to his answer of 25 June 2002, *Official Report*, columns 769–70W, on multi-modal studies, if he will list the *(a)* number, *(b)* type, *(c)* length, *(d)* expected impact on the numbers of passengers and journeys and freight volume and *(e)* expected impacts on congestion and pollution of rail schemes (i) proposed, (ii) accepted and (iii) underway for each of the multi-modal studies that have reported. [66073]

Mr. Jamieson: The multi-modal studies are strategic transport studies which examine the contribution that combinations of measures, covering, among other things, roads, rail, public transport and behavioural change initiatives, could make to resolving the transport problems in the study areas. Information about specific measures in isolation is not available in the detail requested and could be obtained only at disproportionate cost.

Mr. Don Foster: To ask the Secretary of State for Transport, pursuant to his answer of 25 June 2002, *Official Report*, columns 769–70W, on multi-modal studies, if he will list the *(a)* number, *(b)* type, *(c)* length, *(d)* expected impact on the number of road journeys and freight volumes and *(e)* expected impacts on congestion and pollution of road building schemes (i) proposed, (ii) accepted and (iii) underway for each of the multi-modal studies that have reported. [66074]

Mr. Jamieson: The Multi-Modal Studies are strategic transport studies which examine the contribution that combinations of measures, covering, among other things, roads, rail, public transport and behavioural change initiatives, could make to resolving the transport problems in the study areas. Information about specific measures in isolation is not available in the detail requested and could only be obtained at disproportionate cost.

Mr. Don Foster: To ask the Secretary of State for Transport, pursuant to his answer of 25 June 2002, *Official Report*, columns 769–70W, on multi-modal studies, if he will list the *(a)* number, *(b)* type, *(c)* length, *(d)* expected impact on the numbers of passengers and journeys and freight volume and *(e)* expected impacts on congestion and pollution of rail schemes (i) proposed, (ii) accepted and (iii) underway for each of the multi-modal studies that have reported. [66071]

Mr. Jamieson: The Multi-Modal Studies are strategic transport studies which examine the contribution that combinations of measures, covering, among other things, roads, rail, public transport and behavioural change initiatives, could make to resolving the transport problems in the study areas. Information about specific measures in isolation is not available in the detail requested and could only be obtained at disproportionate cost.

Mr. Don Foster: To ask the Secretary of State for Transport, pursuant to his answer of 25 June 2002, *Official Report*, columns 769–70W, on multi-modal studies, if he will list the *(a)* number, *(b)* type, *(c)* length, *(d)* expected impact on the numbers of passengers and journeys and *(e)* expected impacts on congestion and pollution of light rail, tram and guided busway schemes (i) proposed, (ii) accepted and (iii) underway for each of the multi-modal studies that have reported. [66072]

Mr. Jamieson: The Multi-Modal Studies are strategic transport studies which examine the contribution that combinations of measures, covering, among other things, roads, rail, public transport and behavioural change initiatives, could make to resolving the transport problems in the study areas. Information about specific measures in isolation is not available in the detail requested and could only be obtained at disproportionate cost.

Mr. Don Foster: To ask the Secretary of State for Transport, pursuant to his answer of 25 June 2002, *Official Report*, columns 769–70W, on multi-modal studies, if he will list the *(a)* number, *(b)* type, *(c)* length, *(d)* expected impact on the numbers of journeys and *(e)* expected impacts on congestion and pollution of cycle lane and footpath schemes (i) proposed, (ii) accepted and (iii) under way for each of the multi-modal studies that have reported. [66070]

Mr. Jamieson: The Multi-Modal Studies are strategic transport studies which examine the contribution that combinations of measures, covering, among other things, roads, rail, public transport and behavioural change initiatives, could make to resolving the transport problems in the study areas. Information about specific measures in isolation is not available in the detail requested and could only be obtained at disproportionate cost.

CABINET OFFICE

Regulatory Impact Assessments

35. **Dr. Cable:** To ask the Minister for the Cabinet Office what steps he is taking to ensure that regulatory impact assessments are consistent between Government Departments. [63751]

Mr. Alexander: The Cabinet Office issues guidance to Departments on producing regulatory impact assessments. This guidance follows the methodology set out in the Treasury publication "Appraisal and Evaluation in Central Government", and it is currently being updated and reviewed. It will be subject to a public consultation starting in the summer. The final version will be issued by the end of 2002.

Emergency Planning Procedures

36. **Tom Brake:** To ask the Minister for the Cabinet Office if he will make a statement on changes to emergency planning procedures implemented since June 2001. [63752]

Mr. Alexander: Since June 2001, the Government has carefully reviewed civil protection arrangements across the UK. As a result, measures have been taken by Government Departments, the emergency services and local authorities to improve assessment, detection, protection, planning and response to a wide range of threats.

Deregulation

37. **Paul Flynn:** To ask the Minister for the Cabinet Office what new proposals he has to improve the efficiency of Government Departments by means of deregulation. [63754]

Mr. Alexander: The Office of Public Service Reform (OPSR) is working on several projects that aim to reform the workings of Central Government. They include:

The Departmental Change Programme is designed to ensure that Government Departments and services are equipped to achieve a step change in delivery of outcomes, consistent with the four principles of public service reform.

Improving Programme and Project Delivery to improve the civil service's capability and capacity to deliver efficient Government.

The Regulatory Impact Unit has developed collaboratively with other Departments the Policy effects framework; a strategy for avoiding unnecessary bureaucratic from new policy.

Performance and Innovation Unit

38. **Ms Dari Taylor:** To ask the Minister for the Cabinet Office if he will list his Department's responsibilities with regard to the Performance and Innovation Unit. [63755]

Mr. Alexander: As announced on 24 June, the Performance and Innovation Unit will be brought together with the Forward Strategy Unit to form a single unit called the Strategy Unit.

The Strategy Unit will carry out long-term strategic reviews and policy analysis which can take several forms:

long-term strategic reviews of major areas of policy;

studies of cross-cutting policy issues;

strategic audit, (eg where do the Government stand in relation to their main objectives?); and

working with Departments to promote strategic thinking and improve policy making across Whitehall.

I will support the Prime Minister by taking on a ministerial sponsorship role in relation to the work of the Strategy Unit. Lord Macdonald of Tradeston is the sponsor Minister for the current PIU project on risk and uncertainty.

Committee on Standards in Public Life

Mr. Neil Turner: To ask the Minister for the Cabinet Office if the Government plan to submit written evidence to the Committee on Standards in Public Life as a part of its inquiry defining the boundaries within the Executive. [66804]

Mr. Alexander: The Government have today submitted written evidence to the Committee on Standards in Public Life as part of its inquiry into 'Defining the Boundaries within the Executive'. Copies of the submission have been placed in the Libraries of the House.

DEFENCE

Ministerial Meetings (NATO)

Mr. Vaz: To ask the Secretary of State for Defence when he last met the Secretary-General of NATO; and if he will make a statement. [62185]

Mr. Hoon: I met Lord Robertson on 6–7 June at the NATO Defence Ministers Meeting in Brussels.

The meeting was an important step in the Alliance's preparation for the NATO Prague Summit in November. Alliance Defence Ministers agreed on the need to: improve capabilities, including defence against the threat of terrorism; enlarge in a way that enhances collective security; build on the new security relationship with Russia; develop a more substantive relationship with partners; and adapt to modernise NATO's structures and processes.

Gulf War Syndrome

Mr. Laws: To ask the Secretary of State for Defence whether his Department recognises Gulf War Syndrome as a medical condition; and if he will make a statement. [60333]

Mr. Ingram: *[holding answer 13 June 2002]:* My Department does not recognise "Gulf War Syndrome" as a medical condition. It accepts that some veterans of the 1990–91 Gulf conflict have become ill and that many attribute this ill health to their Gulf experience. A large number of multi-system, multi-organ, non-specific, medically unexplained symptoms have been reported by some Gulf veterans as well as recognised medical conditions. The overwhelming consensus of the scientific and medical community is that there is insufficient evidence to enable this ill-health to be characterised as a unique illness or "syndrome".

Military Sites (Wales)

Mr. Simon Thomas: To ask the Secretary of State for Defence if he will provide a list of active military sites in Wales. [63196]

Mr. Ingram: The Ministry of Defence has the following active military establishments in Wales. The list excludes housing and Territorial Army and Cadet sites not owned by MOD.

Flintshire

Army Rifle Range
RAF Sealand
Moel-Y-Parc Army Training Camp, Nr. Denbigh, Denbighshire/ Flintshire Hawarden Weather Station, Hawarden Airport, Hawarden

Conwy

Capel Curig, Army Camp
Weather Station Garth farm
Joint Training Centre—Tal-y-Bont Road, Llanrwst

Denbighshire

Craig-Y-Dduait—Army Radio Station—Nr. Llangollen
Gwaenysgor—Army Radio Station, Gwaenysgor
Rhyl, Army Camp (Kinmel Park), Bodelwyddan, Rhyl

Gwynedd

Bethesda Mountain Rescue Post, Bethesda
Fairbourne, RAF Training Centre, Plas yr Antur, Waverley Road,
Fairbourne, Llanuwchlyn—Seismic Research Station, Llanuwchlyn
Mynydd Rhiw—Army Radio Station
Tywyn—JSMTC (Morfa Camp), Tywyn
Uwchmynydd—Weather Station, Nr. Aberdaron

Isle of Anglesey

Almwch—Hi-Fix Station, Llam Carw, Amlwch
Holyhead—RAF Radio Station, llaingoch, Holyhead
Llanddona—Army Radio Station, BBC Radio Transmitting Station
Llanfair P. G—JSMTC, Plas Llanfair, Llanfair P. G
Menai Bridge Army Camp, Ynys Gaint, Menai Bridge
RAF Mona Airfield, Nr. Llangefni
Ty-Croes RAF Radar Site, Ty Croes
RAF Valley

Powys

Llansilin Army Rifle Range, Llansilin
The Barracks, Brecon
Dering Lines Camp
Cwrt-y-Gollen Camp
Radio Station, Newton
Sennybridge, Camp and Army Training Area
Training Area, Pentwyn Farm, Llywel (Nr. Sennybridge)
HMS Excellent, Training Centre, Pant-y-Rhiw (Nr. Brecon)
Automatic Weather Stations, Llandulas and Lake Vyrnwy

Wrexham

Hightown Barracks
Tri-Service CIO, Halkyn House, 21 Rhosddu Road

Monmouthshire

Army Training Area, North Caerwent Village
Army Training Area, Sudbrook, Portskewitt
Seven Tunnel, Rifle Range, Caldicott
Training Area, Pwllholm and Vauxhall Camps
Base Camp, Ty-Isaf (Nr. Abergavenny)

Newport

Raglan Barracks
ACIO, 4–5 Kingsway Shopping Centre

Pembrokeshire

Cawdor Barracks (including radio sites) Brawdy
Range facilities, Old Castle Head
Misc sites, Pembroke Dock
Penally Camp and Rifle Range, Penally
Army Training Area, Templeton Airfield, Nr. Tenby
Marine Salvage Depot, Fort Road
Marine Craft Unit, Masonry Pier (part) Tenby
Armament Depot, Llanfair-nant-y-gof, Letterston
ATC Accommodation, Victoria Road
ATC Accommodation, Tenby Railway Station
East Blockhouse (Nr. Milford)

Swansea

AFCIO, 17–19 Castle Street
DSDC Llangennech
ATC HQ Gliding School, Swansea Airport
ATC Accommodation, 2nd floor, 10 Caer Street

Cardiff

AFCO and Met Office, Southgate House
RNR Training Centre, HMS Cambria, Bute Docks,
Barry Airfield
AWE Cardiff, Llanishen, Caerphilly Road
Museum, Tower and Portcullis Chamber

Carmarthenshire

AWE Siesmic site, Nr. Lampeter
Range facilities Pen-y-wayn (Nr. Carmarthen)
Bombing Ranger, Nr. Llanelli
Training Area and Ranges, Maesbwlch Farm, Llandovery

Vale of Glamorgan

RAF St. Athan,
HMS Cambria (Mooring facilities No.2 Dock)
ACIO, 8 Gelliwasted Road, Rhondda
Dock Fortifications, Port and Harbour, Neath/Port Talbot
ATC Accommodation, Nr. Merthyr Tydfil
Pendine, Carmarthenshire
Llanbedr—Gwynedd.

Aberport Main Site, Pendine and Llanbedr are all operated by QinetiQ on behalf of MOD which retains ownership. There are a number of minor observation posts of insignificant size associated with these operations.

In addition, there are various radio masts.

Kenley Airfield

Richard Ottaway: To ask the Secretary of State for Defence if he plans to change the use of Kenley airfield, Croydon; and if he will make a statement. [63684]

Mr. Ingram: Kenley airfield is currently used by the Air Cadets Voluntary Gliding School. There are no plans to change this usage for the foreseeable future.

Chinook

Norman Lamb: To ask the Secretary of State for Defence for what reasons flight data and cockpit voice recorders were not fitted to the RAF Chinook HC2 fleet upon its entry into service. [64561]

Mr. Ingram: The Chinook was introduced into RAF service in 1980 at a time when it was not the Ministry of Defence's policy to install flight data recorders into military aircraft. Since then the policy has changed and such equipment is now installed in all new aircraft.

The decision on retrofitting existing aircraft is considered carefully against a number of factors, such as the type's remaining in-service life, flight safety record, cost and operational considerations. As a result of such considerations, a decision was taken (before the Mull of Kintyre accident) to install an accident data recorder and a cockpit voice recorder, as part of the helicopter health and usage monitoring system modification. This modification has now been installed in the entire in-service Chinook fleet.

Asymmetric Surface Threats

Mr. Jenkin: To ask the Secretary of State for Defence if he will make a statement on his Department's work to increase the protection for Royal Navy warships against asymmetric surface threats operating in the littoral; what trials his Department has conducted to evaluate current and future warship weaponry against such threats; and when such trials were begun. [64809]

Mr. Ingram: It is not our policy to comment on the specific details of measures taken to protect fleet units against asymmetric attack, and I am withholding this information in accordance with Exemption 1 of the Code of Practice on Access to Government Information which relates to defence, security and international relations. The Royal Navy keeps tactics and measures in this area under constant review. Trials and training are conducted on a regular basis.

Balkans

Mr. Jenkin: To ask the Secretary of State for Defence if he will make a statement on the future of the UK military commitment to the Balkans. [64813]

Mr. Ingram: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Defence on 13 June 2002, *Official Report*, columns 1343–44, to my hon. Friend the Member for Broxtowe (Dr. Palmer).

Discussions are continuing on how we will adjust our troop contributions in light of the Joint Operational Area Review.

Helicopters

Mr. Ben Chapman: To ask the Secretary of State for Defence what plans he has for the replacement of *(a)* Lynx, *(b)* Gazelle and *(c)* Sea King helicopters at RNAS Yeovilton. [64618]

Mr. Ingram: The Battlefield Light Utility Helicopter project, planned to enter service from the middle of this decade, is intended to replace the capability provided by the Lynx Marks 7 and 9 and the Gazelle. The Surface Combatant Maritime Rotorcraft (SCMR) project will replace the capability currently provided by the Maritime Lynx Marks 3 and 8. SCMR is currently planned to enter service towards the end of this decade. A number of existing helicopter designs are potentially able to meet these requirements, including the Future Lynx proposal from Westlands Helicopter Ltd., and these will be considered further in the assessment phases of these projects.

The Support Amphibious and Battlefield Rotorcraft programme is designed to replace the capability provided by the Sea King Mk4 early in the next decade. The project is in its early stages and we have yet to decide on how the capability requirement will best be met.

On current plans the Lynx, Gazelle and Sea King helicopters (and their replacements) currently based at RNAS Yeovilton will continue to be based there. The planning assumption for naval helicopters to remain at Yeovilton will be reviewed when the Harrier force departs in 2006.

Amber Fox

Mr. Jenkin: To ask the Secretary of State for Defence what plans there are for the EU to take over the operation Amber Fox; and if he will make a statement. [64812]

Mr. Ingram: NATO has been invited by the Macedonian Government to extend the mandate of Operation Amber Fox for a further four months until 26 October 2002. The Netherlands took over from Germany as lead nation on 26 June 2002.

At its recent meeting in Seville, the European Council expressed the European Union's willingness to take over from NATO in Macedonia at the end of NATO's current mandate provided that the permanent arrangements between the EU and NATO are in place by then.

Any follow-on mission would be at the invitation of the Macedonian Government.

Sub-continent (Weapons Capability)

Gregory Barker: To ask the Secretary of State for Defence what representations his Department has received concerning the acquisition by India of Hawk aircrew training simulators. [65427]

Mr. Hoon: I am not aware of any such representations.

Gregory Barker: To ask the Secretary of State for Defence (1) what discussions he has held with the Secretary of State for Trade and Industry since December 2001 regarding arms export licence grants to *(a)* India and *(b)* Pakistan; [65448]

(2) what licence applications his Department has examined for arms exports to *(a)* Pakistan and *(b)* India since January 2000; and how many his Department (i) supported and (ii) opposed. [65425]

Mr. Hoon: I am withholding this information in accordance with Exemption 2 (Internal Discussions and Advice) of Part II of the Government's Code of Practice on Access to Government information.

Chris Grayling: To ask the Secretary of State for Defence what his policy is on arms sales to India and Pakistan. [65404]

Mr. Hoon: All relevant export licence applications for India and Pakistan are considered on a case by case basis against the Consolidated EU and national arms export licensing criteria, in the light of the answer given on 15 March 2002, *Official Report*, columns 1296–98W by my hon. Friend the then Parliamentary Under-Secretary of State for Foreign Affairs (Mr. Bradshaw) to my hon. Friend the Member for Edmonton (Mr. Love). The Government are keeping a very close eye on developments in the region and continue to apply the Consolidated EU and national arms export licensing criteria carefully and rigorously.

DECS PPP

Mr. Gray: To ask the Secretary of State for Defence what savings he expects to achieve for the DECS PPP *(a)* as a result of changes in management practice and *(b)* as a result of inventory effectiveness; and what savings the DECS PPP has achieved so far. [64801]

Mr. Ingram: The Defence Electronic Commerce Services (DECS) Public Private Partnership (PPP) provides an electronic portal and associated infrastructure through which we can do business more effectively with our industrial partners. DECS hosts software applications, each of which are contracted individually. The first service, covering e-purchasing, has already enabled the DLO's Non-Project Procurement Office to generate savings of over £350,000 and the savings for May 2002 alone were estimated to exceed £100,000 when compared to the cost of transacting business in the traditional manner. We expect further savings to be generated as the DECS applications are developed and become more widely used across the Department. However, because DECS is designed to enable the defence acquisition community to operate more effectively, savings are not broken out and attributed directly to the system itself, or to management practise or inventory effectiveness.

Defence Attachés

Lynne Jones: To ask the Secretary of State for Defence what the overall cost was of defence attachés in each financial year since 1999–2000. [65271]

Mr. Ingram: The overall cost of defence attachés in each financial year since 1999–2000 is as follows:

£ million

Financial year	*Cost*
1999–2000	23.895
2000–01	25.455
2001–02	28.704

The Queen Mother

Mr. Gordon Prentice: To ask the Secretary of State for Defence, pursuant to his letter of 25 June to the hon. Member for Pendle, how many service personnel were involved in the funeral of HM Queen Elizabeth the Queen Mother. [65255]

Mr. Ingram: 2,922 service personnel, including Commonwealth troops and service chiefs, were involved in the funeral of Her Majesty Queen Elizabeth the Queen Mother.

Merlin

Mr. Jenkin: To ask the Secretary of State for Defence what plans he has to give the Merlin helicopter an air to surface capability. [66032]

Mr. Ingram: There are no current plans to equip the Merlin helicopter with an air to surface capability. This is being kept under review.

Colchester Garrison

Mr. Jenkin: To ask the Secretary of State for Defence if the Investment Advisory Board has given consideration to the Colchester garrison PFI; and if he will make a statement. [66255]

Mr. Ingram: The Ministry of Defence's Investment Approvals Board advises Ministers on major defence investment projects. The Board expects to consider this project again in the near future.

NATO Defence Ministers' Meeting

Mr. Jenkin: To ask the Secretary of State for Defence what proposals were made by the US Administration prior to the recent NATO Defence Ministers' meeting; and if he will place the relevant papers and letters from the US Administration in the Library. [66256]

Mr. Hoon: This is a matter for the United States Administration.

Royal Navy Bases

David Cairns: To ask the Secretary of State for Defence if he will make a statement on the future basing of Royal Navy ships and submarines and the future requirement for three naval bases. [66801]

Mr. Ingram: A joint Royal Navy/Warship Support Agency study team has recently completed a wide-ranging review of the base porting arrangements for Royal Navy warships and Royal Fleet Auxiliaries, and the infrastructure required to support them. Their recommendations have been endorsed by Ministers, and will be implemented subject to trade union consultation.

The three existing naval bases at Portsmouth, Devonport and Clyde are able to provide sufficient capacity to support the ships and submarines that are in-service, on order or planned.

The future aircraft carrier—the CVF—will be based at HM naval base Portsmouth. While it should be possible to berth two CVFs in Portsmouth simultaneously, for military reasons this may not be desirable. Options are therefore being considered to make use of an occasional stand-by berth for the high-readiness CVF. Further work on the design, operating patterns and manning are needed before a final decision can be made, although initial indications who show that Southampton could provide such a facility if required.

As has been previously announced on 26 June 2002, *Official Report*, column 908W the batches one and two of Astute Class submarines will be based at HM naval base Clyde, and the Trafalgar Class will remain at Devonport.

With regard to the remainder of the fleet, the T45 Destroyers will progressively replace the T42 Destroyers based at Portsmouth. The two new amphibious ships, HMS Albion and HMS Bulwark, will join HMS Ocean at Devonport, creating an amphibious shipping centre of expertise. The current arrangements for the Vanguard Class nuclear powered ballistic missile Submarines, Frigates, Survey Ships and Minor War Vessels work well and will not be changed.

Type 45 Procurement

Mike Gapes: To ask the Secretary of State for Defence if the RAND report on type 45 procurement options has been published; and if he will make a statement. [66802]

Mr. Ingram: The RAND report on acquisition options for the type 45 destroyer has now been published. A copy has been placed in the Library of the House.

RAND is a very experienced and influential organisation and has been conducting analyses of military shipbuilding, the industrial base, and competition issues for two decades. The Ministry of Defence commissioned RAND last year to carry out an independent study into a range of alternative procurement strategies for our future warship programme over the next 15–20 years, with particular reference to options for type 45 destroyers. This followed receipt of an unsolicited bid from BAES Marine proposing that they should build all 12 ships planned for the class. This differed from the type 45 shipbuilding procurement strategy at that time which envisaged Vosper Thornycroft building one of the first batch of three ships and competing with BAES Marine for later batches.

Initial results from the study were used to help inform the MOD's decision to proceed with a revised procurement strategy for the type 45, in which each of the two shipbuilders, BAES Marine and Vosper Thornycroft, will be allocated modules (or blocks) of the ship to build. The revised strategy was announced by my right hon. Friend the Secretary of State for Defence on 10 July 2001, *Official Report*, columns 675–85.

RAND's analysis indicated that there would be roughly an even chance that competitive production of the type 45 by two shipbuilders would yield about the same overall cost as sole-source production. Noting that a competitive strategy could lead to one shipbuilder building most of the ships, RAND also investigated alternative strategies to direct work to each of the two shipbuilders to keep both involved in building warships.

The RAND results also suggested that, for strategies that directed type 45 work to a number of shipyards, allocation of blocks is more cost-effective than the allocation of whole ships, because the work force increases productivity as it gains experience of building the same blocks. Such a strategy will also have the advantage of keeping both shipbuilders in the type 45 programme and potentially available to compete for future warship programmes. In addition, the revised strategy is likely to provide better value for money in the longer term than the unsolicited proposal, if it enables competition to be pursued on other warship programmes.

Following the type 45 decision, RAND continued their study, taking a broader look at the foreseeable balance of demand and supply in the warship building sector, and the potential effects of different procurement approaches. The report does not make specific recommendations concerning procurement strategies for future programmes, although it has helped clarify issues regarding block production (which is likely to be employed for the future carrier). It also provides an indication of the size of work force that will be required to sustain the future programme.

RAND's work has already helped the MOD to arrive at a pragmatic solution for the type 45. The report will also provide a valuable source of information for further study of the warship building sector.

Amphibious Assault Capability

Mr. Jenkin: To ask the Secretary of State for Defence which warships capable of providing an amphibious assault capability will be available in *(a)* 2002 and *(b)* 2003; and if he will make a statement. [64819]

Mr. Ingram: I refer the hon. Member to the answer I gave on 7 March 2002, *Official Report*, column 474W, to my hon. Friend the Member for West Bromwich, West (Mr. Bailey). The amphibious assault capability is currently provided by the Landing Platform Helicopter (LPH) HMS Ocean and four Landing Ships Logistic (LSL). Following a series of highly successful operational deployments, HMS Ocean will shortly enter a docking period to conduct essential maintenance and planned capability enhancement, and will be unavailable for tasking until the autumn. During this period the amphibious assault capability could, if required, be provided by HMS Ark Royal in the LPH role and other platforms as may be required.

In 2003, as well as HMS Ocean and four LSLs, the LPD replacement ship, HMS Albion, will become available to provide our amphibious assault capability. The new ship will be significantly more capable than her predecessor, HMS Fearless, able to deploy embarked forces much more quickly—by air and by sea—and will use new landing craft with 20 per cent. more landing capability and a Ro-Ro type configuration for rapid embarkation of vehicles.

EDUCATION AND SKILLS

Secondary School Pupils

Helen Jones: To ask the Secretary of State for Education and Skills if she will make a statement on her plans to widen the options for study available to secondary school pupils. [65171]

Mr. Miliband *[holding answer 1 July 2002]:* The Green Paper "14–19: extending opportunities, raising standards", proposed increasing curriculum choice for young people from the age of 14. We aim to make sure that there is sufficient flexibility to allow students to pursue their talents and aspirations while maintaining a strong focus on the basics.

The consultation on the Green Paper only closed on 31 May. We are reflecting carefully on the views expressed during the consultation before reaching any decisions. We have indicated in the Green Paper that curriculum changes would be subject to further consultation before their introduction.

In September 2002 we will be introducing eight new vocational GCSEs in some schools. Also, the "Increased Flexibility for 14 to 16-year-olds" programme will enable over 30,000 pupils to undertake part-time vocational courses at further education colleges from September 2002.

Hampshire

Mr. Hoban: To ask the Secretary of State for Education and Skills (1) if she will list the activities pursued by her Department that have had a particular impact on Hampshire since 7 June 2001; [63617]

(2) if she will list those initiatives of her Department which have been applied in Hampshire since June 2001, indicating the level of financial support provided in each case. [63616]

Mr. Stephen Twigg *[holding answer 21 June 2002]:* The information requested has been placed in the Libraries.

School Ethnicity (Portsmouth, South)

Mr. Hancock: To ask the Secretary of State for Education and Skills what the ethnic ratio is for schools in the Portsmouth, South constituency; and if she will make a statement. [64479]

Mr. Stephen Twigg: The information requested is shown in the table.

Percentage of pupils by ethnic group[1] in maintained primary and secondary schools in the Portsmouth, South constituency as at January 2001

	Primary	*Secondary*
White	92.6	94.3
Black Caribbean	0.2	0.1
Black African	0.3	0.1
Black Other	0.4	0.2
Indian	0.6	0.7
Pakistani	0.1	0.1
Bangladeshi	4.3	2.6
Chinese	0.5	0.6
Other	1.0	1.2
All pupils: per cent.	100.0	100.0
Number of pupils	5,735	5,380

[1] Only pupils of compulsory school age and above were classified according to ethnic group.

Source:

Annual Schools Census

Data for 2002 are not yet available by parliamentary constituency.

Annual Leave

Mr. Bercow: To ask the Secretary of State for Education and Skills what the average annual leave entitlement is for staff in her Department in 2002. [64659]

Mr. Stephen Twigg: The annual leave entitlement of staff outside of the senior civil service is 25 days on entry, rising to 30 days after 10 years service. Entitlement for members of the senior civil service is currently set by the Cabinet Office at 30 days.

Records of annual leave entitlement are not kept centrally and therefore information about average entitlement could be provided only at disproportionate cost.

Special School Budgets

Mr. Willis: To ask the Secretary of State for Education and Skills what calculations she has made about the impact on special school budgets of the introduction of the *(a)* upper pay spine and *(b)* management pay spine. [65535]

Mr. Miliband *[holding answer 1 July 2002]:* The threshold constitutes point 1 of the upper pay scale and all threshold payments made to teachers by maintained schools are fully reimbursed by the Department. The rate of subsequent progression along the upper pay scale is for schools to determine in the light of teacher performance and in accordance with the School Teachers Pay and Conditions Document. The Department is contributing a grant of £90 million to schools in 2002–03, largely to support such progression.

Progress along the leadership group pay scale in maintained schools is also by performance points awarded at the discretion of the governing body. Here, the Department is contributing a further grant worth 60 per cent. of the cost in 2002–03 and schools are contributing 40 per cent.

The grants will support special schools in the same way that they do other maintained schools. The impact on their budgets will depend on the decisions taken by individual schools.

Teachers (Contracts)

Helen Jones: To ask the Secretary of State for Education and Skills what proportion of teachers in *(a)* primary and *(b)* secondary schools were employed on temporary and short-term contracts at the latest date for which figures are available. [65172]

Mr. Miliband *[holding answer 1 July 2002]:* In maintained nursery and primary schools in England, teachers on contracts of less than one month, working for the whole day on the third Thursday in January 2002, constituted 5 per cent. of all full-time equivalent teachers. These data are provisional.

In maintained secondary schools in England, teachers on contracts of less than one month, working for the whole day on the third Thursday in January 2002, constituted 3 per cent. of all full-time equivalent teachers. These data are provisional.

Bob Russell: To ask the Secretary of State for Education and Skills how long it is taking the Criminal Records Bureau to process clearance applications by new teachers; if she estimates that all new teachers due to start in September will have clearance in time; if she has contingency plans should applications not be cleared in time; and if she will make a statement. [65776]

Mr. Miliband *[holding answer 1 July 2002]:* The Criminal Records Bureau estimate that it is currently taking, on average, approximately six weeks to produce Disclosures.

The CRB is striving hard to improve the situation. A recovery programme has been introduced, and the Bureau's current expectation is that, by August, the present backlog of applications will have been cleared, and the Bureau will be achieving its previously published service standards of providing 90 per cent. of Enhanced Disclosures within three weeks, and 95 per cent. of Standard Disclosures within one week.

My Department has already put in place contingency arrangements with the CRB. Under those arrangements, CRB staff are trawling the backlog of applications, and checking new applications, to identify those in respect of teachers and other key staff for schools. For those applications the CRB is performing checks of my Departments List 99. If that check is satisfactory the employer or agency will be able to appoint the person provisionally. The full criminal record and police check will be performed and the relevant Disclosure issued by the CRB as soon as possible after that. Those interim arrangements will stay in place until the CRB is fully up to date and meeting its performance standards.

School Absenteeism

Diana Organ: To ask the Secretary of State for Education and Skills what the rate of absenteeism among pupils at *(a)* primary level and *(b)* secondary level during the days of SATS tests has been in this academic year; and what differences there were between these rates and dates before and after the SATS tests. [63622]

Mr. Stephen Twigg *[holding answer 24 June 2002]:* Statistics for this academic year's Key Stage tests are not yet available. The following table shows the percentage of pupils recorded as absent in the *(a)* Key Stage 2 tests and *(b)* Key Stage 3 test in all schools in England in 2001:

Percentage

Subject	*(a) Key Stage 2*	*(b) Key Stage 3*
English	1	4
Mathematics	1	4
Science	2	5

Data on rates of absence rates before and after the Key Stage tests are not available.

Information from the pupil absence survey for 2000–01 showed that 6.5 per cent. of half days were missed due to authorised absences and 0.7 per cent. due to unauthorised absences in all schools in England.

Higher Education

Lynne Jones: To ask the Secretary of State for Education and Skills, pursuant to her answer, Ref 38091, of 5 March 2002, if she will amalgamate information for performance indicators in higher education in the UK to allow comparison to be made of the socio-economic background of students entering all high ranking universities with those entering all other universities. [41953]

Margaret Hodge: The entry requirements of higher education institutions will vary from course to course and from year to year. Nevertheless, I have set out data which shows the Performance Indicators for the entry of young people by social class to undergraduate courses. The Government introduced aspirational funding for high ranking universities to support their efforts to recruit more young people from state schools. Institutions which currently receive this funding are listed first, followed by other institutions.

Table T1b: Participation of under-represented groups in higher education, Young full-time undergraduate entrants 1999–2000[1]

						From Social Class IIIM, IV, V				
Institution	*Total entrants*	*Number of young entrants*	*Percentage entrants who are young*	*Percentage with known data*	*Number with known data*	*Number from group*	*Percentage from group*	*Percentage benchmark*[2]	*Number benchmark*[2]	*Percentage Std dev*
UK										
All UK institutions	328,646	244,018	74	83	—	—	26	—	—	—
England										
All English institutions	268,853	197,984	74	84	—	—	26	—	—	—
Aspiration funding institutions	—	—	—	—	45,025	7,070	16	19	8,484	—
University of Birmingham	3,941	3,569	91	95	3,391	644	19	20	678	0.7
University of Bristol	2,936	2,695	92	84	2,264	249	11	16	362	0.8
University of Cambridge	2,895	2,744	95	98	2,689	242	9	12	323	0.7
City University	1,410	944	67	80	755	211	28	25	189	1.6
University of Durham	2,739	2,496	91	95	2,371	308	13	18	427	0.8
University of Exeter	2,119	1,904	90	95	1,809	271	15	21	380	0.9
Imperial College	1,473	1,386	94	95	1,317	224	17	17	224	1.1
King's College London	2,829	2,164	76	87	1,883	358	19	19	358	0.9
University of Leeds	5,128	4,696	92	91	4,273	684	16	20	855	0.6

Table T1b: Participation of under-represented groups in higher education, Young full-time undergraduate entrants 1999–2000[1]

						From Social Class IIIM, IV, V				
Institution	*Total entrants*	*Number of young entrants*	*Percentage entrants who are young*	*Percentage with known data*	*Number with known data*	*Number from group*	*Percentage from group*	*Percentage benchmark*[2]	*Number benchmark*[2]	*Percentage Std dev*
University of Liverpool	3,356	3,004	90	93	2,794	615	22	22	615	0.8
London School of Economics and Political Science	562	532	95	95	505	66	13	15	76	1.7
University of Manchester	4,762	3,937	83	89	3,504	631	18	20	701	0.7
University of Newcastle	2,641	2,469	93	95	2,346	375	16	20	469	0.8
University of Nottingham	4,035	3,380	84	90	3,042	456	15	17	517	0.7
School of oriental and African Studies	425	247	58	87	215	39	18	21	45	2.8
University of Oxford	3,055	2,933	96	97	2,845	256	9	13	370	0.7
Oxford Brookes University	2,579	1,846	72	95	1,754	333	19	29	509	1.0
University of Reading	2,189	1,922	88	92	1,768	301	17	22	389	1.0
Royal Holloway, University of London	1,190	1,081	91	97	1,049	189	18	22	231	1.3
Royal Veterinary College	124	117	94	97	113	11	10	12	14	3.5
St. George's Hospital Medical School	259	209	81	95	199	28	14	16	32	2.7
University College London	2,453	2,120	86	93	1,972	276	14	18	355	0.9
University of Warwick	2,395	2,259	94	96	2,169	304	14	17	369	0.8
Non-Aspiration funding Institutions	—	—	—	—	120,731	35,849	30	29	34,788	—
Anglia Polytechnic University	3,579	1,965	55	68	1,336	441	33	32	428	1.2
Aston University	1,168	1,067	91	93	992	327	33	24	238	1.4
University of Bath	1,654	1,513	91	93	1,407	267	19	21	295	1.1
Bath Spa University College	1,010	616	61	89	548	164	30	29	159	1.9
Bishop Grosseteste College	234	197	84	94	185	56	30	30	56	3.2
Bolton Institute of Higher Education	1,323	649	49	62	402	165	41	33	133	2.3
Bournemouth University	2,758	2,041	74	82	1,674	351	21	29	485	1.0
University of Bradford	1,706	1,318	77	83	1,094	361	33	27	295	1.3
Bretton Hall	553	421	76	92	387	128	33	27	105	2.2
University of Brighton	3,658	2,118	58	86	1,821	437	24	30	546	1.0
Brunel University	2,763	2,104	76	90	1,894	568	30	27	511	1.0
Buckinghamshire Chilterns University College	2,239	1,458	65	64	933	299	32	33	308	1.5
Canterbury Christ Church University College	1,678	1,015	60	82	832	225	27	31	258	1.5
University of Central England in Birmingham	3,872	2,455	63	63	1,547	603	39	31	479	1.2
University of Central Lancashire	5,128	3,228	63	64	2,066	702	34	31	640	1.0
Central School of Speech and Drama	131	96	73	89	85	15	18	25	21	4.4
Chester College of Higher Education	1,480	1,025	69	78	800	248	31	29	232	1.6
University College Chichester	1,147	646	56	89	575	172	30	31	178	1.8
Coventry University	3,307	2,470	75	85	2,100	777	37	32	672	1.0
Cranfield University	228	189	83	59	112	23	21	30	33	3.8
Cumbria College of Art and Design	230	167	73	84	140	55	39	33	46	3.8
Dartington College of Arts	156	99	63	88	87	20	23	29	25	4.5
De Montfort University	5,351	4,036	75	80	3,229	1,162	36	31	1,001	0.8
University of Derby	3,223	2,202	68	77	1,696	576	34	32	543	1.1
University of East Anglia	1,972	1,490	76	90	1,341	268	20	23	308	1.1
University of East London	2,891	1,369	47	67	917	367	40	34	312	1.5
Edge Hill College of Higher Education	1,638	1,015	62	78	792	277	35	31	245	1.6
University of Essex	1,104	920	83	93	856	205	24	26	222	1.5
Falmouth College of Arts	365	266	73	90	239	55	23	28	67	2.7
University of Gloucestershire	2,140	1,587	74	88	1,397	377	27	31	433	1.2
Goldsmiths College	1,118	701	63	90	631	126	20	24	151	1.6
University of Greenwich	3,353	2,049	61	71	1,455	495	34	33	480	1.2
Harper Adams University College	388	321	83	83	266	43	16	24	64	2.3
University of Hertfordshire	3,934	2,711	69	78	2,115	740	35	32	677	1.0
Homerton College, Cambridge	400	251	63	65	163	29	18	21	34	3.1
University of Huddersfield	3,556	2,460	69	82	2,017	746	37	32	646	1.0
University of Hull	2,160	1,662	77	89	1,479	355	24	24	355	1.1
Keele University	1,438	1,190	83	88	1,047	230	22	24	251	1.3
University of Kent at Canterbury	1,766	1,501	85	89	1,336	307	23	24	321	1.2
Kent Institute of Art and Design	450	326	72	85	277	89	32	30	83	2.7
King Alfred's College, Winchester	1,011	806	80	93	750	202	27	30	225	1.6
Kingston University	3,498	2,417	69	79	1,909	611	32	31	592	1.0
Lancaster University	2,020	1,868	92	94	1,756	386	22	22	386	1.0
Leeds Metropolitan University	5,050	3,667	73	77	2,824	819	29	32	904	0.8
University of Leicester	2,071	1,932	93	94	1,816	381	21	21	381	1.0
University of Lincoln	2,555	1,767	69	87	1,537	553	36	32	492	1.1
Liverpool Hope	1,440	1,060	74	70	742	267	36	31	230	1.6
Liverpool John Moores University	4,626	3,346	72	73	2,443	830	34	29	708	0.9

Table T1b: Participation of under-represented groups in higher education, Young full-time undergraduate entrants 1999–2000[1]

						From Social Class IIIM, IV, V				
Institution	*Total entrants*	*Number of young entrants*	*Percentage entrants who are young*	*Percentage with known data*	*Number with known data*	*Number from group*	*Percentage from group*	*Percentage benchmark*[2]	*Number benchmark*[2]	*Percentage Std dev*
University of London (Institutes and activities)	66	56	85	93	52	13	25	16	8	5.7
London Guildhall University	2,605	1,487	57	72	1,071	407	38	33	353	1.4
The London Institute	2,029	1,307	64	81	1,059	275	26	29	307	1.3
Loughborough University	2,562	2,433	95	95	2,311	508	22	24	555	0.9
University of Luton	1,834	1,129	62	63	711	277	39	34	242	1.7
UMIST	1,233	1,135	92	91	1,033	248	24	24	248	1.3
Manchester Metropolitan University	6,398	4,739	74	77	3,649	1,168	32	30	1,095	0.7
Middlesex University	4,896	2,778	57	72	2,000	720	36	33	660	1.0
Newman College	349	259	74	90	233	105	45	32	75	3.0
University College Northampton	2,768	1,993	72	77	1,535	552	36	32	491	1.1
University of North London	3,114	1,618	52	62	1,003	421	42	35	351	1.4
North Riding College	447	298	67	91	271	89	33	30	81	2.6
Northern School of Contemporary Dance	36	31	86	0	—	—	—	—	—	—
University of Northumbria at Newcastle	5,415	3,690	68	84	3,100	930	30	30	930	0.8
Norwich School of Art and Design	245	173	71	83	144	42	29	28	40	3.6
Nottingham Trent University	5,297	3,957	75	88	3,482	940	27	28	975	0.7
School of Pharmacy	123	98	80	91	89	23	26	23	21	4.5
University of Plymouth	5,206	3,356	64	76	2,551	689	27	30	765	0.9
University of Portsmouth	3,162	2,446	77	85	2,079	541	26	29	603	0.9
Queen Mary, University of London	1,886	1,675	89	92	1,541	431	28	24	370	1.1
Ravensbourne College	277	184	66	78	144	39	27	30	43	3.6
Rose Bruford College	171	143	84	88	126	19	15	24	30	3.5
Royal Academy of Music	61	56	92	0	—	—	—	—	—	—
Royal College of Music	72	67	93	0	—	—	—	—	—	—
Royal Northern College of Music	104	100	96	0	—	—	—	—	—	—
College of St. Mark and St. John	666	439	66	90	395	134	34	32	126	2.2
St. Martin's College	1,278	869	68	84	730	241	33	31	226	1.6
St. Mary's College	605	548	91	93	510	163	32	28	143	2.0
University of Salford	3,849	2,506	65	76	1,905	648	34	30	571	1.0
University of Sheffield	4,090	3,315	81	89	2,950	502	17	18	531	0.7
Sheffield Hallam University	5,584	4,311	77	88	3,794	1,176	31	30	1,138	0.7
University of Southampton	4,111	3,326	81	89	2–960	503	17	22	651	0.7
Southampton Institute	3,941	2,763	70	70	1,934	542	28	32	619	1.0
South Bank University	3,518	1,544	44	56	865	303	35	34	294	1.5
Staffordshire University	3,889	2,891	74	82	2,371	830	35	32	759	0.9
University of Sunderland	2,616	1,878	72	96	1,803	631	35	32	577	1.1
The Surrey Institute of Art and Design University College	794	656	83	89	584	158	27	29	169	1.8
University of Surrey	1,272	996	78	84	837	176	21	25	209	1.4
University of Surrey Roehampton	1,703	1,186	70	89	1,056	317	30	30	317	1.3
University of Sussex	1,667	1,351	81	95	1,283	205	16	22	282	1.1
University of Teesside	2,794	1,770	63	87	1,540	693	45	34	524	1.2
Thames Valley University	2,272	850	37	48	408	143	35	36	147	2.2
Trinity and All Saints	655	586	89	91	533	149	28	27	144	1.9
Trinity College of Music	88	79	90	0	—	—	—	—	—	—
University of West of England, Bristol	5,765	4,273	74	79	3,376	743	22	28	945	0.7
University of Westminster	2,986	1,900	64	81	1,539	585	38	32	492	1.2
Westminster College, Oxford	69	50	72	92	46	13	28	31	14	6.2
Wimbledon School of Art	119	83	70	90	75	20	27	26	19	5.0
University of Wolverhampton	4,639	2,841	61	71	2,017	948	47	33	666	1.0
University College Worcester	1,261	706	56	87	612	190	31	33	202	1.8
Writtle College	338	213	63	81	173	41	24	24	41	3.0
Wye College, University of London	126	104	83	92	96	16	17	22	21	3.9
University of York	1,790	1,526	85	92	1,404	211	15	18	253	1.1
York St. John College	997	787	79	90	708	227	32	29	205	1.7

[1] *Source:* HEFCE Performance Indicators

[2] The grouped benchmark values for the two sets of institutions are estimates

Students (Portsmouth, South)

Mr. Hancock: To ask the Secretary of State for Education and Skills what percentage of full-time students stayed in education in the Portsmouth, South constituency after the age of *(a)* 16 and *(b)* 18 years in (i) 1997 and (ii) 2001; and if she will make a statement. [66469]

Mr. Stephen Twigg: Data on the percentage of students staying on in full-time education are not calculated for areas smaller than LEAs as reliable estimates cannot be made. Participation rates at sub-national level are only available for 16 and 17-year-olds.

The percentage of 16 and 17-year-olds in full-time education in Portsmouth LEA, which includes the constituency of Portsmouth, South, in 1997–98 and 1999–2000, the latest year for which figures are available, is set out in the table:

16 and 17 year olds in full-time education: Portsmouth LEA

Age	*1997–98*	*1999–2000*
16	73	70
17	55	55

Participation rates by LEA are published in an annual statistical bulletin, 'Participation in Education and Training by Young People Aged 16 and 17 in Each Local Area and Region, England'.

Primary Schools

Mr. Gibb: To ask the Secretary of State for Education and Skills if she will make a statement on recent independent surveys regarding educational standards at primary school level in *(a)* maths, *(b)* reading, *(c)* science, *(d)* vocabulary and *(e)* non-verbal ability; and if she will make a statement. [65118]

Mr. Miliband: We are aware of the University of Durham Performance Indicators in Primary Schools (PIPS) tests. The results of the national curriculum Key Stage 2 English tests show a 12 per cent. point increase in the number of pupils achieving the expected level for their age since 1997. That increase is reflected in the reading component which shows a 14 per cent. rise. We are confident of the validity of these increases, as are schools throughout the country.

Bilateral Ministerial Meetings

Matthew Taylor: To ask the Secretary of State for Education and Skills when Ministers in her Department have held meetings with Ministers and officials of the Irish Government since 1 June 2000; when and where each meeting took place; which Ministers were involved in each meeting; which Irish Government departments were involved in each meeting; and which Ministers and officials from the Irish Government attended each meeting. [63073]

Mr. Stephen Twigg: From 1 June 2000 there have been no meetings between Ministers in this Department and Ministers and officials from the Republic of Ireland Government.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Foot and Mouth

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs how many cases there are of disputes over payment between her Department and contractors employed during the foot and mouth epidemic; and what the total value is of unpaid disputed invoices. [53248]

Margaret Beckett *[holding answer 29 April 2002]:* The accounts of the principal contractors used by DEFRA during the FMD outbreak have been the subject of detailed examination. This has been an extensive exercise as the contractors concerned carried out work to the value of hundreds of millions of pounds involving the generation of tens of thousands of invoices.

As part of the verification and substantiation of contractor invoices, the Department has employed forensic accountants to examine the invoices of 107 of the largest contractors. In total these 107 companies have submitted invoices worth £474 million and, to date, the Department has paid £402 million in respect of these claims. The Department is withholding payment of the remainder until it is satisfied that contractors have provided sufficient evidence of work commissioned and carried out.

Wide-ranging issues have arisen on the accounts. These include legal issues such as matters of contractual interpretation, forensic accountancy issues and evidential issues involving the assessment of both a large amount of documentation and proofing of witnesses.

Some of these disputes will inevitably result in court proceedings although DEFRA remains committed to resolving matters by mediation where appropriate.

Committee Mandates

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the mandate of the Advisory Committee on Rural Development is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if she will list the items currently under its consideration; if she will take steps to increase its accountability and transparency to Parliament; and if she will make a statement. [61713]

Mr. Morley: The mandate of the Advisory Committee on Rural Development is set out in Commission Decision 98/235/EC. The UK is not formally represented on the committee; members are directly appointed by the Commission, drawn from across the EU, on the basis of their socio-economic interests.

The Commission, together with member states, is currently conducting a review to bring existing legislation on the conduct of comitology committees into line with Council Decision 1999/468/EC, to "simplify the requirements for the exercise of implementing powers conferred on the Commission". As an obligation to this decision, the Commission undertook to publish an annual report on the working of committees. The first report was deposited in the Libraries of both Houses on 26 February (Com (2001) 783 Final). As part of the review process, the UK Government have encouraged the Commission to produce and maintain an electronic database of every comitology committee, its agendas and recent actions, to be available through its website.

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the mandate of the Advisory Committee on the Common Agricultural Policy is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if she will list the items currently under its consideration; if she will take steps to increase its accountability and transparency to Parliament; and if she will make a statement. [61721]

Mr. Morley: The mandate of the Advisory Committee on the Common Agricultural Policy is set out in Commission Decision 98/235/EC. The UK is not formally represented on the committee; members are directly appointed by the Commission, drawn from across the EU, on the basis of their socio-economic interests.

The Commission, together with member states, is currently conducting a review to bring existing legislation on the conduct of comitology committees into line with Council Decision 1999/468/EC, to "simplify the requirements for the exercise of implementing powers conferred on the Commission". As an obligation to this decision, the Commission undertook to publish an annual report on the working of committees. The first report was deposited in the Libraries of both Houses on 26 February (Com (2001) 783 Final). As part of the review process, the UK Government have encouraged the Commission to produce and maintain an electronic database of every comitology committee, its agendas and recent actions, to be available through its website.

Sheep

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she plans to make it her policy to stop sheep that are susceptible to TSEs from breeding. [61552]

Margaret Beckett *[holding answer 13 June 2002]:* The Government launched a national scrapie plan in July 2001 after full consultation with the sheep industry and other stakeholders. The plan is a long-term programme whose aim is to increase the level of TSE-resistance in the sheep flock by means of breeding programmes which encourage the use of resistant animals. Participation by sheep breeders in the plan is at present on a purely voluntary basis, but as part of the consultation it was made clear that these measures would be made compulsory at some stage.

Energy Efficiency

Mr. Stunell: To ask the Secretary of State for Environment, Food and Rural Affairs what schemes the Government have introduced since May 1997 to promote energy conservation and energy efficiency within the services sector; and what their impact has been on energy consumption per square metre within *(a)* commercial, *(b)* retail and *(c)* Government offices. [63373]

Mr. Meacher: The Government has introduced a wide range of measures to encourage energy efficiency in all sectors of the economy, including the commercial, retail and public sectors, which includes the Government Estate. The Climate Change Levy was introduced in April 2001 to encourage the more efficient use of energy. As part of the Climate Change Levy package, an Enhanced Capital Allowance scheme was introduced to provide fiscal incentives for businesses to invest in energy efficient technologies. The Carbon Trust was also set up to encourage business and the public sector to take up low carbon and energy efficient savings and measures.

The Energy Efficiency Best Practice Programme provides free information and advice to these sectors. Since 1997, it has been delivering targeted energy efficiency briefings to boardrooms in the retail sector to raise awareness of energy efficiency, which has had a positive response. The Programme has also concentrated on providing groups within the commercial office sector with information on the business benefits of taking up energy efficiency measures.

The Government Estate has had energy efficiency targets since 1990–91. We introduced a new 1 per cent. per year greenhouse gas reduction target in 2000–01, which will be reported on later this year. We are also developing new energy efficiency targets for the Government Estate, based on an assessment of the Estate's performance against national standards.

The Best Practice Programme estimates its impact on annual energy efficiency improvements for the commercial and retail sectors. Actual consumption and floor space data are not collected on an annual basis, but for calendar years 1998–2000, total energy efficiency improvements stimulated by the Programme are estimated to have been 7 per cent. for the retail sector and 6 per cent. for the commercial sector.

Annual consumption and floor space data are collected for the central Government Estate (excluding Ministry of Defence) to monitor performance against the Estate's energy efficiency target. Energy consumption in the Government Estate per square metre fell by 6 per cent. between 1997–98 and 1999–2000. Since this figure is collected on a different basis from the figures quoted above for the retail and commercial sectors, it cannot be directly compared.

Genetic Engineering

John Barrett: To ask the Secretary of State for Environment, Food and Rural Affairs if he will list the sites in the UK which involve the experimental genetic engineering of plants to provide simple vaccinations; and which of these sites are in receipt of Government financial support. [63917]

Mr. Meacher: There are no trial sites of GM plants in the UK for the production of vaccines under the deliberate release regulations. However, my Department is funding one research project which seeks to produce transgenic plants that express GM antibodies, which will provide protection against E.coli O157:H7 when ingested by livestock. If effective this would have the potential to reduce the level of E.coli O157 in livestock and hence reduce the risk of zoonotic transmission. The total cost of this project over three years and nine months is £350k.

The Health and Safety Executive (HSE) is not aware of any current programmes in the UK which involve the production of GM plants for use as vaccines. They are aware of preliminary research aimed at developing GM apples intended to protect against dental caries, which is being carried out by a dental hospital in collaboration with a horticultural research centre.

A number of centres in the UK are investigating the potential use of GM plant viruses as human or animal vaccines. These centres include the Scottish Crop Research Institute, the John Innes Centre, and Horticulture Research International. These projects which include using Cow Pea Mosaic Virus to deliver human or animal antigens, have been notified to HSE under the Genetically Modified Organisms (Contained Use) Regulations 2000.

Flooding

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what research has been commissioned by her Department on the likely impact of sea level rise on the land area of the United Kingdom; if a map of projected flooded areas has been produced; and if she will make a statement. [64792]

Mr. Morley: Flood Management is a devolved responsibility. The Department has a wide ranging programme of research related to climate change and its impacts. Recent specific research commissioned for flood management has included an assessment by HR

Wallingford Ltd. of Coastal Vulnerability in 2075. This considered the potential impact of sea level rise and related changes for typical coastal defence structures and generally confirmed that current allowances for sea level rise recommended by the Department are reasonable. These allowances are currently being further reviewed in the light of the Climate Impact Scenarios published by the Department earlier this year.

Climate change will increase the pressures on defences and increase the risk of flooding to defended areas, but will not significantly change the current maps of indicative coastal flood risk areas produced by the Environment Agency.

Sites of Special Scientific Interest

Mr. Llwyd: To ask the Secretary of State for Environment, Food and Rural Affairs what measures the Government are taking to protect sites of special scientific interest from development. [64708]

Mr. Meacher: In England, Planning Policy Guidance note 9 (PPG9) advises local authorities on nature conservation issues, including the importance of sites of special scientific interest (SSSIs) and how they are to be treated in Local Plans and the planning framework. Planning authorities are required to consult English Nature before granting permission for development in, around or likely to affect SSSIs and to consider using their powers to impose conditions where necessary to avoid any damage to sites. Where a planning authority proposes to grant consent despite advice from English Nature to the effect that adverse impacts are likely to arise, the authority must inform English Nature so that it can consider whether to ask the Deputy Prime Minister to call in the application.

Improved measures to protect SSSIs have been taken by amendments to the Wildlife and Countryside Act 1981, introduced in the Countryside and Rights of Way Act 2000. These concern both owners and occupiers and also public authorities in the exercise of their functions. Additional international nature conservation designations bring further levels of protection.

The Government indicated in the Green Paper—"Planning: delivering a fundamental change"—that it intended to review all PPGs. The review of PPG9 will enable it to be updated to reflect the recent legislative changes.

In Wales, policy on planning and nature conservation is a devolved matter and is the responsibility of the National Assembly.

EU Management Committees

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee of the common organisations of agricultural markets for beef and veal is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64888]

Mr. Morley: The EU Beef Management Committee is due to meet on 28 June and on 12 July. UK representation depends on the agenda items under discussion. Officials from the Scottish Executive and other devolved administrations attend as necessary in accordance with their interests.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee of the common organisations of agricultural markets for sheep and goats is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members; and if she will make a statement. [63930]

Mr. Morley: Under Article 25 of Council Regulation 2529–2001 on the common organisation of the market in sheepmeat and goatmeat the Commission is mandated to establish a management committee to deal with market management of the sector and any matters arising for which the Commission has competence.

Within the previous 12 months the management committee has met on nine occasions. The Sheepmeat Management Committee is due to meet in two months time to review the market situation and the impact of the recent reforms.

UK representation on the EU's Sheep Management Committees depends on the agenda items under discussion. Officials from the Scottish Executive and other devolved administrations attend as necessary in accordance with their interests.

Packaging Waste Directive

Mr. Cameron: To ask the Secretary of State for Environment, Food and Rural Affairs what plans her Department has to ensure that the EU packaging waste directive is fully *(a)* implemented and *(b)* complied with and that it is done so in a way that helps consumers return packaging to suppliers. [64308]

Mr. Meacher: The current EC directive on packaging and packaging waste is fully implemented by the Producer Responsibility Obligations (Packaging Waste) Regulations 1997 (as amended) and the Packaging (Essential Requirements) Regulations 1998. A revision to the directive has been proposed. When this is finalised it is expected that it will be fully implemented in the UK through amendments to the existing regulations. Compliance with these regulations is monitored by the Environment Agencies. The new directive is expected to include higher targets for the recovery and recycling of packaging waste. As targets increase it will be necessary to recover more packaging material from the household waste stream, and we would therefore expect businesses and local authorities to work together closely to ensure that adequate household collection systems are set up.

International Trade Unit

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs how many people are employed and at what grades in the international trade unit of her Department. [64468]

Margaret Beckett: On 24 June 2002 staff employed in the international trade unit (International Animal Health Division) were as follows.

Grade	*In post*	*Vacancies*
Head of division	1	0
Grade 6	0	2
Head of branch	2	0
Veterinary adviser	6	2
Senior executive officer	3	0
Higher executive officer	9	0
Executive officer	12	4
Administrative officer	23	2
Administrative assistant	16	4
Personal secretary	2	0
Typist	1	0

Fishing

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs (1) in the event that advice on aspects of fisheries management is devolved to regional advisory councils, with which EU member states the Government intends to co-operate in establishing these RACs; and what range of stakeholders she envisages holding membership of them; [64511]

(2) whether she supports the policy of devolving advice on all aspects of fisheries management to regional advisory councils; and which fishing zones she has identified where such RACs can operate. [64512]

Mr. Morley: The Commission's proposals for the establishment of regional advisory councils envisage that they would have the following functions:

(a) to submit suggestions, of their own accord or at the request of the Commission or a member state, on matters relating to fisheries management to the Commission of the member states concerned;

(b) to give opinions on Commission or member state proposals for fisheries management;

(c) to comment on and recommend improvements in the application of Community legislation.

The UK is supportive of the general principle behind the establishment of regional advisory councils, but the precise role to be given to them will be one of the important matters to be addressed in the forthcoming negotiations in the Council of Ministers. Decisions as to the regions to be covered, and the range of stakeholders to be involved and the member states from which they should be drawn, will have to be considered in consultation with interested parties once the Council has established more clearly the remit of the proposed RACs.

Refrigerators

Mrs. Brooke: To ask the Secretary of State for Environment, Food and Rural Affairs what assistance her Department is planning to give to local councils towards the cost of disposing of refrigerators in this financial year. [64531]

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs what financial aid has been made available to each local authority to help with the storage and disposal of refrigerators in *(a)* 2001–02 and *(b)* 2002–03. [64247]

Mr. Meacher: In December 2001, we announced a payment of £6 million to go to local authorities to cover their costs up until March 2002 for the storage and disposal of refrigerators. We realise local authorities are in need of further funding and intend to make an announcement as soon as possible.

Mr. Wilshire: To ask the Secretary of State for Environment, Food and Rural Affairs how many fridges are awaiting disposal in each *(a)* waste collection authority and *(b)* waste disposal authority. [66509]

Mr. Meacher: The exact numbers of fridges being stored pending treatment in either waste collection authority or waste disposal authority at any one point in time are not held centrally. However, current estimates suggest there are around 900,000 units awaiting treatment.

Illegal Meat Products

Mr. Collins: To ask the Secretary of State for Environment, Food and Rural Affairs what outbreaks of disease in animals in Cumbria have been linked to the imports of illegal meat products in the past five years. [64877]

Mr. Morley *[holding answer 27 June 2002]:* The Cumbria Foot and Mouth Disease Inquiry concluded that there is a strong likelihood that the foot and mouth virus that affected the UK during 2001 may have entered the country in an imported animal product—probably illegally imported meat. Prior to 2001, we are not aware of other disease outbreaks in Cumbria that have been linked to illegal meat imports.

The Government published an action plan on 28 March 2002 to reduce the risk of animal and plant disease entering the country and then threatening our public health, and livestock, agriculture and horticulture industries. The action plan includes undertaking a full risk assessment of the probability of illegal animal products reaching susceptible animals and causing disease, the final report of which will be delivered in the Autumn.

Wild Animals

Mr. Letwin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on her policy relating to the enforcement of statutory constraints on the sale of wild animals. [64376]

Mr. Meacher *[holding answer 27 June 2002]:* We promote the enforcement of wildlife legislation through our joint chairmanship of the Partnership for Action Against Wildlife Crime. The Partnership is a multi-agency body comprising all the main Government and voluntary bodies committed to reducing wildlife crime. One of its main objectives is to support the networks of Police Wildlife Liaison Officers and HM Customs and Excise Wildlife and Endangered Species Officers, who have statutory responsibility for enforcing the controls.

Secondments

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how many secondments and exchanges of staff there have been between central and regional Government offices and organisations with a rural remit since November 2000. [65393]

Mr. Morley *[holding answer 1 July 2002]:* There have been nine exchanges of staff between central and regional Government and 39 exchanges with organisations with a rural remit.

23 staff have been seconded to the European Commission and eight staff to other organisations abroad and those organisations may touch on rural issues.

Air Quality

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs which of the pollutants covered by the National Air Quality Strategy are monitored by each of the main London air quality monitoring sites. [65092]

Mr. Meacher *[holding answer 1 July 2002]:* There are 24 air quality monitoring sites in London reported in the National Air Quality Archive (http://www.airquality.co.uk). The pollutants measured at these sites, site type and their start dates are given in the table.

Site name	*Site type*[1]	*Species measured*[2]	*Start date*
London A3 Roadside	Roadside	NO_x, CO, PM_{10}	20 March 1997
London Bexley	Suburban	O_3, NO_x, CO, SO_2, PM_{10}	1 May 1994
London Bloomsbury	Urban Centre	O_3, NO_x, CO, SO_2, PM_{10}, benzene	23 January 1992
London Brent	Urban Background	O_3, NO_x, CO, SO_2, PM_{10}	26 January 1996
London Bromley	Roadside	NO_x, CO	11 August 1998
Camden Roadside	Kerbside	NO_x, PM_{10}	16 May 1996
London Cromwell Road	Roadside	NO_x, CO, SO_2	20 May 1998
London Eltham	Suburban	O_3, NO_x, SO_2, PM_{10}	1 April 1996
London Hackney	Urban Centre	O_3, NO_x, CO	6 January 1997
Haringey Roadside	Roadside	NO_x, PM_{10}, benzene	16 May 1996
London Haringey	Urban Centre	O_3	16 May 1996
London Hillingdon	Suburban	O_3, NO_x, CO, SO_2, PM_{10}	3 July 1996
Hounslow Roadside	Roadside	O_3, NO_x, CO	16 September 1997
London N. Kensington	Urban Background	O_3, NO_x, CO, SO_2, PM_{10} (T+G)	1 April 1996
London Lewisham	Urban Centre	O_3, NO_x, SO_2	16 April 1997
London Marylebone Road[3]	Roadside	O_3, NO_x, CO, SO_2, PM_{10} (T+G), benzene, 1,3-butadiene	17 July 1997
London Southwark	Urban Centre	O_3, NOx, CO, SO_2	14 February 1997
Southwark Roadside	Roadside	NO_x, CO, SO_2	1 April 1997
London Teddington	Urban Background	NO_x, SO_2, O_3	8 August 1996
Tower Hamlets Roadside	Roadside	NO_x, CO	1 April 1996
Thurrock	Urban Background	O_3, NO_x, CO, SO_2, PM_{10}	15 September 1996
London Wandsworth	Urban Centre	O_3, NO_x, SO_2, CO	1 April 1996
West London	Urban Background	NO_x, CO	1 January 1987
London Westminster	Urban Background	O_3, NO_x, CO, SO_2, PM_{10} (G only)	17 July 2001

[1] Site types are described as follows:

Kerbside: A site sampling within 1 metre of the edge of a busy road.

Roadside: A site sampling between 1 metre of the edge of a busy road and the back of the pavement. Typically this will be within 5 metres of the road, with a sampling height of 2–3 metres.

Urban Centre: A non-kerbside site, located in an area representative of typical population exposure in town or city centres (e.g. pedestrian precincts and shopping areas). This is likely to be strongly influenced by vehicle emissions, as well as other general urban sources of pollution. Sampling at or near breathing-zone heights (1.4–4 metres) will be applicable.

Urban Background: An urban location distanced from sources and therefore broadly representative of city-wide background conditions e.g. elevated locations, parks and urban residential areas.

Suburban: A location type situated in a residential area on the outskirts of a town or city. Will be influenced by several sources of pollution including traffic, commercial, space heating, regional transport, urban plume downwind of a city.

[2] Pollutant species: O_3—ozone; NO_x—oxides of nitrogen (include nitrogen dioxide); CO—carbon monoxide; SO_2—sulphur dioxide; PM_{10}—particulate matter of aerodynamic diameter less than 10 micrometres. PM_{10} monitoring is carried out using either the TEOM (Tapered Element Oscillating Microbalance; T in table above) or Gravimetric sampling (G in table above). Monitoring is by TEOM alone unless otherwise stated.

[3] London Marylebone Road is a research site and is used for a variety of monitoring projects mostly involving measurement of airborne particulate matter.

Food Imports

Mr. Gale: To ask the Secretary of State for Environment, Food and Rural Affairs if she will bring forward proposals to ban the import of food products produced *(a)* under conditions and *(b)* using chemicals that would not be permitted in the United Kingdom. [65150]

Mr. Morley *[holding answer 1 July 2002]:* European Community rules require all products of animal origin imported from third countries to be produced to standards at least equivalent to those applied to Community production, and to conform to rules limiting or banning the use of certain chemicals. All consignments imported are subject to veterinary checks at an authorised border inspection post to ensure that import requirements have been complied with. Consignments that do not comply are rejected and will be re-exported or destroyed.

Food which is not of animal origin, such as fruit and vegetables, entering the UK from third countries must meet the same food safety standards as apply to food produced in the UK. Under UK national regulations such imports are subject to checks on the basis of risk assessment by local food authorities at the point of entry to the UK and they can refuse entry or arrange destruction of foods that do not meet the UK's requirements.

Food coming to the UK from other EU member states is in free circulation within the EU and is not subject to routine checks at UK ports. Such food can be subject to random, non-discriminatory import checks where there is information to support such action.

From time to time the EU may make Decisions to be acted on by all member states, which require additional inspection or testing of specified foodstuffs.

Oral Questions

Mr. Simon Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs how many oral questions she has transferred to other departments in each of the last 18 months. [65509]

Mr. Morley: DEFRA was created in June 2001, and since then the number of oral questions transferred to other Government Departments in each month is shown in the following table.

	Number of oral questions transferred
June 2001	6
October 2001	7
November 2001	2
December 2001	3
January 2002	2
March 2002	2
April 2002	0
May 2002	3
June 2002	1
Total	26

INTERNATIONAL DEVELOPMENT

G7 Finance Ministers' Meeting

Tony Worthington: To ask the Secretary of State for International Development what the outcome was of the G7 Finance Ministers' meeting on 14 and 15 June regarding funding for education in developing countries; and if she will make a statement. [64669]

John Healey: I have been asked to reply.

At their meeting in Halifax, G7 Finance Ministers noted the World bank's Education Action Plan and strongly endorsed the expeditious implementation of a plan focused on programme quality and measurable results. They pledged that, "each of us in turn will work to support the 'Education for All' goals with countries that have credible education plans and strong policy commitments in place. We urge other donor Governments and the multilateral development banks to join us".

Zimbabwe

Mrs. Spelman: To ask the Secretary of State for International Development what assessment she has made of the effectiveness of NEPAD in bringing good government to Zimbabwe. [66220]

Clare Short: I refer the hon. Member to the answer I gave her on 15 May 2002, *Official Report,* column 692W.

Ann Clwyd: To ask the Secretary of State for International Development what part the Crown Agents played in the *(a)* procurement and *(b)* supply of the Land-Rover Defender vehicles supplied to the Zimbabwean police as part of a DfID-funded project. [65214]

Clare Short: I suspended this project in May 2000 as it was no longer appropriate given the turbulent political situation and clear evidence of misuse of the vehicles for political ends. The Government of Zimbabwe placed the procurement contract directly with Land Rover Exports Ltd. The Crown Agents were not involved in the contract, but administered the grant account on behalf of the Zimbabwe Government.

Drought (Africa)

Mr. Paul Marsden: To ask the Secretary of State for International Development, pursuant to the answer of 20 May, *Official Report,* column 14W, on Africa, what further financial assistance has been given to *(a)* Malawi, *(b)* Mozambique, *(c)* Zimbabwe and *(d)* other African countries affected by the drought; and if she will make a statement. [65042]

Clare Short: I refer the hon. Member to the answer given to the hon. Member for South-East Cornwall (Mr. Breed) on 17 June 2002, *Official Report,* column 61W.

Arms Trade (Indian Subcontinent)

Gregory Barker: To ask the Secretary of State for International Development what representations her Department has received regarding the amount of GDP Pakistan spent since 1998 on *(a)* arms imports in general and *(b)* arms imports from the United Kingdom. [65451]

Clare Short: My Department has not received any representation since 1998 regarding the amount of GDP Pakistan spent on arms imports in general. DFID is working with the World bank and IMF to track Pakistan's reform programme, including the pattern of fiscal expenditure. Pakistan's defence budget as a percent of GDP has been broadly stable around 4 per cent. over recent years. However, Pakistan's intention to reduce defence spending is under threat given the current stand-off with India.

The total value of UK standard individual export licences (SIEL) applications for which licences were issued in 1999 and 2000 was £11.5 million and £6 million respectively. By contrast, Pakistan's budget defence expenditure between 2000–01 was approximately £1.6 billion.

Sudan

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the aid to be provided to non-departmental organisations to assist the people of Sudan in 2002–03. [64696]

Clare Short: The UK provides humanitarian support to Sudan through non-Government and international organisations. We also support the peace process and the preparation for peace. We expect to spend about £8 million in 2002–3.

EU Directives

Mr. Bercow: To ask the Secretary of State for International Development if she will list the EU directives and regulations that have been implemented through her Department in 2002; and what was the cost of each to public funds. [64991]

Clare Short: No new directives relating to international development have been implemented through my Department in 2002. The question of cost does not arise.

Mr. Bercow: To ask the Secretary of State for International Development if she will list the EU directives relating to her Department which have been *(a)* amended and *(b)* repealed in 2002. [64941]

Clare Short: No EU directives relating to international development matters have been amended or repealed in 2002.

EU Aid

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the steps she has taken to improve the quality and timeliness of EU interventions in seeking to assist the poorest countries. [64692]

Clare Short: My Department's detailed proposals to improve the quality, effectiveness and poverty focus of EC aid have been set out in strategy papers published in December 1998 and August 2001.

Development

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the purposes for which the United Kingdom's annual contributions to the International Development Association are used. [64694]

Clare Short: Under the last three year replenishment, the UK contributed 7.3 per cent. of new donor resources for the International Development Association (IDA)—the aim of the World bank providing concessional finance to the poorest countries.

The World bank's annual report 2001 details the use of IDA funds by country, region and sector. This report will be available in the Library of the House.

Globalisation

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the progress of her proposals for managing the process of globalisation in a way that increases opportunities for the world's poor. [64701]

Clare Short: The second White Paper on International Development sets out an agenda for managing globalisation to ensure that poor people are able to share in its benefits. The White Paper sets out long term commitments for how the Government will contribute to achieving the Millennium Development Goals.

Report on progress is contained in DFID annual reports.

DEPUTY PRIME MINISTER

English Heritage

Mr. Laurence Robertson: To ask the Deputy Prime Minister if he will make a statement on the role of English Heritage in planning applications. [66516]

Mr. McNulty: English Heritage is a non-Departmental Public Body responsible for advising the Government on all aspects of the built heritage in England. It has a statutory role as consultee in certain planning and other heritage casework. This role is set out in the Town and Country Planning (General Development Procedure) Order 1995 and the joint DETR/DCMS Circular 01/2001.

Ordnance Survey

Norman Baker: To ask the Deputy Prime Minister under what circumstances Ordnance Survey is permitted deliberately to omit information from OS maps; who is empowered to require this; and if he will make a statement. [65165]

Mr. McNulty: Ordnance Survey works within the guidelines of a Sensitive Site Register and discusses with the owners of the properties on the register the detail which can be shown on our mapping.

Beacon Status

John Austin: To ask the Deputy Prime Minister when he will invite councils to apply for beacon status in the fourth round of the scheme. [66798]

Mr. Raynsford: We will publish an application brochure shortly, inviting councils to apply by 26 September 2002. Copies of the brochure will be placed in the Library of the House.

Health and Safety

Mr. Clifton-Brown: To ask the Deputy Prime Minister if he will make a statement on his departmental responsibility for setting health and safety standards for new building works and on their implementation by the Health and Safety Executive. [63707]

Mr. Leslie: The health and safety standards which must be achieved by new building works are set by the Building Regulations and are the responsibility of the Office of the Deputy Prime Minister. These standards are enforced by local authority building control officers. The Health and Safety Executive, responsibility for which now resides with my right hon. Friend the Secretary of State for Transport, enforces the separate legislation protecting the health and safety of workers and the public from risks arising during construction work.

CULTURE, MEDIA AND SPORT

Clarence House

Fiona Mactaggart: To ask the Secretary of State for Culture, Media and Sport what her estimate is of the cost of refurbishment of Clarence House; and how it will be funded. [62349]

Dr. Howells: Detailed surveys are currently taking place to ascertain the extent of the Clarence House refurbishment works, which include work on fire compartmentation, automatic fire detection, upgrade of electrical and mechanical services and some redecoration. It is not possible to provide a firm estimate of the cost of the refurbishment until the completion of these surveys. The refurbishment will be funded from the current level of grant in aid for the maintenance of the Occupied Royal Palaces.

Royal Palaces

Fiona Mactaggart: To ask the Secretary of State for Culture, Media and Sport what profit has been made from admission charges to *(a)* Windsor Castle and *(b)* Buckingham Palace in each year since 1992. [62350]

Dr. Howells: The net surplus from admission charges to Windsor Castle and Buckingham Palace for the years requested[1] are presented in the following tables:

[1] Figures for 2001–02 not available.

Windsor Castle—year ended 31 March

Year	*£000*
1992–93	0
1993–94	100
1994–95	1,605
1995–96	1,908
1996–97	2,257
1997–98	2,381
1998–99	3,416
1999–2000	2,386
2000–01	2,096

Buckingham Palace—year ended 31 March

Year	*£000*
1992–93	0
1993–94	1,090
1994–95	1,336
1995–96	1,615
1996–97	1,630
1997–98	1,023
1998–99	996
1999–2000	782
2000–01	604

Queen Mother

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport whether special payments were made to Westminster City council to offset the costs it incurred in preparing for the funeral of Her Majesty the Queen Mother. [65590]

Dr. Howells: Costs incurred by Westminster City council in preparing the processional route for the funeral of Queen Elizabeth the Queen Mother will be met by the Government. They will shortly submit their claim to the Department for approval.

Interior and Garden Design

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport what estimate she has made of the contribution to the UK economy of British interior and garden design in the last 12 months. [64491]

Dr. Howells: Responsibility for the sponsorship of design rests with the Department of Trade and Industry. The Creative Industries Mapping Document 2001, published by my Department in March 2001, estimated that the size of design related activity within the UK economy as a whole at £26.7 billion. No separate estimates were made for interior and garden design.

Royal Parks Agency

Dr. Tonge: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with the Royal Parks Agency concerning the pay award to employees for April 2001–02 formalised in September 2001. [64671]

Dr. Howells: My right hon. Friend the Secretary of State has had no discussions with the Royal Parks Agency concerning the pay award to employees for 2001–02. I understand that the Royal Parks management and the trade unions are currently discussing the 2001–02 pay award.

Television Licences

Mr. Oaten: To ask the Secretary of State for Culture, Media and Sport when she expects to introduce measures to preserve the rights of beneficiaries of the Accommodation for Residential Care concessionary television licence scheme when the *(a)* social mix and *(b)* level of warden cover in their sheltered housing changes. [64743]

Dr. Howells *[holding answer 27 June 2002]:* Consultations between officials and the BBC about the necessary amendments to the television licence fee regulations to introduce the proposed changes are currently under way. We intend to bring forward these amendments as soon as we can, but it is important that in doing so we do not create any new anomalies or unnecessary administrative burdens.

Mr. Hancock: To ask the Secretary of State for Culture, Media and Sport how many households are entitled to free TV licences in Portsmouth; and if she will make a statement. [65376]

Dr. Howells: TV Licensing, which administers the free television licence scheme for the BBC as Licensing Authority, is not able to provide geographical breakdowns of the number of free licences issued. However, estimates based on the 1991 Census indicate that there were approximately 14,600 people aged 75 or over in Portsmouth.

Radio Stations

Mr. Weir: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the start up costs for access radio stations. [65109]

Dr. Howells: The Radio Authority has appointed a consultant to carry out an independent evaluation looking at a number of issues including start-up and on-going costs for each station. The Radio Authority's report will be sent to the Secretary of State early next year.

Mr. Weir: To ask the Secretary of State for Culture, Media and Sport what recent discussions she has had with representatives of small independent local radio stations on accessibility to digital radio multiplexes; and if she will make a statement. [65117]

Dr. Howells: None.

Film Classification

Mr. Letwin: To ask the Secretary of State for Culture, Media and Sport if the British Board of Film Classification is able to change the criteria against which it determines classification of films. [64374]

Dr. Howells *[holding answer 27 June 2002]:* Yes. The British Board of Film Classification is an independent body. The guidelines it has established reflect the law, but they also take into account public consultation and research, and are reviewed periodically to reflect changes in public tastes, attitudes and concerns.

Public Inquiries

Mr. Randall: To ask the Secretary of State for Culture, Media and Sport what her policy is on using 0870 telephone numbers for inquiries by the public to the Department and its agencies. [66202]

Dr. Howells: My Department does not currently use 0870 telephone numbers to handle public inquiries or for any other purpose.

Digital Television

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the different standards of definition used in digital television broadcasting. [65458]

Dr. Howells *[holding answer 1 July 2002]:* Standards for definition used in broadcasting are set out in the Independent Television Commission's Community Digital Standards, which are to be adopted by all licenced services. These can be found at http://www.itc.org.uk/itcpublications/codesguidance/DigitalCommunityStandards/ The BBC follow the specifications agreed by broadcasters in the D-book issued by the Digital Television Group.

OFCOM

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on progress in appointing a Chairman of Ofcom. [65464]

Dr. Howells *[holding answer 1 July 2002]:* Advertisements for the position of Chairman of OFCOM have appeared in the national press and newspapers in Scotland, Wales and Northern Ireland. A panel, including two independent members, will interview short-listed candidates shortly and we hope to announce the name of the successful person towards the end of July or early in August.

National Lottery

Sue Doughty: To ask the Secretary of State for Culture, Media and Sport what guidelines have been put in place by the Secretary of State to guarantee that lottery money distributors transfer funds to grant recipients as quickly as possible; and what measures are in place to monitor the efficacy of these guidelines. [65599]

Mr. Caborn: While the Government wishes to see Lottery funds benefit individuals and communities as quickly as possible, Financial Directions to Lottery distributing bodies do prevent them from drawing down money from the National Lottery Distribution Fund until that money is needed to meet the costs and expenditure incurred by grant recipients.

We have asked distributors to explore fully what they can do, within their existing financial directions, to transfer committed funds more quickly to grant recipients. We are also considering, with distributors, how the financial directions might be amended to accelerate the transfer of committed funds, and whether any amendments might usefully be supplemented by guidance from my Department.

Recycling

Sue Doughty: To ask the Secretary of State for Culture, Media and Sport what proportion of *(a)* paper and *(b)* other goods purchased by her Department was recycled paper in each year since 1997; what the annual total cost of these purchases was; what plans there are to increase these proportions; and if she will make a statement. [65765]

Dr. Howells: All paper purchased for use in photocopiers, printers and Fax machines is recycled paper. Where the quality of the end product allows, all print orders also specify recycled paper is to be used. Paper is purchased as part of general stationery and that commodity before 2000–2001 was not recorded as a separate cost. In year 2000–2001 expenditure on paper was £27,450. In it 2001–2002 it was £29,363. The DCMS has in place, an Environmental Management System, one aspect of which is sustainable procurement, and central to which is the requirement for continuous improvement in environmental performance.

Swimming Pools

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport how many *(a)* indoor and *(b)* outdoor Olympic standard swimming pools there are in England. [65466]

Mr. Caborn *[holding answer 1 July 2002]:* We have contacted Sport England to request this information and I will write to the hon. Member as soon as it is available, placing copies of my letter in the Libraries of both Houses.

School Sport

Sue Doughty: To ask the Secretary of State for Culture, Media and Sport when she will implement plans to invest in school sports as announced by the Prime Minister on 11 January 2001 and 9 June. [65598]

Mr. Caborn: DCMS/DfES are working together to deliver the PE school sport and club links project outlined by the PM in his announcements. Already 1.8 million primary pupils are benefiting from our investment in the school sports coordinators (SSCo) programme. Where SSCo partnerships have been established, pupils are enjoying increased: extra-curricular provision; opportunities for competitive sport; links with secondary schools easing the transition between Key Stages Two and Three; access to qualified sports coaches; and opportunities to access training in sports leadership. By September this year there will be 142 specialist sports colleges supporting 742 SSCos and 3,576 primary link teachers. SSCOs will be key in delivering the entitlement for all 5 to 16-year-olds to two hours a week of high quality school sport and physical education within and beyond the curriculum. We will extend the SSCo programme to reach all primary pupils by 2006 (subject to spending review decisions).

Tennis Courts

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport how many *(a)* indoor, *(b)* outdoor with lighting and *(c)* outdoor without lighting tennis courts there are in England. [65465]

Mr. Caborn *[holding answer 1 July 2002]:* We have contacted Sport England to request the information, and I will write to the hon. Member as soon as it is available, placing copies of my letter in the Libraries of both Houses.

PFI Projects

Ms Shipley: To ask the Secretary of State for Culture, Media and Sport which PFI projects fall under the responsibility of the Department's NDPBs. [65070]

Dr. Howells: I refer my hon. Friend to the reply I gave her on 10 June 2002, *Official Report,* columns 1014–15W, which refers to the PFI projects under the responsibility of the Department's NDPBs.

Tourism

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport (1) if she will make a statement on the impact on the English Tourism Council of her plans to change the marketing of tourism in England; [65457]

(2) what effect her plans to change the marketing of tourism in England would have on visitengland.org.uk; [65454]

(3) if she will make a statement on her plans to change the marketing of tourism in England; and what progress has been made; [65462]

(4) if she will make a statement on the long-term future of the English Tourism Council; [65456]

(5) if her plans to change the marketing of tourism in England would transfer functions of the English Tourism Council to *(a)* her Department, *(b)* the regional tourist boards, *(c)* the regional development agencies and *(d)* other companies or organisations; [65455]

(6) if she will list those who were consulted about her plans to change the marketing of tourism in England prior to their announcement; [65461]

(7) if she will make a statement on the marketing of tourism in England. [65453]

Dr. Howells *[holding answer 1 July 2002]:* My right hon. Friend the Secretary of State's announcement on 13 May of a programme of modernisation and radical change followed a full day seminar in October 2001, discussion at the Tourism Summit of Ministers in March 2002 and a Tourism Forum meeting in April 2002. In addition, there has been close consultation with Alan Britten (chairman of the English Tourism Council) and with chairs of regional development agencies as well as informal discussion with many people in the tourism industry over the last year.

Since that announcement, good progress has been made in developing plans for the domestic marketing of English tourism. I have chaired two meetings of a small steering group, comprising senior representatives of the English Tourism Council, British Tourist Authority, Tourism Alliance, regional development agencies, regional tourist boards, Local Government Association and the private sector. We have considered a model for public-private coalition for domestic marketing and made an initial assessment of priorities for strategic delivery of other support to the industry, including considering the roles to be played by the regional development agencies, regional tourist boards and local government.

In due course, we will make a further statement on the marketing of English tourism within the UK, a role which is not currently carried out at national level. However, the events of 2001 illustrated its huge potential and we intend to respond to that opportunity, since it will increase the long-term growth potential and sustainability of the industry. The industry is fully in support of this strategic change and key areas that the new organisation (a radically reformed English Tourism Council) is likely to consider are: the development of a national marketing strategy (including e-tourism and the usefulness and appropriateness of websites such as visitengland.org.uk); thematic marketing of England within the UK along the lines of what the British Tourist Authority does successfully abroad; engagement of the private sector (including match funding); and more efficient coordination of the huge expenditure on tourism marketing that already takes place at regional, sub-regional and local level.

The English Tourism Council has worked effectively to take forward much of what was set out in the Government's 1999 strategy, Tomorrow's Tourism; it has also engaged the regional tourist boards to work efficiently together, including piloting new ideas and disseminating the results of those projects. I am pleased with this progress and we now want to increase the emphasis on delivery and results. The regional development agencies are best placed, working in partnership with the regional tourist boards, to do much of this. Accordingly, we will radically change the English Tourism Council into a body that focuses on marketing and associated activities such as e-tourism and relevant research. We have not yet decided on any transfer of functions to the bodies referred to in the question and no changes are planned to visitengland.org.uk. We will make a fuller announcement once we have completed our deliberations.

HOME DEPARTMENT

Retail Crime

Bob Spink: To ask the Secretary of State for the Home Department what the annual cost of retail crime to *(a)* business, *(b)* local authorities and *(c)* the police has been in the past three years. [54564]

Mr. Denham: I refer the hon. Member to the answer I gave to the hon. Member for Weston-Super-Mare (Brian Cotter) on 14 May 2002, *Official Report*, column 606W.

European Legislation

Mr. Rosindell: To ask the Secretary of State for the Home Department, pursuant to his answer of 13 March 2002, *Official Report*, column 1100W, on European Documents, if he will make a statement on the nature of legislation under discussion in the fields of *(a)* visa policy, *(b)* information exchange and analysis, *(c)* pre-frontier measures, *(d)* border management, *(e)* improvement and co-ordination at operational level, *(f)* work of Europol and *(g)* aliens and criminals law and readmission and return. [57887]

Beverley Hughes: The Action Plan on illegal immigration was adopted at the Justice and Home Affairs Council on 28 February 2002. Measures within the plan are to be implemented in the short and medium term, with short-term measures to be implemented as soon as possible and in principle within one year of adoption of the Action Plan. Outlined below are the short term measures—both legislative and operative—in the six areas of the plan:

Visa policy

To improve document security on the basis of new technologies.

To run a pilot project on using joint infrastructures and to strengthen consular co-operation.

To conduct a feasibility study to determine the main features of the common visa identification system.

Information Exchange and Analysis

To draft an annual report consisting of a statistical overview and data analysis.

To conduct a feasibility study with a view to developing a European system for exchanging information.

To implement and appraise the existing Early Warning System.

Pre-frontier Measures

To step up co-operation via the liaison officer network.

To continue to implement the action of the High Level Working Group on Asylum and Migration.

Measures relating to Border Management

To put into practice a risk assessment.

To conduct a feasibility study on improving sea border controls.

To analyse the possible contribution from police college (CEPOL) towards improving training.

To step up co-operation with the operational services in the member states.

To analyse the feasibility of a joint external borders service.

Readmission and Return Policy

To improve practical co-operation between the competent services.

To determine appropriate criteria and practical arrangements for the compensation between member states of costs resulting from the enforcement of expulsion decisions.

To analyse the actions and measures that may be envisaged on the basis of the Commission's Green Paper on return.

To conclude outstanding readmission agreements with third countries.

To further identify third countries with which readmission agreements need to be negotiated.

To establish standards for the transit of returnees.

Europol

No short term measures.

Penalties

To put into practise the new Community instruments aimed at combating illegal trafficking of human beings.

To determine the possibility of granting certain benefits/assistance to victims of trafficking of human beings.

To conduct a study of the laws of the member states.

To analyse the possibility of adopting provisions on confiscation of financial gains and on confiscation of means, in particular means of transport used in criminal activities relating to illegal immigration.

To consider follow up to the Directive on carrier liability.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department (1) when he will reply to the letter to him dated 18 March from the right hon. Member for Manchester, Gorton with regard to Afghan asylum-seeker ref DEV/00/1506; [61681]

(2) when he will reply to the letter to him dated 25 April from the right hon. Member for Manchester, Gorton with regard to Mrs. Amina Mdalem Fadem; [61685]

(3) when he will reply to the letter to him dated 22 April from the right hon. Member for Manchester, Gorton with regard to Mr. Ahmad Rezal. [61683]

Mr. Blunkett: I wrote to my right hon. Friend on 1 July 2002.

Social Exclusion

Paul Flynn: To ask the Secretary of State for the Home Department what assessment he has made of the level of social exclusion in the city of Newport; and how his recently announced programme will measure a change in social exclusion. [63336]

Mr. Denham *[holding answer 20 June 2002]:* The Newport Community Safety Partnership undertook a very thorough audit of crime and disorder in the city which informed their 'Strategy to Reduce Crime and Disorder in Newport 2002–05', which I launched publicly on 17 June 2002. Many people and groups were consulted during the audit process including councillors, MPs, interest groups and minority groups.

The new strategy provides not only a clear direction for combating crime and disorder, but also addresses social inclusion issues. The strategy sets out clear objectives, performance indicators and targets for its key aims and progress against these will be the measure of its effectiveness. The strategy aims to: encourage good citizenship among young people; reduce the number of violent crimes; reduce the level of property crime; reduce the impact of drugs and alcohol and make Newport a safer place. Change will also be evinced by the Welsh Assembly Government's own social inclusion programme, which includes the Communities First initiative.

Serious Fraud Office

Mr. Vaz: To ask the Secretary of State for the Home Department when he last met the Director of the Serious Fraud Office. [64229]

Mr. Bob Ainsworth: My right hon. Friend, the Home Secretary, has not had any meetings with the Director of the Serious Fraud Office since he became Home Secretary. However, the Home Department maintains close relations with the Serious Fraud Office and I attended an inter-departmental meeting on his behalf on 10 June at which the Director, Rosalind Wright, was also present.

Immigration and Nationality Directorate

Mr. Vaz: To ask the Secretary of State for the Home Department when he last met *(a)* the Director of Public Prosecutions, *(b)* the President of the Law Society and *(c)* the Chairman of the Bar; where he has advertised the post of Director-General of IND; when he will appoint the Director-General of IND; and how many civil servants are employed in IND. [64230]

Beverley Hughes: My right hon. Friend the Home Secretary (Mr. Blunkett) last met the Director of Public Prosecutions on 10 June 2002 and the Chairman of the Bar Council on 8 March 2002. The Secretary of State has not yet met the current President of the Law Society.

The post of Director-General of the Immigration and Nationality Directorate (IND) was advertised in the media as follows:

21 April 2002—The Sunday Times Public
22 April 2002—The Voice
23 April 2002—Ethnic Media Group
24 April 2002—The Guardian
25 April 2002—The Times (repeated from the Sunday Times).

It is expected that an announcement about the appointment of a new Director-General of IND will be made during July.

There are 11,253 civil servants employed by IND.

Animal Research

Mrs. Helen Clark: To ask the Secretary of State for the Home Department (1) what assessment he has made of the reporting of the methods used in research on primates at Cambridge University; [64259]

(2) what assessment he has made of progress made in research on primates at Cambridge University in the past five years; [64258]

(3) what investigation he has made of non-animal alternatives to the research on marmoset brain research at Cambridge University; [64256]

(4) what plans he has to review research into primates at Cambridge University; [64260]

(5) what factors he took into account in assessing marmoset brain research at Cambridge University in order to evaluate *(a)* the potential benefits to be derived from the research and *(b)* the suffering likely to be experienced by the marmosets; [64254]

(6) what assessment he has made of *(a)* the housing conditions and *(b)* the post-operative care of marmosets involved in research at Cambridge University; [64257]

(7) if he will refer the research into primates at Cambridge University to the Animal Procedures Committee; [64261]

(8) what factors informed his decision to give each of the project licences for marmoset brain research at Cambridge University a moderate severity band. [64255]

Mr. Bob Ainsworth: We have received a copy of a report of an investigation carried out by the British Union for the Abolition of Vivisection into primate research at Cambridge university, and we are in the process of giving it careful consideration.

As part of that, the Chief Inspector of the Animal (Scientific Procedures) Inspectorate has been commissioned to report on the documentation, analysis and advice underpinning the original severity limits and severity bands on the relevant project licences. In addition he will advise on whether the licensing decisions were sound and defensible, and will review compliance with the relevant licence authorities.

The Animals Procedure Committee (APC) may advise the Secretary of State about any issues relating to the Animals (Scientific Procedures) Act 1986. The APC has been made aware of the concerns recently raised about the research in question, but the Secretary of State does not plan at this stage to refer the matter to the Committee, pending receipt of the Chief Inspector's report.

The general factors taken into account in assessing the applications for licences to conduct the research are as set out in the Guidance on the Operation of the Animals (Scientific Procedures) Act 1986, and in the Chief Inspector's paper on the cost/benefit assessment published as part of the Animal Procedures Committee annual report of 1997 (both are available in the Library). In determining whether and on what terms to grant a project licence, section 5 (4) of the 1986 Act requires that the likely adverse effect on the animals concerned must be weighed against the benefit likely to accrue as a result of the programme specified in the licence.

The severity bands assigned were determined according to the principles set out in the relevant sections of the Home Office Guidance on the Operation of the 1986 Act. The assessment of the severity band for the project as a whole reflects the number of animals used on each protocol and actual suffering likely to be caused as result. It is based on the overall level of cumulative suffering to be experienced by each animal, not just the worst possible case. It takes into account the proportion of animals expected to reach the severity limit of the protocol and the duration of the exposure to that severity limit, the nature and intensity of the adverse effects, and the actions taken to relieve the suffering. Professional judgment must be applied by the Animals (Scientific Procedures) Inspectorate (ASPI) on a case-by-case basis.

Under the provisions of the 1986 Act, animals can only be used in scientific procedures when there is no alternative way to achieve the objective concerned, such as using computer models, cell cultures and other in vitro methods. This condition applies to the research conducted at Cambridge university and (ASPI) challenged, verified and advised this is the case. ASPI is composed of medical and veterinary graduates with a wide range of experience and expertise in the biomedical sciences, including research methods not involving the use of living animals. All establishments designated under the 1986 Act are required to provide standards of care and accommodation complying with the provisions of the Home Office Code of Practice for the Housing and Care of Animals used in Scientific Procedures. This is required through conditions of issue attached to the Certificates of Designation and is monitored through the inspection programme. The required standards of post-operative care in this case were prescribed through the terms and conditions of the relevant certificate of designation, project licence and personal licences.

Progress and conduct of the research has been monitored by ASPI in the normal way through announced and unannounced inspections, supplementary information obtained when licence amendments were sought, and from publications resulting from the programme of work.

We will consider what further action may be appropriate when we have received the Chief Inspector's report.

Norman Baker: To ask the Secretary of State for the Home Department when the statistics of Scientific Procedures on Living Animals in 2001 will be published. [64742]

Mr. Bob Ainsworth *[holding answer 23 June 2002]:* It is expected that these statistics will be published in the second half of July 2002.

Yarl's Wood

Mr. Patrick Hall: To ask the Secretary of State for the Home Department how many detainees who were present at Yarl's Wood Immigration Detention Centre on the evening of 14 February had been removed from Britain as of Tuesday 21 May. [59254]

Beverley Hughes: Information about the number of detainees who have been removed is not readily available and could be obtained only at disproportionate cost by an examination of individual case files.

CRE (Annual Report)

Mike Gapes: To ask the Secretary of State for the Home Department when he plans to make available the Commission for Racial Equality 2001 annual report. [66703]

Mr. Blunkett: The Commission for Racial Equality's Annual Report 2001 is published today.

I have arranged for copies to be placed in the Library and for copies to be sent to the Scottish Parliament and the National Assembly for Wales.

Police

Harry Cohen: To ask the Secretary of State for the Home Department what influence the funders of the British Transport police have over its policies, operational matters and personnel; and if he will make a statement. [66446]

Mr. Jamieson: I have been asked to reply.

The duties and responsibilities regarding the organisation, control and governance of the BTP are set out in the British Transport Police Force Scheme ("the scheme"). The current text of the scheme can be found in the Schedule to Statutory Instrument 1994–609. The scheme provides that the British Transport police (BTP) is under the direction and control of the chief constable. The chief constable, who is appointed by the BTP Committee, is responsible for the administration of the BTP in accordance with the directions given to him by the BTP Committee.

The scheme provides that it shall be a duty of the BTP Committee to, among other things:

(i) supervise the administration of the force by the chief constable on such lines as it may from time to time determine, following consultation with the SRA and others, to give him such directions as may from time to time be necessary for that purpose;

(ii) secure the maintenance of an adequate and efficient police service by the force;

(iii) determine the number of persons of each rank in the force; and

(iv) provide and maintain such buildings, structures, premises, vehicles, apparatus, clothing and other equipment as may be required for the purposes of the force.

The scheme also prescribes the composition of the BTP Committee, which is currently nine members including the chairman. The scheme provides that the BTP Committee shall consist of a chairman appointed by the Strategic Rail Authority (SRA), not more than six other members appointed by the SRA and one member each appointed by the operator of the national rail network and London Regional Transport. The scheme further provides that among the six SRA appointed members certain interests must be represented. These are:

at least one member who has wide experience of, or who has shown capacity in, the control or administration of police; and

a member appointed after consultation with the Rail Passengers' Committee and who has wide experience of the interests and concerns of users of railway services and facilities.

In addition to these two specified required representatives, the SRA has currently appointed two independent members and two representatives of the train operating companies.

NORTHERN IRELAND

Certified Timber

Ms Walley: To ask the Secretary of State for Northern Ireland if he will list the refurbishment projects that *(a)* are in progress and *(b)* will start within the next six months; and what action is being taken to ensure that these will procure certified timber. [59762]

Jane Kennedy: The refurbishment projects currently being completed or due to start within the Northern Ireland Office are as follows:

Compensation Agency—Refurbishing new accommodation for the Criminal Injuries Compensation Appeals Panel. In progress.

Criminal Justice Division—Refurbishment work at Rathgael. In progress.

Criminal Justice Division—Refurbishment of new offices for the Youth Justice Agency. Likely to start within the next eight weeks.

Refurbishment contracts are procured for the Northern Ireland Office by the Department of Finance and Personnel Construction Service. No reference is made to the use of certified timber in any contract documents or specifications given to contractors.

Performance Targets

Mr. Bercow: To ask the Secretary of State for Northern Ireland what has been the *(a)* cost and *(b)* saving from the pursuit of the Department's Public Service Agreement targets in each year since they were introduced. [61044]

Jane Kennedy: The NIO's Public Service Agreement (PSA) was first published in October 2000 to cover the three-year period 2001–02 to 2003–04. As the PSA targets effectively embrace virtually all of our departmental activities, the cost of seeking to meet our PSA objectives is essentially the same as our total departmental expenditure. For 2001–02 (the first year of our PSA) this is currently estimated at £1.052 billion.

The efficiency elements within our current PSA are already reflected in the profiling of the budget set for the Department whereby anticipated reductions in spending in one area are redirected to offset emerging pressures in other areas.

HOUSE OF COMMONS

Television Monitors

Mr. Stunell: To ask the Chairman of the Administration Committee what the estimated number of television monitors on the parliamentary estate is. [65727]

Mrs. Roe: It is estimated that there are 2,300 television monitors on the Parliamentary Estate.

FOREIGN AND COMMONWEALTH AFFAIRS

Ministerial Salaries

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what the annual cost was of ministerial salaries in his Department in *(a)* 1997–98 and *(b)* 2001–02. [60934]

Mr. Mike O'Brien: The level of ministerial salaries is recommended by the Senior Salaries Review Body. From May 1997, there were at the FCO one Cabinet Minister, at an annual salary cost of £43,991; three Ministers of State, at annual salaries totalling £114,088; and two Parliamentary Under-Secretaries of State, at annual salaries totalling £67,255. Since June 2001, the FCO has had one Cabinet Minister, at an annual salary cost of £68,157; three Ministers of State, at annual salaries totalling £140,995; and two Parliamentary Under-Secretaries of State, at annual salaries totalling £87,796.

Those Ministers who are Members of the House of Commons also receive the full parliamentary salary, in recognition of their continuing constituency duties.

Afghanistan

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs how many prisoners were taken during coalition operations in Afghanistan; and how many of these are thought to be Chechen. [64455]

Mr. Mike O'Brien: We do not hold the information requested which would need to take into account prisoners taken by British forces as well as other coalition partners.

Liberia (Timber Trade)

Ms Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs if the UK Government will support the extension of the United Nations sanction against Liberia to cover the Liberian timber trade; and if he will make a statement. [64354]

Mr. MacShane: The UK supports UN Security Council resolution (UNSCR) 1408 (2002), which calls on Liberia to establish a transparent and internationally verifiable audit regime to ensure that revenue derived from the Liberian timber industry is used for legitimate social, humanitarian and development purposes, and not for purchasing arms.

EU Directives

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the EU directives and regulations that have been implemented through his Department in 2002; and what was the cost of each to public funds. [64970]

Peter Hain: The Foreign and Commonwealth Office plays a co-ordinating role in the United Kingdom's EU policy, and so rarely implements EU directives. Regulations are directly applicable in the member states without the need for further incorporation into national law.

I am not aware of any directives on which the Foreign and Commonwealth Office has led on implementation this year.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the EU directives relating to his Department which have been *(a)* amended and *(b)* repealed in 2002. [64950]

Peter Hain: The Foreign and Commonwealth Office plays a co-ordinating role in the United Kingdom's EU policy, and so rarely leads on the amendment or repeal of EU directives and regulations.

I am not aware of the amendment or repeal of any directives or regulations on which the Foreign and Commonwealth Office has led this year.

Statutory Instruments

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many statutory instruments have been *(a)* introduced, *(b)* removed and *(c)* amended by his Department since 1 January; and what the (i) cost and (ii) saving has been in each case. [64637]

Mr. Straw: A list of statutory instruments which have originated from the Foreign and Commonwealth Office since January 2002 are listed as follows. To provide an assessment would incur disproportionate costs.

As from 1 March 2002 explanatory memorandums have been provided for all affirmative instruments as announced by the Leader of the House on Friday 1 February 2002.

S.I. title	*Number*
The Territorial Sea Act 1987 (Jersey) (Amendment) Order 2002	2002/250
United Nations The Al-Qa'ida and Taliban (United Nations Measures) Order 2002	2002/111
United Nations The Al-Qa'ida and Taliban (United Nations Measures) (Overseas Territories) Order 2002	2002/112
The Pitcairn Court of Appeal Order 2000 (Amendment) Order 2002	2002/249
The Al-Qa'ida and Taliban (United Nations Measures) (Amendment) Order 2002	2002/266
The Al-Qa'ida and Taliban (United Nations Measures) (Overseas Territories) (Amendment) Order 2002	2002/251
The Overseas Territories (Zimbabwe) (Restrictive Measures) Order 2002.	2002/1077
The Geneva Conventions (Amendments) Act (Overseas Territories) Order 2002	2002/1076
British Nationality the British Overseas Territories Act 2002 (Commencement) Order 2002	2002/1752 (c.34)
The Consular Fees Act 1980 (Fees) Order 2002	2002/1618

Annual Leave

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what the average annual leave entitlement is for staff in his Department in 2002. [64646]

Mr. Mike O'Brien: I refer the hon. Member to the answer given him by the then Parliamentary Under-Secretary my hon. Friend the Member for Exeter (Mr. Bradshaw) on 6 February 2002, *Official Report*, column 950W. Leave entitlements have not changed since then. Average leave entitlements could be provided only at disproportionate cost.

Nuba Mountains Ceasefire

Mr. Alan Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the effectiveness of the Nuba Mountains ceasefire agreement; and if he will make a statement. [64807]

Mr. MacShane: The Nuba Mountains ceasefire agreement is working well. Both the Government of Sudan and the SPLM/A have participated fully in the Joint Military Commission. This has resulted in redeployment of Government troops out of the relevant sectors and of the SPLM/A forces into agreed positions. Humanitarian assistance is being delivered to a region to which access had been denied for a considerable period. The population of the area now enjoys freedom of movement and the ability to cultivate on a wider scale than has proved possible in recent years. The agreement runs out next month. We hope that the ceasefire will be extended and have called on the parties to agree to this outcome.

Sudan

Mr. Alan Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs how many staff in the unit headed by the Special Representative to Sudan are *(a)* his Department's staff and *(b)* DFID staff; and what proportion, in (i) cash and (ii) percentage terms, of the budget of the office is provided by his Department. [64806]

Mr. MacShane: The Sudan Unit's full-time complement is currently one DFID and three FCO officials. This is in addition to the UK Special Representative and the part-time legal adviser. The unit's staff costs are paid by the officers' parent Departments. The unit can also make recommendations about the use of FCO and DFID programme funds in support of peace, human rights and humanitarian assistance.

Mr. Alan Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the *(a)* dates and *(b)* venues of meetings between the Sudanese ambassador in London and Ministers in his Department in *(a)* April, *(b)* May and *(c)* June. [64808]

Mr. MacShane: The Sudanese ambassador accompanied the Sudanese presidential peace adviser when he met my noble Friend Baroness Amos at the FCO on 7 May.

United Nations Commission on Human Rights

John McDonnell: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason Her Majesty's Government's representative on the United Nations Commission on Human Rights abstained on resolution 2002–11, passed on 2 June. [64958]

Mr. MacShane: The resolution, dated 19 April and sponsored by the African Group, proposed termination of the mandate of the UN Special Representative on Equatorial Guinea. The EU unsuccessfully proposed an amendment to permit continuation of a monitoring mechanism. The EU decided by consensus to abstain on the resolution, together with its associates, Canada, Japan, Republic of Korea, most of the Latin American and Caribbean countries. In our statement we expressed deep disappointment at the African Group's refusal to negotiate on the text of the resolution, appreciation for the work of the UN Special Representative, profound concern over human rights violations in Equatorial Guinea, and deep regret at the absence of any monitoring mechanism.

The EU remains concerned at human rights violations in Equatorial Guinea. In the context of the recent trials of alleged coup plotters, the EU issued a Declaration urging the Government to respect their rights.

Political Union

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's understanding of the meaning of the phrase "political union" in the Laeken declaration; and if he will cite the previous occurrences of that phrase in documents agreed upon by the European Council. [64704]

Peter Hain: The term "political union" has been used at several European Councils to describe the unique political relationship that exists between members of the European Union, as set out in the European treaties. It has no formal definition, accepted by all, whether in Council meetings or elsewhere.

The term has appeared in a number of documents agreed by the European Council in the past: annexe 1 of the presidency conclusions of the Vienna European

Council 11–12 December 1998; and in conclusions to the Dublin, Rome and Maastricht European Councils in April and December 1990 and December 1991 respectively.

Western Sahara

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his EU colleagues regarding the referendum plan for western Sahara; and if he will make a statement. [64598]

Mr. Mike O'Brien: UK officials are in regular contact with our EU colleagues. We continue to support the efforts of the UN in trying to find a just and durable resolution to the western Sahara dispute.

Turkey

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Turkish Government regarding the treatment of members of the Kurdish Rights and Freedom party in *(a)* Dujaibakin and *(b)* other cities. [64605]

Peter Hain: On 19–20 June, a senior official from the Foreign and Commonwealth Office led a UK delegation at the first formal UK/Turkey Human Rights Dialogue, in Ankara. There was a frank and constructive discussion of the human rights situation in Turkey, the measures recently taken to improve it and what remains to be done to ensure the rights of all, including the Kurds.

Morocco

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Morocco regarding their treatment of mourners at the funeral of Fadel Ismail. [64599]

Mr. Mike O'Brien: I have not received any reports of a Moroccan presence at Fadel Ismail's funeral, which took place near Tindouf in Algeria. There were reports of some disturbance at events in western Sahara after the funeral.

As neither representatives of Mr. Ismail's family nor the Polisario nor the Algerian Government raised this matter with us, we have made no representations to the Government of Morocco regarding their treatment of mourners at the funeral of Fadel Ismail.

Seville

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what the size was of the delegation from the UK for the European Council meeting in Seville. [64821]

Peter Hain: The delegation from the UK comprised 18 from No. 10 and the Cabinet Office (including the Prime Minister); 13 from the FCO (including the Foreign Secretary and me); one HM Treasury; and nine security staff.

Taiwan

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs what support he has provided to the Government of Taiwan in support of Taiwan's application for observer status at the World Health Organisation. [65217]

Mr. MacShane: Taiwan's relationship to the World Health Organisation was discussed at the World Health Assembly General Committee in May 2002. There was no consensus in the committee for the matter to be discussed in the main assembly session and the matter did not come to a vote.

Belarus

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he will make to the Belarusian Government concerning the convictions of Mikola Markevich and Pavel Mazheiko for libelling the President; what further action he has planned to ensure that human rights are respected in this case; what action the European Union will be taking; and if he will make a statement. [65386]

Mr. Mike O'Brien: The court decision to sentence Nikolai Markevich and Pavel Mozheiko to "restricted freedom" for defaming President Lukashenko is the latest example of the disregard for international standards of human rights in Belarus. Our ambassador at Minsk has already made clear our concerns about the case during informal discussions with the authorities there.

Representatives from our embassy in Minsk have, together with other like-minded partners (including from the EU, US & OSCE missions) regularly attended the trial. Both defendants have expressed their gratitude for this support, and made it clear that they believed it played a significant part in their not being sentenced to full custodial terms. Both of those concerned are expected to lodge an appeal in the next few days.

Our embassy in Minsk will continue to monitor the case closely, and we shall continue to consult with our EU and other partners.

Business Ambassadors

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria he adopts in his appointment of business ambassadors. [65367]

Mr. MacShane: The ambassadors for British business are selected to represent a wide cross-section of British commercial success. They are people who frequently go abroad on working visits and have a wealth of specialist knowledge backed up by excellent contacts. They include the chairmen and executives of multinationals as well as smaller concerns.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 21 June 2002, *Official Report*, column 637W, how many official visits each business ambassador has undertaken, on what date and to which countries. [65366]

Mr. MacShane: I will write to my hon. Friend with these details, and copies will be placed in the Libraries of the House.

Green Minister

Sue Doughty: To ask the Secretary of State for Foreign and Commonwealth Affairs who his Department's Green Minister is; when they *(a)* have attended and *(b)* plan to attend meetings of the Green Ministers' Committee; what the outcomes of meetings were for his Department's activities; and if he will make a statement. [65981]

Mr. MacShane: I am the FCO's Green Minister and attended meetings of the Cabinet sub-committee in February and March this year. I will attend future meetings whenever possible. The committee has helped the FCO and other Departments to consider how Government policies can best contribute to sustainable development.

World Service

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions his officials have had with HM Treasury as part of the spending review with regard to funding for the BBC World Service. [65753]

Mr. MacShane: The BBC World Service's bid was submitted in February to HM Treasury in full, as part of the FCO's bid for additional funding in the Spending Review. Since then, my officials have been actively discussing the merits of the FCO's bid, including the BBC World Service, with Treasury officials. The BBC World Service has also made its own presentation to Treasury.

EU Enlargement

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment the Government have made of the effect of the membership in the European Union of *(a)* Poland, *(b)* The Czech Republic, *(c)* Slovakia, *(d)* Estonia, *(e)* Latvia, *(f)* Lithuania, *(g)* Hungary, *(h)* Slovenia, *(i)* Cyprus and *(j)* Malta on the European Union's budget. [65710]

Peter Hain: The Berlin European Council (March 1999) set a ceiling of 35 billion euro in payments for new member states for 2004–06. Based on its proposals for phasing in EU policies to new member states, the Commission estimates the cost to the EU budget of up to ten new member states acceding in 2004 to be 28 billion euro for the period 2004–06. This can be financed well within the ceiling on Own Resources (which will remain at 1.27 per cent. of GNP). The Commission's proposals remain the subject of negotiation and no estimate of the cost for individual applicants is given. The Government's view is that the final package must respect the overall financial ceilings agreed at Berlin.

Gibraltar

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the results of his discussions on Gibraltar with the Spanish Foreign Secretary on 26 June; what deadline exists for the negotiations with Spain on the future of Gibraltar; and if he will make a statement. [65711]

Peter Hain: My right hon. Friend the Foreign Secretary and the Spanish Foreign Minister met informally in London on 26 June to continue discussions on Gibraltar. They had a friendly and constructive exchange of views. They agreed that we have made good progress since talks were restarted last year. The two Governments have found a considerable degree of consensus. They underlined their belief that it is sensible and right and in the interests of Britain, Spain and the people of Gibraltar to make this effort to resolve the dispute. They agreed to convene a formal Brussels Process meeting on 12 July in Madrid.

UK-USA Security Agreement

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the *(a)* purpose and *(b)* accountability of the 1948 UK-USA security agreement. [65155]

Mr. Straw: It is a long-standing practice of this Government and previous Administrations not to comment on the detail of confidential arrangements which might exist between the UK and the US for the UK's national security.

MI6

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanism exists to ensure that the exchange of information undertaken between *(a)* MI6 and *(b)* GCHQ and sister organisations within friendly countries, and to which Ministers do not have access, is conducted in a manner consistent with the national interest. [65159]

Mr. Straw: Both SIS and GCHQ carry out their functions under the Intelligence Services Act (ISA) 1994. Section 2(2) and 4(2) of the ISA require that the Chief of the SIS and the Director of GCHQ put in place arrangements for ensuring that no information is obtained by SIS or GCHQ respectively and disclosed by them except in the interests of national security; for the purposes of the prevention and detection of serious crime; in the interests of economic well-being of the UK; or for the purpose of any criminal proceedings. The arrangements must also ensure that GCHQ and SIS do not take any action to further the interests of any United Kingdom political party. I am satisfied that the arrangements are in place to meet those requirements.

TRADE AND INDUSTRY

Exhibitions and Seminars Abroad Scheme

Mr. Sheerman: To ask the Secretary of State for Trade and Industry what changes her Department plans to make in the support for the Exhibitions and Seminars Abroad Scheme. [60769]

Ms Hewitt: A review of certain rules and procedures for the Exhibitions and Seminars Abroad (SESA) Scheme was concluded in March this year. This put forward a number of options for change which were subsequently refined into a set of recommendations. A wider ranging review of the needs of British Trade International's customers is currently under way. This is a strategic review to develop a simpler, more coherent and effective portfolio of services and it is sensible that the outcome of the work on SESA should now feed into this wider review. We shall not therefore be making significant changes to the SESA terms and conditions at this time, although one change is being made. This is the removal of the requirement for a minimum group size when groups of companies attend events with SESA support and therefore the removal of the need for a separate "niche" category for support.

Departmental Grants

Mr. Andrew Turner: To ask the Secretary of State for Trade and Industry which organisations and outside bodies which were in receipt of grant in 1997–98 no longer are; what the annual saving is (i) individually and (ii) in aggregate; which organisations and outside bodies which were not in receipt of grant in 1997–98 now are; and what the annual cost is (A) individually and (B) in aggregate. [62247]

Ms Hewitt: I refer the hon. Member to the reply given by my right hon. Friend, the Chief Secretary on 17 June 2002, *Official Report,* columns 136–37W.

Western Sahara

Dr. Tonge: To ask the Secretary of State for Trade and Industry what advice is given to United Kingdom companies wishing to operate in western Sahara. [64604]

Ms Hewitt: The British embassies in Rabat and Algiers are able to offer appropriate advice on a case-by-case basis to UK companies wishing to operate in western Sahara. More generally we advise companies wishing to operate in that territory to seek the advice and agreement of both parties to the dispute (the Moroccans and the Algerians/Polisario, who are all represented in London) as part of their business planning.

Carbon Emissions

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry what the *(a)* current total annual carbon emissions and *(b)* expected total annual emissions from installed capacity for all projects in the power sector fuelled by coal, oil or gas that have received assistance from the ECGD are since 1997. [65193]

Ms Hewitt: Since ECGD does not have readily available information on the completion dates and operating schedules of all the power projects that the Department has supported, it is not possible easily to calculate actual total carbon emissions since 1997.

However, for power projects for which a guarantee has been issued since 1997 it is estimated that upon completion of these projects total annual carbon emissions will be of the order of 13.3 million tonnes. This is based on the following assumptions:

Fuel Type	*ECGD Estimated capacity (MW)*	*CO_2 (tonnes per year) million*	*Carbon (tonnes per year) million*
Coal	11,260	40.6	11.1
Oil	492	1.1	0.3
Gas	4,367	7.1	1.9
Total	16,139	48.8	13.3

It has been assumed the plants operate for 60 per cent. of the time (5,256 hours per year). CO_2 emissions are calculated using the following conversion factors—Coal: 0.687 tonnes of CO_2 per MW per hour, Oil 0.417, Gas: 0.309. These are taken from the Greenhouse Gas Protocol website, www.ghgprotocol.org, and are the 1999 average values for power plants in "Economies In Transition". These are the markets where ECGD most commonly provide guarantees.

Carbon emissions are calculated by assuming that carbon makes up 27.3 per cent. of the atomic mass of CO_2.

It should be noted that for most large power projects ECGD is only one of several finance providers. Scaling the carbon emissions by the proportion of finance guaranteed by ECGD would give a figure of less than 6 million tonnes per year of carbon, or less than 21 tonnes per year of CO_2, that is directly attributable to ECGD's participation.

Arms Exports

Gregory Barker: To ask the Secretary of State for Trade and Industry what the value was of ECGD support relating to arms exports to *(a)* Pakistan and *(b)* India since February 2000; and what payments have been made under the ECGD scheme. [65407]

Ms Hewitt: ECGD has not supported any defence exports to either Pakistan or India since February 2000.

Nuclear Power Stations

Mr. Jenkin: To ask the Secretary of State for Trade and Industry if he will list the infringements of the no-fly zones around nuclear power stations that have been reported since inception, giving *(a)* the date, *(b)* the location and *(c)* an account of each incident; what action was taken to follow up each incident; and if she will make a statement. [64960]

Mr. Jamieson: I have been asked to reply.

There have been no confirmed infringements of flying restrictions around civil nuclear power stations since 1991. Information on earlier incidents is not readily available.

Construction Industry

Mr. Sheerman: To ask the Secretary of State for Trade and Industry what action she is taking to eliminate bogus self-employment claims in the construction industry. [63052]

Dawn Primarolo: I have been asked to reply to my hon. Friend.

The Inland Revenue aims to ensure that the law on employment status is applied even-handedly across all sectors of industry, and that includes the construction industry sector. As part of its ongoing compliance strategy, the Inland Revenue's local employer compliance review teams consider employment status issues to ensure employers and contractors are compliant with the tax and National Insurance laws generally.

Motor Vehicles (LPG Conversions)

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry how many grants in respect of LPG conversions of motor vehicles have been given in each of the last five years. [65254]

Mr. Jamieson: I have been asked to reply.

The table gives the number of LPG vehicles benefiting from PowerShift grants in the last five years.

Financial year	*Number of LPG vehicles receiving Powershift grants*
1997–98	195
1998–99	637
1999–2000	1,674
2000–01	4,246
2001–02	3,967

LPG Fuel

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry how many vehicles subject to vehicle excise duty are capable of using LPG fuel. [65249]

Mr. Jamieson: I have been asked to reply.

DVLA statistics do not distinguish between liquefied petroleum gas (LPG) and, say, natural gas vehicles; only between vehicles that are dedicated gas or petrol/gas combinations. Generally, however, cars and light commercial vehicles tend to use LPG, while heavier vehicles use natural gas. The table shows the last five years for which figures are available:

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
Private and Light Goods	6,715	10,121	14,421	21,098	23,916	24,308
Buses	31	53	97	121	139	153
Goods vehicles	75	93	141	171	237	236
Special vehicles	1,327	1,281	1,310	1,394	1,408	1,417
Exempt vehicles	698	733	774	903	1,103	1,115
Other vehicles	241	253	267	281	303	331
Total	9,087	12,534	17,010	23,968	27,106	27,560

These figures actually understate the number of vehicles because not all conversions to alternative fuelling are notified to DVLA and motorists are converting to LPG at an increasing rate. The total is expected to increase by about 25,000 per year over the next two years, prompted by the Government grants available, and the fact that low-cost LPG fuel is now available in all areas of the country.

All vehicles used on public roads in the UK have to be licensed annually. Generally such licensing includes payment of a duty of excise (Vehicle Excise Duty) on the licence but a number of vehicles are exempt from payment of duty. All of the vehicles included in the table as PLG, buses, goods, and special vehicles are subject to payment of VED. The category "other vehicles" includes motorcycles and other miscellaneous vehicles.

WORK AND PENSIONS

Blind and Partially-sighted People

Mr. Tom Clarke: To ask the Secretary of State for Work and Pensions what plans he has to consult organisations representing blind and partially-sighted people including the Royal National Institute for the Blind in developing the next UK Employment National Action Plan. [40417]

Mr. Nicholas Brown: The current UK Employment Action Plan—for 2002-has been completed and deposited in the Library. It highlights the Government's employment strategy that seeks to ensure that the most help is given to those who face the greatest difficulty finding work, of which disabled people are a key group. The Department liaises with organisations like the Royal National Institute for the Blind (RNIB) on these policies, which are already in place or are being developed, at various stages.

In addition to that consultation, the UK Disability Forum for Europe, to which the RNIB belongs, contributed to the 2002 plan. This contact will be continued when the next plan, for 2003, is being prepared. Officials will be discussing with RNIB how best that organisation might continue to the preparation of the 2003 plan.

Mr. Tom Clarke: To ask the Secretary of State for Work and Pensions what measures he intends to include in the next UK Employment National Action Plan to improve job opportunities and job retention for blind and partially-sighted people. [40418]

Mr. Nicholas Brown: The current UK Employment Action Plan—for 2002—has been completed and deposited in the Library. It highlights the Government's employment strategy that seeks to ensure that the most help is given to those who face the greatest difficulty finding work. In this context, the plan covers policies such as the New Deal for Disabled People, which extend to blind and partially-sighted people, as well as other people with disabilities.

The exact content of the 2003 plan can only be decided when the European Employment Guidelines—to be proposed this November—have been agreed. However, integrating into the labour market all those with a disadvantage will remain a priority for the UK and for Europe. Therefore, measures in this area are likely to be reported on in the next and future Employment Action Plans.

Foster Carers

Alistair Burt: To ask the Secretary of State for Work and Pensions what plans he has to extend home responsibilities protection to all foster carers to cover the period over which they have fostered children. [54810]

Mr. McCartney: Foster carers whose allowance contains a reward element may be liable for national insurance contributions on a self-employed basis. Where there is no liability, they may choose to pay voluntary contributions to assist in qualifying for state retirement pension. Foster carers who receive child benefit for their own children aged under 16 will be eligible for home responsibilities protection. We will keep these arrangements under review as we do with all rules relating to benefits.

Regional Organisations

Mr. Andrew Turner: To ask the Secretary of State for Work and Pensions which of the agencies and NDPBs sponsored by his Department have a regional organisation; and if he will list the counties and unitary authorities in each region in *(a)* 1997 and *(b)* 2002. [58953]

Mr. Nicholas Brown: I refer the hon. Member to the answer I gave him on 19 June 2002, *Official Report*, column 406W.

Ministerial Visits (Wales)

Mr. Llwyd: To ask the Secretary of State for Work and Pensions what the *(a)* date, *(b)* location and *(c)* purpose was of visits by Ministers in his Department to Wales since 1997; and when he next intends to visit Wales. [62078]

Mr. McCartney *[holding answer 17 June 2002]:* Since 1999 this Government have published an annual list of all visits undertaken by Cabinet Ministers costing £500 or more during each financial year. This Government have also published, on an annual basis, the cost of all Ministers' visits overseas. Information in respect of UK travel is not held centrally and could be provided only at disproportionate cost.

However my right hon. Friend the former Secretary of State (Alistair Darling) visited Swansea and Bridgend on the 12 February 2002, where he visited one of our new Pension Centres and a Jobcentreplus Office. My right hon. Friend the Secretary of State (Andrew Smith) has no immediate plans to visit Wales, however my hon. Friend the Parliamentary Under-Secretary of State (Malcolm Wicks) is planning to visit Wales in the next month.

Benefits and Pensions

Mr. Jenkins: To ask the Secretary of State for Work and Pensions what has been the cost of *(a)* unemployment benefit and *(b)* pensions as a percentage of the total services budget, in each year since 1997. [63171]

Mr. Nicholas Brown: Information is not held in the precise form requested. The Department accounts for its administrative and programme expenditure in accordance with its key objectives, which are published in the Department's Public Service Agreement (PSA), and the individual Requests for Resources (RfRs), which are published in the Main Estimate. Details of the total consumption of resources from 1998–99 onwards by areas now included within the Department for Work and Pensions, and of the amounts specific to people of working age and pensioners, are published in Table 1 of the DWP Departmental Report 2002–03 to 2003–04 (Cm 5424) which is available in the Library. Directly comparable figures for 1997–98 are not available.

Early Retirement

Mr. Drew: To ask the Secretary of State for Work and Pensions if he will make a statement on the impact of early retirement on pension provision. [65017]

Mr. McCartney *[holding answer 27 June 2002]:* If people choose to retire early, they must save more over the years that they are working to achieve the same retirement income.

The Government believe that people should be able to make an informed choice when they plan their retirement, so that they have accumulated sufficient pension savings to provide the income they wish to receive. Our pension forecasting programme will help to achieve this by showing savers how much they can expect on retirement at state pension age.

The Government are also committed to active ageing. We are tackling age discrimination in employment, not least so that older people have increased opportunities to retain or find work, and are not forced into early retirement. Our Age Positive campaign promotes to employers the business benefits of an age-diverse work force, including the recruitment and retention of older workers. We are encouraging employers to adopt more flexible approaches to retirement for the benefits it can offer businesses and the increased choice and opportunities it offers individuals for a later more active retirement. The report 'Flexible Retirement—a snapshot of large employers' initiatives', published on 17 June, showed that some larger companies are indeed adopting more flexible retirement policies. There are also signs nationally that approaches to early retirement have been changing, as each year for the last four years the employment rate of people aged 50 to state pension age has increased faster than the overall employment rate.

LORD CHANCELLOR'S DEPARTMENT

Third Parties—Rights Against Insurers

Mr. Gerrard: To ask the Parliamentary Secretary, Lord Chancellor's Department if the Government accept the recommendations made by the Law Commission and the Scottish Law Commission in their report on Third Parties—Rights Against Insurers. [66800]

Ms Rosie Winterton: The Government have carefully considered this report, and accept the Law Commissions' recommendations. A consultation paper will be issued shortly on implementing the proposals by way of a Regulatory Reform Order.

Land Registration Act

Dr. Ladyman: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Lord Chancellor will implement the Land Registration Act 2002. [66799]

Ms Rosie Winterton: The Land Registration Act 2002 will be brought into force on Monday 13 October 2003. This will allow sufficient time to consult on and make the necessary secondary legislation; to develop new office procedures to accommodate the new legislation and to carry out a thorough programme of education and training both within the Land Registry and across the wider conveyancing community.

PRIVY COUNCIL

Li Ruihuan

Dr. Gibson: To ask the President of the Council what representations concerning the situation in Tibet he made to Li Ruihuan, Chairman of the Chinese People's Political Consultative Conference, during Chairman Li's recent visit to the UK; and what response he received. [63863]

Mr. Robin Cook: My noble friend the Lord Chancellor met Mr. Li and raised Tibet and other human rights concerns with him.

I hosted a large reception and banquet for Mr. Li, attended mainly by representatives of Scottish universities and businesses to celebrate their links with their counterparts in China. This occasion did not lend itself to exploring detailed issues of our diplomatic relations. I have raised Tibet many times with representatives of the Chinese Government and it figures prominently in the bilateral dialogue between our two Governments on human rights. In May the UK side visited a Tibetan community in Gansu Province, expressed concern at repression of monastic communities and raised the cases of 52 prisoners including Tibetans.

Parliamentary Questions

Mr. Beith: To ask the President of the Council what recent assessment he has made of the performance of Government Departments in providing timely answers to written parliamentary questions; and if he will make a statement. [65561]

Mr. Robin Cook: No recent assessment has been made.

However, I refer the right hon. Member to the reply I gave to the hon. Member for South Suffolk (Mr. Yeo) on 2 May 2002, *Official Report*, column 949W.

TREASURY

Monarch (Taxation)

Norman Baker: To ask the Chancellor of the Exchequer with reference to the 1993 Memorandum of Understanding, if he will list the categories of taxation where *(a)* the treatment of the monarch is indistinguishable from that of other citizens, *(b)* the monarch is exempt and *(c)* the monarch is exempt but chooses to make voluntary contributions. [65154]

Mr. Gordon Brown: The position is fully set out in the memorandum, a copy of which is available in the House of Commons Library.

Civil List

Norman Baker: To ask the Chancellor of the Exchequer if he will make a statement on the implications for Civil List annuity payments of the death of Her Majesty Queen Elizabeth the Queen Mother. [65158]

Mr. Gordon Brown: The parliamentary annuity paid to Her Majesty Queen Elizabeth the Queen Mother ceased upon her death.

Norman Baker: To ask the Chancellor of the Exchequer whether requirement procedures for notification of the death of recipients of Civil List annuity payments upon the death of those recipients are the same as those for recipients of state pension payments. [65163]

Mr. Gordon Brown: Parliamentary annuities are paid under the Civil List Acts, and the legislation lays down no specific requirement for the notification of death of an annuitant.

Payments of annuities cease upon the death of the annuitant.

Norman Baker: To ask the Chancellor of the Exchequer what the present level is of the Civil List Reserve. [65162]

Mr. Gordon Brown: As at 31 December 2001 the Civil List Reserve stands at £37,079,000.

Climate Change Levy

Mr. Hancock: To ask the Chancellor of the Exchequer how many *(a)* private sector and *(b)* public sector enterprises are eligible to pay the climate change levy in the Portsmouth, South constituency; and if he will make a statement. [65372]

John Healey: This information is not readily available and could be obtained only at disproportionate cost.

Oral Questions

Mr. Simon Thomas: To ask the Chancellor of the Exchequer how many oral questions he has transferred to other Departments in each of the last 18 months. [65513]

John Healey: Since January 2001, 16 of the 480 oral questions tabled to Treasury Ministers have been transferred, in each case because they were more appropriate to other Departments. The breakdown sought by the hon. Gentleman is as follows:

Date of oral questions	*Number transferred*
25 January 2001	—
1 March 2001	—
29 March 2001	1
10 May 2001	—
19 July 2001	1
8 November 2001	5
6 December 2001	2
24 January 2002	2
28 February 2002	1
11 April 2002	1
9 May 2002	—
20 June 2002	3

Company Car Tax

John Mann: To ask the Chancellor of the Exchequer if he will make a statement on his plans for company car tax. [65536]

John Healey: The new company car tax system linking the charge on the benefit of a company car to the level of its CO_2 emissions came into effect April this year.

The Inland Revenue will be undertaking an extensive evaluation exercise to capture the effects of the reforms.

Any changes to the system will be made in the context of the Chancellor's Budget decisions in future years.

Red Diesel

Mr. Peter Duncan: To ask the Chancellor of the Exchequer how many random inspections for red diesel were conducted during each of the last five years. [65246]

John Healey: To detect misuse of red diesel Customs are increasingly moving to risk-assessed inspections made at premises. Roadside checks of vehicles tend to be less targeted and in some cases have a random element.

I therefore refer the hon. Gentleman to the answer I gave to the hon. Member for Edinburgh, West (John Barrett) on 20 June 2002, *Official Report*, column 516W, concerning the number of roadside tests conducted.

Tax Law Rewrite Project

Barbara Follett: To ask the Chancellor of the Exchequer if he will make a statement on the work of the Tax Law Rewrite project. [66803]

Dawn Primarolo: I am pleased to tell the House that the Tax Law Rewrite project will soon reach another major milestone. The Inland Revenue will shortly publish the project's second draft Bill, on employment income, pensions and taxable social security benefits, for a final round of consultation. The Bill will be ready for introduction in Parliament by the end of the year.

Earlier versions of this rewritten legislation have been extensively revised in the light of comments and suggestions from tax professionals and other interested parties. This continuous dialogue between the project team and business interests, tax practitioners, the legal profession and Inland Revenue specialists is a key feature contributing to the success of the project.

Community Development Venture Fund

Mr. Don Foster: To ask the Chancellor of the Exchequer, pursuant to his answer of 7 May 2002, *Official Report*, column 33W, on the Community Development Venture Fund, if he will place in the Library the performance indicators and targets that will be used for Bridges Community Ventures to measure performance. [61815]

Nigel Griffiths: I have been asked to reply.

The Fund Manager's performance will be primarily measured against:

(i) Commitment of the Fund within the seven year investment period, with at least 70 per cent. fully invested and the remainder committed to related follow on investment deals.

(ii) At least a 10 per cent. IRR across a portfolio of between 50 to 60 investment deals.

(iii) Investment deals being made in businesses located in the 25 per cent. most deprived qualifying wards in England, the business plans of which aim to:

(a) Create/safeguard that at least 35 per cent. of the employees of such businesses are from qualifying wards, or,

(b) Stimulate other businesses (e.g. supply chain) with at least 50 per cent. of non-salary expenditure going to local businesses in qualifying wards, or,

(c) Serve local people and businesses in qualifying wards—i.e. core target for services and products.

The Government, along with the other investors in this pilot Fund, expects the Fund to achieve social, as well as investment, returns. An independent specialist will be engaged to evaluate social impact and assess the Fund's performance in helping achieve:-

Wealth creation in deprived areas;-

Creation of good jobs in fast growing businesses

Developing entrepreneurial role models and,

Encouraging others in the venture capital supply market to spread their investments into the more deprived areas.

Mr. Don Foster: To ask the Chancellor of the Exchequer, pursuant to his answer of 7 May 2002, *Official Report*, column 33W, on the Community Development Venture Capital Fund, if he will place in the Library *(a)* the criteria used for the tendering process and *(b)* a list of the companies who applied to administer the fund. [61675]

Nigel Griffiths: I have been asked to reply.

The Community Development Venture Fund (CDVF) is not a Government administered or contracted out Fund, so *(a)* and *(b)* do not apply. I also refer the hon. Member to parliamentary question No. 61674 answered today.

It is a private sector initiative led by Sir Ronald Cohen, in his pro bono role as chairman of the Social Investment Task Force. In order to ensure that public investment in the Fund represents good value for money in promoting the Government's objective of boosting entrepreneurial business in disadvantaged communities, agreement was negotiated based on its experience with the Regional Venture Capital Funds.

Mr. Don Foster: To ask the Chancellor of the Exchequer, pursuant to his answer of 7 May 2002, *Official Report*, column 33W, on the Community Development Venture Capital Fund, if he will list *(a)* public and *(b)* private investors in Bridges Community Ventures. [61672]

Nigel Griffiths: I have been asked to reply.

The public investor is the Government through the Phoenix Fund of the Small Business Service.

The institutional and major individual private sector investors are listed on the Fund Manager's website at: www.bridgesventures.com and are:

Doughty Hanson & Co; HSBC; Lehman Brothers; Lloyds TSB (Scotland); Merrill Lynch;

Reuters; Royal Bank of Scotland; Schroder Salomon Smith Barney (partners in Citigroup);

West Midlands Pension Fund; Sir Ronald Cohen and Tom Singh.

Mr. Don Foster: To ask the Chancellor of the Exchequer, pursuant to his answer of 7 May 2002, *Official Report*, column 33W, on the Community Development Venture Fund, which Government Department will provide the funding announced in the last Budget for Bridges Community Ventures Ltd. [61673]

Nigel Griffiths: I have been asked to reply.

The funding for the Government's investment in the Community Development Venture Fund is being provided by the Small Business Service (Department of Trade and Industry), through its Phoenix Fund.

Mr. Don Foster: To ask the Chancellor of the Exchequer, pursuant to his answer of 7 May 2002, *Official Report,* column 33W, on the Community Development Venture Fund, if he will place in the Library the invitation to tender for the Community Development Venture Fund; and if he will make a statement on how the information was made available. [61674]

Nigel Griffiths: I have been asked to reply.

The Community Development Venture Fund (CDVF) is not a Government fund but a private sector led venture capital initiative, in which the Government are an investor alongside other private sector investors. As such, the issue of invitation to tender does not arise in this case.

As is common practice in the UK venture capital industry, the fund manager (Bridges Community Ventures Ltd) held discussions with a number of potential investors in the industry.

Income Tax

Mr. Willetts: To ask the Chancellor of the Exchequer, pursuant to his answer to the hon. Member for Tooting (Mr. Cox) of 10 May 2002, *Official Report*, column 396W, on income tax, *(a)* how many and *(b)* what proportion of pensioners paid income tax in each year since 1992 broken down into figures for each tax bracket. [62579]

Dawn Primarolo: Estimates of the number and proportion of pensioner taxpayers by tax bracket are shown in the table.

	Number of pensioners paying tax at lower[1] rate (000s)	*Percentage of all pensioners[2]*	*Number of pensioners paying tax at starting[3] rate (000s)*	*Percentage of all pensioners[2]*	*Number of pensioners paying tax at 'savers' rate[4] (000s)*	*Percentage of all pensioners[2]*	*Number of pensioners paying tax at basic rate[5] (000s)*	*Percentage of all pensioners[2]*	*Number of pensioners paying tax at higher rate[6] (000s)*	*Percentage of all pensioners[2]*
1992–93	1,160	11	—	—	—	—	2,190	21	130	1
1993–94	1,520	14	—	—	—	—	1,920	18	130	1
1994–95	1,390	13	—	—	—	—	2,310	22	160	2
1995–96	1,680	16	—	—	—	—	2,110	20	180	2
1996–97	2,270	21	—	—	—	—	1,430	13	160	1
1997–98	1,840	17	—	—	—	—	1,980	19	180	2
1998–99	1,950	18	—	—	—	—	2,200	21	190	2
1999–2000	—	—	720	7	610	6	2,650	25	220	2
2000–01	—	—	760	7	610	6	2,750	25	230	2
2001–02[7]	—	—	920	9	580	5	2,750	25	230	2

[1] From 1993–94 until 1998–99 a number of taxpayers with taxable income in excess of the lower rate limit only paid tax at the lower rate. This was because it was only their dividend income and (from 1996–97) their savings income which took their taxable income above the lower rate limit, and such income was chargeable to tax at the lower rate and not the basic rate.

[2] *Source:* Government Actuary's Department.

[3] In 1999–2000 the starting rate replaced the lower rate. Taxpayers with a marginal rate at the 10 per cent. starting rate from an extra £1 of earnings.

[4] Taxpayers with a marginal rate at the 20 per cent. lower rate for savings income or the 10 per cent. ordinary dividend rate from an extra £1 of earnings. Before 1999–2000 these people would have been classified as lower rate taxpayers.

[5] Taxpayers with a marginal rate at the basic rate from an extra £1 of earnings.

[6] Taxpayers with taxable income above the higher rate threshold.

[7] Provisional.

Pensioners are defined as women aged 60 and over and men aged 65 and over. This information is based on the Survey of Personal Incomes.

Tax Evasion

Mr. Hancock: To ask the Chancellor of the Exchequer what amounts are involved in the prosecutions for tax evasion in the financial year 2001–02; and if he will make a statement. [64249]

Dawn Primarolo: The amount involved in the prosecution cases for tax evasion in the financial year 2001–02 is £12,791,736.

Mr. Hancock: To ask the Chancellor of the Exchequer how many prosecutions there have been for tax evasion in each year since 1997; and if he will make a statement. [64250]

Dawn Primarolo: In the years since 1997, the numbers of prosecutions have been as follows.

	Total	*Including internal cases of:*
1997–98	83	13
1998–99	57	8
1999–2000	55	2
2000–01	68	24
Plus tax credit cases	2	—
Total	70	

The internal cases detailed include those cases of Inland Revenue employees who were prosecuted. They also include external accomplices.

The 2000–01 figure of 70 prosecutions includes two cases of tax credit fraud.

Mr. Hancock: To ask the Chancellor of the Exchequer how much funding has been given to investigating tax evasion in each year since 1997; and if he will make a statement. [64251]

Dawn Primarolo: The amounts of funding given to investigating tax evasion are not recorded in this way by the Inland Revenue.

The annual report of the Inland Revenue records figures for the resources allocated to each of its departmental objectives. A copy of this report is in the House of Commons Library.

One such objective is

> "bringing into the Exchequer the taxes, national insurance contributions and other receipts, maintaining contributory records and disbursing tax reliefs and credits, for which the Revenue are responsible".

The resources attributed to the meeting of this objective include those which will be used in the investigation of tax evasion, together with other activities aimed at tackling non-compliance more generally. For example, there are some sections of offices and even some individuals, involved in a spread of compliance activities and it is not practical to isolate the funding figures in the way this question has been asked.

Public Service Monitoring

Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 21 June 2002, *Official Report*, column 586W, on public service monitoring, if he will place the value for money scores for each financial year since 1999–2000 for each Government Department in the Library; and if he will make a statement. [65181]

Mr. Boateng: I refer the hon. Member to the answer given to him on 21 June 2002, *Official Report*, column 586W.

Land Decontamination

Ms Shipley: To ask the Chancellor of the Exchequer what level of tax relief has been provided for land decontamination in each *(a)* nation and *(b)* region of the UK. [65067]

John Healey: Where qualifying conditions are met, waste arising from the reclamation of contaminated land is exempted from landfill tax wherever in the United Kingdom it is landfilled.

Companies can also claim a 150 per cent. payable tax credit for the costs incurred in cleaning up contaminated land sites. No estimates of the take-up of this measure are yet available.

Inheritance Tax

Mrs. Anne Campbell: To ask the Chancellor of the Exchequer what plans the Government have to extend inheritance tax provisions to all people in the UK. [65596]

Dawn Primarolo: Inheritance tax is payable on the world-wide estate of those who die domiciled in the UK, or are treated as domiciled here by virtue of their length of residence.

New Businesses

Vernon Coaker: To ask the Chancellor of the Exchequer what representations he has received about the requirement for new businesses, including the self-employed, to register with the Inland Revenue within three months of setting up; what steps he has taken to inform businesses of this new requirement; and if he will make a statement. [65704]

Dawn Primarolo: Newly self-employed people who are liable to pay Class 2 National Insurance contributions are required by law to register with Inland Revenue "immediately" but this term was not further defined. Following public consultation, we have established a set time-limit for registration. At its introduction in January 2001 the modified requirement was advertised through the national, regional and ethnic press and on local radio stations. The requirement is clearly stated in all the Inland Revenue leaflets and guidance on starting up in business. Inland Revenue is evaluating the effectiveness of the new requirement and a report will be issued later this year. In 2001, the first year that the new requirement was in force, the number of self-employed people registering with Inland Revenue increased by 19 per cent. over the number registering in the year 2000.

Treasury Building (Refurbishment)

Michael Fabricant: To ask the Chancellor of the Exchequer what plans his Department has to restore the parts of the facade of the Treasury main building not recently cleaned. [65560]

Ruth Kelly: Under the terms of the Treasury's PFI deal with Exchequer Partnership plc, it is their responsibility to clean the façade. The remaining parts will be cleaned in the next phase of the project.

National Insurance (Reduced Rate)

Mr. Webb: To ask the Chancellor of the Exchequer on what basis the contribution rate of married women paying national insurance contributions at the reduced rate is set. [65292]

Ruth Kelly *[holding answer 1 July 2002]:* All National Insurance contribution rates, including those for married women who chose to pay reduced rate contributions, are set to provide for contributory benefit expenditure and for an allocation towards national health service funding.

Cancer

Mr. Bruce George: To ask the Chancellor of the Exchequer what the mortality rate was for skin cancer in the last year for which figures are available. [66682]

Ruth Kelly: the information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Bruce George, dated 2 July 2002:

As National Statistician I have been asked to reply to your question concerning skin cancer mortality rates for the last year for which figures are available. (66682)

The latest available information is for deaths occurring in 2000. In that year, the death rate in England and Wales for malignant melanoma of the skin (International classification of Diseases Ninth Revision code 172) was 28 per million population for males and 21 per million population for females (directly age-standardised to the European Standard Population).[1]

[1] *Source:* Office for National Statistics. "Mortality Statistics: Cause. Review of the Registrar General on deaths by cause, sex and age, in England and Wales 2000". Series DH2, Number 27. The Stationery Office (London: 2001).

HEALTH

Milk

Gillian Merron: To ask the Secretary of State for Health what plans he has to ensure that all primary school children receive subsidised milk. [65033]

Mr. Miliband: I have been asked to reply.

There are no plans to ensure that all primary school children receive subsided milk. Milk provision policies are decided locally by local education authorities, or the governing bodies of former grant maintained schools and former grant maintained special schools.

Air Pollutants

Mr. Swayne: To ask the Secretary of State for Health, pursuant to his answer of 15 May 2002, *Official Report*, column 678W, on air pollutants, what plans he has to make and assess measurements of concentrations of aldehydes in the air in localised environments; and if he will make a statement. [61527]

Mr. Meacher: I have been asked to reply.

An assessment of ambient formaldehyde concentrations was carried out by the former Department of Environment, Transport and the Regions in January to March 2000 to help inform the deliberations of the Department of Health's Committee on the Medical Effects of Air Pollutants. Formaldehyde was assessed as a marker for aldehydes. Monitoring sites were located at Teddington, London Marylebone Road, Southampton, Rochester, an industrial site near Hull and a coal burning site near Rotherham. Short-term concentrations (measured over 4 to 7 days) at all locations were low in comparison with concentrations that have been shown to produce irritation (see Table). Thresholds for sensory irritation in the majority of subjects are reported as 0.6–1.2 milligrams per cubic metre for formaldehyde and the World Health Organisation guideline is 0.1 milligrams per cubic metre. The highest concentrations were observed at the traffic dominated site at London Marylebone Road and the industrial site at Hull. No indoor measurements were taken. My Department does not have plans for further measurements of aldehydes.

Location and site type	*Mean formaldehyde concentration (micrograms per cubic metre[1]) Minimum and maximum concentrations in parentheses*
Teddington (suburban)	3.2 (0.25–9.1)
London Marylebone Road (kerbside)	13.4 (2–33.6)
Southampton (urban background)	2.3 (0.1–20.9)
Rochester (rural)	1.2 (0.2–4.0)
Hull (industrial)	4.4 (0.15–45.0)
Rotherham (coal burning area)	0.6 (0.1–2.5)

[1] One microgram per cubic metre is one thousandth of a milligram per cubic metre.

National Care Standards

Mr. Andrew Turner: To ask the Secretary of State for Health (1) what assessment he has made of the accuracy of the national care standards full regulatory impact assessment's annexe A paragraph 7 relating to the cost of upgrading a 24-bed unit; and if he will make a statement; [40887]

(2) for what reason the national care standards full regulatory impact assessment placed in the Library between 23 and 31 January did not contain figures in line with a commitment made by his officials to the Leonard Cheshire Foundation on 3 August 2001; if he will publish a corrected version; and how the regulatory impact assessment would need to be amended in the light of this correction. [41269]

Jacqui Smith *[holding answer 7 March 2002]:* A factual inaccuracy in the regulatory impact assessment has been brought to my attention. I will be making a correction to the regulatory impact assessment so that it accurately represents information provided by the Leonard Cheshire organisation.

Vaccines

Dr. Gibson: To ask the Secretary of State for Health if the Government plan to set up their own vaccine production organisation. [53894]

Mr. Hutton *[holding answer 2 May 2002]:* There are no plans for the Government to set up their own vaccine production organisation.

Norman Baker: To ask the Secretary of State for Health what consideration his Department gave to tests on the *(a)* Lister and *(b)* New York strains in smallpox vaccines; and what conclusion they drew, with particular reference to the superiority or otherwise in relation to other strains in vaccines. [54657]

Mr. Hutton *[holding answer 8 May 2002]:* The choice of new vaccine was made on the basis of advice from the scientific community and from across Government. The advice of experts under the auspices of a specially convened sub-group of the Joint Committee on Vaccination and Immunisation was sought specifically in relation to strain type and vaccine efficacy. Their advice was that there was no significant difference between the two strains on scientific grounds. Vaccines based on both strains were considered to have been effective in the past, and both strains are expected to produce effective new vaccines for the future.

Though vaccines based upon both strains were used as part of the World Health Organisation's eradication campaign, there was a greater body of evidence to demonstrate the efficacy of the Lister strain vaccine than for the New York City board of health (NYCBH) strain. The Lister based smallpox vaccine, preferred by the UK Government, has been challenged in the field more often by the more severe form of smallpox (*variola major*) than the NYCBH strain.

A dual approach, using a different strain for UK vaccine to that preferred by the US Government, as in the past, is considered to offer the best scope for successful new vaccine production, and provides a fall back mechanism if difficulties arise with the production of either vaccine.

Maladministration

Annabelle Ewing: To ask the Secretary of State for Health how many findings there have been of maladministration by ombudsmen with responsibility for agencies under the remit of his Department since 1997. [56309]

Mr. Lammy: Information on the handling of complaints is set out in tabular form by the parliamentary ombudsman each year as an attachment to his annual report. For those complaints where there was evidence of maladministration which warranted a full investigation, the table sets out how many complaints were upheld as being fully or partially justified. Copies of the parliamentary ombudsman's annual reports for the period 1997–98 to 2000–01 inclusive can be viewed in the Library, or on the parliamentary ombudsman's website at www.ombudsman.org.uk/publications.

In addition, the pensions ombudsman has made 21 findings of maladministration with respect to the National Health Service Pensions Agency since 1997.

Disclosure of Interests

Mr. Paul Marsden: To ask the Secretary of State for Health what rules apply to the disclosure of interests on the part of those serving on public bodies which are responsible to his Department. [56459]

Mr. Lammy: Government policy on disclosure of interests by members of public bodies was set out in "Quangos—opening the doors" (1998). This policy is reflected in model codes of practice issued by the Cabinet Office for adoption by these bodies. Bodies' codes require that board members should declare in a register for the purpose any personal or business interest which may, or may be perceived to, influence their judgment, and that the register should be kept up-to-date and open to the public. The codes also state that board members should not participate in the discussion or determination of matters in which they have an interest and should normally withdraw from the meeting if their interest is direct and pecuniary.

Staff Numbers

Mr. Lansley: To ask the Secretary of State for Health how many staff were employed in the Medicines Control Agency at 1 April; and what proportion of those staff have clinical contact with NHS patients. [56855]

Mr. Lammy: The MCA have employed 517 full-time equivalent staff as at 1 April 2002 of which 12 (2.3 per cent.) have clinical contact with national health service patients.

General Practitioners

Dr. Evan Harris: To ask the Secretary of State for Health what he estimates will be the average cost to general practitioners of opting out of 24-hour responsibility. [65575]

Mr. Hutton: This will be addressed as part of the process for pricing the new general practitioners contract which is being negotiated by the National Health Service Confederation and British Medical Association.

Mr. Hunter: To ask the Secretary of State for Health if it is his policy to exempt from the recommendation that providers of out-of-hours services put in place appropriate systems for call abandonment, call recording and the recording of clinical consultations those general practitioners who wish to carry out their own out-of-hours cover. [55051]

Mr. Hutton *[holding answer 16 May 2002]:* The Government are committed to modernising primary care out-of-hours services in line with the recommendations of the Carson report, "Raising Standards for Patients: New Partnerships in Out-of-hours Care". These improvements include quality standards which all service providers, individual general practitioners (GPs) as well as organised providers, will be required to meet. These standards do however include some easements for individual GPs on reporting requirements and telephony standards for call abandonment, which it would be inappropriate to apply to GPs who choose to provide out-of-hours services themselves until the calls are routed through NHS Direct.

EC Decisions

Mr. Rosindell: To ask the Secretary of State for Health if he will make a statement on the effects of Commission Decision 179 of 18 April 2000, 2002/154/EC, OJ L54 25 February 2002, on current practice; and what reasons underlie the delay in enactment. [57898]

Mr. Hutton: The Administrative Commission on Social Security for Migrant Workers oversees the application of regulations (EEC) 1408–71 and 574–72 on co-ordination of the social security and health care schemes of the member states. Administrative Commission Decision 179 concerned technical amendments to a number of European Union forms used for the application of various aspects of the regulations as a consequence of minor changes to the regulations themselves.

The position on each of the EU forms concerned is as follows:

E111 has been changed to afford extra health rights for students in some member states; there are no practical effects for UK students. UK E111 will be amended during the next reprint of the Department's leaflet, "Health Advice for Travellers", in late summer;

E111B is issued only by Belgium;

E113 and E114 are not issued by, nor required by, the UK;

E115–118 are concerned with claims for cash incapacity benefits and are being reprinted;

E125–127 are used between member states' health administrations on reimbursement of health care costs; UK-issued forms are produced electronically and the computer system is being updated.

National Institute for Clinical Excellence

Matthew Green: To ask the Secretary of State for Health what plans he has to ensure that health care professionals are informed of the direction his Department has given to support the implementation of NICE guidance; and if he will make a statement. [59858]

Mr. Hutton: Chief executives of national health service bodies in England were told about the directions in a bulletin to them dated 14 December 2001. They were asked to cascade the information to all relevant staff.

The directions came into force on 1 January 2002, and place statutory obligations on NHS bodies to provide funding for clinical decisions within recommendations from National Institute for Clinical Excellence within three months of their appraisal guidance being issued. The text of the directions has been placed on three websites:

www.doh.gov.uk/pricare/pcts.htm

www.doh.gov.uk/finman.htm

www.psu.ppa.nhs.uk

Commission for Healthcare Audit and Inspection

Dr. Evan Harris: To ask the Secretary of State for Health if the Audit Commission will retain a role in assessing the operational efficiency at the NHS when the Commission for Healthcare Audit and Inspection has been established. [59868]

Mr. Lammy: Responsibility for assessing operational efficiency of National Health Service bodies will transfer from the Audit Commission to the new health inspectorate once it has been established. The Audit Commission will retain its core financial function of appointing auditors and undertaking financial audit.

Capital Projects

Ms Shipley: To ask the Secretary of State for Health what recent speeches he has made on design quality within his Department's capital building programme. [59833]

Mr. Lammy: My right hon. Friend, the Secretary of State launched the Department's design programme in November 2001 at a joint conference with HRH the Prince of Wales. He recently appointed my noble Friend, the Lord Hunt of Kingsheath as the Ministerial Design Champion. My noble Friend addressed a number of conferences highlighting the Department's design programme 'Achieving Excellence in Healthcare Design', including:

'Design and Primary Care conference', on 1 May 2002 hosted by the Kings Fund and the commission for architecture and the built environment (CABE). My noble Friend announced the NHS Estates and CABE joint framework agreement to contribute to the programme of delivering design excellence and thereby producing high quality environments for patients and staff. 'Championing Design Excellence in Healthcare Buildings', breakfast meeting at the NHS Confederation on 23 May 2002. My noble Friend addressed some of the recently appointed NHS Trust Design Champions and key decision-makers. 'Health Estates Facilities Management Association (HEFMA) conference' on the afternoon of the 23 May 2002. My noble Friend addressed an audience of estates and facilities directors outlining the Departments design programme.

Future events are planned.

Correspondence

Mr. Cran: To ask the Secretary of State for Health when a substantive reply will be given to Mrs. D. F. Hay's letter of 26 January, concerning the state of the NHS. [59225]

Mr. Lammy *[holding answer 24 May 2002]:* The Department has no record of receiving this correspondence. The Department's Ministerial Correspondence Unit is seeking a copy of this correspondence.

Mr. Page: To ask the Secretary of State for Health when he will respond to the letter of the hon. Member for South-west Hertfordshire of 14 March, Ref 1005934. [66254]

Ms Blears: A reply was sent on 1 July.

Mr. Peter Atkinson: To ask the Secretary of State for Health when he will respond to the letter of the hon. Member for Hexham of 20 February on diabetes and isley research. [65649]

Jacqui Smith: A reply was sent on 8 April.

Mr. Peter Atkinson: To ask the Secretary of State for Health when he will respond to the letter of the hon. Member for Hexham of 30 April on NHS dental treatment. [65648]

Mr. Lammy: A reply was sent on 1 July.

Mr. Peter Atkinson: To ask the Secretary of State for Health when he will respond to the hon. Member for Hexham's letter of 18 March on food security in the UK, ref. MCHANH001761. [65650]

Ms Blears: A reply was sent on 24 June.

Age Discrimination

Mr. Andrew Turner: To ask the Secretary of State for Health if *(a)* his Department and *(b)* its agencies have a policy of not considering applications for employment by persons over a particular age. [59582]

Mr. Lammy *[holding answer 24 May 2002]:* At present the Department and its executive agencies have a normal staff retirement age of 60 and do not consider applications for employment from those over that age. However, the Department is now involved in a centrally led initiative, winning the generation game, which will examine age-related issues such as flexible retirement beyond the normal retiring age of 60.

The Department is committed to ensuring that older people are never unfairly discriminated against and complies with the rules and requirements of the 'Minister's Rules for Selection', 'The Civil Service Order Council', Her Majesty's Treasury requirements for recruitment and equal opportunity and employment protection legislation.

Drug Side-effects

Mr. Weir: To ask the Secretary of State for Health what assessment he has made of the structures in place to ensure that adverse drug reactions in patients are picked up at the earliest possible stage in situations where there are concerns about potential side-effects of a drug. [60788]

Ms Blears: The Medicines Control Agency (MCA) is responsible for monitoring the safety of medicines on the UK market, and has well-developed procedures in place for pharmacovigilance, enabling early identification and prompt action in relation to drug safety issues.

The yellow card scheme, introduced in 1964 after the thalidomide tragedy, has a world-wide reputation for effectiveness in detecting previously unidentified drug safety hazards. All newly introduced medicines are monitored intensively for at least two years, during which time the safety profile of the medicine is frequently reviewed to ensure that it is appropriately reflected in the product information for health professionals and patients. In addition to spontaneous reports of suspected adverse reactions, the MCA evaluates data on drug safety from a range of sources. In 1999, MCA acquired the general practice research database and its post-licensing division is now evaluating its potential in contributing to effective pharmacovigilance.

The capability for early action on emerging safety issues is reflected in the MCA's high level and operational targets. These measure performance in terms of the time taken to make newly received spontaneous adverse reaction reports available for review and analysis by pharmacovigilance assessors. MCA's performance against targets is published annually and in 2001–02 all targets were met or exceeded, against a background of a 55 per cent. increase in spontaneous adverse reaction reports.

The committee on safety of medicines (CSM) has a statutory role in advising the licensing authority on promotion of the collection and investigation of adverse reactions. CSM regularly reviews the effectiveness of the yellow card scheme, and on advice of the CSM in 1999 the scheme was widened to include pharmacists. Following a successful pilot in relation to the meningitis C vaccination programme, the CSM has advised that the scheme should be extended to nurses.

Advertising Campaigns

Mr. Bercow: To ask the Secretary of State for Health how much was spent on press and advertising campaigns in 2001–02; and what the planned expenditure is for 2002–03. [60913]

Mr. Lammy: In 2001–02 the Department spent £21.146 million on press and media advertising. The Department's current forecast for expenditure on press and media advertising in 2002–03 is £20.494 million.

Doctors (Recruitment)

Dr. Fox: To ask the Secretary of State for Health if he will list those countries from which his Department will not recruit doctors. [61418]

Mr. Hutton: National health service employers should not target developing countries for recruitment of health care personnel unless the Government of that country has reached Government to Government agreements with the UK. In these circumstances, individuals may be appointed to a structured programme aimed at enhancing clinical practice in order for them to return home after an agreed period.

The only other exception supported under the code of practice is the long-standing tradition of providing health care professionals with formal training and education.

Children in Care

Mr. Burstow: To ask the Secretary of State for Health what the funding was for each of the last five years for children in care in England *(a)* broken down by health authority and *(b)* expressed as an average per head. [61365]

Jacqui Smith *[holding answer 17 June 2002]:* Data on the funding specifically of children in care are not available centrally. Data on the funding of caring services for children are also unavailable broken down by health authority. The table shows the budgets, per head of population aged 18 and over for England, allocated by each local authority for children and family.

PSS budget allocated to children and families per head of population aged under 18

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Barking and Dagenham	192	210	234	278	330
Barnet	167	237	242	217	253
Barnsley	159	193	197	216	245
Bath and North East Somerset UA	140	152	176	186	216
Bedfordshire	145	151	166	185	201
Berkshire	165	[1]—	[1]—	[1]—	[1]—
Bexley	132	168	227	214	224
Birmingham	227	245	234	258	329
Blackburn with Darwen UA	[1]—	211	245	249	305
Blackpool UA	[1]—	218	254	306	390
Bolton	186	188	200	211	231
Bournemouth UA	226	244	282	339	383
Bracknell Forest UA	[1]—	181	183	184	224
Bradford	185	186	195	219	247
Brent	319	388	521	462	349
Brighton and Hove UA	245	303	323	331	361
Bristol UA	277	299	322	295	311
Bromley	192	205	273	298	286
Buckinghamshire	127	127	130	142	147
Bury	139	149	186	212	219
Calderdale	195	210	219	231	241
Cambridgeshire (old)	189	[1]—	[1]—	[1]—	[1]—
Cambridgeshire (remaining)	[1]—	176	189	179	180
Camden	483	549	712	581	620
Cheshire (old)	122	[1]—	[1]—	[1]—	[1]—
Cheshire (remaining)	[1]—	120	123	133	161
City of London	763	726	732	1,130	1,135
Cornwall	133	140	155	200	223
Coventry	200	201	227	266	299
Croydon	241	225	267	265	298
Cumbria	158	158	162	183	208
Darlington UA	148	151	192	201	262
Derby UA	236	257	286	280	295
Derbyshire	113	120	131	163	169
Devon (old)	143	[1]—	[1]—	[1]—	[1]—
Devon (remaining)	[1]—	126	129	180	200
Doncaster	125	153	173	196	229
Dorset	128	145	138	153	95

PSS budget allocated to children and families per head of population aged under 18

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Dudley	131	153	162	184	186
Durham	147	157	167	162	199
Ealing	253	247	290	312	326
East Riding of Yorkshire UA	105	103	115	125	141
East Sussex	177	181	189	214	216
Enfield	189	237	263	302	286
Essex (old)	164	[1]—	[1]—	[1]—	[1]—
Essex (remaining)	[1]—	169	178	191	210
Gateshead	225	235	254	295	305
Gloucestershire	133	133	165	174	189
Greenwich	334	349	443	516	515
Hackney	564	599	646	618	601
Halton UA	[1]—	132	148	204	223
Hammersmith and Fulham	627	663	848	837	547
Hampshire	89	87	129	143	167
Haringey	340	349	371	387	482
Harrow	201	200	197	208	240
Hartlepool UA	183	183	195	259	276
Havering	165	166	174	195	206
Hereford and Worcester	162	[1]—	[1]—	[1]—	[1]—
Herefordshire UA	[1]—	158	165	192	214
Hertfordshire	146	154	161	192	203
Hillingdon	157	203	226	241	278
Hounslow	255	250	264	296	390
Isle of Wight UA	153	189	187	212	255
Isles of Scilly	33	22	25	38	76
Islington	693	742	599	758	713
Kensington and Chelsea	604	674	699	749	626
Kent (old)	166	[1]—	[1]—	[1]—	[1]—
Kent (remaining)	[1]—	159	179	244	208
Kingston Upon Hull UA	280	317	375	445	480
Kingston Upon Thames	182	200	241	209	237
Kirklees	160	180	180	204	224
Knowsley	209	213	307	265	281
Lambeth	426	456	486	558	599
Lancashire (old)	157	[1]—	[1]—	[1]—	[1]—
Lancashire (remaining)	[1]—	155	167	182	210
Leeds	241	256	296	315	339
Leicester UA	250	266	275	318	347
Leicestershire	91	97	101	113	128
Lewisham	317	385	513	594	513
Lincolnshire	150	160	189	198	207
Liverpool	268	277	290	309	394
Luton UA	155	198	228	226	249
Manchester	297	311	371	392	429
Medway Towns UA	[1]—	130	196	210	213
Merton	205	198	233	296	287
Middlesbrough UA	207	221	243	280	301
Milton Keynes	197	254	252	254	266
Newcastle Upon Tyne	282	248	324	363	394
Newham	337	448	518	568	417
Norfolk	123	133	153	205	215
North East Lincolnshire UA	170	199	226	252	300
North Lincolnshire UA	202	220	229	242	253
North Somerset UA	109	160	165	175	193
North Tyneside	291	303	357	299	300
North Yorkshire	110	110	115	119	127
Northamptonshire	145	152	166	199	191
Northumberland	178	184	201	232	258
Nottingham UA	[1]—	355	416	451	454
Nottinghamshire(old)	189	[1]—	[1]—	[1]—	[1]—
Nottinghamshire (remaining)	[1]—	142	159	173	195
Oldham	171	171	175	208	199
Oxfordshire	115	120	135	132	155
Peterborough UA	[1]—	277	336	356	389
Plymouth UA	[1]—	241	273	319	380
Poole UA	112	171	178	210	220
Portsmouth UA	184	225	220	278	299
Reading UA	[1]—	235	273	280	315
Redbridge	170	176	178	195	201
Redcar and Cleveland UA	197	201	216	230	237
Richmond Upon Thames	158	153	159	186	196
Rochdale	198	205	218	225	201
Rotherham	159	166	198	212	234
Rutland UA	41	49	59	66	87
Salford	231	216	233	359	398
Sandwell	205	216	241	260	288

PSS budget allocated to children and families per head of population aged under 18

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Sefton	169	181	206	220	241
Sheffield	184	189	223	261	268
Shropshire (old)	132	[1]—	[1]—	[1]—	[1]—
Shropshire (remaining)	[1]—	94	116	131	152
Slough UA	[1]—	246	203	279	247
Solihull	156	166	176	191	224
Somerset	116	130	128	149	157
South Gloucestershire UA	72	94	110	121	140
South Tyneside	232	257	285	302	343
Southampton UA	241	252	268	286	342
Southend UA	[1]—	213	257	290	304
Southwark	515	498	517	730	629
St. Helens	178	200	229	249	279
Staffordshire	113	126	136	168	183
Stockport	194	210	220	245	258
Stockton on Tees UA	138	143	159	179	224
Stoke-on-Trent UA	193	212	314	252	266
Suffolk	99	108	123	139	154
Sunderland	220	220	244	286	325
Surrey	140	139	149	170	180
Sutton	168	181	199	231	239
Swindon UA	137	122	164	176	183
Tameside	218	231	244	250	285
Telford and Wrekin UA	[1]—	230	189	200	241
Thurrock UA	[1]—	190	204	219	235
Torbay UA	[1]—	247	291	302	410
Tower Hamlets	377	403	413	467	456
Trafford	147	154	159	174	187
Wakefield	208	212	234	215	216
Walsall	153	160	205	272	339
Waltham Forest	222	257	297	305	344
Wandsworth	554	570	553	601	540
Warrington UA	[1]—	137	122	145	160
Warwickshire	136	145	167	177	184
West Berkshire UA	[1]—	149	166	196	207
West Sussex	154	160	182	202	217
Westminster	737	696	657	971	701
Wigan	139	159	177	193	238
Wiltshire	118	116	132	145	157
Windsor and Maidenhead UA	[1]—	156	182	177	178
Wirral	176	189	203	218	276
Wokingham UA	[1]—	168	175	179	188
Wolverhampton	232	240	262	297	312
Worcestershire	[1]—	177	197	189	206
York UA	146	152	174	181	193
England	185	198	219	241	255

[1] Not available as the council did not exist in that financial year.

Notes:

Budget figures are taken from form RA as recorded by the council's chief financial officer at the start of the financial year and divided by the population aged under 18 at 30 June.

The population figure used in 2001–02 is the population at 30 June 2000.

Budget figures shown in this table do not take account any subsequent revisions made during the financial year.

Mr. Burstow: To ask the Secretary of State for Health how many children in care have been found to be illegal substance users in each of the last five years; and if he will make a statement. [64519]

Jacqui Smith: The information requested is not held centrally. The Office of National Statistics is currently conducting a survey for the Department of the mental health of children looked after by local authorities in England. The survey questionnaire includes a range of questions about drug use. The Office of National Statistics plans to publish a report of the findings in spring 2003.

Mutual Organisations

Mr. Drew: To ask the Secretary of State for Health if he will make a statement on what support his Department has made available to those wishing to set up mutual organisations in the field of health and social care. [62986]

Mr. Lammy *[holding answer 19 June 2002]:* The Department is considering a range of options for the legal status of foundation trusts and a form of mutual organisation may be considered. A new organisational form—the public interest company—may be considered. To date, the Department has not offered specific support available for either option.

MS Patients

Bob Spink: To ask the Secretary of State for Health (1) what assessment he has made of the establishment of the structures necessary to assess MS patients in respect of their suitability for the use of beta interferon; [63147]

(2) how many MS patients have commenced assessment for eligibility for beta interferon in the first

four weeks since the scheme was launched on 6 May in each regional health authority; and if he will make a statement. [63145]

Mr. Lammy: It has been estimated that up to 9,000 multiple sclerosis patients in England and Wales may be eligible to receive treatment under the risk-sharing scheme, which started on 6 May 2002. Some centres have now started prescribing under the scheme, though the guidance in Health Service Circular 2002–004 recognises that appropriate national health service infrastructure may not yet be in place in some localities. The scheme co-ordinator will collect information on progress and activity under the scheme, but as yet such details are not available centrally.

Empty Properties

Mr. Cox: To ask the Secretary of State for Health what empty properties in the London borough of Wandsworth are owned by *(a)* his Department and *(b)* other public bodies for which he has responsibility. [63590]

Mr. Lammy: There are no empty properties owned by this Department within the London borough of Wandsworth.

There are five former residential cottages on the edge of the Springfield Hospital site currently empty which are part of the national health service estate (owned by my right hon. Friend, the Secretary of State). They are known locally as Burntwood Villas (two), and Myrtle Cottages (three) all of which are situated on Burntwood Lane.

These properties are currently in the process of being transferred to the local South-West London and St. George's Mental Health NHS Trust, who plan to turn Burntwood Villas into staff accommodation and to redevelop Myrtle Cottages into new general practitioner property.

These developments are part of the continuing expansion of health care activity on the Springfield Hospital site.

Enzyme Potential Desensitisatia

Mrs. Gillan: To ask the Secretary of State for Health if he will list the health authorities which provide enzyme potential desensitisatia on the national health service. [63531]

Mr. Lammy: Information is not held centrally on the types of treatment available to patients on the national health service by health authority.

Cane Hill

Richard Ottaway: To ask the Secretary of State for Health, pursuant to the answer of 10 June 2002, *Official Report*, column 1088W, on Cane Hill, Coulsdon, which part of his Department is responsible for *(a)* the day to day management of Cane Hill and *(b)* making decisions as to its future. [63791]

Ms Blears: The day to day management of the non-operational areas of the Cane Hill site is carried out by NHS Estates. The operational areas are managed by South London and Maudsley National Health Service Trust.

Similarly, decisions on the future of the surplus areas of the site are made by NHS Estates following discussions with South London and Maudsley NHS Trust and any other relevant parties, and decisions for the future of the operational areas of the site are made by the trust.

Remploy

Dr. Murrison: To ask the Secretary of State for Health what the value is of Remploy products purchased by his Department in each year since 1995. [63824]

Mr. Lammy: Payments by the Department to Remploy for goods and services in the last five financial years are £76,005 (1997–98), £14,962 (1998–99), £33,819 (1999–2000), £19,473 (2000–01) and £1003 (2001–2).

Information prior to 1997–98 is not available. This answer does not include the national health service.

Crèche Provision (NHS Employees)

Dr. Murrison: To ask the Secretary of State for Health what assessment he has made of the adequacy of crèche provision for NHS employees. [63821]

Mr. Hutton: A national survey of national health service provision, undertaken early in 2001, found that 114 NHS trusts provided nursery facilities for their staff. The Government recognise that there is a need to provide support for parents working in the NHS in order to be a good employer, to improve the working (and home) lives of staff, and to recruit, retain and return key staff. For this reason, we have made over £70 million available for the NHS child care strategy, to develop an additional 150 further on-site nursery schemes by 2004. 60 new nursery schemes were funded last year and a further 30 have had funding allocated already this year. In addition, we expect all new build hospitals to include an on-site nursery in its plans.

We are expanding the NHS child care strategy to cover other forms of child care and to ensure that all staff groups are included. We have pledged additional funding for the NHS child care, building up to £100 million, to do this.

Director of International Recruitment

Mr. Burstow: To ask the Secretary of State for Health (1) what the proposed budget is for the Director of International Recruitment for Health Services in the next two years; [63874]

(2) who will be the next Director of International Recruitment for Health Services; [63875]

(3) if he will *(a)* set out the targets set out for the Director of International Recruitment and *(b)* list the performance against targets of the international recruitment for health for 2001–02. [63876]

Mr. Hutton *[holding answer 24 June 2002]:* The Department currently has no plans to recruit a Director of International Recruitment.

Hospitals (Zero Stars)

Mr. Hoban: To ask the Secretary of State for Health if he will make a statement on the progress of franchising the management of those hospitals with zero stars. [64326]

Mr. Hutton: Five zero-rated national health service trusts appointed new chief executives under franchise arrangements in May and June. The hospital trusts concerned are: Dartford and Gravesham National Health Service Trust, Ashford and St. Peters Hospital National Health Service Trust, Portsmouth Hospitals National Health Service Trust, Barnet and Chase Farm Hospitals National Health Service Trust, and University Hospitals of Coventry and Warwickshire National Health Service Trust.

A sixth trust, East and North Hertfordshire National Health Service Trust is in the process of being franchised. The remaining six hospital trusts which received a zero-star rating in September 2001 have been making progress under existing management arrangements and continue to be monitored closely.

Bed-blocking

Miss McIntosh: To ask the Secretary of State for Health whether, with regard to bed blocking, local authority social service departments will be penalised if a patient in hospital is awaiting a place in a home of their choice. [64458]

Jacqui Smith: The new approach we have proposed is about putting in place the right incentives to ensure people are able to leave hospital as soon as treatment is completed and it is safe for them to do so. Local authorities and the national health service will need to develop more appropriate settings than an acute hospital ward for patients to await a place in a home of their choice. We will be consulting on the details of the charging system later in the summer.

Beta Interferon

Miss McIntosh: To ask the Secretary of State for Health what progress is being made to make beta interferon available for MS sufferers by *(a)* primary care trusts and *(b)* hospital trusts serving North Yorkshire. [64457]

Ms Blears: On 4 February 2002, Health Service Circular 2002/004, was issued to the national health service announcing the risk-sharing scheme for drug treatments for multiple sclerosis (MS). The scheme makes provision for an estimated 9,000 MS patients to be eligible for treatment on the NHS.

In total 49 patients from North Yorkshire were receiving beta interferon therapy by March 2002. Following the implementation of the risk sharing scheme it is expected that the number of North Yorkshire residents receiving treatment will double to over 100.

Given the potential number of patients who may be eligible, representatives from all four North Yorkshire primary care trusts and the North and East Yorkshire and North Lincolnshire health authority met with clinicians and managers from York Health National Health Service Trust in May 2002 to discuss local implementation of the guidance. The trust prepared an initial assessment of introducing the scheme. An agreed action plan and the timetable for implementing the guidance will be available by the end of July 2002.

For North Yorkshire residents who will not use the York assessment service, the following actions are being undertaken:

> Leeds Teaching Hospitals National Health Service Trust will be in a position to implement from July 2002.
>
> Hull and East Yorkshire Hospitals NHS Trust has set up a steering group which met on 27 June 2002.
>
> South Tees Acute Hospitals National Health Service Trust has identified a designated specialist consultant neurologist and a list of patients requesting treatment is being drawn up. A plan for the delivery of the service is being drawn up and is due for completion in August 2002.

Performance Targets

Mr. Mullin: To ask the Secretary of State for Health how many performance targets he has set for his Department; and how many that were included last year have been dropped this year. [64274]

Mr. Lammy: The Department is committed to six standards for the delivery of public services to meet the needs of citizens. These standards are called Service First and include:

1. Answering correspondence (includes letters, faxes and e-mails) within 20 working days;
2. Seeing callers with an appointment within 10 minutes of that appointment time; and seeing callers without an appointment within 20 minutes;
3. Answering telephone calls quickly and helpfully within 10 rings;
4. Provide clear and straightforward information about its services and those of related providers;
5. Have a complaints procedure; and
6. Do everything reasonably possible to make its services available to everyone.

We expect these standards to remain in place throughout this year.

Back Pain

Mr. Laurence Robertson: To ask the Secretary of State for Health what the average wait is for a GP referral to a hospital specialist for a back pain appointment in *(a)* England and *(b)* Gloucestershire; what steps he is taking to reduce this waiting time; and if he will make a statement. [64445]

Mr. Hutton: The information requested is not collected. Waiting times are not collected by diagnostic group. General practitioners' referrals to out-patient attendance are collected by medical consultant specialty. A patient with back pain may be seen by any one of a number of medical consultants in different specialties, though often to rheumatology or orthopaedics. Within these specialties, we have no further breakdown by diagnostic group.

The NHS Plan sets out the progress we want to make on waiting times over the coming years. Each year these will fall, by the end of 2005 the maximum out-patient waiting time for a first out-patient appointment will be cut to three months. Urgent cases will continue to be treated much faster.

As a step towards achieving the NHS Plan targets, from 1 April a new maximum waiting time of six months has been established for patients waiting for their first out-patient appointments with a medical consultant.

The "Action On" programmes have been established by the Government as part of the modernisation of the national health service. They are led by the modernisation agency service improvement team. Their aim is to significantly encourage and disseminate best practice, improve access to care and to reduce variations in waiting times in the four specialties with the longest waiting times: cataracts, orthopaedics, ear, nose and throat and dermatology.

Delayed Discharges

Mr. Burstow: To ask the Secretary of State for Health how many psychiatric patients have had their discharge delayed in each quarter in the last year for which figures are available. [64518]

Jacqui Smith: The Department does not hold this information centrally.

Fertility Treatment

Mr. Hancock: To ask the Secretary of State for Health how many infertile couples were seen by specialists in Portsmouth, South in the last three years; how much was spent on fertility treatment in that time; and if he will make a statement. [64729]

Ms Blears: The information requested on the funding of fertility treatments and the numbers of couples seen by specialists in the Portsmouth, South constituency is not collected centrally.

Medical Malpractice

Mr. Hancock: To ask the Secretary of State for Health how many people have been awarded lump sum damages payouts for medical malpractice in the last three years, broken down by constituency; how much money has been awarded in each of these years, broken down by constituency; and if he will make a statement. [64724]

Mr. Lammy: Information on the numbers of people awarded lump sum damages payments and how much money has been awarded for medical malpractice broken down by constituency is not collected centrally.

Eye Tests (Children)

Bob Russell: To ask the Secretary of State for Health what arrangements exist to [illegible]vide eye tests for children of school age; what plans he has to change them; and if he will make a statement. [64716]

Mr. Lammy: All children are entitled to free annual national health service sight tests provided by community based optometrists under the general ophthalmic services scheme. Children with spectacle prescriptions that are altering as they grow, are receiving treatment or who become symptomatic between examinations, may be seen at intervals of less than one year. In some areas health visitors and school nurses undertake sight checks when screening the health of young children. The eye care professions have been reviewing this practice and their report is expected to be available shortly.

Henoch Schonlein Purpura

Mr. Keith Bradley: To ask the Secretary of State for Health how much money his Department will provide in 2002–03 for research into Henoch Schonlein Purpura; and to which research centres it is allocated. [64849]

Ms Blears *[holding answer 27 June 2002]:* A multi-centre, randomised, double blind, placebo controlled study to determine whether steroids reduce the development and severity of nephropathy in Henoch-Schonlein Purpura is being funded by the Wales office of research and development for health and social care of the Welsh Assembly Government. The lead researcher is based at the University Hospital of Wales, which is receiving £91,949 over three years including £19,460 in 2002–03. There are 19 other hospitals involved throughout Wales and the south-west of England.

Nursing Care

Mr. Drew: To ask the Secretary of State for Health when a report is expected on the evaluation of the impact of covering nursing care costs. [65011]

Jacqui Smith *[holding answer 27 June 2002]:* We have already commissioned a full evaluation of the implementation of free nursing care. This will cover the first six to eight months of implementation and report in autumn 2002, so that lessons from the evaluation can be used in the implementation of national health service funded nursing care for all nursing home residents from April 2003.

Minimum Data Sets

Mr. Drew: To ask the Secretary of State for Health what progress is being made on the application of minimum data sets. [65012]

Mr. Lammy *[holding answer 27 June 2002]:* To date, national minimum data sets have been developed for use in the national health service as follows:

Admitted patient care (in-patients and day cases)
Elective admission (waiting) lists
Out-patient attendances
Accident and Emergency attendances.

Collection of admitted patient care and outpatient minimum data sets for transmission via the NHS-wide clearing service is mandatory. Currently it is not mandatory for NHS trusts to exchange elective admission list or Accident and Emergency data sets via the clearing service.

Building on work done by the clinical professions, considerable progress is being made in developing data sets to support sharing information along care pathways and the production of comparative clinical information to enable services to monitor quality and clinical performance. This includes developing clinical data sets in the national service framework areas as follows:

Cancer
Mental health
Coronary heart disease
Older people, including single assessment, stroke, falls and dementia, and
Diabetes.

The cancer data set has been piloted and once it has been revised in the light of the pilots, decisions will be taken on phased implementation in the NHS. Services are already beginning to collect the waiting times component of the data set.

For mental health, a programme is in place to ensure that appropriate services are collecting the mental health minimum data set by 31 March 2003. Further work to develop a comprehensive mental health data set is planned.

And for coronary heart disease, work is in hand to standardise four existing data sets on paediatric cardiac care, acute myocardial infarction, adult surgery and angioplasty to ensure they are consistent and to develop a more comprehensive data set. The paediatric cardiac care and acute myocardial infarction data sets are being collected and used to monitor services. Collection of the adult surgery data started in April 2002 with the aim of having robust national comparative data on the clinical quality of care by 2004.

The older people and diabetes data sets are at an earlier stage of development.

The NHS Information Authority is responsible for the development of national data sets which can then be applied across the NHS in England through their national data set development programme. The data sets are based on national standards which are approved by the independent NHS information standards board.

Laser Eye Treatment

John Mann: To ask the Secretary of State for Health if he will make a statement on entitlement to laser eye treatment. [65775]

Mr. Lammy: Laser treatments to overcome problems caused by ophthalmic disease are available within all large ophthalmology units. Treatments such as capsulotomies following cataract extraction, photocoagulation and focal laser for diabetic retinopathy, and laser for macular disease are available within national health service hospitals. The NHS does not provide laser surgery to correct refractive errors, which can be successfully corrected by spectacles or contact lenses.

Free Eye Tests

Mr. Paul Marsden: To ask the Secretary of State for Health how many free eye tests have been given to pensioners in each quarter since the scheme was launched; and if he will make a statement. [65584]

Mr. Lammy: Eligibility to national health service sight tests was extended to those aged 60 and over from 1 April 1999. The table shows the number of NHS sight tests paid for by health authorities in England from 1999–2000 for those aged 60 and over.

million

	Number of sight tests for over-60s[1]
April 1999 to September 1999	1.51
October 1999 to March 2000	1.79
April 2000 to September 2000	1.87
October 2000 to March 2001	1.88
April 2001 to September 2001	2.01

[1] Figures for England

Nurses

Geraldine Smith: To ask the Secretary of State for Health what measures the Government have taken to improve nurses' pay and conditions of service since 1997. [65821]

Mr. Hutton: We have accepted in full and implemented the recommendations of the independent pay review body for nursing staff for the last four years without staging pay awards. From April 2002 all nursing staff will have received an above inflation increase of at least 3.6 per cent.

Pay has increased across the board for all nurses employed in the national health service by at least 26 per cent. in cash terms since 1997.

The introduction of nurse consultant posts has extended career opportunities for senior nurses who wish to remain in clinical roles and provided the opportunity to earn salaries of over £46,000.

We are working with unions, professional organisations and employers to introduce a new pay system that will offer nurses and other staff working in the NHS a more attractive career structure, fairer pay and consistent conditions of service.

The development of a child care strategy is a key element in improving working lives for staff in the NHS and plays a key role in the recruitment and retention of staff. Our child care strategy centres on providing good quality, accessible and affordable child care. The main focus of the strategy currently is the development of around 150 on-site nurseries with subsidised places. Funding available from April 2001 amounts to over £70 million. Around a further 7,500 places will be created by 2004.

Care Homes

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer of 24 June 2002, *Official Report*, column 733W, on care homes, when he is planning to issue guidance on qualified nursing input. [66145]

Jacqui Smith: The Department has commissioned the residential forum to produce further guidance on nurse staffing. Work on this is under way and due to be completed over the summer.

Rubella Vaccines

Miss Kirkbride: To ask the Secretary of State for Health what instructions the Department has given to Farillon on the amount of single rubella vaccines to be issued to private clinics in the UK. [66257]

Ms Blears: The Department has a contract with GlaxoSmithKline to supply a fixed quantity of single vaccines for national health service use per year. These vaccines are owned by the Department. We use a private company (Farillon Ltd.) to store and distribute these vaccines to ensure that NHS needs are met. Any excess or remainder stock is made available for sale to private customers.

We have instructed Farillon to manage orders so that the excess of vaccine stock is available equitably to all private clinics.

National School Fruit Scheme

Joan Ruddock: To ask the Secretary of State for Health what proportion of apples and pears supplied to the pilots for the national school fruit scheme in *(a)* autumn 2000 and *(b)* autumn 2001 were of UK origin; and if he will list the other countries of origin of the apples and pears. [57167]

Jacqui Smith *[pursuant to her reply, 11 June 2002, c. 1215W]:* I regret that my previous reply was incorrect. It should read:

In Autumn 2000 all apples and pears supplied to the original national school fruit scheme pilots were from the United Kingdom.

We do not have comprehensive data on the origin of fruit in the much larger number of pilot sites in autumn 2001. We did not begin to collect such data until the regional expansion of the national school fruit scheme that started in April 2002, since when nationally contracted suppliers have routinely been providing detailed information on the origin of fruit.

Written Answers to Questions

Wednesday 3 July 2002

INTERNATIONAL DEVELOPMENT

Refugees

Mr. Wray: To ask the Secretary of State for International Development *(a)* how much and *(b)* what forms of aid have been provided by her Department to help refugees and displaced persons in (i) Armenia, (ii) Azerbaijan and (iii) Georgia. [66353]

Clare Short: The table sets out, by country and by purpose, the support my Department has provided to help refugees in the south Caucasus since 1999 (the first year in which direct assistance with the refugee problem was provided).

£

	Humanitarian	*Naturalisation/ Community development*	*Conflict prevention*
Armenia			
2000	—	660,000	—
2001	—	—	18,150
Azerbaijan			
1999	208,500	—	—
2000	240,000	70,000	—
2001	—	—	18,150
Georgia			
1999	97,850	—	250,620
2000	100,000	100,000	124,145
2001	—	—	180,000

My Department also provided block funding to UNHCR totalling £9.46 million in 2000–01 (the latest year for which figures are available). It is not possible to make a direct attribution, but a proportion of this funding will have supported the UNHCR refugee programmes in the south Caucasus.

Mr. Wray: To ask the Secretary of State for International Development what discussions she has had with *(a)* UN, *(b)* Russian and *(c)* EU representatives regarding the refugee situation in (i) Armenia, (ii) Azerbaijan and (iii) Georgia. [66355]

Clare Short: Regular discussions are held with UNDP, UNHCR and UNFPA about the progress of south Caucasus refugee programmes to which my Department has contributed. My Department also responds to appeals made by those agencies on a case-by-case basis.

There has been no discussion of the issue with representatives from the Russian Federation, nor any substantive discussion with the European Union.

Mr. Wray: To ask the Secretary of State for International Development what discussions she has had with *(a)* Armenian, *(b)* Azeri and *(c)* Georgian authorities regarding (i) the refugee situation, (ii) the return of people to their homes and (iii) improving living conditions in the refugee camps. [66354]

Clare Short: My Department's assistance towards alleviating the refugee problem in Armenia, Azerbaijan and Georgia is directed through the Red Cross, UN agencies and non-governmental organisations.

Discussions with the Governments of the region are therefore wholly concerned with reviewing the progress of those programmes to which my Department has contributed.

CULTURE, MEDIA AND SPORT

National Stadium

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport (1) if she will place in the Library a copy of correspondence between Ministers and officials in her Department and Mr. Ken Bates on the subject of *(a)* Wembley National Stadium Ltd. and *(b)* an English national stadium since 1 May 1997; [58115]

(2) if she will place in the Library a copy of correspondence between Ministers and officials in her Department and the *(a)* chairman and *(b)* directors of Wembley National Stadium Ltd. since 1 May 1997. [58114]

Mr. Caborn *[holding answer 21 May 2002]:* No. Such correspondence is covered by the exemptions set out in Part II of the Code of Practice on Access to Government Information which cover third party commercial confidences and information given in confidence. This is in line with the practice observed by previous Governments. My right hon. Friend the Secretary of State has already placed in the Library of the House an exchange of correspondence between herself and Sir Rodney Walker, the then chairman of Wembley National Stadium Ltd., in answer to a question from my hon. Friend the Member for Brentford and Isleworth (Ann Keen) on 14 February 2002, *Official Report*, columns 597–98W. This exchange contained an explanation of the Government's commitment to the project for the benefit of WNSL's then bankers and others who were or might become involved in the Football Association's project. Given it was essentially a public commitment, my right hon. Friend considered it important that Parliament should see its contents. This was done with the consent of Wembley National Stadium Ltd.

Historic Buildings (Public Access)

Mr. Gareth Thomas: To ask the Secretary of State for Culture, Media and Sport (1) what action the Government are taking to link receipt of funding to improve buildings of historical interest to increased access for members of the public; and if she will make a statement; [63938]

(2) which properties in London have received funding from *(a)* English Heritage and *(b)* the Heritage lottery fund in each of the last 10 years for improvement works; and how many of these properties allow access to members of the public for *(a)* one day a year, *(b)* one week a year and *(c)* more than one week a year. [63937]

Dr. Howells *[holding answer 24 June 2002]:* Over the last 10 years English Heritage has grant-aided 295 properties in London. Of these 166 were administered under the Historic Buildings and Monuments Act 1953. These grants are conditional on the provision of public access. The level of access depends on the circumstances of the case and the size of the grant. Opening arrangements for the properties which receive grants are available on English Heritage's website at www.english-heritage.org.uk and in "Hudson's Historic Houses and Gardens" directory.

Grants to the remaining 129 properties were administered under the Town and Country Planning Act 1990 and the Local Government Act 1985 for exterior work and essential structural repairs. These grants were to Grade II listed buildings or buildings in conservation areas. There is no automatic access requirement, although some of these properties are open to the public.

Since 1994 the Heritage lottery fund has made 238 awards to historic buildings in London. Public access is an important consideration in awarding grants. The Heritage lottery fund recognises the central role of access in achieving its overall aim to use heritage funding to improve people's quality of life. The organisation is committed to developing the widest possible constituency for heritage, and to promoting access, equality of opportunity and inclusion in all activities.

EU Directives

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport if she will list the EU directives relating to her Department which have been *(a)* amended and *(b)* repealed in 2002. [64944]

Dr. Howells: Council directive 93/7/EEC on the return of cultural objects unlawfully removed from the territory of a member state was amended by directive 2001/38/EC of the European Parliament and of the Council.

Council Regulation (EEC) No. 3911–92 on the export of cultural goods was amended by Council Regulation (EC) No. 974–2001.

No EU directives relating specifically to my Department have been repealed in 2002.

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport if she will list the EU directives and regulations that have been implemented through her Department in 2002; and what was the cost of each to public funds. [64994]

Dr. Howells: Directive 2001/38/EC of the European Parliament and of the Council, which amended Council directive 93/7/EEC on the return of cultural objects unlawfully removed from the territory of a member state, was implemented by SI 3972–2001 which came into force on 1 January 2002. There was no cost to public funds.

Ice Rinks

Mr. Alan Campbell: To ask the Secretary of State for Culture, Media and Sport how many ice rinks have *(a)* closed and *(b)* opened since 1995. [65528]

Mr. Caborn: Three ice rinks have closed since 1995, one each in Sunderland, Stevenage and Richmond. The ice rink in Altrincham is due to close in [illegible] 2003.

Three ice rinks have also opened since 1995, one each in Nottingham (National Ice Centre), Coventry and Birmingham. A fourth ice rink is due to open in Sheffield in May 2003.

National Lottery

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport when she will make a statement on the review of procedures for the allocation of the operating licence for the National Lottery provider. [65742]

Mr. Caborn: We published last week a consultation document setting out a number of possible changes to the future licensing and regulation of the Lottery which is available on the DCMS website at www.culture.gov.uk Copies may also be obtained, free of charge, from the Department.

Tourism (Lancashire)

Mr. Pike: To ask the Secretary of State for Culture, Media and Sport how many tourists visited Lancashire in the last year. [65609]

Dr. Howells: Provisional figures from the Office for National Statistics show that in 2001 210,000 visits were made to Lancashire. Overnight stays in the county are shown as 1.4 million and visitor spend is £56 million.

Digital Television

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport if she will make an assessment of the benefits to the consumer of a digital terrestrial television service being *(a)* wholly free to air and *(b)* partly free to air and partly pay. [65463]

Dr. Howells *[holding answer 1 July 2002]:* The licences surrendered by ITV digital have been re-advertised by the Independent Television Commission. I understand that the ITC have received six applications. Some of the applicants propose a wholly free to air service, other a mix of free to air and pay channels. Decisions on the licence awards are not a matter for the government but for the ITC which aims to announce the new licensees by 4 July.

Clarence House

Norman Baker: To ask the Secretary of State for Culture, Media and Sport what the projected cost is to public funds of the refurbishment of Clarence House; on what works public funds will be spent; and if she will make a statement. [65652]

Dr. Howells: Detailed surveys are currently taking place to ascertain the extent of the Clarence House refurbishment works, which include work on fire compartmentation, automatic fire detection, upgrade of electrical and mechanical services and some redecoration. It is not possible to provide a firm estimate of the cost of the refurbishment until the completion of these surveys. The refurbishment will be funded from the current level of grant in aid for the maintenance of the Occupied Royal Palaces.

Broadband

Mr. Connarty: To ask the Secretary of State for Culture, Media and Sport what steps she is taking to publicise the benefits of access to broadband services. [61804]

Mr. Timms: I have been asked to reply.

I am convinced that broadband services have an important role to play in increasing the competitiveness of the UK economy. I have therefore taken several opportunities to promote the benefits of broadband including by supporting the 'Demand: Broadband' campaign run by the Communications Workers Union.

The UK Online Annual Report 2001 sets out the Government's broadband strategy. To stimulate demand for current broadband content and applications the Government will:

> work with the broadband supply industry to facilitate an industry-wide collaborative campaign to promote the benefits of broadband and give impartial advice on the different technological options available.
>
> provide more encouragement to small and medium enterprises (SMEs) to adopt e-commerce solutions. The DTI are now expanding the £66 million 'UK online for business' programme to:
>
> provide more effective advice to businesses on the introduction and setting up of e-business solutions, with particular emphasis on the benefits of broadband; and
>
> introduce a web-based guide to broadband availability for SMEs and a network of demonstrators of practical applications.

We have also established a £30 million fund to help the Regional Development Agencies (RDAs) and devolved Administrations develop innovative schemes to extend broadband networks. Using this fund, some of the RDAs and devolved Administrations are carrying forward work which demonstrates the benefits of broadband.

DEFENCE

Trident Acquisition Programme

Mr. Beard: To ask the Secretary of State for Defence what the latest estimate is of the cost of the Trident Acquisition Programme; and if he will make a statement. [67206]

Mr. Hoon: The current estimate of the total acquisition cost of the Trident programme, with payments already made expressed at the prices and exchange rates actually incurred and future spend at the current financial year rate (the hybrid) estimate, is now £9,800 million. Since the 2001 estimate and leaving aside the effects of price inflation and exchange rate variation (+£11 million), there has been a real cost increase of £25 million. This increase derives principally from additional costs associated with dockyard projects and with missiles and related equipment, offset by a reduced acquisition cost for the four submarines. Expenditure on the Trident acquisition programme to 30 September 2001 represented over 98 per cent. of the total estimate. If all expenditure, past and projected, is brought up to this current year's economic conditions (the non-hybrid estimate) the estimate is £14,376 million.

The programme continues to show an overall reduction in real terms on its original 1982 estimate. This reduction, including the savings resulting from the decision to process missiles at the United States facility at Kings Bay, Georgia, now stands at over £3.7 billion at current prices.

The proportion of the estimate for work undertaken in the United Kingdom continues to be around 70 per cent.

Three in-service Vanguard class submarines are successfully maintained for continuous at-sea deterrence, with the fourth, HMS Vanguard, now undergoing a planned major overhaul.

Estimate table

£ million

	US	*UK*	*Total*
Hybrid			
Previous estimate (2001) at 2000–01 economic conditions (£1:$1.6086)	2,859	6,904	9,764
Real changes	+18	+8	+25
Price inflation on unspent balance	0	+3	+3
Exchange rate variation on unspent balance	+8	n/a	+8
Revised estimate at 2001–02 economic conditions (£1:$1.46)	2,884	6,916	9,800
Non-hybrid			
Previous estimate (2001) at 2000–01 economic conditions (£1:$1.6806)	3,604	10,058	13,662
Real changes	+18	+8	+25
Price inflation	+62	+252	+313
Exchange rate variation	+375	n/a	+375
Revised estimate at 2001–02 economic conditions (£1:$1.46)	4,059	10,318	14,376

Note:

Figures rounded to nearest £1 million hence any apparent imbalances.

Ministerial Salaries

Mr. Bercow: To ask the Secretary of State for Defence what the annual cost was of ministerial salaries in his Department in *(a)* 1997–98 and *(b)* 2001–02. [60937]

Mr. Ingram: The level of ministerial salaries are recommended by the Senior Salaries Review Body. From May 1997, in the Ministry of Defence there was one Cabinet Minister, at an annual salary of £43,991; two Ministers of State, at a total annual salary of £82,963; and one Parliamentary Under-Secretary, at an annual salary of £23,623. From June 2001, there was one Cabinet Minister, at an annual salary of £68,157; one Minister of State, at an annual salary of £35,356; and two Parliamentary Under-Secretaries, at a total annual salary of £87,796.

SA80A2 Rifle

Mr. Jenkin: To ask the Secretary of State for Defence if he will make a statement on the performance of the SA80A2 rifle in Afghanistan; and what faults have been reported. [66017]

Mr. Ingram: The SA80-A2 is operating in a very difficult environment in Afghanistan with both dusty conditions and extremes of temperature. To date, three formal equipment failure reports have been filed from Afghanistan; this under a 100 per cent. fault reporting regime. In an operational environment any concerns are treated very seriously and a specialist team on the ground in Afghanistan is investigating these reports as a matter of urgency.

RAF

Angus Robertson: To ask the Secretary of State for Defence what the daily average number of RAF aircraft movements was for each RAF base in the United Kingdom over the last five years; and if he will make a statement. [65200]

Mr. Ingram: The information in the format requested is not held centrally and could be provided only at disproportionate cost. The table details the daily average number of fixed wing and rotary wing aircraft movements over the last five years at current RAF stations. A number of the movements may have been aircraft belonging to the other services. At RAF Brize Norton, RAF Lyneham, RAF Northolt and RAF St. Mawgan, commercial aircraft movements are also included.

	1997		*1998*		*1999*		*2000*		*2001*	
Unit	*F wing*	*R wing*	*F wing*	*R wing*	*F wing*	*R wing*	*F wing*	*R wing*	*F wing*	*R wing*
Barkston Heath	158.4	0.2	173.3	0.1	161.3	0.1	151.3	0.3	129.8	0.1
Benson	103.4	11.7	106.3	28.5	112.9	31.0	74.8	28.1	70.6	35.0
Brize Norton	102.4	4.6	95.1	5.0	93.5	4.7	87.5	4.0	81.7	4.5
Chetwynd	0.1	53.0	0.0	79.0	0.0	82.2	0.0	74.4	0.0	77.8
Church Fenton	75.0	3.0	128.6	1.9	139.6	2.1	150.2	1.7	156.8	1.0
Coltishall	50.2	2.2	67.4	1.3	64.4	1.1	57.1	1.2	75.0	1.3
Coningsby	128.0	0.4	122.5	1.0	101.4	0.3	83.6	0.3	80.3	0.5
Cosford	77.5	4.9	58.6	5.0	64.7	6.4	69.2	7.2	61.2	7.1
Cottesmore	87.1	1.3	107.7	0.7	50.7	0.8	56.7	0.8	69.1	0.7
Cranwell	145.2	0.7	181.8	0.7	164.8	0.8	168.2	0.8	173.2	0.5
Culdrose	25.9	111.5	24.4	73.0	24.9	83.8	21.4	42.2	24.5	68.3
Fairford	—	—	0.5	0.0	0.0	0.0	0.0	0.0	0.4	0.0
Kinloss	94.6	3.1	95.1	3.4	92.5	3.3	102.0	3.2	100.0	2.5
Lakenheath	97.6	0.5	96.2	0.3	81.5	0.4	85.1	0.0	86.3	0.0
Leeming	118.9	4.7	117.7	5.0	129.8	4.0	114.3	4.1	108.1	3.4
Leuchars	98.3	4.7	93.9	6.1	92.9	6.7	89.5	6.1	85.6	6.2
Linton-on-Ouse	125.0	2.1	122.8	2.4	157.8	2.5	139.6	1.8	145.5	1.6
Lossiemouth	89.1	5.2	88.2	5.6	92.2	4.8	83.3	4.6	78.2	5.2
Lyneham	122.8	4.8	131.4	5.6	134.1	4.1	107.1	3.8	95.0	4.2
Manston	111.0	5.2	100.8	4.1	16.1	1.4	—	—	1.6	7.6
Marham	47.9	1.3	49.2	1.2	46.3	1.0	45.5	1.0	46.9	0.8
Mildenhall	—	—	—	—	—	—	62.8	7.7	60.2	8.7
Mona	58.0	0.8	74.2	0.9	89.4	0.3	100.4	3.3	89.0	0.2
Northolt	33.5	5.9	32.6	5.4	32.2	5.0	31.7	5.0	31.1	5.0
Odiham	1.6	50.3	2.1	40.7	1.0	38.2	2.9	41.8	3.2	49.4
Scampton	0.4	0.0	0.8	0.0	1.0	0.0	1.0	0.0	28.6	0.1
Shawbury	3.7	108.0	4.1	154.2	3.8	176.4	3.8	154.0	4.3	152.7
St. Athan	39.6	0.6	5.1	0.8	59.3	0.5	54.5	0.7	49.9	0.8
St. Mawgan	42.6	30.9	41.1	26.4	44.2	27.4	44.9	28.2	45.4	31.6
Ternhill	0.0	72.6	0.0	105.0	0.0	95.4	0.0	80.8	0.0	77.8
Topcliffe	60.5	0.4	71.6	0.7	104.4	1.4	92.9	1.1	89.0	1.0
Valley	138.1	9.9	143.7	15.2	162.7	17.4	143.1	14.4	170.7	18.5
Waddington	60.0	3.2	58.6	4.3	58.5	4.8	63.0	3.9	59.2	5.4
Wittering	72.3	0.7	83.8	0.5	73.2	0.7	62.9	0.6	63.4	0.5
Woodvale	89.8	0.2	75.9	0.6	71.6	0.5	90.2	0.6	100.7	1.8
Wyton	—	—	—	—	—	—	82.3	1.9	107.8	2.3

An aircraft movement can be a landing or a take-off and an aircraft may record a number of movements in any one sortie.

Meteor Missile Programme

Mr. Jenkin: To ask the Secretary of State for Defence what recent representations he has received from Governments of the partner countries regarding the Meteor missile programme. [66022]

Dr. Moonie: My right hon. Friend the Secretary of State for Defence has not recently received any formal representations from the Governments of the partner countries regarding the Meteor missile programme. He has, however, taken every opportunity to discuss the project with his counterparts in the partner countries as the occasion has arisen.

Mr. Jenkin: To ask the Secretary of State for Defence on how many occasions the German Government have made representations to the British Government regarding the Meteor missile project. [66023]

Dr. Moonie: The German Government have made no formal representations to the UK Government since the United Kingdom selection of Meteor in May 2000, to salsify the requirement for a Beyond Visual Range Air to Air Missile for Eurofighter. There has, however, been regular dialogue between UK Ministers and officials and their German counterparts regarding the Meteor missile project.

Mr. Jenkin: To ask the Secretary of State for Defence (1) when he expects the Meteor missile programme to move into its development phase; [66021]

(2) if he will make a statement on the future of the Meteor missile programme; [66020]

(3) if he will make a statement on the Meteor missile programme; and if he expects them to be in service on time. [66040]

Dr. Moonie: A draft contract for the development and production of the Meteor missile was sent to our partner nations at the end of April following the conclusion of negotiations with the prime contractor MBDA. A revised and final draft contract was passed to our partners earlier this month. We very much hope that all partner nations will confirm within the next few weeks that they are content for the contract to be signed. Germany will need also to sign the Meteor Memorandum of Understanding, which has already been signed by the other five partner nations.

Although negotiation of the Meteor contract has taken longer than expected, we assess that Meteor can achieve its planned in-service date with the RAF if the contract is awarded in the near future.

Infantry

Mr. Jenkin: To ask the Secretary of State for Defence how many trained infantry there were in the Army in each year since 1997. [66028]

Mr. Ingram: The number of trained infantry in the Army in each year since 1997 are detailed in the table:

Date of strength	*Officer*	*Soldier*	*Total*
1 January 1997	2,673	22,683	25,356
1 January 1998	2,726	22,741	25,467
1 January 1999	2,748	22,232	24,980
1 January 2000	2,753	22,385	25,138
1 January 2001	2,783	22,606	25,389
1 January 2002	2,837	22,619	25,456

Eurofighter

Mr. Jenkin: To ask the Secretary of State for Defence where the spare parts for Eurofighter will be stored; and if he will make a statement. [66018]

Dr. Moonie: Spare parts for the Royal Air Force Eurofighter fleet are essential to operations and many are classified as RESTRICTED and above and disclosure of their location could be prejudicial to national security. Therefore, I am withholding this information in accordance with Exemption 1 of the Code of Practice on Access to Government Information, which relates to defence, security and international relations.

Armoured Regiments

Mr. Jenkin: To ask the Secretary of State for Defence which armoured regiments have been at *(a)* high readiness, *(b)* training year and *(c)* other tasks in each of the past three years. [66027]

Mr. Ingram: It is assumed that reference to armoured regiments refers to Royal Armoured Corps (RAC) tank regiments and not Armoured Infantry (IA) Battalions. Those regiments that have been at *(a)* high readiness, *(b)* training year and *(c)* other tasks in each of the past three years are shown in the tables:

Formation readiness cycle (FRC)	*Armoured tank regiment*
2002	
High readiness	The Royal Dragoon Guards (RDG) King's Royal Hussars (KRH)
Training	Royal Scots Dragoon Guards (SCOTS DG) Queen's Royal Lancers (QRL)
Other tasks	The Queen's Royal Hussars (QRH) 2 Royal Tank Regiment (2 RTR)
2001	
High Readiness	The Queen's Royal Hussars (QRH) 2 Royal Tank Regiment (2 RTR)
Training	The Royal Dragoon Guards (RDG) King's Royal Hussars (KRH)
Other tasks	Royal Scots Dragoon Guards (SCOTS DG) Queen's Royal Lancers (QRL)
2001[1]	
High Readiness	Royal Scots Dragoon Guards (SCOTS DG)
Training	The Queen's Royal Hussars (QRH)

[1] The Formation Readiness Cycle (FRC) as a mechanism to deliver these units at readiness was in its infancy in 2000, hence the declaration of just two armoured regiments, rather than the full six.

Mr. Jenkin: To ask the Secretary of State for Defence if the Royal Armoured Corps is at establishment strength in personnel. [66026]

Mr. Ingram: The establishment and strength of the Royal Armoured Corps (RAC) and the Household Cavalry (HCAV) as at 1 May 2002 is detailed in the table:

Trained strength against liability for HCAV/RAC as at 1 May 2002

	Officer	*Soldier*	*Total*
Liability	855	5,023	5,878
Strength	835	4,940	5,775
Difference	–20	–83	–103
Difference (percentage)	–2.3	–1.7	–1.8

Manning statistics for the RAC are currently grouped with the HCAV. Work is in progress to provide separate totals for the HCAV and the RAC. I will write to the hon. Member when these figures are available and a copy of my letter will be placed in the Library of the House.

Armoured Vehicles

Mr. Jenkin: To ask the Secretary of State for Defence how many *(a)* MBTs and *(b)* AFVs are held in reserve. [66025]

Mr. Ingram: There are no Challenger 2 main battle tanks nor other armoured fighting vehicles specifically designated as reserve stock. The greater proportion of the vehicles that make up the fleets are held on the war-fighting establishment. The remainder are either held for training and trials or are undergoing planned maintenance programmes.

Mr. Jenkin: To ask the Secretary of State for Defence what the recommended establishment number of main battle tanks is for an armoured regiment. [66024]

Mr. Ingram: The establishment of main battle tanks in an armoured regiment is 58, although the number allocated to each regiment at any given time is dictated by its role in any one year.

Fishing Patrols

Mr. Jenkin: To ask the Secretary of State for Defence (1) what agreements his Department has with DEFRA in relation to the number of days per year Royal Navy fishery protection vessels must be on patrol; and if he will make a statement; [66037]

(2) how many days on fishery patrol naval vessels have undertaken for MAFF/DEFRA in each of the past five years; [66038]

(3) when HMS Shetland completed her last fishery protection patrol; and when she will be paid off; [66036]

(4) when HMS Tyne will carry out her first operational fishery patrol. [66039]

Mr. Ingram: The Royal Navy carry out fishery protection duties under an agreement with the Department for Environment, Food and Rural Affairs. The current arrangements run from April 2002 until March 2008. For the current year the Royal Navy has agreed to provide a total of 950 days of fishery protection. This figure is reviewed and agreed annually.

In each of the last five years the Royal Navy carried out the following number of patrol days:

	Number
2001–02	957
2000–01	977
1999–2000	979
1998–99	1,104
1997–98	1,130

HMS Shetland completed her final fishery protection patrol on 28 June 2002. She will be paid off at the end of July. On current plans, HMS Tyne will carry out her first operational fishery protection patrol in January or February 2003.

Lynx

Mr. Jenkin: To ask the Secretary of State for Defence how many Lynx Mk 8 are operational. [66034]

Mr. Ingram: As of 2 July 2002, there are 24 operational Lynx Mk 8 helicopters.

Harrier

Mr. Jenkin: To ask the Secretary of State for Defence what evaluation his Department has made of the Harrier II plus programme; and for what reasons he has proceeded with an upgrade of the Harrier GR7 to GR9 specification rather than capabilities offered by Harrier II plus. [66031]

Mr. Ingram: As I made clear in my answer on 28 February 2002, *Official Report*, columns 1451–52W to the hon. Member for Broxtowe (Dr. Palmer), the Harrier GR7 is being upgraded to GR9 standard as this best meets our capability requirements. The Ministry of Defence has not conducted a formal evaluation of the capabilities offered by the Harrier II plus programme, but understands that the main capability difference between the Harrier GR9 and the Harrier II plus is in the latter's nose-mounted radar.

While it would, in theory, be possible to mount a radar in the nose of the GR9, we currently have no requirement to do so. Therefore, no detailed work has been undertaken by the MOD into the practicality and cost-effectiveness of such a modification.

Such a programme would be at least as complex, lengthy and costly as the Sea Harrier Blue Vixen/AMRAAM update in the mid-90s. Given the likely considerable cost, time scale and technical risk involved, and the planned entry into service of the Future Joint Combat Aircraft in 2012, the benefits of integrating a radar on to the GR9 Harrier would be of limited duration and utility. Such a programme would also delay the integration of the smart weapons on to the Harrier GR9 required to enable it to continue to conduct its primary role of the delivery of offensive air power from land and sea.

Munitions Depots

Mr. Key: To ask the Secretary of State for Defence what the anticipated remediation costs will be, including munitions and chemical retrieval, prior to the market sale of Dean Hill munitions depot; and when he expects to put it on the market. [65734]

Mr. Ingram: Defence Munition (DM) Dean Hill's primary task is (and has been) the storage of munitions. The limited (compared to other Defence Munitions sites) processing facilities at the Dean Hill site have primarily been used for maintenance of munitions and associated stores. There has been no explosives manufacturing on site and hence little anticipated contamination to remediate. This has been confirmed by Land Quality Assessment action and a sum of £216,000 has been included in the Investment Appraisal to cover any "industrial site" remediation identified as necessary during run down and closure activities.

It is anticipated that Defence Estates will market the sale of the Dean Hill site in 2004–05 once all closure activities have been completed.

Mr. Key: To ask the Secretary of State for Defence how many Ministry of Defence police are employed at West Dean Munitions Depot; and how they will be deployed following the closure of the depot. [65706]

Mr. Ingram: There are currently 21 MDP officers stationed at Defence Munitions (DM) Dean Hill. DM Dean Hill is scheduled for closure by 1 April 2004 and the MDP officers stationed there will be subject to redeployment procedures. We do not envisage any compulsory redundancies of MDP officers.

Mr. Key: To ask the Secretary of State for Defence how many of the employees at the West Dean Munitions Depot are *(a)* under 25, *(b)* under 45, *(c)* under 60 and *(d)* over 60 in each category, broken down by sex. [65707]

Mr. Ingram: The age profile and gender of the bearing of 57 Defence Munitions civilian staff currently employed at DM Dean Hill near West Dean village in south Wiltshire is as follows:

Age	*Male*	*Female*	*Total*
Under 25	4	1	5
26 to 45	[1]19	4	23
46 to 60	18	6	24
Over 60	5	—	5
Total	46	11	57

[1] Includes two members of civilian staff on long term detached duty due to return to DM Dean Hill.

Golden Jubilee

Hywel Williams: To ask the Secretary of State for Defence what the estimated cost is of the tri-service Jubilee celebrations held on 27 June. [66164]

Mr. Ingram: In accordance with the wishes of Buckingham Palace and the direction of the Government it was agreed that there would be no undue expenditure from public funds. The sum of £1.5 million was allocated from the budget of the Royal Naval Base Commander, Portsmouth, towards core project costs and any additional costs will lie where they fell. It will be some months before an accurate assessment of this expenditure could be made, but it will consist primarily of additional travel and subsistence costs.

Defence Assistance

Dr. Cable: To ask the Secretary of State for Defence which countries received expenditure under the *(a)* defence military assistance fund and *(b)* the defence assistance fund in (i) 1997–98, (ii) 1998–99, (iii) 1999–2000, (iv) 2000–01 and (v) 2001–02; how much each country received in each year from (A) the defence military assistance fund and (B) the defence assistance fund; how much was used to support defence sales in each case; and if he will make a statement. [66553]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Sudan

Mr. Dawson: To ask the Secretary of State for Defence how many personnel his Department has contributed to monitoring the Nuba ceasefire in Sudan. [65659]

Mr. Ingram: One British colonel was deployed to Sudan in May of this year to act as deputy vice chairman of the joint military mission monitoring the Nuba mountain ceasefire.

Medical Treatment

Mr. Keetch: To ask the Secretary of State for Defence, pursuant to the answer of 21 June 2002, *Official Report*, column 597W, on medical treatment, on what date the Army Training and Recruitment Agency secondary health care initiative commenced and with what budget; by what criteria personnel are treated under the scheme; how many personnel in *(a)* the Army, *(b)* the Navy and *(c)* the RAF have been treated under the initiative and at what cost to his Department in each month since commencement; which health care providers have been used under the scheme; and if he will make a statement. [65569]

Mr. Ingram: The Army Training and Recruiting Agency's (ATRA) secondary health care initiative was formally introduced on 1 April 2001 and the Budgetary sum allocated for the financial year 2001–02 was £1.3 million. Personnel eligible for treatment under the scheme are ATRA trainers or trainees who are referred by their unit general practitioner for investigation, opinion and/or treatment for a condition which is preventing them from continuing with their employment/training. Personnel are referred only when waiting lists at the local Ministry of Defence hospital unit or NHS hospital are deemed excessive. The vast majority of these are Army personnel; a small number of RN and RAF personnel might have been included who were posted to ATRA units, either as trainers or trainees, but these cannot be readily identified. Records held do not allow for numbers treated per month to be easily identified, as an individual may well be treated over a period and therefore feature in more than one month's figures. The costs per month since inception are as follows:

Month	*Numbers treated*	*Cost (£)*
April 2001	—	35,035
May 2001	—	61,201
June 2001	—	88,289
July 2001	—	77,286
August 2001	—	97,995
September 2001	—	93,581
October 2001	—	129,601
November 2001	—	79,544
December 2001	—	100,397
January 2002	—	136,503
February 2002	—	159,605
March 2002	—	150,262
Total financial year 2001–02	1,351	1,209,299
April 2002	—	169,047
May 2002	—	129,788
June 2002[1]	—	42,701
Total financial year 2002–03[1]	435	341,435

[1] To 15 June

The healthcare providers utilised under this scheme have been:

BMI

BUPA

Nuffield Trust

Caprio

Independent

NHS.

The initiative has proved successful in reducing the average waiting time for both consultation and treatment, enabling trainers and trainees to return to work or training more quickly. The scheme is kept under constant review.

RAF Fylingdales

Dr. Tonge: To ask the Secretary of State for Defence what new agreements have been reached regarding the Ballistic Missile Early Warning Station at RAF Fylingdales following the end of the 1972 ABM Treaty. [66684]

Mr. Ingram: None.

Bereaved Services Families

Mr. Wray: To ask the Secretary of State for Defence what support is given to the widows and families of servicemen who have died. [66362]

Mr. Ingram: The Ministry of Defence operates a comprehensive Casualty and Compassionate Reporting Policy that extends from the moment of casualty notification all the way through to making arrangements for stress counselling for partners, offering advice on eligibility for pensions, compensation or other financial support and helping with relocation arrangements for surviving dependants.

The MOD also provides an annual Grant-in-Aid to the Remembrance Travel Department of The Royal British Legion in respect of the War Widows Pilgrimage Scheme. The scheme provides financial assistance to any Service widow, whose husband died and was buried overseas between 1914 and 1967, to visit her husband's grave. The Grant contributes 7/8ths of the cost of a pilgrimage organised by Remembrance Travel and to date has benefited over 4,000 widows. The scheme has recently been extended to 31 March 2005.

Support to the bereaved partners and family of ex-service personnel also comes from the Soldiers, Sailors, Airmen and Families Association—Forces Help (SSAFA-FH) and the Armed Forces Benevolent organisations for whom the MOD has the utmost appreciation. We are very conscious of the tireless and highly professional way these organisations assist their former colleagues and know how greatly their efforts are valued both by the present Service community and by ex-Servicemen and women.

Ex-servicemen

Mr. Wray: To ask the Secretary of State for Defence what support the Government are giving to voluntary organisations that help ex-servicemen. [66363]

Mr. Ingram: In keeping with the practice that central Government do not provide funding in direct support of charities' core activities, the Ministry of Defence does not provide any direct financial support to the ex-Service voluntary organisations as they are independent of government and responsible for raising their own funding through private donations.

Nevertheless, the MOD does provide annual Grants-in-Aid to The Royal British Legion's Benevolent Department to assist with the welfare they provide to distressed Polish ex-Servicemen and also to Remembrance Travel, the Pilgrimage Department of The Royal British Legion. This money is used to fund the War Widows Pilgrimage Scheme which enables Service widows to visit the graves of their husbands who were buried overseas between 1914 and 1967. Finally, a Grant-in-Aid is given to the Victoria Cross and George Cross Association every two years to assist with the travel costs associated with their biennial reunion.

Balkans

Mr. Jenkin: To ask the Secretary of State for Defence what representations he has received from the US Administration concerning the International Criminal Court and the continued deployment of US forces in the Balkans. [64814]

Mr. Straw: I have been asked to reply.

I have been and continue to be in close touch with my US counterpart on this issue, and in particular in respect of draft UN Security Council resolutions renewing the UNMIBH/SFOR mandate for UN peacekeeping forces in Bosnia. My hon. Friend the Member for Rotherham (Mr. MacShane) also discussed the issue with representatives of the State Department and the National Security Council in Washington last week.

The Government are committed to an effective International Criminal Court. We understand US concerns for their peacekeepers but do not share them. We believe that the Rome statute contains effective safeguards which make it inconceivable that peacekeepers will be investigated or prosecuted by the Court when national investigations or procedures are being carried out. We are working hard with the US and other members of the Security Council to achieve a mutually acceptable solution.

SOLICITOR-GENERAL

Crown Prosecution Service

Mrs. Curtis-Thomas: To ask the Solicitor-General how many *(a)* lawyers, *(b)* caseworkers and *(c)* administrative staff were recruited in (i) 1999–2000, (ii) 2000–01 and (iii) 2001–02; and how many (A) lawyers, (B) caseworkers and (C) administrative staff were employed in the same period in each CPS region. [59656]

The Solicitor-General: The information requested is in tables, copies of which have been placed in the Library.

Mrs. Curtis-Thomas: To ask the Solicitor-General if she will make a statement on the inappropriate attribution of agents' costs to the CPS non-cash limited vote. [60214]

The Solicitor-General: The CPS is responsible for the payment of fees to counsel agents engaged to prosecute in magistrates courts. Counsel agents attend magistrates courts to undertake routine prosecution work to supplement advocacy by CPS prosecutors. This work is paid for from the cash limited administrative costs budget. In some cases, where specialist advocacy is required, or exceptional preparation time is needed or a case is likely to be lengthy, a special fee is negotiated with counsel and paid from the non-cash limited prosecution costs provision.

In their quarterly report to the Law Officers for July to September 2001, HM CPS Inspectorate commented on the inappropriate attribution of costs to the non-cash limited prosecution costs provision by some areas. Following receipt of that report, further guidance was issued to area business managers in December 2001.

Mrs. Curtis-Thomas: To ask the Solicitor-General what action is being taken in each CPS region to develop qualitative and quantitative performance indicators. [60215]

The Solicitor-General: The Crown Prosecution Service maintains qualitative performance indicators, both locally and nationally, consisting of records of case outcomes and a measure of attrition within the CPS case load. Procedures are under development to provide local area managers with a standard to measure the quality of case work against which will mirror, to an extent, those used by HM CPS Inspectorate. The CPS also maintains a range of quantitative performance indicators showing the timeliness of key functions such as the delivery of briefs to counsel, the service of committal papers, witness expense payments, the payment of invoices, replies to complaints, and replies to MPs' correspondence.

The implementation of the Compass Case Management system from December 2003 will enable an important expansion of the Department's range of information.

Mrs. Curtis-Thomas: To ask the Solicitor-General what externally approved quality standards have been gained by each CPS region, with specific reference to BS5750 ISO 9000. [60206]

The Solicitor-General: ISO 9000 is not one of the 'Quality Schemes' used by the Crown Prosecution Service to measure the quality of its processes in meeting the needs and expectations of its customers. The Crown Prosecution Service is using the European Foundation for Quality Management (EFQM) Excellence Model. This is a comprehensive framework used by a large number of organisations from across Europe both in the public and private sector to assess the strengths and areas of improvement across all its business activities.

PRIME MINISTER

Belfast, South

Q14. **Rev. Martin Smyth:** To ask the Prime Minister when he next plans to visit Belfast, South. [64197]

The Prime Minister: I have no plans to visit the hon. Gentleman's particular constituency in the near future.

No. 10 Downing Street

Mr. Collins: To ask the Prime Minister what expenditure was incurred by *(a)* the No 10 Press Office, *(b)* the Strategic Communications Unit and *(c)* the Research and Information Unit (i) in the latest available year and (ii) in 1997. [63583]

The Prime Minister: For the No. 10 Press Office, I refer the hon. Member to the answer I gave the hon. Member for West Chelmsford (Mr. Burns) on 10 April 2002, *Official Report*, column 11W.

For the Strategic Communications Unit (SCU), I refer the hon. Member to the answer I gave the hon. Member for Lewes (Norman Baker) on 23 October 2001, *Official Report*, column 142W. SCU did not exist in 1996–97.

The total cost of running the Research and Information Unit (R&I) for the financial year 2000–01 was £432,556. Research and Information provides a single information resource at No. 10, providing policy briefing, library resources and reference material for the Prime Minister and No. 10 staff. R&I did not exist in 1996–97.

Mr. Collins: To ask the Prime Minister how many staff (full-time equivalents) were employed by *(a)* the No. 10 Press Office, *(b)* the Strategic Communications Unit, *(c)* the Research and Information Unit, *(d)* the GICS Development Centre, *(e)* the Media Monitoring Unit and *(f)* the News Co-ordination Centre (i) in the latest available year and (ii) in 1996–97. [63581]

The Prime Minister: For information on the No. 10 Press Office, I refer the hon. Member to the answer I gave the hon. Member for West Chelmsford (Mr. Burns) on 10 April 2002, *Official Report*, column 11W.

As at 1 April 2002, there were eight members of staff in the Strategic Communications Unit. The unit did not exist in 1996–97.

As at 1 April 2002, there were eight members of staff in the Research and Information Unit. The unit did not exist in 1996–97.

Staff numbers in the GICS Development Centre have fluctuated. As at 1 April 2002, there were 16 members of staff. On 1 April 1996 there were 16 members of staff; by 1 April 1997, following cutbacks in its marketing activities and the training and development support it provided to GICS members, the unit had been reduced to eight members of staff.

Following the Mountfield review of the GICS in 1997, which stressed the importance of high quality staffing, training and development and the exchange of best practice across the service, the unit has gradually returned to its previous staffing level as it has expanded its services to meet this wider remit.

As at 1 April 2002, there were 12 members of staff in the Media Monitoring Unit. The unit did not exist in 1996–97.

The News Co-ordination Centre has members of staff drawn from the Civil Contingencies Secretariat in the Cabinet Office. It is activated in an emergency or crisis, to provide a support and co-ordination role for the lead Government Department, when it is augmented by staff from other Departments. The NCC did not exist in 1996–97.

Annual Leave

Mr. Bercow: To ask the Prime Minister what the average annual leave entitlement is for staff in his Office in 2002. [64647]

The Prime Minister: I refer the hon. Member to the answer given to him by my hon. Friend the Minister for the Cabinet Office today, *Official Report*, column 388W.

Summits (UK Delegations)

Dr. Tonge: To ask the Prime Minister how many people attended the G8 meeting in Calgary in June from UK Government Departments; and what the total cost of the visit was. [66225]

The Prime Minister: I was accompanied by my noble Friend Baroness Amos and 25 officials. It was one of the smallest delegations.

Since 1999 the Government have published an annual list of all overseas visits undertaken by Cabinet Ministers costing £500 or more during each financial year. The list for the period 1 April 2002 to 31 March 2003 will be published as soon as possible after the end of the current financial year.

Dr. Tonge: To ask the Prime Minister how many people attended the Commonwealth Heads of Government meeting in March from UK Government Departments; and what the total cost of the visit was. [66226]

The Prime Minister: Since 1999 the Government have published an annual list of all overseas visits undertaken by Cabinet Ministers costing £500 or more during each financial year. The list for the period 1 April 2001 to 31 March 2002, including the information requested, will be published as soon as possible.

Official Histories

Mr. Watts: To ask the Prime Minister what further official histories are planned. [67112]

The Prime Minister: I have appointed Professor Rodney Lowe of Bristol University as the official historian to write the official history of the Civil Service since Fulton. I have also agreed to a list of topics for future official histories, as follows:

Privatisation
The Criminal Justice System
Chevaline
Devolution
Policy towards the former Yugoslavia
The D Notice System
A Biography of Desmond Morton.

Sir David Omand

Mr. Beith: To ask the Prime Minister who will exercise day-to-day ministerial responsibility for the work to be designated to Sir David Omand in the fields of propriety, ethics and constitutional affairs; and whether he will report to *(a)* the Cabinet Secretary and *(b)* other Ministers on these matters. [65568]

The Prime Minister: On Sir Richard Wilson's retirement, Sir David Omand will lead on propriety, ethics and constitutional issues for which he will be responsible to the next Secretary of the Cabinet and Head of the Home Civil Service, Sir Andrew Turnbull, who will report to the Prime Minister.

DEPUTY PRIME MINISTER

Local Government

8. **Lynne Jones:** To ask the Deputy Prime Minister and First Secretary of State what Government sources of funding can be used for local government services. [64161]

Mr. Leslie: There are several sources of funding which Government provide for local government services. Revenue grants fund day-to-day running costs other than housing. The Government have increased such Government grants by some 20 per cent. in real terms since taking office. Housing is funded through Housing Revenue Account Subsidy and housing grants. Capital expenditure for both housing and other needs is supported through borrowing and credit arrangements and through capital grants provided by central Government.

13. **Mr. Neil Turner:** To ask the Deputy Prime Minister and First Secretary of State what progress is being made on a replacement formula for funding of local government; and if he will make a statement. [64166]

Mr. Leslie: As announced by my right hon. Friend the Member for Greenwich and Woolwich (Mr. Raynsford) to Parliament earlier this month, we intend to consult on detailed options for a new system by mid July. We will then implement the new system in time for financial year 2003–04.

22. **Mr. Soley:** To ask the Deputy Prime Minister and First Secretary of State what plans he has to introduce proposals to increase the powers and responsibilities of local authorities. [64175]

Mr. Leslie: The Local Government Act 2000 already empowers local authorities to do anything likely to promote or improve the economic, social or environmental well-being of their area. Proposals from the local government White Paper are included in the draft Local Government Bill which my right hon. Friend the Member for Greenwich and Woolwich (Mr. Raynsford) launched for consultation earlier this month. For example, it includes powers to trade and to charge for discretionary services.

Social Housing

9. **Dr. Evan Harris:** To ask the Deputy Prime Minister and First Secretary of State what assessment he has made of the reasonableness of limits on the prices of houses that can be bought by local authorities for use for social housing in high house price areas. [64162]

Mr. McNulty: The Government impose no limit on the prices of houses that can be bought by local authorities for social housing purposes. The hon. Gentleman may be referring to a system of total cost indicators, which the Housing Corporation operates as a benchmark for assessing the value for money of social housing development schemes funded through social housing grant.

Single Equality Commission

10. **Paddy Tipping:** To ask the Deputy Prime Minister and First Secretary of State what plans he has to establish a single equality commission. [64163]

Mrs. Roche: I recently announced the start of a project to consider the feasibility of, and options for, a single equality body in Great Britain. I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Bristol, East (Jean Corston) on 14 May 2002, *Official Report,* column 566W.

Asylum Accommodation

11. **Mr. Luff:** To ask the Deputy Prime Minister and First Secretary of State if he will make a statement on his Department's policy on the planning process in relation to the establishment of asylum accommodation centres. [64164]

Mr. McNulty: The Deputy Prime Minister's policy is to adhere to the procedures set out in part IV of the memorandum to DoE circular 18/84. These require the developing Department to serve a notice of proposed development on the local planning authority.

Regional Government

12. **Mrs. Anne Campbell:** To ask the Deputy Prime Minister and First Secretary of State what representations he has received from local government leaders on his White Paper on regional governance. [64165]

The Deputy Prime Minister and First Secretary of State: I have received a number of representations from local government, many of them welcoming our White Paper, "Your Region, Your Choice".

14. **Mr. Liddell-Grainger:** To ask the Deputy Prime Minister and First Secretary of State if he will make a statement on the role counties will have in regional government. [64167]

The Deputy Prime Minister and First Secretary of State: I refer the hon. Gentleman to my answer in response to the hon. Member for Faversham and Mid-Kent (Hugh Robertson).

21. **Mr. Chope:** To ask the Deputy Prime Minister and First Secretary of State when he will bring forward legislation to allow for referendums on the Government's proposals for regional government in England. [64174]

The Deputy Prime Minister and First Secretary of State: I cannot pre-empt future Queen's Speeches. But we intend to introduce a Bill to provide for referendums when parliamentary time allows, so that the first assembly referendum(s) can be held during this Parliament.

25. **Mr. Laurence Robertson:** To ask the Deputy Prime Minister and First Secretary of State if he will make a statement on his plans to create regional assemblies. [64178]

The Deputy Prime Minister and First Secretary of State: I refer the hon. Member to the statement I made on 9 May 2002, *Official Report,* columns 275–78. The full detail of our plans to create elected regional assemblies can be found in the White Paper "Your Region, Your Choice", which is in the Library of the House. We are now working to take these plans forward.

26. **Dr. Murrison:** To ask the Deputy Prime Minister and First Secretary of State if he will make a statement on the future of county councils in the Government's plans for regional government in England. [64179]

The Deputy Prime Minister and First Secretary of State: I refer the hon. Gentleman to my earlier answer in response to the hon. Member for Faversham and Mid Kent (Hugh Robertson).

27. **Mr. Prisk:** To ask the Deputy Prime Minister and First Secretary of State if he will make a statement on his Department's proposals for regional government affecting Hertfordshire. [64180]

Mr. Leslie: Our proposals for regional government and how this will affect all areas of England are set out in the White Paper "Your Region, Your Choice". Copies are in the Library of the House.

29. **Mr. Andrew Mitchell:** To ask the Deputy Prime Minister and First Secretary of State what proposals he has for a west midlands regional assembly. [64182]

The Deputy Prime Minister and First Secretary of State: Our proposals for elected assemblies in all the regions of England are set out in the White Paper "Your Region, Your Choice". Copies are in the Library of the House.

Business Improvement Districts

15. **Ross Cranston:** To ask the Deputy Prime Minister and First Secretary of State what steps he is taking to implement business improvement districts. [64168]

Mrs. Roche: In the White Paper, "Strong Local Leadership—Quality Public Services", published in December, we detailed our scheme for enabling those places which want to introduce business improvement district arrangements to do so. Implementation requires legislation and the draft Local Government Bill, published on 12 June, contains the necessary primary legislation.

Corporate Governance Inspection Reports

16. **Mr. Sanders:** To ask the Deputy Prime Minister and First Secretary of State if he will make a statement on corporate governance inspection reports. [64169]

Mr. Leslie: Corporate governance inspection is a powerful diagnostic tool in determining the corporate and managerial capabilities of a council. A total of 15 corporate governance inspections have taken place since April 2000, and their findings reported to the authorities. These inspections have helped inform the corporate assessment model introduced as part of the comprehensive performance assessment.

Housing Market Renewal Fund

17. **Ian Stewart:** To ask the Deputy Prime Minister and First Secretary of State what progress has been made in setting up a housing market renewal fund. [64170]

Mr. McNulty: The idea of a housing market renewal fund was proposed last autumn by the National Housing Federation, Key Cities Housing Group and the Northern Housing Forums, against a backdrop of severe housing market failure in parts of the country. We are considering the proposal in the context of the current spending review.

However, we are in no doubt that we must address the problem of low demand housing, which underlies the fund proposal. That is why we have invited nine areas, where the problems are most acute, to work with Government establishing pathfinder projects to tackle low demand. We are making available £25 million from the Capital Modernisation Fund to assist the pathfinder projects in vital preparatory work.

Urban Poverty

18. **Gillian Merron:** To ask the Deputy Prime Minister and First Secretary of State what role his Department has in tackling urban poverty. [64171]

Mrs. Roche: The Government are committed to tackling poverty wherever it is found. Within the Office of the Deputy Prime Minister, the Social Exclusion Unit, the Urban Policy Unit, the Neighbourhood Renewal Unit and Government Offices play a crucial role in the Government's work to tackle poverty, both in urban areas and elsewhere. The Department's work on local government, regional policy and housing and planning also makes a critical contribution in this area.

Housing

19. **Sue Doughty:** To ask the Deputy Prime Minister and First Secretary of State how many new affordable homes were built in the UK in the past 12 months. [64172]

Mr. McNulty: I refer the hon. Member to the answer given by my right hon. Friend the Member for Tyneside, North (Mr. Byers) to the hon. Member for Newbury (Mr. Rendel) on 21 May 2002, *Official Report*, column 137.

Rent Restructuring

20. **Mr. Coleman:** To ask the Deputy Prime Minister and First Secretary of State what discussions he has had with local authorities and registered social landlords regarding the Government's future plans for rent restructuring implementation; and if he will make a statement. [64173]

Mr. McNulty: The Government have consulted fully with local authorities and housing associations at all stages in the development of rent restructuring and will continue to do so.

In particular, we have recently issued a consultation paper on further changes to the Housing Revenue Account subsidy system to support rent restructuring.

Planning

2[illegible] **Dr. Julian Lewis:** To ask the Deputy Prime Min[illegible]r and First Secretary of State Minister if he will mak[illegible] statement on the future role of county councils in plan[illegible]g decisions. [64176]

M[illegible] McNulty: In our consultation paper 'Planning: deli[illegible]ng a fundamental change', published last Dec[illegible]ber, we set out proposals for abolishing structure plan[illegible] an unnecessary tier of planning. We invited views on t[illegible]future role that the counties might play in the planni[illegible]ystem in addition to their transport, minerals and wa[illegible] responsibilities. We are considering the responses [illegible]de and hope to make a statement this summer. These proposals do not alter the role of the county councils in determining county matter planning applications.

28. **Mr. Hoban:** To ask the Deputy Prime Minister and First Secretary of State if he will make a statement on the operation of the planned local planning advisory service. [64181]

Mr. McNulty: The idea of a local planning advisory service was mooted in the Planning Green Paper—"Planning: delivering a fundamental change". We will be making a statement on progress with implementing the Planning Green Paper in due course.

30. **Mr. Andrew Turner:** To ask the Deputy Prime Minister and First Secretary of State if he will make a statement on responses to the Government's proposals for planning. [64183]

Mr. McNulty: The Government have received over 16,000 responses to the consultation on the Green Paper "Planning—delivering a fundamental change". We will be making a statement on the outcome of the consultation in due course.

Homelessness

24. **Richard Ottaway:** To ask the Deputy Prime Minister and First Secretary of State what steps he is taking to alleviate homelessness; and if he will make a statement. [64177]

Mrs. Roche: We have adopted a new approach which focuses as much on the problems homeless people face as the places they live. Our specific measures include £125 million investment this year to tackle homelessness, and new legislation to strengthen the assistance to people who are homeless or at risk of being homeless.

Franchise

Mr. Martlew: To ask the Deputy Prime Minister and First Secretary of State what his plans are for reducing the voting age to 16; and if he will make a statement. [62690]

Yvette Cooper: I have been asked to reply.

We have no plans to propose legislation to lower the voting age. We would, however, welcome a public debate on the issue. It is also open to the Electoral Commission to consider it and make recommendations for future policy.

Bed-and-Breakfast Accommodation

Mr. Pickles: To ask the Deputy Prime Minister and First Secretary of State what progress has been made on achieving the Government's objective that no child should be living in bed-and-breakfast accommodation by 2004; and if he will make a statement. [65993]

Mr. McNulty: In March 2002 a £35 million programme was launched to help local authorities ensure that by March 2004 no homeless family with children is in bed-and-breakfast hotels (B&B) other than in an emergency, and even then for no more than six weeks.

The 44 authorities with the highest number of families with children in B&B were required to submit bed-and-breakfast action plans showing how they will meet the March 2004 commitment. On 17 June £25 million was allocated to these authorities to help them implement their B&B plans. We will now be working with the next 40 highest using authorities to see how we can help them reduce B&B numbers. We will be monitoring closely the progress of all authorities.

All local authorities will benefit from recent changes to housing benefit subsidy levels, worth up to £10 million, which provide an incentive to lease private sector homes as a better quality alternative to B&B hotels. Authorities have also been sent a 10-point check list of good practice outlining the key 'building blocks' we expect every authority to have in place to deliver reductions in B&B hotel use. Regional B&B 'Good Practice' seminars have been held and examples of good practice have been shared through a newsletter and are posted on the ODPM website.

Mobile Phone Masts

Mr. Norman: To ask the Deputy Prime Minister and First Secretary of State who is on the Working Group established to take forward and monitor the operation of the revised Code of Best Practice on Mobile Phone Masts. [66444]

Mr. McNulty: The Telecommunications Working Group is chaired by the Head of the Department's Development Control Policy Division and comprises representatives of the mobile phone network industry and of central and local government.

Renewal Fund

Mr. Kidney: To ask the Deputy Prime Minister and First Secretary of State what guidance his Department gives to participants in projects involving funding from the *(a)* Neighbourhood Renewal Fund, *(b)* New Deal for Communities and *(c)* Housing Market Renewal Fund relating to private renting. [63911]

Mr. McNulty: The Office of the Deputy Prime Minister issues guidance relating to the use of grant from the Neighbourhood Renewal Fund in the form of a Special Grant report, one of which is specifically drafted and laid before Parliament for debate and approval prior to each financial year throughout the lifetime of the fund. Special Grant report No. 78 specifies the purpose and allocations of funding and the conditions for use of the grant in 2001–02 and Special Grant report No. 93 sets out the corresponding purpose, allocations and conditions in 2002–03. Copies of the reports are placed in the House of Commons Library, sent to Neighbourhood Renewal Fund grant recipients and made available on the Office of the Deputy Prime Minister's website.

The New Deal for Communities grant is provided under section 126 of the Housing Grants, Construction and Regeneration Act 1996 and section 2 of the Employment and Training Act 1973. The Office of the Deputy Prime Minister makes NDC guidance available on its website, including:

Learning Lessons: Pathfinders' Experiences of NDC Phase 1
Phase 1 Proposals Guidance for Applicants
Developing Delivery Plans
Finance Guidance
Developing and Testing Ideas
Gathering Baseline Information
Outcomes and Milestones
Support and Advice
New Deal for Communities and the Single Regeneration Budget—Project Appraisal and Approval
New Deal for Communities Annual Review 2000–01
NDC Project Appraisal and Approval Guidance
Forward Strategies
Delivering Change
Monitoring, Review and Evaluation
Race Equality Guidance.

The idea of a housing market renewal fund was proposed last autumn by the National Housing Federation, Key Cities Housing Group and the Northern Housing forums, against a backdrop of severe housing market failure in parts of the country. We are considering the proposal in the context of the current spending review.

However, we are in no doubt that we must address the problem of low demand housing, which underlies the fund proposal. That is why we have invited nine areas, where the problems are most acute, to work with Government establishing pathfinder projects to tackle low demand. We are making available £25 million from the Capital Modernisation Fund to assist the pathfinder projects in vital preparatory work. We have not issued guidance in relation to this funding, but limited criteria must be met before it can be drawn down.

TREASURY

Private Pension Funds

Mr. Hoban: To ask the Chancellor of the Exchequer if he will estimate the total value of private pension funds. [63398]

Ruth Kelly *[holding answer 1 July 2002]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Mr. Mark Hoban, dated 3 July 2002:

The National Statistician has been asked to reply to your parliamentary question on the total value of private pension funds. I am replying in his absence. (63398)

The market value of the funds held by self-administered pension funds was £765 billion at the end of 2000. These are occupational pension funds where the funds are invested in one or more managed schemes or unit trusts.

The total value of private pension funds is not available. Private pension funds held by long-term insurance companies are not distinguished from other funds, such as life assurance, within the total long-term fund of the insurance sector on which data are collected by the Office for National Statistics.

Mortgage Tax Relief

Mr. Steen: To ask the Chancellor of the Exchequer if he will introduce mortgage tax relief for first-time buyers in rural areas. [66151]

Ruth Kelly: The Government have no plans to reintroduce mortgage interest tax relief.

VAT

Brian Cotter: To ask the Chancellor of the Exchequer what the average time taken was to issue a VAT number for a new business once an application has been filed over the last 12 months. [65718]

John Healey: Customs does not maintain statistics on the average time taken to issue a VAT number and it would involve disproportionate cost to produce this information.

Customs work to a Charter Standard for the processing of applications for VAT registration, requiring 95 per cent. of properly completed applications to be processed within 15 working days of receipt. For 2001–02 Customs received over 180,000 applications for registration and achieved the Charter Standard.

Green Minister

Sue Doughty: To ask the Chancellor of the Exchequer who his Department's Green Minister is; when they *(a)* have attended and *(b)* plan to attend meetings of the Green Ministers' Committee; what the outcomes of meetings were for his Department's activities; and if he will make a statement. [65983]

John Healey: I am HM Treasury's Green Minister. I was appointed to the ENV(G) committee in June this year.

Following the general election in June 2001, the previously informal Green Ministers Committee was upgraded to a Cabinet Sub-Committee of ENV and it is established practice under exemption 2 of Part II of the Code of Practice on Access to Government Information not to disclose information relating to the proceedings of Cabinet Committees. Therefore I cannot relate progress or outcomes by my Department to anything that has been discussed.

Cancer

Mr. Bruce George: To ask the Chancellor of the Exchequer if he will list the incidence rates of cancers for the last five years. [66660]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Bruce George, dated 3 July 2002:

As National Statistician, I have been asked to reply to your Parliamentary Question on the incidence rates of cancers for the last five years. (66660).

The latest available information on trends in the incidence rates of cancers for England was published in table 10 in "Cancer Statistics: registrations 1998" Series MB1 No.29, a copy of which is available in the House of Commons Library.

Buildings Value

Mr. Bercow: To ask the Chancellor of the Exchequer if he will list the buildings owned by his Department and estimate the market value of each of them. [66948]

Mr. Boateng: The National Asset Register, published in July 2001 (Cm5221), lists assets owned by each Department and their valuation.

Statutory Instruments

Mr. Bercow: To ask the Chancellor of the Exchequer how many statutory instruments have been *(a)* introduced, *(b)* removed and *(c)* amended by his Department since 1 January; and what the (i) cost and (ii) saving has been in each case. [64629]

Dawn Primarolo: HM Treasury, HM Customs and Excise and the Inland Revenue have introduced 44 statutory instruments; removed none and introduced 22 amendment instruments since 1 January 2002. Many of the instruments concerned were of a routine nature, for example approving annual fee increases.

The HMSO SI Registrar Siregistrar@cabinet-office.x.gsi.gov.uk can provide a list of statutory instruments which have been issued by individual Government Departments. SIs which have been originated by Departments but eventually made by the Privy Council are only listed under the Privy Council Office.

The costs associated with regulatory proposals are considered at the policy development stage. A Regulatory Impact Assessment is completed for regulatory proposals unless there are no or negligible costs. HM Treasury, HM Customs and HM Inland Revenue have produced 13 final RIAs in this period: Implementation of the E-Commerce Directive; Financial Services and Markets Act 2000 Administration Orders Relating to Insurers Order 2002 ("the Order"); Implementation of the electronic money directive; National Insurance Contributions Bill; Fuel Scale Charge; Reform of Intangible Assets; Construction Industry Scheme; R&D Tax Credits for large companies/ vaccines research relief; Exemptions for gains and losses on substantial shareholdings; Reform of the Corporate Debt, Financial Instruments and Foreign Exchange gains and losses regimes; community amateur sports club; VAT: Introduction of a Flat Rate Scheme and Changes to the Annual Accounting Scheme and Oils Fraud Strategy. These are available in the House Libraries and are available on departmental websites.

National Insurance (Reduced Rate)

Mr. Webb: To ask the Chancellor of the Exchequer how much was paid in aggregate in national insurance contributions by married women paying at the reduced rate in each of the last 30 years. [65744]

Dawn Primarolo: Available estimates of the amount of reduced rate contributions paid by married women over the last 27 years are in the table.

	Contributions paid by women paying at the reduced rate (£ million)
1975–76	90
1976–77	100
1977–78	110
1978–79	110
1979–80	120
1980–81	130
1981–82	190
1982–83	220
1983–84	260
1984–85	260
1985–86	260
1986–87	260
1987–88	250
1988–89	250
1989–90	240
1990–91	230
1991–92	220
1992–93	200
1993–94	170
1994–95	160
1995–96	140
1996–97	120
1997–98	100
1998–99	90
1999–2000	60
2000–01	50
2001–02	25

Estimates for 1975–76 to 2000–01 are based on a 3 per cent. sample of the National Insurance Recording System and are rounded to the nearest £10 million.The estimate for 2001–02 was provided by the Government Actuary's Department and has been rounded to the nearest £5 million.

Recycled Paper

Sue Doughty: To ask the Chancellor of the Exchequer what proportion of *(a)* paper and *(b)* other goods purchased by his Department was recycled paper in each year since 1997; what the annual total cost of these purchases was; what plans there are to increase these proportions; and if he will make a statement. [65769]

Ruth Kelly: The Treasury in all cases purchases on a best value for money basis. Until recently the cost and quality of recycled paper did not provide this compared to virgin paper from sustainable sources and therefore only limited amounts were purchased.

Recycled paper appears to have improved in both quality and price. It is now the intention of the Department to look again at this issue. If recycled paper currently offers best value for money overall, Treasury will purchase this as the main source of its paper.

Asthma

Mrs. Brooke: To ask the Chancellor of the Exchequer how many deaths due to asthma occurred in each primary care trust in each of the last three years; and if he will make a statement. [66264]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Ms Brooke, dated 3 July 2002:

As National Statistician, I have been asked to reply to your question on how many deaths due to asthma occurred in each Primary Care Trust (PCT) in each of the last three years. (66264)

PCTs took over the responsibilities of Health Authorities on 1st April 2002, but the geographical definition of all PCT areas has not yet been completed. Mortality statistics for PCT areas are not available at present. The figures requested are available for Health Authorities, the three most recent years being 1998–2000, and these have been placed in the House of Commons Library.

Deaths from asthma by health authority, 1998–2000

Number

Health authority	*1998*	*1999*	*2000*
Avon	42	52	28
Barking and Havering	16	16	20
Barnet, Enfield and Haringey	30	34	34
Barnsley	30	32	10
Bedfordshire	20	46	28
Berkshire	32	28	36
Bexley, Bromley and Greenwich	40	[illegible]	32
Birmingham	66	[illegible]	60
Bradford	32	24	32
Brent and Harrow	12	30	20
Buckinghamshire	32	20	30
Bury and Rochdale	20	14	16
Calderdale and Kirklees	50	32	20
Cambridgeshire	20	22	30
Camden and Islington	12	16	14
Cornwall and Isles of Scilly	22	20	24
County Durham and Darlington	44	24	54
Coventry	18	18	32
Croydon	20	14	22
Doncaster	30	24	10
Dorset	38	26	40
Dudley	30	14	6
Ealing, Hammersmith and Hounslow	34	30	34
East Kent	50	46	18
East Lancashire	18	30	24
East London and The City	34	22	38
East Riding and Hull	46	42	32
East Surrey	20	20	28
East Sussex, Brighton and Hove	40	52	36
Gateshead and South Tyneside[1]	12	20	16
Gloucestershire	26	20	32
Herefordshire	20	14	8
Hertfordshire	42	48	40
Hillingdon	8	12	24
Isle of Wight, Portsmouth and South-East Hampshire	48	48	30
Kensington and Chelsea and Westminster	6	26	10
Kingston and Richmond	30	24	24
Lambeth, Southwark and Lewisham	34	22	32
Leeds	18	24	30
Leicestershire	34	32	16
Lincolnshire	14	34	36
Liverpool	22	38	16
Manchester	18	10	22
Merton, Sutton and Wandsworth	44	32	38
Morecambe Bay	16	16	20
Newcastle and North Tyneside	16	16	28
Norfolk	50	34	26
North and East Devon	26	20	28
North and Mid Hampshire	30	32	14
North Cheshire	12	6	14
North Cumbria	28	16	12
North Derbyshire	16	12	10
North Essex	50	64	46
North Nottinghamshire	16	36	20
North Staffordshire	16	20	32
North-West Lancashire	30	64	20
North Yorkshire	32	28	38
Northamptonshire	32	26	40
Northumberland	26	22	22
Nottingham	48	26	26
Oxfordshire	30	32	34
Redbridge and Waltham Forest	6	16	26
Rotherham	10	4	14
Salford and Trafford	22	24	30
Sandwell	16	14	24
Sefton	12	20	16
Sheffield	24	18	44
Shropshire	26	14	6
Solihull	4	16	8
Somerset	32	8	24
South and West Devon	46	26	44
South Cheshire	36	22	18
South Essex	30	30	38
South Humber	12	46	16
South Lancashire	12	10	12
South Staffordshire	26	14	30
Southampton and South West Hampshire	32	28	32
Southern Derbyshire	26	52	24
St. Helens and Knowsley	8	24	14
Stockport	14	24	12
Suffolk	30	26	22
Sunderland[1]	8	20	—
Tees	30	26	14
Wakefield	26	52	28
Walsall	26	18	24
Warwickshire	20	36	32
West Kent	34	24	26
West Pennine	36	20	20
West Surrey	42	18	10
West Sussex	22	34	42
Wigan and Bolton	28	24	24
Wiltshire	30	26	38
Wirral	20	12	14
Wolverhampton	24	24	16
Worcestershire	20	36	16
England	2,538	2,524	2,372

[1] Figures for Sunderland in 2000 have been combined with Gateshead and South Tyneside because of small numbers.

Source:

Department of Health Compendium of Clinical and Health Indicators 1999–2001, based on data provided by the Office for National Statistics.

TRADE AND INDUSTRY

Arms Exports

Gregory Barker: To ask the Secretary of State for Trade and Industry what her Department's policy was towards arms sales to *(a)* Pakistan and *(b)* India between December 2001 and June 2002. [65436]

Nigel Griffiths: I refer the hon. Member to the statements made by my hon. Friend the then Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs on 15 March 2002, *Official Report*, columns 1296–98W and by my noble Friend the Lord Sainsbury of Turville in another place on 28 May 2002, *Official Report, House of Lords*, columns 1147–49.

Gregory Barker: To ask the Secretary of State for Trade and Industry what discussions she has held since December 2001 with the Secretary of State for Defence regarding arms export licence grants to *(a)* India and *(b)* Pakistan. [65443]

Nigel Griffiths: I refer to the reply given by my right hon. Friend the Secretary of State for Defence on 2 July 2002, *Official Report*, column 230W.

Gregory Barker: To ask the Secretary of State for Trade and Industry what representations she has received regarding her Department's arms export application process and legal criteria for such exports to *(a)* India and *(b)* Pakistan in each month from December 2001 to June 2002. [65434]

Nigel Griffiths: My right hon. Friend the Secretary of State for Trade and Industry, the Department's Export Control Organisation and I have received representations regarding arms exports to India and Pakistan from a number of different sources, including Members of Parliament, exporters and the general public.

The information requested is not held centrally and could be provided only at disproportionate cost.

Green Minister

Sue Doughty: To ask the Secretary of State for Trade and Industry who her Department's Green Minister is; when they *(a)* have attended and *(b)* plan to attend meetings of the Green Ministers' Committee; what the outcomes of meetings were for her Department's activities; and if she will make a statement. [65988]

Mr. Wilson: I am DTI's Green Minister.

Following the General Election in June 2001, the previously informal Green Ministers Committee was upgraded to a Cabinet Sub-Committee of ENV, and it is established practice under exemption two of Part II of the Code of Practice on Access to Government Information not to disclose information relating to the proceedings of Cabinet Committees.

LPG Fuel

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry what steps she is taking to widen the availability of LPG fuel for motor vehicles. [65250]

Mr. Wilson: At the opening of the 1,000th LPG filling station in February this year I announced LPG Boost, a £1 million DTI funded programme over two years to boost the uptake of LPG as a vehicular fuel. This programme (in conjunction with DTLR funded PowerShift) is aimed at increasing awareness of LPG in rural areas and encouraging local specialist conversion workshops. I will be making a further announcement shortly.

Military Equipment (Licences)

Norman Lamb: To ask the Secretary of State for Trade and Industry what licences have been granted in each of the last five years for equipment on the military list to *(a)* African countries, *(b)* Bolivia, *(c)* Guyana, *(d)* Honduras, *(e)* Nicaragua, *(f)* Laos, *(g)* Vietnam, *(h)* Myanmar and *(i)* Yemen, in receipt of aid; what equipment is covered under these licences; and if she will make a statement. [65258]

Nigel Griffiths: Details of all export licences for items on the military list issued since 2 May 1997 are published by destination in the Government's Annual Reports on Strategic Export Controls. Copies of the 1997, 1998, 1999 and 2000 Annual Reports are available in the Libraries of the House. The 2001 Annual Report will be published soon.

In addition, items on the military list might have been exported under certain Open General Export Licences; copies of all Open General Export Licences are also placed in the Libraries of the House.

Housing Associations

Mr. Martlew: To ask the Secretary of State for Trade and Industry what plans she has to change insolvency rules covering housing associations. [63949]

Miss Melanie Johnson: The Enterprise Bill proposes changes to insolvency regulation, which will affect housing associations to the extent that they fall within its scope.

However, as announced by my noble Friend yesterday during the second reading of the Enterprise Bill, we will be bringing forward express exclusions to ensure that the provisions of the Bill will not extend to registered social landlords.

Postal Services

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will make a statement on the *(a)* statutory and *(b)* commercial status of Royal Mail; and to which (i) Ministers and (ii) other persons it will be accountable. [65072]

Mr. Timms: Consignia Holdings plc is a company formed and registered under the Companies Act 1985. The shares in the company are owned by the Government. On 26 March 2001, all the property, rights and liabilities of the Post Office were transferred to this company. Consignia Holdings has one wholly owned subsidiary, Consignia plc, which is also a company formed and registered under the Companies Act 1985. This subsidiary is licensed to provide a universal postal service in the UK.

Under the Government's reform of postal services, Consignia Holdings plc and its subsidiary have been given greater commercial freedom than that enjoyed by the Post Office. My right hon. Friend the Secretary of State for Trade and Industry holds a special share in Consignia Holdings plc and the Memorandum and Articles of Association sets out the areas where the special shareholder's consent is required by the company.

As a public limited company, Consignia Holdings plc is accountable to its shareholders. My right hon. Friend the Secretary of State for Trade and Industry (49,999 shares) and the Treasury Solicitor (as nominee of the Treasury) (1 share).

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what limit of *(a)* value and *(b)* weight is set for Consignia's monopoly status; for how long this status extends and under which legal provision; what recent discussions she has had concerning the move to unregulated and competitive postal services; when the change to open competition will take place; and under what statutory requirements. [65073]

Mr. Timms: Under the Postal Services Act (2000), the Postal Services Commission (known as Postcomm) was created, as an independent regulatory authority for the licensing of postal services. Postcomm administers a licensed area, broadly equivalent to the former Post Office statutory monopoly for letters weighing less than 350g and costing less than £1. In March 2001, Postcomm granted Consignia a licence to provide services in the licensed area.

Under the Act, it is for Postcomm to further the interests of users of postal services, wherever appropriate by promoting effective competition between postal operators, subject to its primary responsibility to ensure the provision of a universal postal service at a uniform tariff. Under its statutory powers Postcomm may introduce competition by issuing licenses or by recommending "further exemptions" or reductions to the licensed area.

In April 2001, Postcomm initially established an interim licensing policy pending a wideranging consultation exercise on how to introduce competition into the market. Postcomm has issued 10 other licences for niche services under this policy. Following the conclusion of its consultation Postcomm announced its decision on competition on 29 May 2002. The effect of that decision is to extend Postcomm's licensing policy to open the postal market to competition in three stages over four years. The first stage to open one third of the market will take effect from January 2003 with increased opportunities for competition in the licensed area and progression to full market opening by 1 April 2007.

Consignia

Mr. Wray: To ask the Secretary of State for Trade and Industry what recent discussions the Government have had with Consignia in relation to keeping open rural post offices. [66638]

Mr. Timms: The Government are committed to the maintenance of a nationwide network of post offices and placed a formal requirement on the Post Office in November 2000 to maintain the network and to prevent any avoidable closures of rural post offices. We are in regular contact with Post Office Limited about a range of issues relating to the future of the network.

The Government have invested £480 million in a modernisation programme to computerise the whole of the post office network. We have made available a £2 million fund to support volunteer and community initiatives to maintain or re-open post office facilities in rural areas where traditional services would otherwise close. Figures for end May 2002 showed that 64 applications—to a value of £500,000—had been assessed and approved and to that date payments of £231,000 had also been made.

In addition, we have received advice from the Postal Services Commission on transitional financial assistance for the rural network and proposals are being developed in the context of that advice.

Post Offices

Mr. Wilshire: To ask the Secretary of State for Trade and Industry which post offices in the Spelthorne constituency Consignia is planning to close. [66494]

Mr. Timms *[holding answer 2 July 2002]:* The programme to restructure the urban post office network has not yet started and I am advised by Post Office Limited that, until it does, there are no specific plans for post office closures in the Spelthorne constituency. When the programme starts it will be taken forward in consultation with individual subpostmasters, the community, local stakeholders and Postwatch. Under the Code of Practice, Post Office Limited is required to consult Postwatch on individual changes and is briefing it on the process envisaged for reaching decisions.

The objective of the urban network restructuring programme is to provide modernised and improved facilities which meet customers' needs and expectations and are in the right location for the local community.

Public Houses (Drink Measurement)

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry if she will make a statement on her policy towards full pints of beer being served in pubs. [66522]

Miss Melanie Johnson *[holding answer 2 July 2002]:* In March the Department issued a consultation paper on revised proposals to tighten consumer protection against short measure draught beer and cider. The period for submitting comments on the proposals ended on 1 July and a statement will be made in due course.

Post Office Closures

Chris Grayling: To ask the Secretary of State for Trade and Industry if she will list the post offices in the *(a)* Epsom and Ewell constituency and *(b)* United Kingdom which Consignia is proposing to close. [65703]

Mr. Timms: I am advised by Post Office Limited that no such lists exist. The programme to restructure the urban post office network has not yet started. When it does it will be taken forward in consultation with individual sub-postmasters, the community, local stakeholders and Postwatch. Under the Code of Practice, Post Office Limited is required to consult Postwatch on individual changes and is briefing it on the process envisaged for reaching decisions.

The objective of the urban network restructuring programme is to provide modernised and improved facilities which meet customers' needs and expectations and are in the right location for the local community.

Nuclear Power Stations

Mr. Jenkin: To ask the Secretary of State for Trade and Industry what provision has been made for the evacuation of Mersea Island in the event of an emergency at Bradwell Power Station; and what estimate has been made about how long this would take. [64959]

Mr. Wilson: As with all UK civil nuclear sites, well developed and regularly tested arrangements for responding to an emergency at Bradwell Power Station are in place as part of the licensing requirements imposed by HSE's nuclear installations inspectorate. Detailed emergency plans are prepared for an area within the 2.4 km detailed emergency planning zone for Bradwell. Mersea Island is outside the detailed emergency planning zone for Bradwell; the boundary of this zone is defined in relation to the most significant release of radiation from an accident which can be seen through reasonably foreseeable scenarios and is derived from the safety case established for the site. Beyond this, plans must be capable of being extended to deal with larger, less likely events. This principle of extendibility is an important part of civil nuclear emergency response arrangements. Use is made of the general plans prepared by the police, local authority and other agencies for a wide range of events. These do not provide for the detailed estimation of evacuation times which would need to take into account the circumstances at the time: ie time of day, prevailing weather conditions and the state of the tide.

Bradwell Power Station ceased generating electricity on 31 March 2002 and will be decommissioned over the next few years. This process will reduce the radiological hazard.

Ms Shipley: To ask the Secretary of State for Trade and Industry what the Government's policy is on the closure of nuclear power stations; and if they will pay for the disposal of nuclear waste from nuclear power stations. [66097]

Mr. Wilson: The operation of a nuclear power station is a matter for the relevant operator, subject to meeting the necessary regulatory requirements. The Government have already announced that, through the proposed Liabilities Management Authority, it will take on direct financial responsibility for the decommissioning and clean-up of BNFL's Magnox stations. Financial responsibility for the decommissioning of private sector nuclear power stations and the management of spent fuel and all associated wastes and materials is a matter for the operator concerned.

Ms Shipley: To ask the Secretary of State for Trade and Industry whether, when the liabilities of a nuclear power station exceed its assets, the Government will allow it to continue in business. [66102]

Mr. Wilson: If the liabilities of any company exceed its assets, it is a matter for the directors of that company to decide whether the company should continue trading. In addition, in the case of a nuclear power company operating on sites licensed under the Nuclear Installations Act 1965, the Health and Safety Executive's nuclear installations inspectorate would continue to monitor closely the company's activities to ensure it continued to maintain its safety performance.

Ms Shipley: To ask the Secretary of State for Trade and Industry if she will make a statement on the Government's policy regarding building new nuclear power stations. [66105]

Mr. Wilson: In common with all generation options, the initiative for bringing forward proposals to construct new plant lies with the market and the generating companies. British Energy and BNFL have said they have no current plans for such proposals.

Office for Civil Nuclear Security

Llew Smith: To ask the Secretary of State for Trade and Industry at which sites her Office for Civil Nuclear Security and HM Nuclear Installations Inspectorate have jointly conducted audits of plant security; and on what dates, involving how many personnel the audits were conducted. [63844]

Mr. Wilson: The Office for Civil Nuclear Security (OCNS), the independent security regulator and HSE's Nuclear Installations Inspectorate (NII), the safety regulator have a close working relationship and undertook an immediate joint review of security and safety issues of all UK civil nuclear sites in the light of the terrorist attacks in the United States last September. In the light of that review, sites were visited either jointly or by the relevant Regulator depending on the functions of the site concerned, its complexity, and other relevant factors. Since 11 September inspectors from both regulatory bodies have undertaken joint reviews at Capenhurst, Dounreay, Sellafield and Springfields.

Liabilities Management

Ms Shipley: To ask the Secretary of State for Trade and Industry if she will make a statement on the work of the Liabilities Management Authority. [66103]

Mr. Wilson: The Government's plans for the LMA will be set out in a White Paper to be published shortly.

BNFL

Ms Shipley: To ask the Secretary of State for Trade and Industry if she will make a statement on the transfer of BNFL assets to LMA. [66104]

Mr. Wilson: The Government's plans for the transfer of BNFL's assets to LMA will be set out in a White Paper to be published shortly.

Draft Takeovers Directive

Mr. Spring: To ask the Secretary of State for Trade and Industry what proposals the Government have for the European Union Takeovers Directive; if she will make a statement on the current state of the draft Takeovers Directive; and if she will make a statement. [65712]

Miss Melanie Johnson: The Government are presently awaiting a new proposal from the European Commission.

Cefn Croes Wind Farm

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry if she will place in the Library *(a)* reports and *(b)* advice she received relating to the Cefn Croes wind farm application in Ceredigion. [65515]

Mr. Wilson: The advice of the National Assembly for Wales has already been placed in the Libraries of the House. Under Exemption 2—internal discussion and advice—of the Code of Practice on Access to Government Information, I do not intend to publish the advice from the DTI officials to Ministers.

Renewable Energy Investment

Mr. Weir: To ask the Secretary of State for Trade and Industry what proportion of the promised £260 million in renewable energy investment has been made; to which projects it has been allocated; and how much electricity is expected to be produced by the projects by 2010. [65115]

Mr. Wilson: £260 million has been allocated to the following projects:

£55.5 million per annum for research and development
£74 million for Offshore Wind Capital Grants
£81.5 million for Bioenergy Capital Grants
£20 million for Photovoltaics
£10 million for Community and Household Capital Grants
£2.5 million for Planning Facilitation work
£10 million for Blue Skies Research
£5 million for Wave and Tidal development
£4 million for Net Metering, Storage and Control Technologies
£6 million for Photovoltaic Field Trials.

Of these projects, all are up and running except the Community and Household Capital Grants Scheme, which is in the design stage. It is expected that we will spend this year's £19 million on research and development and approximately £10 million on capital grants.

Most of the programmes are intended to support research, development and pre-commercial demonstration of renewable technologies. Only the Offshore Wind and Bioenergy Capital Grants programmes are expected to contribute to the 2010 target. These programmes will result in approximately 1,300 megawatts of capacity or 1.5 per cent. of electricity supply.

Copyright

Mr. Wyatt: To ask the Secretary of State for Trade and Industry if she will review the laws of copyright, with special reference to *(a)* the position in North America, *(b)* the implications of the new EU directive and *(c)* the impact of the internet; and if she will make a statement. [65593]

Miss Melanie Johnson *[holding answer 1 July 2002]:* UK copyright law (the Copyright, Designs and Patents Act 1988) has proved remarkably "future-proof" as regards the challenges of the internet and electronic commerce but some modifications will be needed to implement EU Directive 2001/29/EC on copyright and related rights in the information society. The directive is required to be transposed into national laws by 22 December 2002. There will be consultation as part of the process with interested parties.

Domestic Subsidies

Lynne Jones: To ask the Secretary of State for Trade and Industry, pursuant to her answer of 26 February 2002, *Official Report*, column 1128W, on domestic subsidies, by what date after the final date for the conclusions of negotiations her Department estimates export and trade distorting domestic subsidies will be phased out. [63429]

Mr. Morley: It is as yet too early in the WTO negotiations to forecast the likely scale and timing of reductions in these subsidies. The Government will continue to press for full and prompt implementation of the commitments made at Doha.

United Kingdom Petrol Stations

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry how many United Kingdom petrol stations are exempt from vapour recovery regulations by way of annual turnover falling below the exemption limit. [65247]

Mr. Meacher: I have been asked to reply.

In accordance with Directive 94/63/EC Stage I, petrol vapour recovery has been rolled out in the UK over the past seven years. The final stage in the implementation of the Directive is 31 December 2004. The controls will then apply to all petrol stations in the UK with an annual throughput greater than 100m^3. In 1998 it was estimated that this derogation would exempt approximately 136 sites in the UK. However, the total number of petrol stations in the UK since 1998 has decreased, from 13,758 to 13,043 in 2000. As petrol station closures often have a disproportionate impact on the smaller sites, it is likely that the number of petrol stations covered by the derogation has decreased since the data were gathered.

The directive also contains an option for member states to exempt larger sites, those with an annual throughput of less than 500m^3, if located in an area where vapour emissions are unlikely to contribute significantly to environmental or health problems. My Department and the devolved Administrations are currently looking at applying the derogation in the UK.

TRANSPORT

Railtrack

Mrs. May: To ask the Secretary of State for Transport (1) when previous network management statements were published by Railtrack; [60649]

(2) what *(a)* statutory responsibility and *(b)* other responsibility Railtrack has to produce a network management statement. [60648]

Mr. Darling: Under condition 7 of its network licence as amended in September 1997, Railtrack is required to prepare and publish on or before 31 March in each year—

or such other date as the Rail Regulator may specify—a statement detailing its plans for the maintenance, renewal and development of the network in Great Britain.

Entertainment Costs

Mr. Bercow: To ask the Secretary of State for Transport what the cost was of the Department's 2001 staff Christmas Party; and how many people attended. [illegible]1664]

Mr. Jamieson: The former Department for Transport, Local Government and the Regions held no departmental Christmas party.

Rail Franchises

Mr. Don Foster: To ask the Secretary of State for Transport what has been spent by *(a)* his Department and *(b)* the Strategic Rail Authority in relation to (i) the re-letting of Chiltern railways franchise, (ii) the GNER Franchise Extension, (iii) the Island Line extension, (iv) the Midland Mainline Extension, (v) other franchise re-negotiations and (vi) all franchise renegotiations and extensions; and if he will make a statement. [64144]

Mr. Jamieson: The total so far spent by the Strategic Rail Authority on franchise renegotiations and extensions is approximately £10 million. A breakdown of that figure is not readily available.

EU Directives

Mr. Bercow: To ask the Secretary of State for Transport if he will list the EU directives relating to his Department which have been *(a)* amended and *(b)* repealed in 2002. [64946]

Mr. Jamieson: The following EU Directives have been amended:

"96/49/EC"—Directive on the approximation of the laws of member states with regard to the transport of dangerous goods by rail [Amended by Directive 2001/6/EC]

"94/55/EC"—Directive on the approximation of the laws of member states with regard to the transport of dangerous goods by road [Amended by Directive 2001/7/EC]

"96/96/EC"—Directive on the approximation of the laws of member states relating to roadworthiness tests for motor vehicles and their trailers. [Amended by Directive 2001/9/EC]

"96/98/EC"—Directive on Marine Equipment [Amended by Directive 2001/53/EC]

"97/68/EC"—Directive on the approximation of measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery. [Amended by Directive 2001/63/EC].

No EU Directives have been repealed.

Mr. Bercow: To ask the Secretary of State for Transport if he will list the EU directives and regulations that have been implemented through his Department in 2002; and what was the cost of each to public funds. [64972]

Mr. Jamieson: The following Directives have been transposed, in full or in part, this year:

96/48—Directive of the European Parliament and of the Council on the interoperability of the trans-European rail system.

2000/30—Directive of the European Parliament and of the Council on technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community.

2000/39—Commission Directive 2000/39/EC of 8 June 2000 establishing a first list of indicative occupational exposure limit values in the implementation of Council Directive 98/24/EC on the protection of the health and safety of workers from the risks related to chemical agents at work.

2001/6—Directive 2001/6/EC of 29 January 2001, adapting for the third time to technical progress Council Directive 96/49/EC on the approximation of the laws of the member states with regard to transportation of dangerous goods by rail.

2001/7—Commission Directive 2001/7/EC of 29 January 2001 adapting for the third time to technical progress Council Directive 94/55/EC on the approximation of the laws of the member states with regard to transportation of dangerous goods by road.

2001/09—Commission Directive 2001/9/EC adapting to technical progress Commission Directive 96/96/EC on the approximation of the laws of member states relating to roadworthiness tests for motor vehicles and their trailers.

2001/53—Commission Directive 2001/531/EC amending Directive 96/98/EC on marine equipment.

2001/63—Commission Directive 2001/63/EC adapting to technical progress Directive 97/68/EC of the Parliament and of the Council on the approximation of measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery.

We have no central record of domestic legislation made in support of EU Regulations. Such information could be assembled only at disproportionate cost. Similarly, information about the costs of implementation is not readily available.

Mr. Don Foster: To ask the Secretary of State for Transport how many people are employed in his Department *(a)* full-time and *(b)* part-time to (i) monitor and (ii) liaise on European Directives; and if he will make a statement. [66314]

Mr. Jamieson: A number of areas of the Department are engaged at different times in monitoring and liaison of EU Directives. The number of staff involved therefore varies considerably, as does the amount of time individuals spend on EU business. One division of the Department, at present comprising 22 posts, is responsible for overall advice on European and international business.

Statutory Instruments

Mr. Bercow: To ask the Secretary of State for Transport how many statutory instruments have been *(a)* introduced, *(b)* removed and *(c)* amended by his Department since 1 January; and what the (i) cost and (ii) saving has been in each case. [64635]

Mr. Jamieson: In the period from 1 January 2002 to 31 May 2002, my Department's predecessor (the Department for Transport, Local Government and the Regions) was responsible for making 80 general statutory instruments. A list identifying these has been placed in the Libraries of the House. Endorsed on each instrument is an Explanatory Note, which identifies any legislation revoked or amended by the instrument. The remainder of the information requested is not held centrally in a form which would enable it to be provided by my Department without incurring disproportionate costs.

Cycle Lanes

Mr. Cox: To ask the Secretary of State for Transport what the average cost is of the provision is of a mile of a cycle lane. [65051]

Mr. Jamieson: Average costs are not available, but since cycle lanes use the existing carriageway of a road and are identified by markings and signs, costs are not high. The limitation in providing more cycle lanes on the carriageway will often be lack of sufficient road space to accommodate them.

Rail Accident Investigation

Mr. Don Foster: To ask the Secretary of State for Transport what work has been conducted under HSE supervision for *(a)* Railtrack, *(b)* British Transport Police and *(c)* other rail industry companies and bodies in relation to accident investigation into the (i) Hatfield rail crash, (ii) Ladbroke Grove rail crash and (iii) Potter's Bar rail crash; who the contractor was in each case; what the nature of the work was; and if he will make a statement. [65368]

Mr. Jamieson: In addition to work undertaken by the Health and Safety Executive's (HSE) internal laboratory, HSE commissioned the following work from external contractors:

Contractor	*Research*
(i) Hatfield	
Trimac Ltd.	Specialist Photographic Support
AEA Technology Rail	Assistance with investigation including on-site derailment investigation, track profile measurements and examination of vehicles.
AEA Consultancy	Advice on non-destructive testing.
Serco Rail-test	Practical non-destructive testing of rails.
Sheffield Testing Labs	Chemical analysis of steel samples. Machine and tensile test of rails.
(ii) Ladbroke Grove	
Grant Fire Consultants	Review of existing fire standards and a review of the literature in respect of the behaviour of fires on porous ground.
Interek Testing	Testing of gas/oil samples.
Forensic Science Services	Paint analysis.
Astra Zeneca	Auto ignition temperature test of samples of gas/oil.
University of Sheffield	ICP analysis.
Garvic Development	Design advice related to fuel tank impact test.
IC Consultants	Technical support in respect of the failure of fuel tanks and of the collision dynamics.
(iii) Potters Bar	
AEA Technology Rail	Assistance with investigations.

This information relates to the principal contractors only. A complete list of all the contractors involved could be provided only at disproportionate cost.

Live Firing Exercises (Aircraft Activities)

Mr. Key: To ask the Secretary of State for Transport at what *(a)* height, *(b)* latitude and *(c)* longitude the KLM Fokker 70 aircraft was flying on 19 June when the MoD ordered a ceasefire during a live firing exercise on Salisbury Plain below it; and if he will make a statement. [65197]

Mr. Jamieson: I am advised by National Air Traffic Services (NATS) that the KLM Fokker 70 aircraft, en route from Amsterdam to Bristol on 19 June, was at a height of 17,000 feet, and was at latitude 51° 17' north and longitude 001° 51' west when the incident occurred. NATS has assured us that at no time was safety compromised or the aircraft in danger. Nevertheless, NATS are carrying out a full investigation into the incident as are the Civil Aviation Authority, the Government's safety regulator, in order to establish what happened and what lessons may be learned for the future.

Mr. Key: To ask the Secretary of State for Transport at what time on 19 June National Air Traffic Services at Swanwick was first informed that a KLM Fokker 70 aircraft flying from Amsterdam to Bristol was passing over a live Army artillery exercise on Salisbury Plain; and what action they took. [65198]

Mr. Jamieson: The incident occurred at 10:30 hrs BST on 19 June. The Fokker 70 was detected by the MOD's Boscombe radar. On detection, Boscombe immediately invoked the Clear Range Procedure to ensure that activity in the Danger Area ceased before the aircraft penetrated the airspace, and informed NATS. As the aircraft was approaching its Bristol destination, and firing in the Danger Areas had been suspended, NATS permitted the aircraft to complete its journey. NATS subsequently initiated a full investigation into the incident which is also being examined by the CAA.

Mr. Key: To ask the Secretary of State for Transport what procedures are in place to ensure that National Air Traffic Services are informed of *(a)* military flying exercises and *(b)* artillery firing exercises in the vicinity of Salisbury Plain. [65195]

Mr. Jamieson: Civil/military co-ordination is well established in the UK: major military flying and artillery firing exercises at Army ranges such as those on the Salisbury Plain are pre-planned with involvement from National Air Traffic Services. Such exercises are notified to airspace users by means of Airspace Co-ordination Notices issued by the Civil Aviation Authority (CAA). The CAA also convey information about the activation of Danger Areas through the issue of British Islands Daily Nav Warnings. The two particular Danger Areas penetrated by the KLM Fokker 70 are active 24 hours a day and hence no notice of activation would be required. All Danger Areas are promulgated in the UK Aeronautical Information Publication and are shown on the aeronautical charts.

Departmental Waste

Sue Doughty: To ask the Secretary of State for Transport what proportion of waste produced in his Department was *(a)* recycled, *(b)* composted and *(c)* re-used, broken down into (i) paper, (ii) plastics, (iii) aluminium cans and (iv) other in each year since 1997; what plans there are to increase these proportions; and if he will make a statement. [65692]

Mr. Jamieson: My Department was formed on 29 May. Prior to 1999–2000, waste data were only available for DTLR headquarters and some other main sites. More comprehensive data have been available since.

	Percentage recycled
1997–98	—
1998–99	—
1999–2000	44
2000–01	42
2001–02	51

Our policy aim is to achieve 70 per cent. rate of recovery or recycling by 2003–04.

Detailed information on waste streams is not available for the Department as a whole.

Recycling

Sue Doughty: To ask the Secretary of State for Transport what proportion of *(a)* paper and *(b)* other goods purchased by his Department was recycled paper in each year since 1997; what the annual total cost of these purchases was; what plans there are to increase these proportions; and if he will make a statement. [65763]

Mr. Jamieson: My Department was formed on 29 May. Our policy is to buy recycled paper for all work not requiring specialist papers. The proportion of paper bought by DTLR that met the policy in respect of recycled content was:

	Percentage recycled
1997–98	44
1998–99	50
1999–2000	52
2000–01	85
2001–02	94

Information on other recycled goods and cost is not available.

Press Releases

Mr. Don Foster: To ask the Secretary of State for Transport on what occasions press releases have been released on behalf of the Department by the Government offices for the regions since 7 June 2001; and if he will place copies of these in the Library. [66319]

Mr. Jamieson: The Government offices for the regions do not issue press releases on behalf of the Department for Transport, or previously for the former Department for Transport, Local Government and the Regions.

European Transport White Paper

Mr. Don Foster: To ask the Secretary of State for Transport what discussions he has had with *(a)* European Commissioners and *(b)* the European Parliament on the European transport White Paper; and if he will make a statement. [66313]

Mr. Jamieson: The European Commission published its European transport policy White Paper in September 2001. The White Paper itself has no legislative or executive force at this stage, but it indicates areas where the Commission intends to initiate action over the next few years.

There have been discussions on this White Paper at the Transport Council on several occasions, but neither I nor other departmental Ministers have had specific discussions with the European Commission or the European Parliament.

Multi-modal Studies

Mr. Don Foster: To ask the Secretary of State for Transport how he will expedite the implementation of the findings of the 21 multi-modal studies set out in the 10-year transport plan to ensure that the infrastructure improvements identified therein are operational by 2010. [66009]

Mr. Jamieson: The multi-modal studies are developing strategies which go well beyond 2010. We will consider the recommendations of each study and agree an integrated programme of measures to be taken forward by the Highways Agency, Strategic Rail Authorities and local authorities.

Track Bed Maintenance

Mr. Don Foster: To ask the Secretary of State for Transport what recent changes have been made to the *(a)* practice and *(b)* regularity of track bed maintenance on the railways; and if he will make a statement. [66309]

Mr. Jamieson: This is an operational matter for Railtrack. However, I understand from Railtrack that there have been no recent changes.

Variable Speed Limits

Mr. Don Foster: To ask the Secretary of State for Transport what *(a)* guidance has been given by his Department to (i) the Highways Agency and (ii) local authorities and *(b)* legislation is in place covering variable speed limits; and if he will make a statement. [66007]

Mr. Jamieson: Section 84 of the Road Traffic Regulation Act 1984 as amended by section 45 of the Road Traffic Act 1991 provides for local authorities to create variable speed limits.

Similarly, sections 17(2) and (3) of the Road Traffic Regulation Act 1984 provides for the Highways Agency to create variable speed limits on special roads.

Guidance on variable speed limits is contained in Circular Roads 2–92.

EU Public Service Requirements Regulation

Mr. Don Foster: To ask the Secretary of State for Transport what discussions he has had with the European Commission on the EU Public Service Requirements Regulation; and if he will make a statement. [66315]

Mr. Jamieson: In July 2000 the European Commission published a proposal for a regulation concerning public service requirements and the award of public service contracts in passenger transport by rail, road and inland waterway. An amended proposal was published in February 2002. This proposal is intended to stimulate more efficient and attractive public transport through the use of regulated competition and other measures and to promote legal certainty for authorities and operators.

There have been discussions at, and progress reports to, the Transport Council on several occasions, but neither I nor other departmental Ministers have had specific discussions with the European Commission regarding this proposal.

Road Deterioration

Mr. Don Foster: To ask the Secretary of State for Transport what proposals he will put in place to ensure that local authorities *(a)* halt the deterioration of the local road network by 2004 and *(b)* eliminate the backlog by 2010. [66011]

Mr. Jamieson: The Government are providing over £30 billion for local road maintenance over the period of the 10-year Transport Plan, an extra £9 billion (23 per cent. in real terms) above the funding levels in the previous 10 years.

Local authority road condition is monitored annually by Best Value Performance Indicators. DfT is also working with local authorities to develop more efficient management systems for carriageways, bridges and street lighting.

Road Pricing

Chris Grayling: To ask the Secretary of State for Transport whether he intends to implement road pricing in south-east England following the recent publication of the London Orbital multi-modal study. [66057]

Mr. Jamieson: There are no plans to do so.

Rural Transport

Mrs. May: To ask the Secretary of State for Transport (1) what support for *(a)* rural transport partnerships and *(b)* community based projects in rural areas he has given in the last two years; and if he will make a statement; [66569]

(2) what support he has given to flexible transport in rural communities; and if he will make a statement. [66568]

Mr. Jamieson: Specific funding for flexible transport services in rural areas, such as demand responsive buses, dial-a-ride schemes and shared taxis, is available through my Department's Rural Bus Challenge and the Countryside Agency's Rural Transport Partnership and Parish Transport Fund programmes. The Rural White Paper published in November 2000 announced that £60 million, £32 million, and £15 million would be made available for these three programmes respectively over the period 2001–02 to 2003–04. Local authorities can also use their revenue support grant to fund flexible transport services.

Total spending on rural transport partnerships and other community-based transport projects in rural areas through the Rural Bus Challenge and Rural Transport Partnership programme in the last two financial years are as follows.

£ million

	Rural bus challenge	*Rural transport partnership*
2000–01	6.17	4.80
2001–02	11.03	6.96

The 2000–01 rural transport partnership figure includes funding for the Countryside Agency's rural transport development fund, which merged with its rural transport partnership programme in April 2001.

London Underground

Mr. Austin Mitchell: To ask the Secretary of State for Transport (1) for what reason a 95 per cent. public sector guarantee was given to the London Underground PPP; who will finance this guarantee, if invoked; and whether the guarantee consitutes a form of state aid to the PPP; [65487]

(2) what risk transfer to the public sector has occurred over the period of negotiations on the London Underground PPP; and for what proportion of responsibility for debt *(a)* the public sector and *(b)* the contractors are liable. [65483]

Mr. Jamieson: Negotiation of the contracts is a matter for London Underground. However, in general, it is common for the terms of a contract to change as a result of negotiation. Office of Government Commerce guidance states that the principle governing risk transfer is not to transfer all possible risks, but rather to allocate risk to whomever from the public or private sector is able to manage it at least cost. London Transport has sought to act in line with this guidance in the course of its negotiations with bidders for the London Underground PPPs.

I understand the contracts provide that, in certain circumstances where a private sector infrastructure company persistently breaches the contract and no alternative contractor can be found, London Underground can take control of the infrastructure company at a price that allows for 95 per cent. of approved third-party bank and bond debt to be repaid. None of the finance provided by the shareholders would be repaid. London Transport considers these contract provisions to be in line with its aim of optimising value for money overall, balancing the cost of raising finance against the need to provide the private sector with a strong incentive to meet contractual obligations to improve performance. London Underground's obligations under the PPP contracts will initially be backed by a guarantee from London Regional Transport. It is the Government's intention to transfer London Underground to Transport for London in line with the provisions of the GLA Act 1999, and London Regional Transport's guarantee will be transferred to Transport for London at the same time.

The Secretary of State also intends to issue a letter of comfort in relation to the London Underground PPPs. This is intended to clarify his role in relation to the Greater London Authority and Transport for London, including his intentions towards providing funding in respect of London Underground. This letter of comfort was reported to Parliament using the Minute procedure on 20 March 2002.

Whether these arrangements constitute state aid is a matter for the European Commission in the context of the Government's notification to the Commission on 12 April.

Mr. Austin Mitchell: To ask the Secretary of State for Transport (1) what estimate he has made of the public subsidy which will be necessary each year to fund the improvements made to the London Underground under the PPP; [65495]

(2) what estimate he has made of the shortfall over the first seven-and-a-half years of the London Underground PPP contract; and how this funding gap is to be met. [65481]

Mr. Jamieson: The Government will ensure that London Underground has sustained and secured funding to meet its contractual obligations to the infrastructure companies for delivering the massive increase in investment expected under the tube modernisation plans. I refer the hon. Member to the proposed letter of comfort that was reported to Parliament using the Minute procedure on 20 March 2002.

National Air Traffic Control Services

Mrs. Gillan: To ask the Secretary of State for Transport what estimates he has made of the losses to British airlines and businesses caused by failures of the computer system at the new National Air Traffic Control Services. [64560]

Mr. Jamieson: No such estimate has been made of the losses caused to airlines and other businesses.

There have been three failures of computer systems at NATS' Air Traffic Control Centres this year. Two have occurred to the Flight Data Processing System at West Drayton and one was attributable to a faulty work station at the new centre at Swanwick.

A number of immediate actions have been taken, including a successful upgrade to the software in the system at West Drayton. NATS are confident that the problems that have caused these three system failures have been addressed.

Electoral Registration

Harry Cohen: To ask the Secretary of State for Transport, Local Government and the Regions what plans he has to amend electoral registration forms issued by electoral registration officers to ensure that voters are informed that the details they provide may be recorded on police computers and other public sector databases. [59170]

Harry Cohen: To ask the Secretary of State for Transport, Local Government and the Regions if he will make a statement about the impact of wider statutory disclosures of name and address details from the electoral roll on the willingness of individuals from *(a)* ethnic, *(b)* religious and *(c)* other minority groupings to register for the vote. [59171]

Yvette Cooper: I have been asked to reply.

The Government published on 13 May a policy paper and draft regulations on access to, and sale and supply of, electoral registers which proposes to restrict, rather than widen, such access, sale and supply. The draft regulations include a new specimen registration form and guidance notes which clearly state who may receive copies of the electoral registers and the purposes for which the information obtained will be used. The Regulations were laid on 27 June 2002. In addition, I understand The Electoral Commission intends to produce a leaflet explaining the effect of the regulations in more detail. It is important that all individuals are able to exercise their right to vote and can be reassured that appropriate procedures are in place to handle the information provided for registration.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Rio-Earth Summit (Implementation)

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what steps have been taken by the Government since the Rio Earth Summit in 1992 to *(a)* set goals on environmental protection and *(b)* improve eco-efficiency and resource productivity relating to sanitation issues; and what these (i) goals and (ii) improvements have been. [44365]

Mr. Meacher: The Government has set goals and secured improvements in the protection of the environment and the sustainable use of natural resources for both water supply and waste water disposal, both through international and European agreement and domestic regulatory requirements since 1992.

The measures under which this has been done include:

(i) the Drinking Water Directive, which sets minimum standards for the wholesomeness of drinking water supplies; this has been transposed into national legislation by the Water Supply (Water Quality) Regulations 2000 which include some additional national standards;

(ii) The Environment Agency has published "Water Resources for the Future", which plans reductions in existing abstractions in England and wales of water totalling some 700Ml/day to reduce unsustainable abstraction by 2010;

(iii) the Urban Waste Water Treatment (England and Wales) Regulations 1994 set standards and deadlines for the treatment of sewage; I announced in March 1999 a further goal that all significant sewage discharges in England and Wales should receive at least secondary treatment by 2005; and

(iv) the Bathing Water Directive, under which a goal has been set for English beaches to achieve at least 97 per cent. compliance with the Directive's main mandatory standards by 2005.

Among the improvements achieved are:

(i) the level of compliance with standards in public drinking water supplies rose from 98.65 per cent. in 1992 to 99.83 per cent. in 2000;

(ii) in England, between 1990 and 2000, there has been a 10 per cent. increase in river lengths classified as good or fair chemical quality and an 8 per cent. increase in rivers of good or fair biological quality;

(iii) secondary treatment is now provided at 99 per cent. of sewage treatment works in England which serve population greater than 15,000; and

(iv) compliance with the Bathing Water Directive's main mandatory standards for beaches increased from 79 per cent. in 1992 to 98 per cent. in 2001.

Summary forward programmes of the measures required of water and sewerage companies to meet environmental and resource use goals in their operations and investment are set out once every five years in Ministers' guidance on the programmes of quality improvements for Ofwat's periodic review of water price limits. The guidance for the period 2000–05 was published in "Raising the Quality" in 1998.

Flood Defences

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to the answer of 25 March, *Official Report*, column 728W, on flood defences, if she will make a statement on Article 33 of Council Regulation (EC) No 1257/99 of 17 May 1999 and its applicability to flood management in the UK. [51466]

Mr. Morley: The Rural Enterprise Scheme, which forms part of the England Rural Development Programme, implements rural development measures under Article 33 of Council Regulation 1257–99. That Article includes, among its 13 measures, scope for restoring agricultural production potential damaged by natural disasters (which could include some, not all, flood incidents) and introducing appropriate prevention measures.

Given the small scale of the EU Rural Development funds allocated to the UK, and the fact that the UK taxpayer would have to fund a significant proportion of the costs, careful targeting of the ERDP was necessary. The measures adopted under the Rural Enterprise Scheme reflect the range of regional priorities and targets identified following close consultation with statutory partners and stakeholders. They are wide-ranging in nature but also reflect the scheme's primary aim of helping farmers to adapt to changing markets and develop new business opportunities. The measure referred to above was not identified as a priority for support and therefore is not included in the scheme. The hon. Member will know from answers to previous questions, including that given to him on 15 November 2001, *Official Report*, columns 890–91W, the substantial investment in flood and costal defence made by the Government.

Correspondence

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs how many items of incoming mail *(a)* from hon. Members and *(b)* in total in each month since June 2001 have been (i) received, (ii) fully responded to, (iii) are held pending for response and (iv) are untraceable. [58116]

Mr. Morley *[holding answer 21 May 2002]:* The total number of letters received from hon. Members since June 2001 (as at 30 June 2002) stood at 11,393. We have responded in full to 9,609 letters and 1,784 letters are awaiting a response.

The breakdown by month of letters from hon. Members awaiting a response is:

Month	*Received*	*Fully responded to*	*[illegible]nding a response*
November 2001	846	770	76
December 2001	527	464	63
January 2002	1053	959	94
February 2002	1105	1011	94
March 2002	1377	1210	167
April 2002	1115	861	254
May 2002	1022	629	393
June 2002	737	94	643

Our database records details of all letters received from honourable Members. We are therefore unable to provide details of untraceable mail.

Providing similar information for all items of mail received in the department would only be available at disproportionate cost.

Tuna Fishing

Ms Walley: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to ensure that fishing for tuna does not endanger the lives of other sea creatures. [60781]

Mr. Morley: During the United Kingdom's Presidency of the EU in 1998 we achieved the adoption of a ban on the use of drift nets in the tuna fishery. The ban came into effect on 1 January of this year. We look carefully at information relating to cetacean by catch in various fisheries. Research sponsored by DEFRA into the new designs of trawl nets to allow the escape of marine mammals may have benefits for the tuna trawl fishery in due course.

Departmental Grants

Mr. Andrew Turner: To ask the Secretary of State for Environment, Food and Rural Affairs which organisations which were in receipt of a grant from her in 1997–98 no longer are; what the annual saving is; which organisations which were not in receipt of a grant in 1997–98 now are; and what the annual cost is. [61394]

Mr. Morley: The aggregate figure for government grants to private organisations and individuals was £28.6 billion in 2000–01 (the last year for which full outturn data is available) compared with £24.8 billion in 1997–98. This includes Lottery grants, but excludes social security payments classified as grants in the national accounts.

The Department has only been in existence since June 2001, so does not have such historical information itself. Constructing it retrospectively would involve disproportionate cost.

Departmental Expenditure Limit

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how much and what proportion of the departmental expenditure limit for 2002–03 had been spent by 31 May; what the figures were for 2001–02; and if she will make a statement. [61016]

Mr. Morley: I refer the hon. Member to the answer given on 17 June 2002, *Official Report*, column 130W.

Staff Training

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how much the Department has spent on staff training and development in each of the last five years. [61054]

Mr. Morley: Since the formation of this Department in June 2001 1.89 per cent. of annual running costs has been spent on staff training and development.

Ministerial Salaries

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the annual cost was of Ministerial salaries in her Department in *(a)* 1997–98 and *(b)* 2001–02. [60942]

Mr. Morley: The level of Ministerial salaries are recommended by the Senior Salaries Review Body. From May 1997, in this department there was 1 Cabinet Minister, at an annual salary of £43,991; 1 Minister of State, at an annual salary of £31,125; and 2 Parliamentary Under-Secretaries of State, at an annual salary of £23,623 (Commons) and £43,632 (Lords). From June 2001, there was 1 Cabinet Minister, at an annual salary of £68,157; 2 Ministers of State, each at an annual salary of £35,356; and 2 Parliamentary Under-Secretaries of State at an annual salary of £26,835 (Commons) and £60,961 (Lords).

Committee Mandates

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the mandate of the Advisory Committee on Livestock Products is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if she will list the items currently under its consideration; if she will take steps to increase its accountability and transparency to Parliament; and if she will make a statement. [61718]

Mr. Morley: The mandate of the Advisory Committee on Livestock Products is set out in Commission Decision 98/235/EC. The UK is not formally represented on the Committee; members are directly appointed by the Commission, drawn from across the EU, on the basis of their socioeconomic interests.

The Commission, together with member states, is currently conducting a review to bring existing legislation on the conduct of comitology committees into line with Council Decision 1999/468/EC, to 'simplify the requirements for the exercise of implementing powers conferred on the Commission'. As an obligation to this Decision, the Commission undertook to publish an annual report on the working of committees. The first report was deposited in the Libraries of both Houses on 26 February (Com (2001) 783 Final). As part of the review process, the UK Government has encouraged the Commission to produce and maintain an electronic database of every comitology committee, its agendas and recent actions, to be available through its website.

Free Range Eggs

David Wright: To ask the Secretary of State for Environment, Food and Rural Affairs what action her Department is taking to promote the production of free range eggs in the United Kingdom. [62903]

Mr. Morley: The Department recognises the importance of free range egg systems both in terms of consumer demand and as part of a general policy on the welfare of laying hens. However, the department is not currently involved in any direct promotion of free range eggs.

Noise Forum

Bob Russell: To ask the Secretary of State for Environment, Food and Rural Affairs what action she intends to take on the conclusions contained in publications issued by the Government and on behalf of the Government which were distributed at the United Kingdom Noise Forum's inaugural conference held on 20 May; and if she will make a statement. [62571]

Mr. Meacher: The 'Noise Incidence Study' (NIS) and 'Noise Attitudes Survey' (NAS), are the latest in a time-series of data on the levels of noise, and people's perception of noise.

The key finding from NIS is that the average noise levels measured during the daytime and evening have decreased to some extent.

The environmental (road, rail and air traffic) noise issues identified within NIS and NAS, will be addressed during the development of the National Ambient Noise Strategy currently being developed. Moreover, the highlighted problem of neighbour noise will be jointly targeted with the planned amendments to the Noise Act 1996, which will make it easier for councils to use additional powers to control domestic noise, and with the 'Neighbour Noise Communications Plan'. This will involve the characterisation of both noisemakers and noise sufferers so that a hard-hitting publicity campaign can communicate both how to deal with noise nuisance, and how to avoid creating it.

Additionally, the 'Review of European Legislation and Practices (2002)', has identified a variety of enforcement and control measures that my officials will be exploring in more detail. These include:

Integration of local authority efforts—the Amsterdam example given in the report appears to offer benefits

Mediation—mediation in Norway is cited as a model service

Education—further research is recommended into the effectiveness of education programmes, particularly in schools.

Frozen Peas

Bob Russell: To ask the Secretary of State for Environment, Food and Rural Affairs if she will take steps to support the frozen peas industry and pea producers in East Anglia; and if she will make a statement. [62270]

Mr. Morley *[holding answer 17 June 2002]:* The production and processing of peas are undertaken in response to market demand. I have no plans to provide specific support either to producers or to processors.

Recycling

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs how many applications the Environment Agency has received for further fixed plant recycling sites in the UK in 2002. [62635]

Mr. Meacher: The Environment Agency has received applications from ten companies for licences for the recycling of refrigerators and freezers.

Other plant for general recycling operate at sites across the range of the waste industry, including landfill sites, scrap yards, transfer stations, composting sites and other treatment sites. It is not possible to readily identify which applications have a component in respect of recycling plant.

Wild Fauna and Flora

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs (1) when the EU Committee for the protection of species of wild fauna and flora by regulating trade is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement; [64829]

(2) when the EU scientific review group for the protection of species of wild fauna and flora by regulating trade is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64884]

Mr. Meacher: The next meeting of the Committee on Trade in Wild Fauna and Flora is on 30 July 2002. The Scottish Executive is not represented on the Committee, or the related Scientific Review Group, as the Convention on International Trade in Endangered Species (CITES) is not a devolved matter. The July meeting will focus on agreeing a common position on proposals for the next Conference of CITES Parties, which takes place in Santiago, Chile in November. We are currently seeking views from our overseas territories and other interested parties on the merits of these proposals.

The next Scientific Review Group meeting is on 5 September 2002. The UK is represented on the Committee by scientific advisers from the Joint Nature Conservation Committee (fauna) and the Royal Botanic Gardens at Kew (flora). The Scientific Review Group was set up to examine scientific questions relating to the implementation of CITES within the EU. The meeting in September is likely to focus on preparations for the next CITES Conference.

EU Management Committee

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committees of the common organisations of agricultural markets for natural fibres is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members; and if she will make a statement. [63932]

Mr. Morley: The Management Committee for Natural Fibres assists the European Commission in the operation of the common organisation of the market in flax, hemp, cotton and silkworms. It has met seven times over the last 12 months. The date for the next meeting has not been fixed. UK representation depends on the agenda items under discussion. Officials from the Scottish Executive and other devolved administrations attend as necessary in accordance with their interests.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee for the adaptation to scientific and technical progress of the Directive on water intended for human consumption is next due to meet; how many times it has met over the last 12 months; and if she will make a statement. [63948]

Mr. Meacher: I refer the hon. Member to the written answer given to the hon. Member for Buckingham (Mr. John Bercow) on 10 June 2002, *Official Report*, column 915W-16W.

The Committee established under Article 12 of the Drinking Water Directive 1998 expects to meet again in November. During the past 12 months the Committee met in November 2001 and in April 2002.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Joint Meetings of Management and/or Regulatory Committee in the field of agriculture-agrimonetary questions is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64897]

Mr. Morley: There are no meetings scheduled for the Agrimonetary Management Committee.

UK representation on the committee is led by DEFRA although members of the devolved administrations are entitled to attend. Members of the Scottish Executive have not attended past meetings.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee of the Common Organisations of Agricultural Markets for Live Plants and Floriculture Products is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64896]

Mr. Morley: I refer the hon. Member to written answer given to the hon. Member for Buckingham (Mr. Bercow) on 10 June 2002, *Official Report*, column 913W.

There is no set schedule of meetings for the Management Committee for Live Plants and Floriculture Products. UK representation on this management committee depends on the agenda items under discussion. No representative of the Scottish Executive has attended.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee on the Conservation of Natural Habitats and of Wild Fauna and Flora (habitat) is next due to meet; what the UK representation is on it; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64828]

Mr. Meacher: The Habitats Committee last met on 14 March 2002, and at that meeting it was decided the committee would next meet at a date to be arranged in November 2002. UK representation ordinarily consists of an official from my Department together with a scientific adviser from the Joint Nature Conservation Committee. However, wider representation on the committee depends on the agenda items under discussion. Officials from the devolved administrations attend as necessary in accordance with their interests. Officials from the Scottish Executive have attended all recent Habitats Committee meetings.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee of the Common Organisations of Agricultural Markets for Oils and Fats is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64886]

Mr. Morley: The EU Management Committee for Oils and Fats is next due to meet on 5 July 2002. UK representation on this management committee depends on the agenda items under discussion. Officials from the Scottish Executive and other devolved administrations attend as necessary in accordance with their interests. However, no representative of the Scottish Executive has attended the Management Committee for Oils and Fats.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee on Certificates of Specific Character for Agricultural Products and Foodstuffs is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64892]

Mr. Morley: The date of the next EU Regulatory Committee on Certificates of Specific Character for Agricultural Produce and Foodstuffs is unknown at this stage.

UK representation varies according to the agenda for each meeting and may include members of the Scottish Executive and other devolved administrations where there are items of sufficient interest. If Scottish Executive colleagues do not attend, they work closely with DEFRA officials to ensure that Scottish interests are fully taken into account.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee for the Adaptation to Technical and Scientific Progress of the Directive on Conservation of Wild Birds is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64911]

Mr. Meacher: The ORNIS Committee (the Committee for the Adaptation to Technical and Scientific Progress of the Directive on Conservation of Wild Birds) last met on 14 June 2002. No date has yet been fixed for the next meeting. The committee consists of representatives of the EU member states. UK representation depends on the items under discussion, but usually includes an official from my Department together with a scientific adviser from the Joint Nature Conservation Committee.

Officials of my Department involve the devolved administrations as fully as possible in discussions about the formulation of the UK's policy position on all EU and international issues which touch on devolved matters. In this respect officials rom the devolved administrations attend relevant meetings of the ORNIS Committee, as necessary, to support and advance the UK negotiating line that they will have played a part in developing. Officials from the Scottish Executive attended the last two meetings of the ORNIS Committee on 15 June 2001 and 14 June 2002.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee of the Common Organisations of

Agricultural Markets for Seeds is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64895]

Mr. Morley: No date has been fixed for the next meeting of the EU Management Committee for Seeds. The committee consists of representatives of the member states. UK representation depends upon the agenda for each meeting and can include members of the Scottish Executive and other devolved administrations where they consider that there are items of sufficient interest. The Scottish Executive has chosen not to attend this committee in recent years.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee of the common organisations of agricultural markets for products processed from fruit and vegetables is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64893]

Mr. Morley: I refer the hon. Member to the written answer given to the hon. Member for Buckingham (Mr. Bercow), on 10 June, *Official Report*, column 911–12W.

The next meeting of the Processed Fruit and Vegetables Management Committee is scheduled for 16 July 2002. UK representation on this Committee depends on the agenda items under discussion. No representative of the Scottish Executive has attended.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee of the common organisations of agricultural markets for pigmeat is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64887]

Mr. Morley: The EU Management Committee of the common organisation of agricultural markets for pigmeat is next due to meet on the 9 July 2002.

UK representation on the EU's Pigmeat Management Committee depends on the agenda items under discussion. Officials from the Scottish Executive and other devolved administrations attend as necessary in accordance with their interests.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee of the common organisations of agricultural markets for hops is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64894]

Mr. Morley: I refer the hon. Member to the written answer given to the hon. Member for Buckingham on 10 June 2002, *Official Report*, column 916W.

There is no set schedule of meetings for the Management Committee for Hops. UK representation on this Management Committee depends on the agenda items under discussion. No representative of the Scottish Executive has attended.

Fishing

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on the devolution of greater control of fisheries management within the 12 mile limits of the UK to the UK Government, the Scottish Parliament and the Northern Ireland Assembly. [64502]

Mr. Morley: The United Kingdom Government has devolved fisheries management within the whole of the Scottish Fisheries Zone to the Scottish Executive. The National Assembly of Wales has assumed responsibility for the territorial sea off Wales and the Department of Agriculture and Rural Development is responsible for management of the territorial sea off Northern Ireland. In England the territorial sea remains the responsibility of Westminster. The 0–6 mile band off England and Wales continues to be managed by local authority Sea Fisheries Committees.

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what her policy is on the Commission's proposal that there should be a 40 per cent. cut in the EU fishing fleet; [64538]

(2) if she will release the funds available from the EU for compensating UK fishermen when they are forced to reduce their effort through tie-ups and a reduction in days at sea. [64503]

Mr. Morley: We recognise that EU fleets are too large and that what is needed is a permanent reduction in tonnage. We therefore believe that where further cuts are needed, the priority must be to decommission vessels rather than to tie them up temporarily. If we return to present levels of fishing effort once stocks have recovered, we will simply recreate current problems of overfishing.

We have not yet however had the opportunity to question the Commission about the detail of their calculations. Nonetheless, they have made clear that they do not seek to impose cuts in fleet capacity on Member States. Their figures which detail fleet cuts by Member States are to be taken as purely illustrative. It will be for Member States to decide what measures to introduce in response to the decisions taken by the Council on reducing fishing effort. The scale of decommissioning will also depend on the decisions taken by fishermen in the light of the impact of these measures. Fisheries Departments in the UK have however already been running decommissioning schemes this year and we would want these taken account of in any necessary reductions which are ultimately agreed.

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what action she is taking to prevent the over-exploitation of fisheries in international waters and in the waters of third countries outside the EU where EU vessels are fishing. [64507]

Mr. Morley: We shall press for the EU to adopt a more sustainable and responsible approach to international fisheries as part of the reform of the common fisheries policy. In particular we shall be seeking improvements to the way the EU negotiates fishing agreements with third countries, in order to ensure the sustainable management of stocks.

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what action she intends to take to prevent the killing of dolphins and porpoises as a by-catch in UK waters. [64510]

Mr. Morley: Dolphin and porpoise by-catch around the UK occurs in waters where vessels from other member states fish extensively, so action is required at EU level to resolve the problem. This is why I have been pressing the Commission to take action on this issue, particularly now that observations we have commissioned have demonstrated a dolphin by-catch problem in the pair trawl fishery for bass off south-west England. I was pleased to see recently that the Commission proposals for the reform of the CFP refer to the introduction by the end of 2002 of measures to reduce cetacean by-catch. We shall be looking for positive action on this in the course of the reform negotiations: we also intend to continue funding trials of adaptations to fishing gear that could reduce dolphin and porpoise by-catch.

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make it her policy that no public aid will be used for building new vessels and modernising existing ones other than in the case of safety improvements and quality production. [64504]

Mr. Morley: It is already Government policy that grants should not be paid for building new vessels or for modernisation that increases fishing effort. In the UK vessel grants are only paid for the adoption of sustainable catching methods and improvements to the quality of fish on board and working conditions.

EU Fisheries Scientific Research Centre

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs whether she expects the EU Fisheries Scientific Research Centre to be located within the UK. [64508]

Mr. Morley: The UK welcomes the importance placed on improving the quality of scientific advice for fisheries management in the Commission's recent communication on the reform of the common fisheries policy. In particular, we look forward to seeing the detailed action plan due to be published before the end of 2002. At this stage the proposal to develop a European Centre for Fisheries Assessment and Management is a long-term aim, one of many ideas to be explored during the course of the review. We feel confident, however, that the UK's fisheries scientists will continue to play a leading role in improving the quality of scientific advice available to fisheries managers.

EU Standing Forestry Committee

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Standing Forestry Committee is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64900]

Mr. Morley: The EU Standing Forestry Committee meets as and when business arises; the date of its next meeting has not been fixed as yet. The UK is represented on the committee by an official from the Forestry Commission, which reports to the forestry Ministers in England, Scotland and Wales.

EU Standing Committee on Agricultural Research

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Standing Committee on Agricultural Research is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64891]

Mr. Morley: The European Commission has not yet set a date for the next meeting of SCAR. Experts from the Scottish Executive have not attended recent meetings of SCAR (which have been relatively infrequent), though officials in DEFRA liaise with their Scottish counterparts. There is no bar to their attending as part of the UK delegation as their needs and interests arise.

Reservoirs

Mr. Llwyd: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the pending applications for reservoirs in *(a)* England, *(b)* Wales and *(c)* Scotland, with the proposed nation to which the water will be supplied where different from the source; and if she will make a statement. [64710]

Mr. Meacher: In England and Wales, the Environment Agency is the statutory body with a duty to secure the proper use of water resources. The agency is not aware of any pending applications for new reservoirs in England or Wales. Nor are there any applications pending with the Scottish Executive, which presently has the same responsibility in Scotland.

Waste Disposal

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs what advice her Department is giving to local authorities about signing long-term contracts for waste disposal services during the period when her Department is reviewing its waste strategy; and if the advice warns against signing contracts which could prevent meeting *(a)* future recycling targets being developed as part of the Government's waste strategy review and *(b)* future targets being discussed in the European Union as part of the revision of the Packaging Directive. [63818]

Mr. Meacher *[holding answer 26 June 2002]:* Government guidance on local authority waste targets and how they should plan to achieve them is set out in 'Guidance on Municipal Waste Management Strategies', published by DETR in March 2001. However, it is for local authorities to decide on the nature and timing of any waste disposal contracts. I would expect such contracts to be designed to provide sufficient flexibility to be able to take account of, and respond to, changed circumstances during the lifetime of the contracts, including any future statutory performance standards or new opportunities for increasing recycling and composting. The Government have issued no specific guidance on future targets in the context of the current review of its waste strategy or the revision of the Packaging Directive.

Trees

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what steps *(a)* have been taken and *(b)* are planned by her Department to increase the number of trees planted in the United Kingdom; and if she will make a statement. [64786]

Mr. Morley: Forestry is a devolved matter. Our Forestry Strategy sets out our strategic priorities and programmes for forestry in England. Achieving a re-expansion of woodland cover is a key aim of that strategy, and is also one of our indicators of sustainable development.

We give grants for planting new woodland under the farm woodland premium scheme and the Forestry Commission's woodland grant scheme. We also provide support for new planting in the National Forest and the Community Forests. Over the seven year period of the England Rural Development Programme our target is to create 30,000 hectares of new woodland.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with Trees for London; and if she will make a statement. [64794]

Mr. Morley: I have not had any discussions with Trees for London.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what financial support for tree planting has been given by her Department in each year since 1997; and if she will make a statement. [64785]

Mr. Morley: Financial support for tree planting is made under the farm woodland premium scheme (FWPS) and its predecessor the farm woodland scheme (FWS); the Forestry Commission's woodland grant scheme (WGS); and the National Forest company (NFC) tender scheme.

Payments are as follows:

£ million

	FWPS/FWS	*WGS*	*NFC*
1997–98	4.726	8.985	1.418
1998–99	5.368	10.921	1.365
1999–2000	5.856	11.596	1.869
2000–01	6.060	10.821	1.994
2001–02	7.659	10.833	2.237

Department/EU Liaison

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs how many employees there are who *(a)* monitor and *(b)* liaise with EU commissioners and parliamentarians in (i) her Department and (ii) the Environment Agency, broken down into those who focus on these issues as their (A) main and (B) partial roles; and if she will make a statement. [64787]

Mr. Morley: The information requested is not held centrally by the Department for Environment, Food and Rural Affairs, and could be provided only at disproportionate cost.

Lamb

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs how much Scottish lamb has been exported to each member country of the European Union in each of the last five years. [65116]

Mr. Morley: The Overseas Trade Statistics for the UK do not separately identify exports of Scottish lamb. The table gives the volume and value of exports of total UK sheep meat to the rest of the EU in each of the last five years.

	'000 tonnes	*£ million*
1997	106	252
1998	107	213
1999	108	203
2000	97	198
2001[1]	30	77

[1] Data is provisional and subject to amendment.

Source:

HM Customs and Excise

Data prepared by Statistics (Commodities and Food) Accounts and Trade, ESD, DEFRA

2001 data is provisional and subject to amendment.

Public Buildings

Ms Shipley: To ask the Secretary of State for Environment, Food and Rural Affairs how her Department is meeting the objectives of the Better Public Buildings Initiative. [65071]

Mr. Morley: DEFRA has demonstrated commitment to the Better Public Buildings initiative by publishing an Action Plan on the Departmental intranet. The quality of the Department's limited programme of new projects is benchmarked against the objectives and commitments set out within it.

I have personally sponsored two projects, one of which has been entered for the Prime Minister's Better Public Building Award. Another recent project has been commended for its design by the Commission for Architecture and the Built Environment.

DEFRA will keep its Better Public Buildings Action Plan under review and proposes to adopt the Design Quality Indicator System for the measurement of overall design standards.

Animal Welfare

Mr. Prosser: To ask the Secretary of State for Environment, Food and Rural Affairs what inspections her officials have made of the motor vessel Kalifeh 1 to assess its suitability for the transport of live farm animals; when inspections were made; what the outcome was of the inspections; and what such inspections her officials will conduct. [65406]

Mr. Morley: The vessel mv Kalifeh 1 has been inspected twice by DEFRA officials to assess its suitability for the transport of live animals:

September 2001—Preliminary partial inspection at the request of and in conjunction with officials from the Department of Agriculture and Rural Development, Northern Ireland, found some modification and repair was required in order to comply with legislative requirements

April 2002—Joint inspection with representatives of the French veterinary authority found that it was in compliance with EU and GB animal welfare in transport legislation.

The vessel was also inspected by the Department of Agriculture and Rural Development, Northern Ireland before it was allowed to transport sheep from Northern Ireland in December 2001.

All specialist livestock vessels are inspected for their suitability to transport animals prior to the first transport of animals from GB. Additional spot checks are made as appropriate to the continued use of the vessel.

TB Infected Reactors

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the *(a)* minimum, *(b)* maximum and *(c)* average lengths of time it has taken to remove TB infected reactors from each county that has had a breakdown over the last year. [65010]

Mr. Morley *[holding answer 27 June 2002]:* The data requested are given in the table.

The (a) minimum, (b) maximum and (c) average lengths of time it has taken to remove TB-infected reactors from farms in each county that has had a breakdown, between 21 June 2001 and 20 June 2002

Region[1] and county	*Number of observations*	*Time[2] (days)* Minimum	Maximum	Average
West				
Avon	33	13	[3]251	68.1
Cornwall	226	6	48	20.9
Devon	259	4	[3]320	16.2
Dorset	18	8	26	15.4
Gloucestershire	102	14	[3]174	53.6
Hereford and Worcester	189	1	[3]188	25.9
Shropshire	20	6	53	20.0
Somerset	61	6	[3]186	20.5
Wiltshire	60	5	[3]181	33.0
East				
East Sussex	11	10	26	13.1
Leicestershire	5	12	12	12.0
Northamptonshire	4	5	8	7.2
Oxfordshire	1	20	20	20.0
North				
Cumbria	1	10	10	10.0
Derbyshire	13	5	13	8.2
North Yorkshire	4	6	15	8.5
Northumberland	13	10	10	10.0
Staffordshire	61	4	25	11.9
Wales				
Clwyd	1	13	13	13.0
Dyfed	188	5	49	20.0
Gwent	64	2	[3]107	19.4
Gwynedd	3	26	27	26.7
Powys	103	1	[3]121	21.9
West Glamorgan	2	25	90	57.5
Scotland				
Aberdeenshire	2	6	6	6.0
Ayrshire	1	13	13	13.0
Fife	1	5	5	5.0
Inverness-shire	1	7	7	7.0
Kirkcudbright	2	6	8	7.0
Wigtown	7	3	25	17.7

[1] Geographical boundaries are as used for bovine TB control.

[2] Time between date of reading the tuberculin test and date of slaughter.

[3] These figures represent cases where animals became reactors in the month before the disruption of normal TB control procedures caused by foot and mouth disease.

Notes:

The TB-infected reactors reported are animals with a reaction to the tuberculin test that were compulsorily slaughtered and had samples submitted to VLA for microbiology. Provided that they (a) had lesions of TB visible at the slaughterhouse, and/or (b) VLA found the TB organism in the sample.

The time reported represents the number of days between reading the skin test and removing an animal from the farm. During this time, animals are valued and arrangements are made for transport, slaughter at an abattoir, etc.

Village Halls (Disabled Access)

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with *(a)* the Association for Communities in Rural England and *(b)* rural community councils on the subject of the impact of disability legislation on village halls. [65027]

Alun Michael: I have not been asked for such discussions. I am sure that individual rural community councils and their Association, with which I have regular contact, are well aware of the legislation which was put in place some seven years ago. The direct responsibility will be with the owners of specific facilities which will include independent village hall committees or, in some cases, parish or town councils or local authorities.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on what help is being made available to village hall committees to cope with the implications of new disability legislation. [65026]

Alun Michael: The relevant legislation is not new and it is some seven years since the passage of the Disability Discrimination Act 1995. Time was allowed for organisations to meet the requirements of the Act.

Since December 1996 it has been unlawful for service providers to treat disabled people less favourably for a reason related to their disability. And from 1 October 1999 service providers have been required to make reasonable adjustments to account for disabled people's needs such as providing extra help or changing the way they provide their services.

From 2004 organisations such as village halls will have to make "reasonable adjustments" to ensure access for disabled people. In any proceedings under the Act, the costs and practicability of any adjustments would be considered in relation to a service provider's ability to pay. The extent to which the adjustment actually improves access to the service and the importance of the service to disabled people would also be taken into account.

A large number of village halls in England already have access and facilities for disabled people although there are older halls that fall short of the requirements of the Act.

There are a number of funds which can assist where appropriate, in addition to the community's own resources, fund raising and any assistance from the parish or town council. Local authorities that can help will include district, county and unitary authorities, depending on the arrangements in a particular locality. The Countryside Agency's Village Hall Loan Fund, administered by Action with Communities in Rural England can provide loans towards improvements for village halls. Loans are available over a period of up to five or eight years but may be longer in special cases where the need for an extended period is substantiated.

The Countryside Agency also can offer assistance to village halls through the community service grants scheme delivered through the Vital Villages programme.

It can help fund an alteration/extension of a village hall or other community building where this provides a new or extended service to the community.

Other sources of public funding include regional development agencies, the Community Fund and the Sports Council. Many organisations achieve the necessary improvements through a mixture of funds including fund raising, commercial or personal sponsorship, parish council and local authority funding and contributions from other public funds as a result of expanding the activities available if improvements expand the suitability and use of the facilities, for instance for sport, or education or training for young people.

Water Courses

Mr. Gale: To ask the Secretary of State for Environment, Food and Rural Affairs if he will extend the remit of the Environment Agency to include responsibility for critical ordinary water courses to main rivers. [64804]

Mr. Morley *[holding answer 27 June 2002]:* We recently consulted on a Review of Flood and Coastal Defence Funding including a number of options for streamlining the service. These included the possibility of transferring to the EA responsibility for watercourses presenting the most significant flood risk. We have received nearly 300 responses to the consultation, and will be considering these and our conclusions through the summer and autumn.

Chrysotile Asbestos

Mr. Cox: To ask the Secretary of State for Environment, Food and Rural Affairs what the policy of her Department is on the use of chrysotile asbestos in environmental projects for which her Department is responsible. [65054]

Mr. Meacher: The Asbestos Prohibitions Regulations 1985 were amended in 1999 to ban the marketing, supply and use of chrysotile from 24 November 1999, with a few limited exceptions where there is no substitute material. Directive 1999/77/EC requires the marketing, supply and use of chrysotile to be completely banned from 1 January 2005. Therefore all derogations/exemptions issued for chrysotile under the 1985 Regulations will cease to apply from that date, apart from a general exemption for research and analysis for all types of asbestos. This Department's policy on the use of chrysotile is in accordance with these legal requirements.

Refrigerators

Mr. Cox: To ask the Secretary of State for Environment, Food and Rural Affairs how many refrigerators have been dumped at rubbish disposal centres in the United Kingdom in the last 12 months. [65052]

Mr. Meacher: The figures for refrigerators left at civic amenity sites are not held centrally.

Bovine TB

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what the payment structure is for the Government's compensation scheme for dead bovine TB-infected cattle; and what the time scale is for payment of the compensation. [65687]

Mr. Morley: It is Government policy to pay 100 per cent. of market value, with no upper limit, for cattle that are compulsorily slaughtered under TB control measures.

The Government recognise that compensation for animals slaughtered should be paid promptly. We are aware of some delays in payment, in some areas, due to the priority given by Animal Health Offices to clearing the backlog of TB testing after the foot and mouth disease outbreak.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how many confirmed TB herd incidents there have been in 2002, broken down by month, in *(a)* England, *(b)* Wales, *(c)* Herefordshire and *(d)* Worcestershire. [65686]

Mr. Morley: The information is not available in the format requested. The figures for the Hereford and Worcester Animal Health Region are given as a total. Individual totals for the separate counties are not yet available. The table details the information requested.

Confirmed new TB incidents

	England	*Wales*	*Hereford/ Worcester*
January	46	7	8
February	101	27	12
March	177	35	32
April	108	29	15
May	114	17	10

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs how much money has been spent on *(a)* testing and *(b)* investigating TB in cattle in (i) Gloucestershire and (ii) the UK in each of the last four years for which figures are available; and if she will make a statement. [66510]

Mr. Morley *[holding answer 2 July 2002]:* The information requested is not available on a UK-wide basis. Total expenditure on TB controls, including testing, and research in GB between 1998–99 and 2000–01 is set out in the table. The information is not available by county.

Prior to 1998–99 a different method was used to collate the statistics. Therefore we are unable to provide expenditure for four years except at disproportionate cost.

Figures for 2001–02 are not yet finalised.

Breakdown of the Government's expenditure on tackling TB in cattle

£ million

Expenditure category	*1998–99*	*1999–2000*	*2000–01*
TB controls, including TB testing	16.8	27.1	20.8
Research including badger culling trial, other research and Veterinary Laboratory Agency contracts	8.0	11.1	15.1
Total	24.8	38.2	35.9

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs how long, on average, it has taken in the last year for which figures are available to compensate a farmer whose cattle have contracted bovine TB in *(a)* Gloucestershire and *(b)* England; and if she will make a statement. [66512]

Mr. Morley *[holding answer 2 July 2002]:* The average time taken to pay compensation to a random sample of farmers whose cattle have contracted bovine TB in Gloucestershire is approximately ten and a half weeks. The same information for all TB breakdowns in Gloucestershire, or for England as a whole, is not readily available and could be produced only at disproportionate cost.

The Government believe that compensation for animals slaughtered should be paid promptly. We are aware of payment delays in some areas due to pressure of work generated by increased bovine TB testing in order to reduce the backlog.

Are You Doing Your Bit? campaign

Mr. Stunell: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the effectiveness of the Are You Doing Your Bit? campaign. [65728]

Mr. Meacher: The effectiveness of the "Are You Doing Your Bit?" campaign has been assessed by surveys of public awareness and attitudes before and after periods of advertising. As "Are You Doing Your Bit?" funds were contributed last year to rural support during the foot and mouth disease outbreak, no advertising or assessment has been carried out by the Department.

Abandoned Cars

Mr. Paul Marsden: To ask the Secretary of State for Environment, Food and Rural Affairs how many abandoned cars there have been in each year since 1997; and if she will make a statement. [65640]

Mr. Meacher: Local authorities are responsible for dealing with abandoned vehicles and the Department currently holds no central records of the number of vehicles abandoned each year. However, we estimate that some 350,000 were abandoned in the United Kingdom in 2000.

Information on the number of abandoned vehicles removed by local authorities has been collected for the first time in the Department's 2000–01 Municipal Waste Management Survey which will be published this summer.

Regulatory Impact Unit

Dr. Cable: To ask the Secretary of State for Environment, Food and Rural Affairs how many members of her Department have been employed in its regulatory impact unit in the past five years; and if she will make a statement. [65967]

Mr. Morley: Since the creation of DEFRA on 8 June 2001 there have been four people working full time in the Better Regulation Unit. The unit is supervised by a member of the senior civil service who is also engaged on other duties.

It is the job of Departmental Regulatory Impact Units to establish and promote the principles of good regulation in their Departments. The staff in each unit work closely with the officials responsible for developing policies within their Department and the Regulatory Impact Unit within Cabinet Office. They focus on those regulations that impact on business, charities, and the voluntary sector.

Curry Report

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received from interested parties regarding the implementation of the proposals contained in the Curry report; and if she will make a statement. [66520]

Mr. Morley *[holding answer 2 July 2002]:* The Government's discussion document "Sustainable Food and Farming: Working Together" invites views on how to take forward issues identified in the Policy Commission's report on the future of farming and food. Approximately 250 responses have been submitted, supplementing representations made during the extensive process of stakeholder engagement conducted recently. These responses are being analysed and will help inform the construction of a Strategy for Food and Farming in England, to be published this autumn.

Animals Diseases (North and South Korea)

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what checks are carried out on *(a)* people and *(b)* animals travelling from (i) North and (ii) South Korea to test for diseases related to animals. [66514]

Mr. Morley *[holding answer 2 July 2002]:* Targeted checks on passengers are determined by risk. We alerted enforcement officers to the outbreak of foot and mouth disease in South Korea. We received veterinary advice that there was no significant risk of travellers bringing back the virus provided rules on personal imports of animal products were observed. We hold central information on products seized. We do not hold central information on all checks that are undertaken.

Veterinary checks and tests are carried out in accordance with EU legislation on imports of registered horses from South Korea and for captive birds from North and South Korea. Imports of non-registered horses from South Korea and all horses from North Korea are not permitted. Imports of all other animals from North and South Korea are not permitted.

CAP (Support Payments)

Mr. Kirkwood: To ask the Secretary of State for Environment, Food and Rural Affairs how many farms in the Scottish Borders receive *(a)* available support payments and *(b)* livestock support payments from CAP schemes in excess of £200,000 per year. [66047]

Mr. Morley *[holding answer 2 July 2002]:* The payment of Common Agricultural Policy subsidies to farmers is a devolved matter and hence information in relation to such payments to farms in the Scottish Borders is a matter for the Scottish Executive.

Kyoto Protocol

Mr. Wray: To ask the Secretary of State for Environment, Food and Rural Affairs what progress the UK has made with regard to the Kyoto Protocol. [66642]

Mr. Meacher: The UK completed ratification of the Kyoto Protocol with all other EU member states on 31 May. In order for the Kyoto Protocol to enter into force, it must be ratified by at least 55 countries, including developed countries accounting for at least 55 per cent. of this industrialised group's emissions in 1990. We hope it will enter into force as soon as possible although in practice this is now unlikely before early 2003. The UK remains committed to the Kyoto Protocol as the framework for taking forward global action to tackle climate change. Our target under Kyoto is to reduce our greenhouse gas emissions by 12.5 per cent. below 1990 levels by 2008–12. UK emissions were returned to 1990 levels by 2000 and we are well on course to meet our Kyoto target.

EU Directive 1999/74/EC

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what economic assessment she has made of recent proposals to bring forward implementation of EU Directive 1999/74/EC. [66349]

Mr. Morley: A full regulatory impact assessment concerning implementation of council directive 1999/74/EC into domestic legislation has already been laid before the House. A partial regulatory impact assessment will form part of the forthcoming consultation on the proposal to ban enriched cages from 2012.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions and representations she has had regarding implementation of EU Directive 1999/74/EC. [66350]

Mr. Morley: Since the public consultation on implementation of EU Directive 1999/74/EC into English legislation, Ministers and officials have regularly met with stakeholders to discuss the way forward and will continue to do so.

Nitrate Vulnerable Zones

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what economic assessment she has made of her proposals regarding the establishment of nitrate vulnerable zones in England; and what estimates she has made of the cost of the implementation of an *(a)* 100 per cent., *(b)* 80 per cent. and *(c)* 55 per cent. nitrate vulnerable zone in England. [66351]

Mr. Meacher: A partial regulatory impact assessment (RIA) was published in the consultation document "How should England implement the 1991 Nitrates Directive?" in December 2001. This estimated the net annual cost to the agricultural industry of applying action programme measures as £32 million for the whole country approach and £23 million for the discrete area nitrate vulnerable zone approach.

As the Secretary of State announced on 27 June, the Government have decided to pursue the discrete area nitrate vulnerable zone approach. Since the consultation we have refined the map to identify more precisely the land draining into each nitrate-polluted or eutrophic water. We also published a revised regulatory impact assessment, which reworked the implementation costs for the refined NVZ area and also took into account comments made in response to the consultation. The revised estimate is £20 million per year.

Foot and Mouth

Dr. Gibson: To ask the Secretary of State for Environment, Food and Rural Affairs what recent changes have been made to the European Union's policy on vaccination-to-live relating to foot and mouth; and what research she has recently commissioned on tests to differentiate between vaccinated and infected animals. [66149]

Mr. Morley *[holding answer 2 July 2002]:* No recent changes have been made to the European Union's policy on vaccination in relation to foot and mouth disease.

DEFRA are currently in the process of approving a project to develop a test using non-structural proteins to distinguish between vaccinated and infected animals, and are examining its feasibility for use on a herd basis to detect exposed animals. Following on from this, a study will be undertaken to examine what would be an appropriate sampling regime to detect infection in vaccinated herds exposed to infection. However, at present, the test is not internationally recognised as a validated test.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on her Department's involvement with the European Parliament's foot and mouth investigation; [65030]

(2) what liaison there has been with representatives of the EU during the Parliament's investigation into the foot and mouth outbreak in the United Kingdom. [65008]

Mr. Morley *[holding answer 27 June 2002]:* DEFRA Ministers and officials have already met the European Parliament Temporary Committee into Foot and Mouth Disease. Nick Brown and Jim Scudamore met the Committee on 25 and 26 March and Lord Whitty and myself met the Committee on 8 April. The Secretary of State plans to meet the Committee on 12 September 2002.

The DEFRA Inquiry Liaison Unit has maintained contact with and supported the Secretariat of the European Parliament Temporary Committee throughout.

Energy

Mr. Stunell: To ask the Secretary of State for Environment, Food and Rural Affairs what the estimated *(a)* level and *(b)* cost of energy use in her Department and associated agencies was in each year since 1997; what proportion of energy was generated from renewable sources; and if she will make a statement. [65949]

Alun Michael: For details of the breakdown of costs of energy purchases for each English Government Department for the years 1997–98 to 1999–2000, I refer the hon. Member to the answer I gave to the hon. Member for Buckingham (Mr. Bercow) on 19 March 2002, *Official Report,* column 268W. However, for convenience the data, without the footnotes, and supplemented by the respective level of energy consumption, are reproduced herein.

The Government are keen to encourage the use of renewable energy on its estate and a significant step forward was made with the agreement, in May 2001, of the following renewable energy target across Government:

> "All Departments will ensure that, by 31 March 2003, at least 5 per cent. of their electricity comes from renewable sources that are exempt from the climate change levy, or from self-generation, provided this does not entail excessive cost. This will rise to at least 10 per cent. supply from such sources by 31 March 2008, but will be reviewed after 31 March 2003 to take account of market conditions following the introduction of renewables obligation.
>
> The review of 2003 will include consideration of increasing or bringing forward the target."

Progress by individual Departments is partly dependent upon the expiry date for their current energy contracts. However, all central Government Departments in England report that they are in the process of considering how they will go about purchasing renewable energy or are considering self-generation options.

Details of renewable energy purchases can be found in the Green Ministers Reports, copies of which are in the Library of the House, or through http://www.defra.gov.uk/environment/greening/minister/grmin.htm. However, for convenience the relevant data are reproduced in the tables.

Energy costs and details of renewable energy purchases for 2000–01 and 2001–02 will be published in the next Green Ministers Report in autumn 2002.

Energy consumption and expenditure by Government Departments 1997–98 to 1999–2000

	1997–98		*1998–99*		*1999–2000*	
	Energy use (GWh)	*Expenditure (£)*	*Energy use (GWh)*	*Expenditure (£)*	*Energy use (GWh)*	*Expenditure (£)*
MAFF	39.1	1,196,306	42.1	1,270,719	39.7	1,155,485
MAFF Labs	86.8	2,010,656	84.9	1,877,991	93.5	1,880,441
Cabinet Office	21.7	693,234	20.2	717,622	21.0	767,895
DCMS	3.1	121.916	2.4	106,634	2.0	122,991
HM Customs and Excise	84.3	2,414,356	84.8	2,370,071	89.4	2,431,032
DfEE	31.3	1,347,403	29.1	1,056,810	29.5	1,111,660
Employment Service	171	4,848,133	177	4,946,793	190	4,960,622
DETR	116	4,099,099	113	3,993,520	109	3,473,024
H&SE	19.2	668,883	18.7	582,679	18.6	570,336
QE2 Conf. Centre	10.4	347,200	12.8	324,614	11.8	305,739
FCO	37.7	990,362	34.8	921,380	31.7	1,033,203
DoH	18.3	738,355	21.6	786,383	21.8	758,908
Home Office	65.4	1,792,543	69.0	1,911,139	80.5	2,378,335
HM Prison Service	1,410	23,868,557	1,120	20,016,907	1,260	22,310,050
Inland Revenue	245	8,192,613	275	8,138,451	269	8,772,679
DfID	6.2	225,513	6.5	209,602	6.9	183,574
Lord Chancellors Department	182	5,258,187	187	5,282,774	167	5,021,175
DSS	519	13,805,000	468	11,474,213	472	11,327,417
DTI	51.6	2,312,915	51.5	1,847,819	55.7	2,117,249
HM Treasury	17,0	336,547	16.3	316,314	20.3	337,396

Note:

In a few cases figures were revised from one report to another. The figures here are the latest published. The energy consumption figures are as purchased; therefore they are unadjusted for weather and floor area changes. The energy use figures in the table consist of a mix of electricity and heating fuels which have very different unit prices. Total expenditure will, therefore, depend on the total mix of fuels as well as individual prices.

Purchases of electricity from renewable sources 1998–99 and 1999–2000

		1999–2000		
Department	*1998–99*	*Renewable sources that are exempt from the Climate Change Levy (percentage of electricity)*	*Other "green" electricity sources (percentage)*	*Total (percentage)*
CO	25 per cent. of No. 10 and 70 Whitehall electricity	3.5	0	3.5
C&E	5 per cent. of total monitored electricity	26	0	26
DETR	0 per cent.	10	0	20
DFEE	10 per cent. of electricity	10	[1]10	20
DH	0 per cent.	0	NHS PASA: [1]42	NHS PASA: 42
DSS	31 sites have all electricity supplied from renewable sources, totalling 15.2 per cent. of all DSS electricity consumption	15.2	[1]0.38	15.58
DTI	26 per cent. HQ consumption from renewable sources	13.3	[1]2	15.3
HO	0 per cent.	3	0	3
MAFF	0 per cent.	3	0	3
MOD	0 per cent.	less than 1	[1]less than 1	less than 1

[1] Percentage of electricity is from other "green" sources.

CABINET OFFICE

EU Directives

Mr. Bercow: To ask the Minister for the Cabinet Office if he will list the EU directives and regulations that have been implemented through his Department in 2002; and what was the cost of each to public funds. [64998]

Mr. Alexander: The Cabinet Office has not been responsible for implementing any EU Directives or Regulations in 2002.

Mr. Bercow: To ask the Minister for the Cabinet Office if he will list the EU directives relating to his Department which have been *(a)* amended and *(b)* repealed in 2002. [64949]

Mr. Alexander: Cabinet Office Ministers were responsible for negotiating a Directive to amend the Equal Treatment Directive (76/207EC) which was undertaken by co-decision and was settled in Council on 13 June. The Cabinet Office has not been responsible for repealing any EU Directives in 2002.

Consultation Guidance

Lynne Jones: To ask the Minister for the Cabinet Office what evaluation has been made of the impact of the How to Consult your Users guide; and if he will make a statement. [65796]

Mr. Alexander: The Cabinet Office has no plans to evaluate the impact of 'How to Consult Your Users'. Improving service delivery and policy making through consultation with users continues to be an important priority for the Government. The Office for Public Services Reform works with and encourages Government Departments and public agencies to conduct and act upon customer satisfaction surveys to ensure that the voice of the customer is central to service delivery. The Centre for Management and Policy Studies is also developing a 'consultation toolkit' to help policy makers across Government to consult more effectively on policy. The impact of the Code of Practice on Written Consultation will be evaluated from the end of this year.

Regulatory Impact Unit

Dr. Cable: To ask the Minister for the Cabinet Office how many members of his Department have been employed in its Regulatory Impact Unit in the past five years; and if he will make a statement. [65963]

Mr. Alexander: I have been asked to reply.

The Cabinet Office's Regulatory Impact Unit had the following complement of staff over the last five years:

Year[1]	*Number of staff*[2]
1997–98	50
1998–99	53
1999–2000	53
2000–01	58
2001–02	65

[1] 1 April to 31 March.

[2] Employed at 31 March.

The Regulatory Impact Unit in the Cabinet Office also works closely with departmental Regulatory Impact Units. It is the job of departmental Regulatory Impact Units to establish and promote the principles of good regulation in their Departments. The staff in each unit works closely with the officials responsible for developing policies within their Department. They focus on those regulations that impact on business, charities, and the voluntary sector.

Castle Award

Mr. Tynan: To ask the Minister for the Cabinet Office if his Department has applied for a Castle award for equal pay. [65221]

Mr. Alexander: The Cabinet Office has applied for a Castle award for producing a comprehensive Equal Pay Guide for Departments and agencies. The guide will help towards meeting the Government's commitment that all Departments and agencies would undertake an equal pay review and have in place any necessary action plans by April 2003. It draws on best practice in the public and private sectors.

Annual Leave

Mr. Bercow: To ask the Minister for the Cabinet Office what the average annual leave entitlement is for staff in his Department in 2002. [64648]

Mr. Alexander: I refer the hon. Member to the answer given by my hon. Friend the Member for Shipley (Mr. Leslie) on 4 February 2002, *Official Report,* column 708W.

Information about average leave entitlements could be provided only at disproportionate cost.

Nuclear Waste

Mr. Weir: To ask the Minister for the Cabinet Office what discussions he has had on emergency planning with local authorities along the route from Dounreay to Drigg regarding the dangers posed by moving nuclear waste by road. [65112]

Mr. Jamieson: I have been asked to reply.

Specific requirements concerning emergency planning are contained in The Radioactive Material (Road Transport) Regulations 2002. These place duties on consignors and carriers to have appropriate emergency procedures in place. The nuclear operators have in place an emergency response scheme, RADSAFE, which is regularly exercised in co-operation with the emergency services and local authorities.

Mr. Weir: To ask the Minister for the Cabinet Office what assessment he has made of the implication of moving nuclear waste from Dounreay to Drigg by *(a)* road and *(b)* rail. [65110]

Mr. Jamieson: I have been asked to reply.

Such transport would be subject to stringent safety requirements, based upon the international "Atomic Energy Agency's Regulations for the Safe Transport of Radioactive Material" as required by *(a)* The Radioactive Material (Road Transport) Regulations 2002 and *(b)* The Packaging, Labelling and Carriage of Radioactive Material by Rail Regulations 1996.

Mr. Weir: To ask the Minister for the Cabinet Office what discussions he has had on emergency planning with the Scottish Executive regarding the dangers posed by moving nuclear waste by *(a)* road and *(b)* rail from Dounreay to Drigg. [65111]

Mr. Jamieson: I have been asked to reply.

Specific requirements concerning emergency planning are contained in *(a)* The Radioactive Material (Road Transport) Regulations 2002 and *(b)* The Packaging, Labelling and Carriage of Radioactive Material by Rail Regulations 1996. These place duties on *(a)* consignors and carriers and *(b)* train operators, facility owners and rail infrastructure controllers, to have appropriate emergency procedures in place. The nuclear operators have in place an emergency response scheme, RADSAFE, which is regularly exercised in co-operation with the emergency services and local authorities.

EDUCATION AND SKILLS

Disclosure of Interests

Mr. Paul Marsden: To ask the Secretary of State for Education and Skills what rules apply to the disclosure of interests on the part of those serving on public bodies which are responsible to her Department. [56453]

Mr. Stephen Twigg: All advisory and executive non-departmental public bodies are required to adopt a board members' code, based on guidance produced by Cabinet Office, and they should have registers of interests. The definition of interests is ultimately for individual Departments since they are best placed to decide what might be thought to influence members on their NDPBs. The following list shows the NDPBs sponsored by this department and in each case indicates the relevant Code.

The Adult Learning Inspectorate (ALI) "Code of Practice for Board and Committee Members" is available on request from ALI and will shortly be available on the body's website.

The British Educational Communications and Technology Agency (Becta) "Board Members Code of Practice" is available on request from the Chief Executive's Office.

The Construction Industry Training Board (CITB) "Code of Best Practice for Board Members of CITB" is available on request from the CITB Board Secretary.

The Engineering Construction Industry Training Board (ECITB) "Code of Best Practice for Board Members of ECITB" is available on request from the ECITB Board Secretary.

The Higher Education Funding Council for England (HEFCE) "Code of Best Practice for Board Members of the HEFCE" is available on the HEFCE website.

Investors in People UK Ltd (IiP UK) have adopted the Cabinet Office model Board Members' Code.

The Learning and Skills Council (LSC) "Code of Conduct" can be viewed at the Council's Coventry office.

The National College for School Leadership (NCSL) have adopted the Cabinet Office model Board Members' Code.

The Qualifications and Curriculum Authority (QCA) "Code of Practice for Members of the QCA" is available on request and will shortly be placed on the body's website.

The School Teachers' Review Body (STRB) "Code of Conduct" is held by the Secretary.

The Sector Skills Development Agency (SSDA) is a newly formed NDPB established from 1 April 2002, it currently has a draft "Code of Practice for Board Members".

The Student Loans Company (SLC) "Code of Best Practice for Board Members" is held by the Company Secretary.

The Teacher Training Agency (TTA) "Conduct of the TTA's Business" is available on request, a synopsis is available on the TTA website.

Departmental Expenditure Limit

Mr. Bercow: To ask the Secretary of State for Education and Skills how much and what proportion of the departmental expenditure limit for 2002–03 will be accounted for by staff costs; what the figures were for 2001–02; and if she will make a statement. [61024]

Estelle Morris: Figures for 2002–03 are unavailable because staff costs are dependent on pay negotiations that are currently under way. The figures for 2001–02 including OFSTED (taken from the 2002 Departmental Report—Cm 5402) are:

staff costs, £140 million;

Departmental Expenditure Limit (DEL), £19,471 million;

staff costs as a proportion of DEL, 0.7 per cent.

Primary Schools

Mr. Gardiner: To ask the Secretary of State for Education and Skills if she will investigate the effects on primary schools league tables resulting from children who have been registered for year 6 SATS being subsequently unable to sit them through *(a)* illness and *(b)* unauthorised absence. [65204]

Mr. Stephen Twigg: I refer my hon. Friend to the reply given on 24 May 2002, *Official report,* column 662W.

Nationally, in 2001, the percentage of pupils absent from the Key Stage 2 tests for each subject was:

Subject	*Percentage*
English	1
mathematics	1
science	2

School Visits

Mr. Damian Green: To ask the Secretary of State for Education and Skills (1) if she will list the schools she has visited since she became Secretary of State; [65086]

(2) how many of the schools she has visited in England and Wales are unsatisfactory; [65087]

(3) what criteria she has used to decide which of the schools she has visited are unsatisfactory; [65088]

(4) if she will list the schools she has visited that are unsatisfactory; [65089]

(5) what her estimate is of the total number of schools in England and Wales that are unsatisfactory. [65090]

Mr. Willis: To ask the Secretary of State for Education and Skills which secondary comprehensive schools she has visited since 1997; and which were unsatisfactory. [65399]

Mr. Miliband *[holding answer 1 July 2002]:* My right hon. Friend has visited 33 schools in England since becoming Secretary of State last year. These schools are as listed. She also visited many schools in her previous ministerial posts between 1997 and 2001. Two of the schools she has visited as Secretary of State were designated by Ofsted as requiring special measures because they were failing to provide pupils with an acceptable standard of education. Just under 300 schools in England—less than 1.3 per cent. of the total—are currently designated by Ofsted as requiring special measures. A further 2.4 per cent. of schools are designated by Ofsted as having serious weaknesses.

2001

1. 12 June—Henry Compton school, London, SW6 6SN
2. 15 June—Mapledene junior school, Birmingham
3. 15 June—Whittington Oval school, Birmingham
4. 21 June—St. Paul's Way community school, London E3 4AN
5. 22 June—Cottesbrooke junior school, Birmingham
6. 13 July—Redhill primary school, Birmingham
7. 5 September—Swanlea school, London, E1 5DJ
8. 10 September—Hamilton special school, Birmingham
9. 17 September—Blatchington Mill school, East Sussex
10. 20 September—Golden Hillock school, Birmingham
11. 24 September—St. Thomas More school, Birmingham
12. 9 October—Langdon school, London E6 2PS
13. 19 October—Corpus Christi Catholic primary school, Birmingham
14. 2 November—Shaw Hill primary school, Birmingham
15. 15 November—Sheldon Heath school, Birmingham
16. 21 November—Lammas school, London, E10 7LZ
17. 26 November—Whalley Range high school, Manchester
18. 10 December—Greensward college, Essex

2002

19. 18 January—Blakenhale infant school, Birmingham
20. 13 March—Stanley Technical high school, London, SE25 6AD
21. 14 March—Fawkham primary school, Kent
22. 20 March—Oaklands school, Tower Hamlets, London
23. 22 March—St. Bernadette's school, Birmingham
24. 10 April—Charles Edward Brooke primary school, London, SW9 6UL
25. 15 April—Norton primary school, Stoke
26. 15 April—Blurton primary school, Stoke
27. 19 April—Hall Green primary school, Birmingham
28. 13 May—St. Monica's primary school, London, N14 7HE
29. 21 May—Beacon Hill special school, Ipswich
30. 31 May—Yardley infant school, Birmingham
31. 10 June—Millennium school, London, SE10 0BG
32. 14 June—Acock's Green infant school, Birmingham
33. 26 June—Oliver Goldsmith primary school, Camberwell, London.

Extended School Programme

Mr. Frank Field: To ask the Secretary of State for Education and Skills what progress has been made with her Department's extended school programme. [66166]

Mr. Stephen Twigg: We are encouraging all schools to extend the services they offer for the benefit of pupils, their families and the wider community. The Education Bill, currently before Parliament, will establish a clear legal framework for schools wanting to provide extended services. We intend to publish guidance later this year to help schools and their partners develop this approach. We also intend to support a number of pathfinder projects to demonstrate a range of patterns in different settings. We will evaluate these projects and disseminate good practice.

Overseas Trained Teachers

Mr. Drew: To ask the Secretary of State for Education and Skills (1) what investigation she carries out into those agencies which are supplying overseas trained teachers for employment in British schools; [66629]

(2) what help is available to overseas trained teachers who have found employment in British schools for familiarisation with the education system; and for what period this lasts; [66630]

(3) if she will make a statement on whether overseas trained teachers are subject to normal qualified teacher status procedures; [66631]

(4) what the cost has been to the British education system of employing overseas trained teachers in each year since 1999. [66632]

Mr. Miliband: Employment agencies in Great Britain are regulated under the Employment Agencies Act 1973 and associated regulations, which are the responsibility of my right hon. Friend the Secretary of State for Trade and Industry. The DTI Employment Agency Standards Inspectorate enforces the legislation and investigates complaints about the conduct of agencies.

Induction arrangements for new teachers are the responsibility of the recruiting school or local education authority. Many provide such training and support networks. Those in London will, in future, be further supported by the new Recruitment and Retention Unit in the Government office for London.

In order to teach in a maintained school in England it is generally necessary to hold Qualified Teacher Status (QTS). Current regulations do not allow for the automatic recognition of teaching qualifications gained abroad, unless the teacher is a national of a member state of the European Economic Area (EEA). The Education (Teachers) Qualifications and Health Standards Regulations 1999 (as amended) allow schools to appoint overseas trained teachers without QTS in three circumstances: as trainees on an employment based route; as a temporary teacher in a school or a number of schools for up to four years without QTS; as 'instructors'—persons offering particular skills who may be appointed when no qualified teacher with such skills is available.

The information about costs is not collected centrally.

NORTHERN IRELAND

Competitive Tendering

Mr. Collins: To ask the Secretary of State for Northern Ireland on how many occasions in the last 12 months the requirement to engage in a competitive tendering process has been waived by his Department due to national security obligations under paragraph 6(h) of the supply regulations. [62821]

Jane Kennedy: None.

North Belfast

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many juveniles have been prosecuted since 1 July 2001 arising out of disturbances in North Belfast. [62643]

Jane Kennedy: The information requested is not available at this time due to a database upgrading exercise being undertaken which should be concluded by late summer 2002.

Regulatory Impact Unit

Dr. Cable: To ask the Secretary of State for Northern Ireland how many members of his Department have been employed in its regulatory impact unit in the past five years; and if he will make a statement. [65973]

Jane Kennedy: None.

Organised Crime Task Force

David Taylor: To ask the Secretary of State for Northern Ireland if he will make a statement on the Organised Crime Task Force's second annual threat assessment. [65737]

Jane Kennedy: I congratulate the Organised Crime Task Force, on their first year's work. Much has been achieved—the figures in the second annual threat assessment and strategy documents speak for themselves—but we are under no illusions that there is much more to be done. Fighting organised crime will be a long and hard struggle. This year, as it was last year, the priority areas for concerted multi-agency effort are extortion, drugs, oils-related fraud, tobacco and alcohol duty evasion and money laundering. In addition, we have added two new strategic priority areas: the trade in counterfeit goods, as this has an on-going potential to affect investment in Northern Ireland; and armed robbery, which is on the increase here, while declining elsewhere in the United Kingdom.

No one should doubt that we have the resources and determination to pursue it to the utmost. The publication of the threat assessment and strategy for dealing with organised crime in Northern Ireland, shows that the agencies involved have made an impressive start.

Ministerial Accommodation

Mr. Evans: To ask the Secretary of State for Northern Ireland what publicly owned accommodation is made available to him in his official role; how many nights he has been in residence at each of these properties in the last 12 months; and what the total cost is of maintaining each of these properties. [55103]

Dr. John Reid: Accommodation in Hillsborough Castle is made available to me as a residence while in Northern Ireland. The Castle is also Her Majesty the Queen's residence in the province, is used as a conference centre, hosts charity fund raising events and is open to the public.

Between April 2001 and March 2002 I stayed there for 144 nights and between March 2002 and May 2002 I have stayed for 29 nights.

The total running costs for Hillsborough Castle for the last financial year were £1.1 million.

FOREIGN AND COMMONWEALTH AFFAIRS

Diversity Agenda

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what initiatives he has undertaken since 7 June concerning the Diversity Agenda at his Department. [64823]

Mr. Mike O'Brien: The FCO continues to work on the implementation of its diversity strategy, "Investing for Tomorrow", a copy of which is in the Library of the House. The strategy was refreshed earlier this year and incorporates duties under the Race Relations (Amendment) Act 2000. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, also discussed diversity issues when he met Trade Union representatives on 24 June.

Zimbabwean Police

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the end use monitoring undertaken by his Department of the use of the Land Rover Defender vehicles provided to the Zimbabwean Police as part of a DfID funded project. [65036]

Mr. MacShane: This Department has taken a close interest in the use made by the Zimbabwe Republic Police of Land Rovers partly funded by HMG. Prior to the general elections in early 2000, we registered our strong concern with the Zimbabwean Home Minister that they were being used for political ends. The lack of a satisfactory response led to the decision taken by my right hon. Friend, the Secretary of State for International Development, to suspend further deliveries in May 2000.

Gujarat

Chris Grayling: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent disturbances in the Gujarat region of India. [65405]

Mr. Mike O'Brien: We share my hon. Friends' concerns over the recent communal violence and deaths in Gujarat. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has been in regular contact with the Governnment of India on the situation in Gujarat, including during his most recent visit to India on 29 May, when he raised this with Mr. Advani, the then Indian Minister for Home Affairs. He raised the case of the four British nationals who were attacked by a mob on 28 February and urged that those responsible be brought to justice. The Government of India have themselves strongly condemned the violence in Gujarat, and have given assurances, which we welcome, that they will take action to bring to justice perpetrators of all the killings and violence. My right hon. Friend has also met the families of the four British nationals who were attacked during the violence, and raised their cases with the Government of India during his 29 May visit.

Poland

Mr. David: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about German land claims in that part of Poland ceded by Germany in 1945. [65591]

Peter Hain: The administrative borders between Poland and Germany were drawn up as part of the Potsdam Agreement in 1945 pending a final delimitation of borders at a peace settlement. No peace settlement was ever concluded. The borders between Poland and the Federal Republic of Germany were confirmed by the 1990 Treaty of Final Settlement with Respect to Germany signed by the Allied powers and the then two German states. They were confirmed in bilateral treaties agreed by Poland and the Federal Republic of Germany in November 1990 and June 1991.

Carpathian Initiative

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what support the Government are providing to the Carpathian Initiative; and if he will make a statement. [65709]

Peter Hain: The Department for International Development has contributed £180,000 to a project in Miercurea Ciuc, Romania to promote sustainable economic regeneration through public/private partnerships. The implementing agencies for this project are the Romanian Environmental Partnership Foundation and the Polish Environmental Partnership Foundation, both of which have links with the Carpathian Initiative. However, HMG provides no direct funding support to the Carpathian Initiative.

MI6

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs at what level, and under what circumstances, it can be decided within MI6 that information held may not be seen by Ministers. [65153]

Mr. Straw *[holding answer 2 July. 2002]:* The Secret Intelligence Service carries out its functions under the Intelligence Services Act 1994 under my authority. The Act provides for the Chief of SIS to be appointed by the Secretary of State and imposes a duty on the Chief to ensure that there are arrangements, which I approve, for securing that no information is obtained by SIS except so far as is necessary for the proper discharge of its functions. I can foresee no circumstances in which information could be withheld from Ministers given these statutory responsibilities.

Communications (Interception)

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy that, where a foreign security agency is asked by a UK body authorised to carry out interception of communications on its behalf relating to a UK citizen, there shall be a requirement for permission to be sought as if the interception were to be carried out by the UK body itself. [65157]

Mr. Straw *[holding answer 2 July 2002]:* In so far as the agencies for which I have responsibility undertake interception activities, this is consistent with the requirements of the Regulation of Investigatory Powers Act 2000 and the Intelligence Services Act 1994. It is not government policy to comment on any intelligence arrangements that might exist between the UK and other countries.

Government Communications Headquarters

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs under what circumstances GCHQ facilities are used to *(a)* monitor and *(b)* intercept communications involving United Kingdom nationals where the communication originates or terminates outside the United Kingdom. [65651]

Mr. Straw: It is a long-standing practice of this Government and previous Administrations not to comment on the activities of the intelligence services. The interception of communications is governed by the Regulation of Investigatory Powers Act 2000 and overseen by the Interception of Communications Commissioner. GCHQ, like any other Government agency empowered to apply for a warrant under the Act, may intercept "external communications" (as defined by the Act) if the conditions required for the issuing of a warrant set out in Sections 5, 8 and 15 and 16 are met.

Kenya

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has collated about the Government of Kenya's proposals to change the law allowing an extension of the term of the Kenyan Parliament. [66050]

Mr. MacShane: On 18 June some KANU MPs called for extension of the current Parliament to allow time for the constitutional review to be completed and for the new constitution to be passed into law before the next general election. An extension would require Parliament to pass a constitutional amendment. To date Parliament has not debated the issue.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Kenya about the need for free and fair parliamentary elections there. [66049]

Mr. MacShane: The need for free and fair elections features regularly in our contacts with the Kenyan Government and officials.

Visa Applications

Mr. Simon Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs how many visa applications from Arab countries have been rejected in each month since September 1999. [65233]

Mr. Mike O'Brien: Figures for the number of applications refused between September 1999 and May 2002 in Arab countries are listed in the table.

Number of refusals at Arab posts

Country	*Post*	*January*	*February*	*March*	*April*	*May*	*June*
1999							
UAE	Abu Dhabi and Dubai	—	—	—	—	—	—
Jordan	Amman	—	—	—	—	—	—
Bahrain	Bahrain	—	—	—	—	—	—
Lebanon	Beirut	—	—	—	—	—	—
Egypt	Cairo	—	—	—	—	—	—
Morocco	Casablanca	—	—	—	—	—	—
Syria	Damascus	—	—	—	—	—	—
Qatar	Doha	—	—	—	—	—	—
Kuwait	Kuwait	—	—	—	—	—	—
Oman	Muscat	—	—	—	—	—	—
Saudi Arabia	Riyadh and Jedda	—	—	—	—	—	—
Yemen	Sana'a	—	—	—	—	—	—
Tunisia	Tunis	—	—	—	—	—	—
Total		—	—	—	—	—	—
2000							
UAE	Abu Dhabi and Dubai	135	123	123	77	164	153
Jordan	Amman	4	17	15	18	24	9
Bahrain	Bahrain	2	4	1	5	7	17
Lebanon	Beirut	10	6	9	4	13	6
Egypt	Cairo	52	39	29	42	63	60
Morocco	Casablanca	19	22	44	20	37	37
Syria	Damascus	22	24	74	26	65	58
Qatar	Doha	9	10	11	8	21	41
Kuwait	Kuwait	72	57	38	47	62	69
Oman	Muscat	8	5	11	9	11	7
Saudi Arabia	Riyadh and Jedda	44	79	63	32	102	168
Yemen	Sana'a	18	71	38	67	86	70
Tunisia	Tunis	52	69	68	65	87	92
Total		447	526	524	420	742	787
2001							
UAE	Abu Dhabi and Dubai	84	133	84	68	200	258
Algeria	Algiers	0	0	0	0	0	0
Jordan	Amman	16	20	19	16	4	9
Bahrain	Bahrain	1	1	3	3	4	8
Lebanon	Beirut	12	2	3	4	5	2
Egypt	Cairo	98	65	72	35	112	78
Morocco	Casablanca	14	19	14	13	14	11
Syria	Damascus	26	53	50	69	53	57
Qatar	Doha	16	19	12	10	29	33
Saudi Arabia	Riyadh and Jedda	53	49	48	43	69	79
Kuwait	Kuwait	57	19	32	31	30	74
Oman	Muscat	10	12	7	11	15	15
Yemen	Sana'a	56	33	16	36	22	46
Libya	Tripoli	28	30	44	53	102	20
Tunisia	Tunis	98	45	57	81	55	60
Total		569	500	461	473	714	750
2002							
UAE	Abu Dhabi and Dubai	171	137	112	206	193	—
Algeria	Algiers	0	0	0	0	0	—
Jordan	Amman	13	24	18	32	15	—
Bahrain	Bahrain	6	4	11	3	12	—
Lebanon	Beirut	1	3	16	22	10	—
Egypt	Cairo	107	102	101	99	147	—
Morocco	Casablanca and Rabat[1]	23	23	26	31	25	—
Syria	Damascus	29	69	83	66	58	—
Qatar	Doha	9	21	21	25	30	—
Saudi Arabia	Jedda	101	69	47	46	62	—
Kuwait	Kuwait	31	36	33	53	50	—
Oman	Muscat	5	13	10	17	25	—
Yemen	Sana'a	37	49	47	70	51	—
Libya	Tripoli	138	131	70	72	142	—
Tunisia	Tunis	90	77	97	70	91	—
Total		761	758	692	812	911	—

[1] From April 2002

Note:

We are awaiting figures for May 2002

Number of refusals at Arab posts

Country	*Post*	*July*	*August*	*September*	*October*	*November*	*December*
1999							
UAE	Abu Dhabi and Dubai	—	—	95	64	148	48
Jordan	Amman	—	—	39	24	20	12
Bahrain	Bahrain	—	—	11	3	7	2
Lebanon	Beirut	—	—	29	13	22	12
Egypt	Cairo	—	—	80	44	42	20
Morocco	Casablanca	—	—	39	36	22	57
Syria	Damascus	—	—	55	48	22	12
Qatar	Doha	—	—	17	17	17	10
Kuwait	Kuwait	—	—	24	28	47	52
Oman	Muscat	—	—	8	4	8	5
Saudi Arabia	Riyadh and Jedda	—	—	142	103	101	92
Yemen	Sana'a	—	—	9	10	32	35
Tunisia	Tunis	—	—	115	75	98	56
Total		—	—	663	469	586	413
2000							
UAE	Abu Dhabi and Dubai	164	132	119	143	111	55
Jordan	Amman	14	20	14	7	22	8
Bahrain	Bahrain	42	8	6	6	6	3
Lebanon	Beirut	21	13	27	3	5	5
Egypt	Cairo	63	80	57	50	78	77
Morocco	Casablanca	60	54	44	27	25	37
Syria	Damascus	79	34	43	52	73	35
Qatar	Doha	71	49	16	16	13	13
Kuwait	Kuwait	60	54	40	50	55	57
Oman	Muscat	24	22	10	8	6	6
Saudi Arabia	Riyadh and Jedda	181	168	101	66	60	44
Yemen	Sana'a	57	74	87	40	43	30
Tunisia	Tunis	89	123	115	106	117	66
Total		925	831	679	574	614	436
2001							
UAE	Abu Dhabi and Dubai	346	239	198	226	110	53
Algeria	Algiers	0	0	0	0	0	0
Jordan	Amman	20	27	29	5	10	4
Bahrain	Bahrain	9	9	12	4	2	2
Lebanon	Beirut	7	6	9	3	3	1
Egypt	Cairo	83	147	136	97	81	14
Morocco	Casablanca	28	28	19	12	11	15
Syria	Damascus	96	77	54	92	53	23
Qatar	Doha	52	34	18	10	10	6
Saudi Arabia	Riyadh and Jedda	83	92	26	59	35	21
Kuwait	Kuwait	85	65	46	28	24	16
Oman	Muscat	15	16	9	9	7	5
Yemen	Sana'a	27	15	28	25	45	20
Libya	Tripoli	40	169	185	122	84	40
Tunisia	Tunis	77	89	83	55	29	26
Total		968	1,013	852	747	504	246

Child Abduction

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs what agreements there are with other states regarding international child abduction by a parent. [66261]

Mr. Mike O'Brien: The Hague Convention on the civil aspects of international child abduction seeks to return children who have been abducted abroad to their country of habitual residence, where issues of custody and contact can be resolved through the courts. There are prescribed criteria and processes for returning children under this convention. The Hague Convention is in force between the UK and 54 other countries world wide. The Foreign and Commonwealth Office is exploring the possibility of establishing bi-lateral agreements with countries that are not members of the Hague Convention.

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with European and US counterparts regarding international child abduction by a parent. [66260]

Mr. Mike O'Brien: Member states of the European Union and the United States are all Parties to the Hague Convention on International Child Abduction. The Lord Chancellor's Department is the lead Department for cases of child abduction to and from Hague Convention countries. In March 2001, the Special Commission of the Hague Convention on International Child Abduction formally met, as it does every four years. The purpose of the Special Commission is to discuss the operation of the Convention. Representatives from the US attended the Commission, as did all EU member states.

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance his Department provides in cases of abduction of a child by one of the parents from the UK to another country. [66259]

Mr. MacShane: The Hague Convention is the international instrument covering cases of child abduction. Cases of child abduction involving countries which are party to the Hague Convention are dealt with by the Lord Chancellor's Department in England and Wales. The Scottish Executive and the Northern Ireland Courts Service deal with their own cases. The FCO can become involved in Hague Convention cases where diplomatic intervention may be of assistance to families.

The Foreign and Commonwealth Office is the lead Department for cases in countries which are not Party to the Hague Convention. In non-Hague Convention cases, there is no prescribed formula to facilitate the return of an abducted child. Therefore, parents must initiate proceedings in the local courts (and often also in the UK courts) for the return of their child. Consular staff, both in London and at our embassies and high commissions overseas, are able to assist parents in this procedure by, for example, helping them find a local lawyer, arranging welfare visits and attending court hearings as the legal process progresses.

Senegal

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the renewal of the fisheries protocol between the European Union and Senegal. [66095]

Mr. Morley: I have been asked to reply.

The new protocol on fisheries between the EU and Senegal was initialled by both parties on 25 June. The details of this protocol will not be known until the Commission has made its presentation to member states at the External Fisheries working group in Brussels on 3 and 4 of July, when we shall examine them carefully. We wish to ensure that such agreements take proper account of environmental and developmental concerns, an issue which we have raised before and which we intend to pursue as part of the reform of the common fisheries policy.

Departmental Expenditure Limit

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how much and what proportion of the departmental expenditure limit for 2002–03 had been spent by 31 May; what the figures were for 2001–02; and if he will make a statement. [61009]

Mr. MacShane: I refer the hon. Member to the answer given him by my right hon. Friend the Chief Secretary to the Treasury on 17 June 2002, *Official Report*, column 130W.

Convention on the Future of Europe

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what the status is of those members of the Convention on the Future of Europe who were appointed by Governments which have subsequently lost office; and if he will list the members of the Convention who were appointed as *(a)* representatives of Governments which have subsequently lost office and *(b)* representatives of national parliaments who have lost their seats since the Convention's membership was first established, in respect of both (i) the member states and (ii) candidate countries. [66093]

Peter Hain: Representatives appointed to the Convention by the governments of Member States and Accession Countries do not have to be members of their governments. It is therefore up to each government whether to keep or replace its representative. There have been four changes of government (France, Portugal, the Netherlands and Hungary) and six elections since the inauguration of the Convention.

The French and Dutch government representatives have so far remained unchanged. Prof Ernani Lopes has succeeded Joao Vallera as the Portuguese government representative, and Laszlo Kovacs has succeeded Janos Martonyi as Hungarian government representative. One parliamentary representative to the Convention has lost his seat, Alain Barrau. It is not yet clear what decision the French Parliament will take.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what correspondence he has received from the International Association of Young Marianas with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66121]

(2) what correspondence he has received from the Christian Academy for European Dialogue with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65945]

(3) what correspondence he has received from the Free University of Urbina with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65917]

(4) what correspondence he has received from the International Movement for Scientific Leisure with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities

with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66136]

(5) what correspondence he has received from the New Academy of Istropolitana with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65904]

(6) what correspondence he has received from the Copernicus Society, Dortmund with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65882]

(7) what correspondence he has received from the Fulda Technical College, Germany with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65887]

(8) what correspondence he has received from the International ATD Fourth World Youth Movement with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66115]

(9) what correspondence he has received from the Friuli European Academy, Venice with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65878]

(10) what correspondence he has received from the Institute for Canon Law and History with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65871]

(11) what correspondence he has received from the Union of Young European Musicians with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66138]

(12) what correspondence he has received from the Association of European University Students with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65908]

(13) what correspondence he has received from the University of Trento with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65901]

(14) what correspondence he has received from the European Federal Movement with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65924]

(15) what correspondence he has received from the International Voluntary Service for Women and Education Suiluppo with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66141]

(16) what correspondence he has received from the University of Milan with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use

in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65902]

(17) what correspondence he has received from the University of Messina with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65913]

(18) what correspondence he has received from the International Centre for European Education with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66128]

(19) what correspondence he has received from the Evangelical Academy of Vienna with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65933]

(20) what correspondence he has received from the Committee for Christian Living with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65873]

(21) what correspondence he has received from the Pro Asylum Movement with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65932]

(22) what correspondence he has received from the European Council of Young Farmers with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66143]

(23) what correspondence he has received from the Foundation for the Rights of Future Generations with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65874]

(24) what correspondence he has received from the Centre for European Studies of Strasbourg with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65918]

(25) what correspondence he has received from Team Europe Rural Coordinator, Liguria with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65928]

(26) what correspondence he has received from the Orthodox Academy of Crete with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66130]

(27) what correspondence he has received from the Institute of European Studies, University of Valladolid, Spain with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65896]

(28) what correspondence he has received from the Europa Salzburg Educational Institute with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have

been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65877]

(29) what correspondence he has received from the Cultural Forum of Stuttgart with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66129]

(30) what correspondence he has received from the Law Faculty, University of Sirona, Spain with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65920]

(31) what correspondence he has received from the Wolfsburg Catholic Academy with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65930]

(32) what correspondence he has received from the Honeysuckle Youth Association with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66120]

(33) what correspondence he has received from the Thuringia European Civil Service Academy with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65868]

(34) what correspondence he has received from the Free University of Brussels with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65890]

(35) what correspondence he has received from the Rhineland Evangelical Church with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65867]

(36) what correspondence he has received from the Association of Italian Builders with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66123]

(37) what correspondence he has received from the Mediterranean Foundation, University of Almeria, with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65907]

(38) what correspondence he has received from Young Christian Workers with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65943]

(39) what correspondence he has received from the International European Commission for Church and School with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65936]

(40) what correspondence he has received from the International Federation of Educational Communities with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of

the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66122]

(41) what correspondence he has received from the European Institute of the Law Faculty of Lisbon with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65884]

(42) what correspondence he has received from the University of Rome, Tor Vergata History Department with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65893]

(43) what correspondence he has received from Rural and Environmental Development with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66135]

(44) what correspondence he has received from the University of Milan, Department of International Affairs with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65894]

(45) what correspondence he has received from the University of Sannoi's Economics Faculty with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65889]

(46) what correspondence he has received from Trans Europe Halles with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66140]

(47) what correspondence he has received from the Globetrotter Scouts with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65925]

(48) what correspondence he has received from the International Foundation of Mediterranean Theatre with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65938]

(49) what correspondence he has received from the Jean Monnet University, St. Etienne with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65915]

(50) what correspondence he has received from the European Academy of Berlin with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65939]

(51) what correspondence he has received from the Institute for Austrian and Internation, Tax Law, Vienna with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65898]

(52) what correspondence he has received from the Complutense University of Madrid with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European

Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65911]

(53) what correspondence he has received from the Joint Bureau for European Training with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66137]

(54) what correspondence he has received from the TMC Foundation Asser Institute, The Hague with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65880]

(55) what correspondence he has received from Women for Europe with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65942]

(56) what correspondence he has received from Eruptions, the Intra-Mediterranean Network with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66125]

(57) what correspondence he has received from the General Foundation of the Complutense University of Madrid with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65888]

(58) what correspondence he has received from the European Centre for Federalism, University of Tübingen with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65897]

(59) what correspondence he has received from the European Forum of Associations for Heritage with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66116]

(60) what correspondence he has received from the Association of Aid Workers with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65937]

(61) what correspondence he has received from the Institute for International Political Studies with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65914]

(62) what correspondence he has received from the University of Sallati, Romania with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65919]

(63) what correspondence he has received from the International Federation for Educational Exchanges for Children with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66119]

(64) what correspondence he has received from the Johanniter Accident Assistance with particular reference to the Convention on the Future of Europe; when he last

met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65875]

(65) what correspondence he has received from the Ateneo School 'Jean Monnet', University of Naples with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65910]

(66) what correspondence he has received from the European Institute of the University of Geneva with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65903]

(67) what correspondence he has received from the Young International Rural Agricultural Movement with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66118]

(68) what correspondence he has received from the Federation of Integration Centres with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65941]

(69) what correspondence he has received from the Eurit Centre, Italy with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65934]

(70) what correspondence he has received from The Isthmus with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66131]

(71) what correspondence he has received from the National Union of Sports and Open Air Centres, France with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement. [65935]

(72) what correspondence he has received from the Congress of Local and Regional Authorities of Europe with particular reference to the convention on the future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65946]

(73) what correspondence he has received from the New Cologne Cultural Network with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66132]

(74) what correspondence he has received from the European University and Research Centre, Bologna with particular reference to the Convention on the Future of Europe, when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65892]

(75) what correspondence he has received from the Further Education Institute of the University of Pompeu Fabra with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65905]

(76) what correspondence he has received from the Business University Luigi Bocconni, Milan with particular reference to the Convention on the Future of

Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65883]

(77) what correspondence he has received from the University of the Basque Country. with particular reference to the Convention on the Future of Europe when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65906]

(78) what correspondence he has received from the Marahens Evangelical-Lutheran with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65866]

(79) what correspondence he has received from the European Union Youth Forum with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65879]

(80) what correspondence he has received from Cantal Europe with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66142]

(81) what correspondence he has received from the European Federation of Freemasons with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65929]

(82) what correspondence he has received from the Second University of Naples with particular reference to the Convention on the Future of Europe when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65909]

(83) what correspondence he has received from Austrian Culture with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66133]

(84) what correspondence he has received from the Tutzing Evangelical Academy with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65870]

(85) what correspondence he has received from the Study Group on European Integration, Bonn with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65881]

(86) what correspondence he has received from the European Network of Young Gipsies with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66124]

(87) what correspondence he has received from the European Association of Law Students with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65900]

(88) what correspondence he has received from the University La Sapienza of Rome's Economics faculty with particular reference to the Convention on the Future

of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65923]

(89) what correspondence he has received from the Centre for European Integration Studies, Rhine Friedrich-Wilhelm University Bonn with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65899]

(90) what correspondence he has received from the Knowledge and Politics Foundation with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66127]

(91) what correspondence he has received from the Alexander Langer Foundation with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65940]

(92) what correspondence he has received from the National Distance Learning University, Madrid with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65886]

(93) what correspondence he has received from the Centre for European Studies, University of Alacala de Honares with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65895]

(94) what correspondence he has received from Euro Youth 2000 with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66126]

(95) what correspondence he has received from the University of Cordova, Spain with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65916]

(96) what correspondence he has received from the Aurich Europehouse with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65926]

(97) what correspondence he has received from the Federation of Young European Ecologists with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66139]

(98) what correspondence he has received from Fonda community life with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65927]

(99) what correspondence he has received from the Society for Basque Studies, San Sebastian, Spain with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65922]

(100) what correspondence he has received from the European Citizens' Academy with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66134]

(101) what correspondence he has received from the Forum Civilian Peace Service with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65876]

(102) what correspondence he has received from the Wachau Europa Forum with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65869]

(103) what correspondence he has received from the University of Ljubijana's Economics Faculty with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65891]

(104) what correspondence he has received from Plan Continent with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65872]

(105) what correspondence he has received from the Europass Theatre Union with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65931]

(106) what correspondence he has received from the Study Center of Reggio Emilia with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65944]

(107) what correspondence he has received from the International Rainbow Week Movement with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [66117]

(108) what correspondence he has received from the Catholic University of Leuven's Law Faculty with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement; [65912]

(109) what correspondence he has received from the University Centre of Aziendali, Palermo with particular reference to the Convention on the Future of Europe; when he last met representatives from that body; what his policy is towards continuing funding of it by the European Union; what the target audiences of its publications have been; what assessment he has made of the compatibility of their use in schools and universities with the requirements in the Education Act 1996 for balance in the provision of information; and if he will make a statement. [65885]

Peter Hain: I refer the hon. Member to the reply I gave him on 27 June 2002, *Official Report*, column 1026W.

WORK AND PENSIONS

Child Support

Vernon Coaker: To ask the Secretary of State for Work and Pensions what limit there will be on the pension contribution of a non-resident parent in calculating the assessment under the new Child Support Agency formula. [35373]

Malcolm Wicks: The new calculation will allow for 100 per cent. of any contributions to an Inland Revenue approved occupational, or personal pension scheme. The Inland Revenue sets limits on the percentage of income that can be contributed to a pension scheme; these depend on the contributor's earnings and the date they joined the scheme.

Pensions

Mr. Webb: To ask the Secretary of State for Work and Pensions, pursuant to the answer of 20 May ref 57511 on pensions, what the latest years for which estimates are available on a basis consistent with that used in the 1998 Pensions Green Paper to provide estimates for 1998 are for *(a)* GAD and DWP data on state spending on pensions and *(b)* ONS estimates of the size of private pensions in payment; and what the estimates are in both cases. [58805]

Mr. McCartney *[holding answer 23 May 2002]:* Table A shows the proportion of pension income coming from the state and private sources in each year from 1997–98 to 1999–2000. State pension income corresponds to benefit income as defined in the PI Series. Private pension income corresponds to the sum of occupational pension income and investment income in the PI Series. The percentage figures in Table 1 are derived directly from the average gross income totals in Table 1 of the PI Series (1999–2000).

Table A: Proportion of pension income coming from state and private sources

Percentage

	1997–98	*1998–99*	*1999–2000*
State pension income	58	56	57
Private pension income	42	44	43

Note:
All figures rounded to nearest 1 per cent.

State pension income corresponds to PI definition of 'Benefit Income', which includes national insurance benefits received by the elderly, income-related benefits and disability benefits.

Private pension income corresponds to the sum of occupational pension income and investment income. The latter includes income from annuities, personal pensions, property, stocks and shares, as well as income from savings.

For further information on PI methodology and definitions see Section 5, page 10 of Pensioners' Incomes Series (1999–2000).

As the PI Series shows, pensioners also receive income from earnings and 'other' sources. For reference, therefore, it is also possible to estimate the proportion of retirement income comes from state and private sources. This is done in Table B. As with Table A, the proportions here are derived directly from the average gross income totals in Table 1 of the PI Series (1999–2000).

Table B: Proportion of retirement income coming from state and private sources

Percentage

	1997–98	*1998–99*	*1999–2000*
State retirement income	53	51	52
Private retirement income	47	49	48

Note:
All figures rounded to nearest 1 per cent.

State retirement income corresponds to PI definition of 'Benefit Income', which includes national insurance benefits received by the elderly, income-related benefits and disability benefits.

Private retirement income corresponds to the sum of occupational pension income, earnings, 'other' income and investment income. Investment income includes income from annuities, personal pensions, property, stocks and shares, as well as income from savings. 'Other' income includes private benefits such as those from Friendly Societies, and the income of any dependent children, as well as other miscellaneous sources of income.For further information on PI methodology and definitions see Section 5, page 10 of Pensioners' Incomes Series (1999–2000).

Mr. Mullin: To ask the Secretary of State for Work and Pensions if the National Pensioners Convention is among the organisations he is proposing to consult regarding the draft National Strategy report on pensions; and when the consultation is to take place. [64673]

Mr. McCartney: The National Pensioners Convention is one of a range of organisations which the Department for Work and Pensions has regular contact with. These organisations have been invited to a meeting in July concerning the National Strategy Report.

Computers

Dr. Kumar: To ask the Secretary of State for Work and Pensions what measures are *(a)* in place and *(b)* under discussion in his Department in order to ensure compliance with the WE Directive. [60745]

Mr. Nicholas Brown: I refer my hon. Friend to the written answer given by my hon. Friend the Minister of State for Trade and Industry (Mr. Wilson) on 12 June 2002, *Official Report,* 1266W.

Benefit Sanctions

Mr. Frank Field: To ask the Secretary of State for Work and Pensions, pursuant to his answer to the hon. Member for Somerton and Frome (Mr. Heath), of 20 May 2002, *Official Report*, column 29W, what research has been undertaken by his Department into the effects of benefit sanctions; and if he will place a copy of each title in the Library. [63675]

Malcolm Wicks: The research carried out by the Department into the effects of sanctions is listed. Copies of the research reports are available in the Library.

Unemployment and Jobseeking. DSS Research Report 62, TSO 1997;

Unemployment and Jobseeking after the Introduction of Jobseeker's Allowance. DSS Research Report 99, TSO 1999;

Understanding the Impact of Jobseeker's Allowance. DSS Research Report 11, TSO 2000;

Evaluating Jobseeker's Allowance: A summary of the research findings. DSS Research Report 116, TSO 2000;

Evaluation of Decision Making and Appeals. Employment Service Research Report 83, published July 2001;

The impact of the 26 week sanctioning regime. Employment Service Research Report 100, by British Market Research Bureau, published November 2001;

More Frequent Attendance (MFA) Post implementation Review. Employment Service Research Report 105, published January 2002.

Staff Training

Mr. Bercow: To ask the Secretary of State for Work and Pensions how much the Department has spent on staff training and development in each of the last five years. [61069]

Mr. McCartney: Data on expenditure on staff training and development are available only for the last three years. The Department was created in June 2001. The figures for the two earlier years have been collated from data sources in the former Employment Service and Department of Social Security.

	Expenditure (£ million)	*Percentage of running costs*
1999–2000	81.145	3.19
2000–01	90.034	3.68
2001–02	97.319	3.76

The figures include trainee and trainer costs, management and administration overheads, and spend on external training provided through Departmental contracts. Costs for accommodation where Departmental estate has been used are not included. (In addition to formal training, staff are developed by a variety of other means.)

The Department is committed to the principles of Investors in People. It considers that effective investment in training and development is essential in equipping staff with the skills and knowledge necessary to meet Government goals and deliver modern services.

Housing Benefit

Mr. Gerrard: To ask the Secretary of State for Work and Pensions what plans he has to change the practice of allowing local authorities to make direct payment of housing benefit to registered social landlords; and if he will make a statement. [63464]

Malcolm Wicks: We recognise that direct payments of housing benefit to registered social landlords can be both efficient and convenient. However, it has often been argued that routinely paying benefit to the landlord rather than to the tenant whose entitlement it is, can inhibit tenants' choice and discourage personal responsibility. Therefore, although there are no immediate plans to change the current system, it is an issue that we will continue to keep under close review.

New Deal

Mr. Martlew: To ask the Secretary of State for Work and Pensions what plans there are to increase the financial incentives to employers who employ and retain young people under the New Deal programme. [63757]

Mr. Nicholas Brown: There are no current plans to do so. However we have taken steps to increase both financial and training flexibilities for employers within the New Deal for Young People. Employers, especially small businesses, taking part in the programme have welcomed this increased flexibility.

Employers have a direct input into the programme through the National Employment Panel. This group (formerly known as the New Deal Task Force) was formed in 1997 to ensure that employers, and other key customers, have a strong and permanent voice within the Department.

This co-operative approach has contributed to the success of the New Deal. Nearly 95,000 employers have signed up, half of whom have never participated in an employment programme before. Many more have taken on New Dealers without formally signing up for the programme, and still more have helped to support New Deal in other ways by providing training or advice on the design of the programme.

Incapacity Benefit

Mr. Clappison: To ask the Secretary of State for Work and Pensions what the average period of payment was for claimants of incapacity benefit at 31 March. [64329]

Mr. Nicholas Brown: Information regarding the average duration of incapacity benefit claims at 31 March 2002 will not become available until early 2003. For the latest available information, I refer the hon. Member to the written answer I gave him on 26 April 2002, *Official Report*, column 472W.

Annual Leave

Mr. Bercow: To ask the Secretary of State for Work and Pensions what the average annual leave entitlement is for staff in his Department in 2002. [64642]

Mr. McCartney: The average annual leave entitlements in the year 2002 will be:

Staff in the grades AA to HEO 27 days per year

Staff in grades SEO to UG6 30 days per year.

The annual leave allowance for members of the Senior Civil Service is set by the Cabinet Office and continues to be 30 days.

Winter Fuel Payment

John Barrett: To ask the Secretary of State for Work and Pensions how many widowed women over 60 wrongly received a reduced level of winter fuel payment for the 2001–02 winter, owing to a mistaken assessment of two people living in the household in *(a)* Scotland and *(b)* the UK; and how many are awaiting receipt of the full payment. [65377]

Mr. McCartney: Information available shows that 172 widows, identified through receipt of Widows Pension, had to be paid an additional £100 because they were the only eligible member of their household. One of these payments was in Scotland.

Industrial Injuries Benefits

Mr. Webb: To ask the Secretary of State for Work and Pensions how many *(a)* men and *(b)* women received the principal contributory industrial injuries benefits in each year since 1972. [65293]

Mr. Nicholas Brown *[holding answer 1 July 2002]:* The main industrial injuries benefit is Industrial Injuries Disablement Benefit. This is a tax-free, non-contributory benefit payable to people who have become disabled as a result of an accident at work or as a result of an industrial disease.

Details of the number of recipients of this benefit by gender since 1972 are in the table.

Industrial injuries disablement benefit (IIDB) recipients by gender

Thousand

Year	*All*	*Males*	*Females*
1971–72	203.6	184.6	19.0
1972–73	202.4	182.8	19.5
1973–74	200.6	181.0	19.5
1974–75	201.5	181.6	19.9
1975–76	201.6	181.9	19.7
1976–77	201.8	181.8	19.9
1977–78	200.4	180.2	20.2
1978–79	198.2	177.7	20.5
1979–80	195.8	175.3	20.6
1980–81	191.6	171.5	20.1
1981–82	189.1	169.1	19.9
1982–83	188.0	168.1	19.9
1983–84	188.7	168.8	19.9
1984–85	188.2	168.2	20.0
1985–86	185.9	165.9	19.9
1986–87	185.5	165.1	20.4
1987–88	188.8	167.9	20.9
1988–89	192.6	170.1	22.5
1989–90	196.3	172.3	24.0
1990–91	200.3	174.7	25.6
1991–92	204.3	176.8	27.4
1992–93	212.4	181.6	30.8
1993–94	225.6	191.4	34.3
1994–95	235.2	197.1	38.1
1995–96	249.2	206.6	42.6
1996–97	257.8	211.9	45.8
1997–98	269.1	221.9	47.2
1998–99	278.2	228.3	49.8
1999–2000	280.8	229.8	50.9
2000–01	280.4	229.5	50.9

Notes:

1. Prior to 1986–87 annual data was collected from 1 October to 30 September. From 1986–87 data was collected by financial year.

2. A person may be in receipt of IIDB for more than one condition.

Source:

Based on a 10 per cent. sample of IIDB clerical returns.

Benefit and Tax Credit Payments

Lynne Jones: To ask the Secretary of State for Work and Pensions whether benefit and tax credit claimants will be allowed to choose between *(a)* a card account at the Post Office, *(b)* a basic bank account and *(c)* another type of bank account, in order to continue to receive their benefit and tax credit payments; and whether the information available to benefit and tax credit claimants will include clear description of each of these options and will set out their advantages and disadvantages. [65260]

Malcolm Wicks: Yes.

The Department and the Inland Revenue will be providing customers with all the information they will need (including details of the respective features of each type of account) to choose the account which is most appropriate for them.

Around 85 per cent. of our customers already have access to a suitable account for receiving payments of benefits and tax credits. While we anticipate that most people will choose to have their money paid into an existing account or open a basic bank account, no one will be prevented from opening a card account at the Post Office if they wish.

HOME DEPARTMENT

Committee Mandates

Mr. Bercow: To ask the Secretary of State for the Home Department what the mandate of the Committee for the European Refugee Fund is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if he will list the items currently under its consideration; if he will take steps to increase its accountability and transparency to Parliament; and if he will make a statement. [58455]

Beverley Hughes: The mandate for the Committee for the European Refugee Fund is set out in the Council Decision 2000/596/EC, OJL 252, 6.10.2000, that adopted the programme, and is available in the Library. The Committee meets three times a year on average.

The United Kingdom (UK) representation usually consists of a member of the UK representation to the European Union plus a Home Office official from the Refugee Integration Unit. The Commission refunds travel and subsistence costs for one official from the UK for each Committee meeting. Up to three additional representatives can attend, and their expenses are met from the Home Office subsistence allowance. The purpose of the Committee is to monitor the implementation of the European Refugee Fund across the member states.

The Council decision contains a reporting mechanism under which the Commission evaluates the implementation of the European Refugee Fund and submits a report to the Council and European Parliament. The reports are publicly available on the internet. In addition, details of projects selected for funding within the UK allocation of the fund are made available in the form of a written parliamentary answer on an annual basis.

Fingerprints/DNA Samples

Norman Baker: To ask the Secretary of State for the Home Department which organisations have access to *(a)* fingerprints and *(b)* DNA samples held by the police. [64245]

Mr. Denham *[holding answer 25 June 2002]:* Under the Police and Criminal Evidence Act 1984 (as amended) retained fingerprints and DNA samples can be used only for purposes related to the prevention or detection of crime, the investigation of an offence or the conduct of a prosecution. Fingerprints and DNA samples, and the profiles derived from them, which are held by or on behalf of police forces in the United Kingdom and Islands, may be accessed only by relevant law-enforcement authorities. Relevant law-enforcement authorities are listed in section 63A of the 1984 Act. They are:

(a) a police force[1];

(b) the national criminal intelligence service;

(c) the national crime squad;

(d) a Public Authority (not falling within paragraphs *(a)* to (c)) with functions in any part of the British islands which consist of or include the investigation of crimes or the charging of offenders;

(e) any person with functions in any country or territory outside the United Kingdom which

   (i) correspond to those of a police force, or

   (ii) otherwise consist of or include the investigation of conduct contrary to the law of that country or territory, or the apprehension of persons guilty of such conduct;

(f) any person with functions under any international agreement which consist of or include the investigation of conduct which is

   (i) unlawful under the law of one or more places,

   (ii) prohibited by such an agreement, or

   (iii) contrary to international law, or the apprehension of persons guilty of such conduct.

[1] The reference to a police force is a reference to any of the following:

(a) any police force maintained under section 2 of the Police Act 1996 (c 16)(police forces in England and Wales outside London);

(b) the Metropolitan police force;

(c) the City of London police force;

(d) any police force maintained under or by virtue of section 1 of the Police (Scotland) Act 1967 (c 77);

(e) the police service of Northern Ireland;

(f) the police service of Northern Ireland Reserve;

(g) the Ministry of Defence police;

(h) the Royal Navy regulating branch;

(i) the Royal Military police;

(j) the Royal Air Force police;

(k) the Royal Marines police;

(l) the British Transport police;

(m) the States of Jersey police force;

(n) the salaried police force of the Island of Guernsey;

(o) the Isle of Man constabulary.

Immigration Applications

Kate Hoey: To ask the Secretary of State for the Home Department if he will make a statement on progress with the processing of immigration applications made under the Regularisation of Overstayers Scheme; and if it is expected that the assessment of all applications made under that scheme will be completed by April 2003. [64565]

Beverley Hughes: During the last financial year (2001–02) a sift of all outstanding applications made under the Regularisation Scheme for Overstayers was successfully completed, yielding a total of 1,033 easily identifiable grants under existing policy concessions.

During the current financial year more detailed consideration is being given to the remaining cases. To date, 282 further grants have been identified, along with 81 refusals; 10,990 cases remain to be fully considered. The team assigned to dealing with these cases is currently under expansion, and individual caseworker output is gradually increasing with experience. It is anticipated that all applications made under the scheme will be assessed by April 2003.

EU Directives

Mr. Bercow: To ask the Secretary of State for the Home Department if he will list the EU directives relating to his Department which have been *(a)* amended and *(b)* repealed in 2002. [64954]

Mr. Bob Ainsworth: None of the European Union directives relating to the Home Office have been amended or repealed in 2002.

Public Protection Panels

Mr. Hancock: To ask the Secretary of State for the Home Department by what criteria members of the public will be chosen for the strategic boards overseeing the multi-agency public protection panels; and if he will make a statement. [64589]

Hilary Benn: The multi-agency public protection arrangements exist to protect members of the public from potentially dangerous sexual and violent offenders in communities across England and Wales. I announced last week that [illegible] Government wanted members of the public to be represented in these arrangements.

Adverts will be appearing in the press in the five areas which will be piloting this scheme (west Midlands, south Wales, Cumbria, Durham and Surrey), asking for members of the public to apply to sit on the strategic boards scrutinising and managing this work in their areas.

Lay members will not be required to have formal educational qualifications but are expected to have:

(i) an ability to understand complex information in written and numerical form;

(ii) an interest in community and social issues with a track record of involvement in them;

(iii) an ability to make appropriate decisions based on the available information;

(iv) a capacity for emotional resilience, retaining sensitivity while dealing with tragic or painful situations. In particular, this includes an ability to understand the needs and feelings of victims of crime;

(v) an ability to understand the complexity of human behaviour;

(vi) good social skills and the ability to work effectively with people in groups and in formal meetings;

(vii) an awareness of and commitment to equality and diversity;

(viii) an ability to challenge constructively the views and assumptions of senior professionals; and

(ix) an ability to maintain confidentiality appropriate to the circumstances and local protocols.

In each of the areas in which this development is being piloted, lay members will be recruited using these criteria through a formal assessment procedure designed and administered by an occupational psychologist. Elected representatives and relevant professionals are not eligible for selection. All candidates will be subject to the usual criminal history checks and anyone who has committed a sexual or a violent offence, or any other offence not spent under the Rehabilitation of Offenders Act 1974 will also not be eligible. We hope to make the first appointments later in the summer.

Criminal Records Bureau

Keith Vaz: To ask the Secretary of State for the Home Department how many persons are employed in the Criminal Records Bureau. [64835]

Hilary Benn: The number of staff employed by the Criminal Records Bureau is 871 with a further 117 seconded from other agencies and/or employed on contractual terms.

Asylum Seekers

Tony Worthington: To ask the Secretary of State for the Home Department if he plans to increase support for asylum seekers to full income support rates; and if he will make a statement. [57997]

Beverley Hughes: The full national asylum support service support package is broadly equivalent to income support. Support for asylum seekers can include fully furnished accommodation. The costs of this together with associated utility bills and council tax are met centrally. Support levels for children here as part of an asylum seeking family are identical to the personal allowances for children in families on income support.

Simon Hughes: To ask the Secretary of State for the Home Department whether he is entitled to provide asylum support to persons who have won their asylum appeals but where the period since their asylum appeal was disposed of exceeds 28 days; and if he will make a statement. [60539]

Beverley Hughes: In accordance with section 94(3) of the Immigration and Asylum Act 1999 and Regulation 2 of the Asylum Support Regulations 2000 (as amended), the national asylum support service support should end 28 days after an appeal is disposed of if it is successful and 21 days if it is not.

Asylum Seekers Accommodation Centres

John Barrett: To ask the Secretary of State for the Home Department what discussions his Department has had with BAA Lynton regarding the use of the former RAF Turnhouse site for an asylum seeker accommodation centre. [42733]

Beverley Hughes: The Home Office, through its agent, has been in discussion with the British Airport Authority Lynton regarding the former Royal Air Force Turnhouse site, initially on the availability of the site and subsequently as to the potential for using the site as an accommodation centre.

Mr. Luff: To ask the Secretary of State for the Home Department what voluntary activity away from the sites of asylum accommodation centres he considers appropriate for residents of such centres; and if he will make a statement. [59277]

Beverley Hughes: We expect most purposeful activity to take place on site at accommodation centres. Opportunities for voluntary activity away from the sites will depend upon local circumstances in exactly the same way as such voluntary activity is available to and taken up by asylum seekers who do not live in accommodation centres. Residents of accommodation centres will not be compelled to undertake voluntary work away from the sites.

Mr. Luff: To ask the Secretary of State for the Home Department (1) what contingency plans he has for the use of the facilities if the evaluation of the asylum accommodation centres show the centres are not performing satisfactorily; [59072]

(2) how he will evaluate the performance of asylum accommodation centres; and how long after the opening of the centres the evaluation will be completed. [59071]

Beverley Hughes: We set out the likely criteria for evaluating accommodation centres in the White Paper published on 7 February 2002 (Cm. 5387). We are still considering the details of the evaluation process.

We expect the trial centres to be successful. If in the light of the evaluation of the trial there is a need to modify any aspect of the centres, we will address that at the time.

Mr. Luff: To ask the Secretary of State for the Home Department what discussions he has had with the Department of the Environment, Food and Rural Affairs about compensation arrangements for residents living adjacent to Throckmorton airfield as a result of the combined impact of the foot and mouth disease burial site and the proposed asylum accommodation centre. [57345]

Beverley Hughes: My officials have had discussions with the Department of the Environment, Food and Rural Affairs (DEFRA) officials in connection with the proposed accommodation centre at Throckmorton airfield, near Pershore, Worcestershire. We do not anticipate grounds for compensation of this nature.

Mr. Luff: To ask the Secretary of State for the Home Department how many private sector sites have been offered to his Department for the proposed asylum accommodation centres; and for what reasons such sites are not being given further consideration. [57344]

Beverley Hughes: All sites, which have emerged as potentially suitable for accommodation centres, are being given consideration. In addition to the sties we have identified ourselves, a number have been put forward by potential bidders. We will not be putting into the public domain details of such sites unless and until they are considered to be a serious prospect for the siting of an accommodation centre.

Mr. Luff: To ask the Secretary of State for the Home Department, pursuant to his answer of 12 June 2002, *Official Report*, column 1308W, on asylum seekers accommodation centres, when he will place in the Library the documentation for the bidders conference. [66144]

Beverley Hughes *[holding answer 2 July 2002]:* A copy will be placed in the Library shortly.

Marina Brookes

John Cryer: To ask the Secretary of State for the Home Department when he intends to take a decision on the application for indefinite leave to remain of Marina Brookes (Home Office ref: B1099565). [56522]

Beverley Hughes: The application was decided on 15 May 2002 and notification sent by first class recorded delivery on the same day.

Sex Offenders

Mrs. Helen Clark: To ask the Secretary of State for the Home Department (1) who is notified of plans to allocate sex offenders allocated to areas other than those of their known offending; [42190]

(2) by what criteria and on what authority sex offenders are allocated to areas other than those of their known offending; [42189]

(3) what arrangements are put in place to monitor the movements of known sex offenders who are allocated to areas other than those of their known offending; [42192]

(4) when he will reply to the questions on sex offenders tabled on Wednesday 6 March, Ref. 42191. [44446]

Hilary Benn: I refer my hon. Friend to the answer given to her by my hon. Friend the Member for Stretford and Urmston (Beverley Hughes) on 19 March 2002, *Official Report*, column 285W. I apologise for the delay in responding.

Extradition

Jeremy Corbyn: To ask the Secretary of State for the Home Department how many Czech citizens have been extradited over the last four years; how many of them were Roma; and for what kinds of offences. [64858]

Mr. Bob Ainsworth *[holding answer 1 June 2002]:* The information requested is as follows:

Year	*Surrenders to Czech Republic*
1998	—
1999	—
2000	1
2001	4
Total	5

On information available, only one of those fugitives (who did not contest his extradition) was of Roma origin. Those concerned stood accused variously of theft, burglary, robbery and deception.

Road Traffic Offences

Mr. Drew: To ask the Secretary of State for the Home Department what discussions he has had with *(a)* the police, *(b)* the Lord Chancellor and *(c)* the Crown Prosecution Service on raising the tariff for serious road traffic offences. [65023]

Hilary Benn *[holding answer 27 June 2002]:* We are currently reviewing penalties for all road traffic offences. On 19 December 2000 we published a consultation paper. The paper dealt with the court sentencing powers for a wide range of road traffic offending including serious offending. The consultation exercise ended in March 2001. We are currently in the final stages of producing the Government's response to the consultation exercise on road traffic penalties. We hope to publish this shortly.

This was an interdepartmental review involving officials from the Home Office, Lord Chancellor's Department, and the Department for Transport in which the views of the Lord Chancellor, the police and the Crown Prosecution Service were taken into account.

Bail Information

John McDonnell: To ask the Secretary of State for the Home Department how many probation areas in England and Wales operated bail information schemes in the last year for which figures are available; in how many cases information on bail was provided to the courts, broken down by probation area; and in how many of these cases the court ordered conditional bail. [65424]

Hilary Benn: 36 areas provided bail information schemes to courts in 2001–02, although schemes in some areas will have been targeted at specific courts or court sittings and some courts within those areas will not have benefited from access to a scheme. The National Probation Directorate is currently considering how the overall scope of bail information schemes can be extended to provide courts with greater access to a scheme and to further develop the effectiveness of the bail information process. Work to identify qualitative performance measures will begin later this year.

A return showing the numbers of bail information reports prepared in 2001 is in the table. Consideration of a bail information report will be only one of a range of factors which courts take into consideration when considering whether to order conditional bail and records are not kept of the number of such orders where a bail information report has been presented.

Numbers of bail information reports prepared by the Probation Service during 2001

	Number
Avon	1
Bedfordshire	0
Cambridgeshire	2
Cheshire	1,014
Teesside	111
Cornwall	9
Cumbria	131
Derbyshire	40
Devon	91
Dorset	302
Durham	6
Essex	3
Gloucestershire	0
Hampshire	0
West Mercia	338
Hertfordshire	28
Humberside	634
Kent	181
Lancashire	198
Leicestershire	139
Lincolnshire	37
Greater Manchester	715
Merseyside	306
Norfolk	18
Northamptonshire	0
Northumbria	101
Nottinghamshire	0
Thames Valley	401
Somerset	15
Staffordshire	346
Suffolk	76
Surrey	228
West Sussex	140
Warwickshire	230
West Midlands	1,302
Wiltshire	62
North Yorkshire	0
South Yorkshire	403
West Yorkshire	1,991
Dyfed/Powys	191
Gwent	0
North Wales	0
West Glamorgan	9
Middlesex	71
England and Wales	9,870

Animal Experiments

Mr. Gordon Marsden: To ask the Secretary of State for the Home Department (1) what assessment his Department has made of the likely future level of scientific procedures on animals; [65081]

(2) what estimate his Department has made from applications for licences to perform scientific procedures on animals of the level of duplication in such procedures; [65082]

(3) what estimate his Department has made of the reduction in the number of scientific experiments on animals that has been achieved as a result of information sharing; [65080]

(4) what targets his Department has set for reducing the number of scientific procedures performed on animals. [65079]

Mr. Bob Ainsworth: The use of animals in experiments and other scientific procedures is strictly regulated by the Animals (Scientific Procedures) Act 1986 which is widely regarded as the most rigorous piece of legislation of its type in the world. It offers a high level of protection to animals while recognising the need to use animals in research. It also requires the latest ideas and technology to be taken into account when deciding whether the use of animals is justified.

The licensing system is demand led and the 1986 Act provides no mechanism by which to set absolute limits on the number of animals used. The Act requires that project proposals are assessed on a case-by-case basis and that licences are only granted where the benefits outweigh the costs and where there are no alternatives which either replace animal use entirely, reduce the number of animals needed, or refine the procedures to minimise suffering (the 3Rs). We must also be satisfied that the procedures are likely to achieve the stated objectives.

The number of animal procedures carried out reflects the state of science and industry in the United Kingdom and developments in science rather than being an indicator of the effectiveness of the 1986 Act. The Home Office will, however, continue to implement its overall strategy to minimise the numbers of animals used by the rigorous application of the 3Rs.

It is not possible to predict accurately the amount of scientific research and regulatory testing using animals which is likely to take place in future. However, there are indications that in most areas use of conventional animals will continue to decline, but that new molecular biology techniques are opening up new areas of genetic research which will lead to an increase in the use of genetically modified (GM) animals. In addition, new regulatory requirements, for example, the proposed European Union Chemicals Strategy, have the potential to increase the use of animals for human health and safety purposes.

There is no information readily available to indicate the reduction in scientific procedures using animals achieved through sharing of information. The Government believe, however, that sharing of scientific research data is self-evidently in the interests of refining ad avoiding duplication of procedures, and remains committed to promoting such sharing by any practical means. To this end, in August 2000, we announced an inter-departmental concordat on data sharing. The concordat commits United Kingdom regulatory authorities to help resolve legal and other obstacles and encourage data sharing between clients and thereby reduce animal tests. Progress in implementing the concordat is currently under review.

A programme of work involving the use of animals would not be licensed under the 1986 Act if it were known that it would entail unnecessary duplication of earlier work. Apart from some cases where there is need for deliberate replication of earlier work, in order to validate the original findings, we have no evidence that duplication of animal use takes place.

Private Finance Initiative

Matthew Taylor: To ask the Secretary of State for the Home Department, pursuant to his answers to the hon. Member for Yeovil (Mr. Laws) of 18 December 2001, *Official Report*, columns 237–38W, and 24 October 2001, *Official Report*, column 288W, concerning the private finance initiative, what the main areas of savings are leading to the cost savings indicated for the *(a)* Ryehill, *(b)* Dovegate, *(c)* Forest Bank, *(d)* Parc, *(e)* Lowndham Grange and Altcourse prisons; and if he will make a statement. [65416]

Hilary Benn: The same main elements in savings have been accrued from each of the seven prisons designed, constructed, managed and financed by the private sector. The main elements are threefold: construction costs, operational costs and risk transfer.

Youth Offending

Phil Sawford: To ask the Secretary of State for the Home Department what action he is taking to tackle persistent youth offending. [66587]

Hilary Benn: We have given the courts new secure remand and tagging powers for 12 to 16-year-olds who repeatedly offend on bail. Both started in the 10 street crime priority areas on 22 April. Tagging started in the rest of the country on 1 June 2002 and secure remands will start there on 16 September 2002.

We have also: delivered the Youth Justice Pledge by halving the time taken from arrest to sentence for persistent young offenders; funded the Youth Justice Board's intensive supervision and surveillance programmes for the most prolific offenders; and introduced the detention and training order for persistent and more serious young offenders.

As a result of our youth justice reforms results published in June 2002 for the first group of young offenders dealt with in July 2000 show that the reconviction rate fell by 14.6 per cent. They exceeded the Public Service Arrangement target of a 5 per cent. reduction in juvenile reconviction rates by 5 per cent. by March 2004.

Shop Crime

Mr. Hancock: To ask the Secretary of State for the Home Department what the estimated annual losses were to businesses in the Portsmouth, South constituency due to shop crime in the last 12 months; and if he will make a statement. [64480]

Mr. Denham: The Home Department does not collect information about losses as a result of shop crime. The number of offences of theft from shops recorded by the police in Hampshire for the 12 months ended 31 March 2001 was 9,674, which is 5 per cent. less than the previous year. It is not possible to identify offences relating only to the Portsmouth, South constituency.

The survey of crime affecting retailers and manufacturers announced by my right hon. Friend the Home Secretary on 23 April 2002 will provide up-to-date information on crimes against retailers including estimates of losses incurred. The results are expected to be available next spring.

Yarl's Wood

Simon Hughes: To ask the Secretary of State for the Home Department (1) how many of those who were detained at Yarl's Wood are detained *(a)* in a prison and *(b)* in an immigration detention centre; and if he will make a statement; [66622]

(2) how many of those who were detained at Yarl's Wood *(a)* have subsequently been removed from the UK and *(b)* have since been granted refugee status or exceptional leave to remain; and if he will make a statement. [66623]

Beverley Hughes *[holding answer 2 July 2002]:* Information about the number of detainees who have been removed is not readily available and could be obtained only at disproportionate cost by an examination of individual case files.

Simon Hughes: To ask the Secretary of State for the Home Department whether the search of the Yarl's Wood site has been completed; and whether fatalities have been discovered. [66612]

Beverley Hughes *[holding answer 2 July 2002]:* Bedfordshire police completed their controlled clearance of the Yarl's Wood site on 24 May 2002. They are continuing with the forensic examination of the materials removed. To date, no evidence of fatalities has been found.

Hard Cases Fund

Simon Hughes: To ask the Secretary of State for the Home Department (1) how many applications have *(a)* been made and *(b)* been successful to the hard cases fund; and if he will make a statement; [66609]

(2) whether the hard cases fund used to support asylum seekers in exceptional circumstances is cash limited; and if he will make a statement; [66610]

(3) what a grant made under the hard cases fund consists of; and if he will make a statement. [66611]

Beverley Hughes *[holding answer 2 July 2002]:* Hard case support is provided under section 4 of the Immigration and Asylum Act 1999. This allows the Secretary of State to provide, or arrange for the provision of, facilities for the accommodation of certain classes of person. It is policy to provide full board accommodation. There is no facility to make any subsistence payments. It is open to anyone who believes they have a case for support under section 4 to apply for it.

It is not possible to provide information on the number of applications received and accepted as this information is not routinely collected and to produce accurate figures would require a manual examination of all files held by the relevant section of the National Asylum Support Service (NASS). This could be done only at disproportionate cost.

West Midlands Police

Mr. John Taylor: To ask the Secretary of State for the Home Department what proportion of police officers in each ethnic group resigned from the West Midlands police force in each of the last two years. [45328]

Mr. Denham: I am sorry not to have provided an earlier answer. The information in the table has been provided by the chief constable of the West Midlands police (Sir Edward Crew QPM). The force has apologised for the delay in supplying it.

The information provided covers the last two full years for which it is available (1999–2000 and 2000–01). The table shows the number of officers from each ethnic group who resigned, the number of resignations as a proportion of the total number of officers in that ethnic group and the proportion of total resignations by ethnic group.

Resignations

	White	*Black Caribbean*	*Black other*	*Indian*	*Chinese*	*Other*	*All*
1999–2000							
Number of full-time equivalent (FTE) officers at 31 March 1999	7,008.48	110	27	89.67	1	83.63	7,319.78
Number of resignations 1 April 1999 to 31 March 2000	81	2	0	2	0	1	86
Officers who resigned as percentage of FTEs	1.16	1.82	0	2.23	0	1.2	1.17
Resigners' ethnicity as percentage of total resignations	94.19	2.33	0	2.33	0	1.16	—
2000–01							
Number of FTE officers at 31 March 2000	6,886.89	112	29.6	98.38	1	86.63	7,214.5
Number of resignations 1 April 2000 to 31 March 2001	99	2	1	2	1	2	107
Officers who resigned as percentage of FTEs	1.44	1.79	3.38	2.03	100	2.31	1.48
Resigners' ethnicity as percentage of total resignations	92.52	1.87	0.93	1.87	0.93	1.87	—

Crime and Policing (Wales)

Mr. Llwyd: To ask the Secretary of State for the Home Department if he will make a statement on the levels of crime and police resources in *(a)* North Wales, *(b)* Dyfed-Powys, *(c)* South Wales and *(d)* Gwent police areas in each year since 1997. [63966]

Mr. Denham: Crime in England and Wales fell by 21 per cent. between 1997 and 2000 (British Crime Survey 2001). Total recorded crime in Wales fell 16.5 per cent. between 1996–97 and 2000–01, taking account of changes in counting rules. Recorded crime in Wales since 1996–97 is set out in the table.

Police force area	*Number of recorded crimes*	*Percentage change from previous year*
1996–97		
Dyfed-Powys	19,282	–4.6
Gwent	38,296	14.8
North Wales	41,691	–1.8
South Wales	151,371	–0.8
1997–98		
Dyfed-Powys	17,994	–4.3
Gwent	47,043	–0.8
North Wales	38,658	–7.9
South Wales	128,811	–4.2
1998–99 (new rules)[1]		
Dyfed-Powys	24,588	–0.8
Gwent	58,738	–0.7
North Wales	43,848	–5.4
South Wales	134,820	–6.1
1999–2000		
Dyfed-Powys	23,709	–3.6
Gwent	60,132	2.4
North Wales	44,606	1.7
South Wales	127,040	–5.8
2000–01		
Dyfed-Powys	22,878	–3.5
Gwent	56,728	–5.7
North Wales	47,708	7.0
South Wales	111,131	–12.5

[1] Denotes crimes recorded using the expanded offence coverage and revised counting rules which came into effect on 1 April 1998.

Government revenue grant for Welsh police forces since 1997 is set out in the table. This is provision for all policing activity, including crime.

£ million

	Dyfed-Powys	*Gwent*	*North Wales*	*South Wales*
1997–98	42.1	56.5	60.8	137.3
1998–99	42.4	58.2	61.5	141.0
1999–2000	43.1	60.7	63.8	143.8
2000–01	45.8	63.3	66.5	147.3
2001–02	50.7	66.7	72.4	156.4
2002–03	52.3	68.7	74.0	161.9

Provision includes Home Office principal formula police grant, crime fighting fund and rural policing grant and Department of Transport, Local Government and the Regions (DTLR) revenue support grant and national non-domestic rates.

Under DTLR floors and ceilings arrangements, all forces were guaranteed a minimum increase in police and DTLR grants of 2.3 per cent. for 2002–03. Floors and ceilings are not applied by the National Assembly for Wales, but to ensure North Wales benefited from a minimum increase of 2.3 per cent, the Home Secretary agreed to make a special payment to North Wales police authority of £362,000. Crime fighting fund and rural policing grants are outside this arrangement.

Figures for 2002–03 are not directly comparable with 2001–02 owing to the change in funding arrangements for the National Crime Squad/National Criminal Intelligence Service. On a like-for-like basis the comparable figures in 2001–02 for Dyfed-Powys, Gwent, North Wales and South Wales are £50.2 million, £65.8 million, £71.5 million and £154.3 million respectively.

Police Officers

Mr. Evans: To ask the Secretary of State for the Home Department how many police officers there are in *(a)* the Lancashire constabulary, and *(b)* the Ribble Valley constituency. [63529]

Mr. Denham: The information has been provided by the Chief Constable of Lancashire (Mrs. Pauline Clare, CBE). I am told that it is not possible to provide the number of police officers in the Ribble Valley as the constituency is split between the central and eastern divisions and these divisions each cover other areas as well as parts of the constituency. Police numbers for both divisions are provided.

The table sets out police and civilian support staff strength for the force and for the central and eastern divisions for 31 January 2002. Lancashire constabulary had 69 more officers in January than in March 1997 and strength was at record levels.

	Number of police officers[1]	*Number of civilian support staff*[1]
Lancashire constabulary	3,316	[2]1,409
Central division	347	125
Eastern division	544	179

[1] Strength figures are full-time equivalents

[2] Civilian staff numbers are the latest available and are as at 30 September 2001

Keith Vaz: To ask the Secretary of State for the Home Department how many police officers were employed in England and Wales as at 1 June. [64834]

Mr. Denham: The latest available information on police numbers is for 31 January 2002 when there were 128,748 officers. This is 3,066 more than in March 2001 and is a record number of police officers.

The increase in police strength reflects the impact of the Crime Fighting Fund (CFF), which is enabling forces in England and Wales to recruit 9,000 officers over and above previous recruitment plans in the three years to March 2003.

Belmarsh Prison

John Austin: To ask the Secretary of State for the Home Department what action he has taken to ensure that keys are not taken out of HMP Belmarsh; what the cost was of the recent incident when keys left the prison; and if he will make a statement. [65253]

Hilary Benn: The Director of High Security Prisons has instructed the governor of Belmarsh, as well as the governors of the other high security prisons, to review the operation of their key management systems including the recently introduced key fob alarm system so as to ensure they prevent the removal of any keys from their prisons. Governors have been asked to report any possible deficiencies in the system, in order to enable required remedial action to be taken as soon as possible. The governor of Belmarsh has commissioned a disciplinary investigation into the recent incident at his prison.

The cost of replacing the locks necessary as a result of the key being taken out of Belmarsh would normally have been approximately £55,000, but as the specification for the key has been upgraded since original installation at Belmarsh, the opportunity was taken to install the upgraded key at this time. This work incurred an additional cost of approximately £18,000, bringing the total cost to £73,000.

New Prisons

John McDonnell: To ask the Secretary of State for the Home Department who will pay insurance for new prisons in England and Wales. [65423]

Hilary Benn: Insurance for new prisons in England and Wales designed, constructed, managed and financed by the private sector will be paid for by the contractor as part of the contract price.

Prison Building

Mr. Wilshire: To ask the Secretary of State for the Home Department if he will make a statement on the delay in signing the contract for the building of a privatised prison at Ashford (Middlesex). [66493]

Hilary Benn *[holding answer 2 July 2002]:* There has been a delay in signing the contract for the new prison at Ashford due to problems arising from insurance. Discussions are continuing between the contractor and the Prison Service with a view to solving these problems.

LORD CHANCELLOR'S DEPARTMENT

Civil Courts

Phil Sawford: To ask the Parliamentary Secretary, Lord Chancellor's Department how many courts he expects will *(a)* close and *(b)* be downgraded as a result of the proposals to modernise the civil courts; and which courts will be affected. [65417]

Yvette Cooper: Under the Courts and Tribunals Modernisation Programme the Court Service is developing new ways of delivering services to users. The current proposals involve introducing hearings in 37 locations which currently do not have a county court and closing one county court, Shoreditch.

The purpose of this programme is a strategic consideration of the existing network of courts to increase the number of places where cases are heard. The effect of this will be the establishment of primary hearing centres as the principle venues for hearings supported by a network of full and part-time local hearing venues ensuring access to justice across England and Wales. All those courts which will operate as local hearing venues will continue to provide hearings for their local communities. Detailed plans are still being developed, and will depend on the funding available following the Government's spending review. They will also be subject to public consultation.

The tables included in our report on "Modernising the Civil and Family Courts", show the detail of our proposal for the civil and family court network of the future. The report was published on 23 May and copies are in the Libraries of both Houses.

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many courts will close to the public as a result of her proposals to modernise the civil courts. [65278]

Yvette Cooper: Under the Courts and Tribunals Modernisation Programme the court service is developing new ways of delivering services to users. This includes a strategic consideration of the existing network of courts. Current proposals involve holding part-time hearings at 37 new venues and closure of only one county court, Shoreditch. Detailed plans are still being developed, and will depend on the funding available following the Government's spending review. They will also be subject to public consultation.

Details of the emerging strategy for the court estate were published in the "Modernising the Civil and Family Courts" report which was published on 23 May 2002 and placed in the Libraries of both Houses.

Criminal Justice (Timeliness Targets)

Mrs. Curtis-Thomas: To ask the Parliamentary Secretary, Lord Chancellor's Department what further timeliness targets have been identified; which criminal justice departments are involved in this activity; and when an announcement will be made concerning the timeliness targets. [59340]

Yvette Cooper: We are working with the Home Office, Crown Prosecution Service and Youth Justice Board on targets for all adult defendants in the magistrates courts and for all defendants in the youth court, charged with crime. When these are settled an announcement will be made.

Youth Courts

Kate Hoey: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans the Department has to reduce the number of trials in youth courts that are adjourned. [60325]

Yvette Cooper: The Lord Chancellor wrote to all youth panel chairs in May 1997, encouraging them to scrutinise all request for adjournment by questioning and probing the reasons advanced in support. In response to the call from Government to speed up case management in our courts the Magistrates' Association produced a training course on effective case management entitled "Can We Get On Please". The Youth Court Bench Book issued in September last year to all youth justices includes a section on case management, an adjournment guide and check list. Sample surveys of cases in the youth court suggest that the proportion of defendants who had the case against them adjourned fell from 78 per cent. in 1997 to 74 per cent. in 2001.

Kate Hoey: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans the Department has to take measures to discourage the tactical not guilty plea in youth courts. [60328]

Yvette Cooper: My Department has been involved in an interagency review of measures to reduce delay in the magistrates courts generally. One of the outcomes of this review was that last year the Justices' Clerks' Society and the Law Society both reminded their members of the need to draw to the attention of defendants the fact that in reaching a sentence the bench will take into account a timely plea of guilty. Further work is under way in respect to the Auld review.

Voting Methods

Ian Lucas: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate she has made of the additional cost of holding an all-postal ballot in a nationwide election or referendum. [64311]

Yvette Cooper: No estimate has been made of the cost of holding a nationwide election or referendum by all-postal ballot.

Queen's Counsel

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many persons applied to take silk in the last five years; and what percentage were successful. [64831]

Ms Rosie Winterton: The table shows the total number of applicants for silk in the last five years and the percentage of total awards made (excluding Honorary Silk):

	1998	*1999*	*2000*	*2001*	*2002*
Total applicants	511	553	506	456	429
Total awards[1]	60	69	78	77	113
Percentage of applicants granted the award of Queen's Counsel	11.74	12.48	15.4	16.9	26.3

[1] Excl. Honorary Silk

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department when feedback is given to persons who apply for silk who are not successful. [64833]

Ms Rosie Winterton: Applicants who have been unsuccessful in their application for silk may receive feedback at any time following publication of the list of successful candidates.

EU Directives

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the EU directives relating to his Department which have been *(a)* amended and *(b)* repealed in 2002. [64943]

Yvette Cooper: There have not been any.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the EU directives and regulations that have been implemented through his Department in 2002; and what was the cost of each to public funds. [64993]

Yvette Cooper: The Council Regulation (EC) No. 44–2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters entered into force on 1 March 2002. Its impact on public funds is minimal.

Freedom of Information

Norman Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on plans to allow access to information about the environmental activities of business; and if this will extend to state-owned interests. [61119]

Mr. Meacher: I have been asked to reply.

We will shortly be consulting the public on proposals to replace the Environmental Information Regulations 1992 (SI 3240) as amended in 1998 (SI 1447).

The new regulations will apply to public authorities and to some private bodies performing public administration functions in relation to the environment. They will include exemptions for certain categories of information, including information which is commercial in confidence.

When a public authority receives a request for information, that authority must decide whether they regard the environmental information requested as a matter of commercial confidentiality. If they are satisfied that an exemption applies, then under the new Environmental Information Regulations, they will also apply the public interest test.

Decisions as to whether information is commercial are subject to challenge in a court of law. In accordance with the new proposals the information commissioner will be able to consider whether public authority is following good practice and examine appeals against any refusal to supply information.

Family Proceedings (Contact Orders)

Margaret Moran: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list each target set for his Department to increase the number of contact orders in family proceedings for each year since 1997. [66044]

Jacqui Smith: I have been asked to reply.

The Department of Health has no such targets.

HEALTH

Northwick Park Hospital

Mr. Gareth R. Thomas: To ask the Secretary of State for Health what assessment he has made of improvements in service at Northwick Park hospital since 1999; and if he will make a statement. [48897]

Mr. Hutton: Several assessments have been made at Northwick Park recently by the winter and emergency services team (WEST), the patient environment and action team (PEAT) and the commission for health improvement (CHI).

WEST visited the trust on 13 December last year and were pleased to see a number of developments and innovation projects. These included:

The relocation and expansion of the medical assessment unit

The production of a performance improvement programme with local partners over the winter period leading to increased social care and acute medical bed capacity and a revised escalation policy

The development of rapid access specialist clinics

Improvements to bed management and site management.

The trust has recently received a London modernisation award for the cardiology team as a result of the work to reduce delayed transfers.

PEAT carried out its latest visit on 10 April this year and Northwick Park hospital has shown continued improvement in the hospital environment and now has green light status.

The CHI completed its report on 23 October 2001 and found many areas of good practice particularly around the multidisciplinary collaborative care team and the ambulatory care and diagnostic service.

Mount Vernon Hospital

Mr. Gareth R. Thomas: To ask the Secretary of State for Health what inspections of Mount Vernon hospital have taken place by NHS agencies in the last five years; and if he will publish their conclusions. [48905]

Mr. Hutton: Since 1999, Mount Vernon hospital has received two visits from the patient environment and assessment team (PEAT) and a routine clinical governance review by the commission for health improvement (CHI).

The PEAT results were published for the August 2000, March 2001 and August 2001 inspections and are available under the Hillingdon Hospitals National Health Service Trust at: http://www.cleanhospitals.com/national_results/index.asp?menuID=nationalresults.

The CHI report will be published shortly.

Ambulances

Mr. Evans: To ask the Secretary of State for Health what the average response time for emergency ambulances was for each hospital in Lancashire in each year since 1997. [53107]

Jacqui Smith: Information about emergency calls to the ambulance service is not available specifically for each hospital in Lancashire. Information about Lancashire Ambulance National Health Service Trust and all other ambulance NHS trusts, about the number of emergency calls and the proportion of emergency calls resulting in an ambulance arriving at the scene of the reported incident within the Government's target response times is contained in the Department's Statistical Bulletin "Ambulance Services, England 2000–01". A copy of the bulletin is in the Library and available at www.doh.gov.uk/public/sb0115.htm.

EC Decisions

Mr. Rosindell: To ask the Secretary of State for Health if he will make a statement on the effects of Commission Decision 18 of 27 June 2001, 2002/155/EC, OJ L54 of 25 February 2002, on current practice. [57897]

Mr. Hutton: Decision 183 of the Administrative Commission on social security for migrant workers concerned the interpretation of the provisions of Regulation (EEC) 1408–71 relating to maternity care. Its effect is that health care services required in connection with pregnancy or childbirth shall be regarded as an immediately necessary benefit, provided on the basis of EU Form E111, during a temporary stay in another member state. This applies up to the beginning of the 38 week of pregnancy, provided that the reasons for the temporary stay are other than medical. From the 38 week, EU Form E112 concerning travel specifically for medical care, will be required.

Current practice in the UK is to issue Form E112 for pregnant women wishing to receive ante-natal care or give birth in another member state. Guidance to this effect is contained in the Department's leaflet "Health Advice for Travellers" (available in the Library). We expect to issue a suitably revised version of the leaflet in the late summer.

In respect of women from other member states presenting in the UK, current UK practice is already broadly in line with Decision 183 but guidance to the NHS will be amended as necessary.

Mixed Sex Wards

Dr. Evan Harris: To ask the Secretary of State for Health, pursuant to his answer of 14 May 2002, *Official Report*, column 624W, on mixed sex wards, how many mixed sex wards there are in the NHS. [60817]

Mr. Hutton: The information requested is not available in this format as compliance is measured on a trust by trust basis rather than on an individual ward level.

The reasons for measuring at the trust level is because hospital wards generally care for both men and women. To provide the required levels of privacy and dignity for patients, wards are split into single sex bays, or single rooms, or otherwise configured to provide adequate segregation of gender. It is the responsibility of each National Health Service trust to determine the most appropriate configuration to meet their specific requirements.

The Department has set three objectives which trusts must meet to be deemed compliant. These objectives refer to single sex accommodation and not single sex wards.

The target set is for three objectives to be achieved in 95 per cent. of trusts by December 2002.

The three objectives are:

To ensure that appropriate organisational arrangements are in place to secure good standards of privacy and dignity for hospital patients;

To achieve the Patient's Charter standard for segregated washing and toilet facilities across the NHS; and

Provide safe facilities for patients in hospitals who are mentally ill which safeguard their privacy and dignity.

Trusts are required to re-assess and report their position annually. This information has been collected through health authorities. Separate validation programmes are undertaken to ensure that information provided is robust and reliable.

This is a very challenging target and we are working with the NHS to provide professional and technical support to ensure progress towards meeting this target continues.

Guidance on maintaining privacy and dignity was issued to the service in 1997.

NHS Foundation Hospitals

Dr. Fox: To ask the Secretary of State for Health on what date the first NHS foundation hospitals will be identified. [61443]

Mr. Lammy: The first wave of foundation trusts will be selected from among the cohort of national health service acute trusts that achieve three-stars in the performance ratings to be published in July. At this time we will publish a prospectus setting out how NHS trusts can apply for foundation status and the criteria that will be used to assess applications. Decisions on the first NHS Foundation Trusts will be made in the autumn, although their establishment will be subject to legislation.

Social Service Departments

Mr. Sayeed: To ask the Secretary of State for Health (1) if he will amend the terms of the capacity grant paid to social service departments so that social services departments that perform well do not receive less than those with an average or poor performance; and if he will extend the time covered by the capacity grant; [63095]

(2) if he will review the terms of the capacity grant paid to social service departments to ease the situation with regard to delayed discharges from hospital; and if he will extend the present capacity grant from one year only. [63482]

Jacqui Smith: All local councils with social services responsibilities have received a share of this grant to improve services for those discharged from hospital. In 2001–2 and 2002–3 we have targeted extra resources on those councils with particularly severe problems in providing the range of services needed, and they have had more challenging targets for reducing delayed discharge. This approach has delivered over 1,000 hospital beds no longer occupied by people awaiting discharge by March 2002.

For the future we intend to legislate to make councils responsible for meeting the costs to the national health service of delayed discharges where councils' intervention could prevent the delay, drawing on the experience of similar approaches in Scandinavia. Local councils that meet their responsibilities in reducing delayed discharges will not be disadvantaged. They will have the money to pay for patients in the NHS if they are delayed inappropriately or in the community if they are discharged appropriately.

Intermediate Health Care Services

Mr. Cox: To ask the Secretary of State for Health what recent developments have taken place in the Greater London area in intermediate healthcare services. [63591]

Mr. Hutton: The thirty-two primary care trusts in London along with their social services departments and partner agencies are responsible for planning and commissioning intermediate care services. The local implementation teams for the older peoples national service framework are overseeing this process. Each care community in London has an intermediate care co-ordinator and most have a wide range of Intermediate care services, both beds and community places which they are working to ensure are co-ordinated to meet their local needs. A London wide network for these co-ordinators facilitates the sharing of good practise across London.

Twelve capital projects in London have between them been allocated £10 million as part of the £66 million capital funding for intermediate care in 2002–3 and 2003–4. These schemes will be developed over the next two years and will by April 2004 have significantly increased the number of intermediate care beds available across London.

NHS (Surveys)

Mr. Hancock: To ask the Secretary of State for Health if he plans to introduce surveys similar to the NHS inpatients' surveys conducted this year for *(a)* outpatients and *(b)* other NHS organisations; and if he will make a statement. [64482]

Mr. Lammy: The first inpatient survey, as announced in the NHS Plan, has been completed. It is anticipated that the roll-out programme presently being established, will be extended to cover outpatients. The programme will also provide information about the patient experience across primary care and within areas covered by national service frameworks.

Mr. Hancock: To ask the Secretary of State for Health how many hospital trusts have conducted NHS in-patients' surveys this year as part of the national programme outlined in the NHS Plan; what the total cost of this exercise has been; and if he will make a statement. [64483]

Mr. Lammy: 176 hospital trusts undertook the first national health service in-patients' survey earlier this year to directly inform local service development and improvement. In line with the policy on devolution, individual trusts were responsible for running and funding their own surveys and cost of the survey will vary from trust to trust. This was a local exercise and we do not have information on the total cost of the surveys nationally.

Mr. Hancock: To ask the Secretary of State for Health when the results of the NHS in-patients' surveys conducted this year will be made available to the public; in what format they will be available; if patients will be able to compare ratings for their local hospital with other hospitals; and if he will make a statement. [64484]

Mr. Lammy: The in-patient survey results will be made available to the public over the summer. The Department is also publishing the next set of hospital performance ratings in the summer and this will enable patients to compare the performance of national health service trusts.

The in-patient survey results will be published locally by trusts and will be one of the features covered within the new patient prospectus, which will be published by primary care trusts in the autumn and delivered to every household.

NHS Employees

Ian Lucas: To ask the Secretary of State for Health how much money was received by health authorities in each year since 1988 as a consequence of agreements with financial services companies to market their products to NHS employees. [64312]

Mr. Hutton: This information is not held centrally.

National Service Framework

Mr. Burstow: To ask the Secretary of State for Health when he will set out his proposals for the national service framework for eyes, ears, teeth and feet. [64513]

Jacqui Smith: The national service framework (NSF) programme currently includes frameworks for mental health (1999), coronary heart disease (2000) the (national) cancer plan (2000), older people (2001) and diabetes standards (2001). The diabetes NSF delivery strategy is due to be published in 2002 and work is in hand on NSF for renal services, children's services and long-term conditions.

These frameworks amount to a significant programme of quality improvement across the national health service. We have no plans to amend the programme at present.

Ashworth Hospital

Mrs. Curtis-Thomas: To ask the Secretary of State for Health what the terms of reference are for the education service within rehabilitation at Ashworth Hospital; and what targets have been established for the service. [64621]

Jacqui Smith: The terms of reference for the patients education department are:

> to develop a needs led service with regular curriculum reviews focusing on content and methods of delivery
>
> to ensure the clinical agenda is met in education activities by strengthening its interface with the care services.

The rehabilitation service review completed in November 2000 recommended twenty-one action points, including the three key points outlined below, all of which have been implemented.

> Integration of the rehabilitation service with the clinical service
>
> Extension of on-ward rehabilitation service to meet individual patient needs.
>
> All rehabilitation services, including the education service, to become an integral part of the care programme approach.

Mrs. Curtis-Thomas: To ask the Secretary of State for Health how many lecturers were retained by Ashworth Hospital in each of the last five years; and how many patients there were in Ashworth Hospital in each of the last five years. [64619]

Jacqui Smith: The number of lecturers retained by the hospital and numbers of patients in the hospital's care in each year for the last five years is shown in the tables. The data provided for the current year reflects the change in the lecturers' contracts, in line with National Health Service terms and conditions.

Year	*Full time Lecturers*	*Sessional Lecturers*	*Patients*
1997–98	9	11	440
1998–99	7	13	419
1999–2000	7	10	417
2000–01	5	7	408

Year	*Full Time Lecturers*	*Part Time Lecturers*	*Patients*
2001–02	5	5	402

Mrs. Curtis-Thomas: To ask the Secretary of State for Health what the timescale is of the rehabilitation service review at Ashworth Hospital. [64620]

Jacqui Smith: The rehabilitation service review was completed in November 2000 and its recommendations have been implemented in stages. The final stage, which brought the terms and conditions of the lecturers in the patient education department into line with the National Health Service, was implemented in December 2001.

Prescription Pre-payment Certificates

Mr. Paul Marsden: To ask the Secretary of State for Health if he will estimate the cost of allowing the purchase of the prescription pre-payment certificate on a monthly basis at one twelfth of the annual cost; and if he will make a statement. [64594]

Mr. Lammy: If prescription pre-payment certificates were available on a monthly basis at one twelfth of the current annual cost, the monthly rate would be little more than a single prescription charge, which would be attractive to people on all levels of income. In addition to the costs of collecting the payments and pursuing payment from patients who defaulted on their payments, there would be a considerable loss of charge income and a risk of very significant additional costs to the drugs bill. There would also be additional workloads for doctors if people who currently pay individual prescription charges sought prescriptions for medicines which they currently purchase.

Mr. Paul Marsden: To ask the Secretary of State for Health if he will estimate the cost of including prescription pre-payment certificates within the scope of the health benefits low income scheme; and if he will make a statement. [64595]

Mr. Lammy: The cost would depend on the extent of the reduction in the pre-payment certificate (PPC) fee offered through the national health service low income scheme and the number of people who currently purchase PPCs who sought and were entitled to help in this way. Additionally, there could be a loss of charge income and significant additional costs to the drugs bill if people who currently pay individual charges obtained a PPC via this route for prescriptions for medicines and other items which they currently purchase.

Prescriptions

Mr. Paul Marsden: To ask the Secretary of State for Health (1) what representations he has received regarding people on low incomes and their ability to afford their prescriptions; and if he will make a statement; [64593]

(2) if he will review the arrangements for providing financial assistance in paying for necessary medication for patients; and if he will make a statement. [64596]

Mr. Lammy: As a result of wide ranging exemption arrangements in England, around 50 per cent. of the population do not pay prescription charges and around 85 per cent. of prescription items are dispensed free of charge. Financial assistance in paying for medication is available to recipients of income support, income based jobseeker's allowance, many recipients of working families' tax credit and disabled person's tax credit and people who hold a national health scheme low income scheme exemption certificate for full help.

We receive representations from time to time about the ability of people on low incomes to pay for their prescriptions, but we have no plans to change the arrangements other than in the light of changes to the tax credit arrangements.

Care Homes

Mr. Berry: To ask the Secretary of State for Health when the new regulatory impact assessment for the national care standards for care homes for younger adults will be published. [65035]

Jacqui Smith: The regulatory impact assessment for care homes was placed in the Library on 21 January 2002.

Carers

Mr. Burstow: To ask the Secretary of State for Health if he will make a statement on progress towards implementing the national carers strategy requirement that general practitioners should have procedures in place to identify carers by April. [65105]

Jacqui Smith: Improvements in general practitioners (GPs) computer systems completed at the end of March 2002 mean that all GPs are able to record, as part of patient records, details of whether a person is a carer. They are encouraged to do so in order to facilitate the process of sign-posting carers to relevant services.

Mr. Burstow: To ask the Secretary of State for Health when he plans to publish the performance framework indicator for the number of carer assessments; if he will ensure that the assessments evaluate the proportion of carers assessed at the point of hospital discharge; and if he will make a statement. [65102]

Jacqui Smith: The performance indicator for 2000–01 for the number of informal carers receiving an assessment as a proportion of the total number of clients and carers receiving assessments was published in October 2001. Details of where assessments took place are not available.

Mr. Burstow: To ask the Secretary of State for Health if he will set out the criteria against which progress in implementing the national carers strategy is monitored; by what means progress is reported to the House; and when progress was last reported. [65101]

Jacqui Smith: I refer the hon. Member to the reply I gave him on 9 July 2001, *Official Report*, column 344W. My hon. Friend the Parliamentary Under-Secretary of State for Public Health (Ms Blears) summarised recent progress on implementing the national strategy for carers in a debate on 12 June 2002, *Official Report*, column 273WH.

Mr. Burstow: To ask the Secretary of State for Health if he will set out the timetable for the establishment of a fund to support the development of carers services under the Carers and Disabled Children Act 2000. [65056]

Jacqui Smith: I refer the hon. Member to the reply I gave him on 17 June 2002, *Official Report*, column 152W.

Primary Care Trusts

Mr. Frank Field: To ask the Secretary of State for Health how many primary care trusts had chief executives in post on 1 April, who were professionally qualified as general practitioners, dentists, pharmacists or opticians. [54714]

Mr. Hutton: Of the primary care trust chief executives in post on 1 April 2002, 12 were professionally qualified as general practitioners, dentists, pharmacists or opticians.

Neurology

Mr. Burstow: To ask the Secretary of State for Health, pursuant to the answer of 24 June 2002, *Official Report*, column 740W, regarding long-term health, if he will invite the *(a)* Neurological Alliance and *(b)* Association of British Neurologists to participate in the external reference group; and if he will make a statement. [65127]

Jacqui Smith: Nominations for membership of the external reference group (ERG) have been received from a wide range of stakeholders. We will consider these before appointing the group later this year. The multi-disciplinary nature of ERGs is the key to developing national service frameworks that deliver realistic improvements in services so members of the group are expected to be drawn from health and social care professionals and managers, service users and carers, voluntary organisations and representatives from other partner agencies.

NHS Direct

Mr. Hancock: To ask the Secretary of State for Health how many telephone calls have been received by NHS Direct from people living in Portsmouth; and if he will make a statement. [65369]

Mr. Lammy: Information about calls from people living in Portsmouth has only recently been collected. The NHS Direct Hampshire & Isle of Wight site handled around 28,000 calls from people living in Portsmouth in the six months to 1 April 2002.

Mental Health

Lynne Jones: To ask the Secretary of State for Health what assessment he has made of the need for additional qualified staff to implement proposals in the draft Mental Health Bill; and what measures are being put in place to ensure that an adequate number of people with the necessary experience and qualifications are available. [65452]

Jacqui Smith: The financial and human resource consequences of the proposals in the draft Mental Health Bill have been estimated and are being considered as part of the spending review process.

We are acting to increase the workforce available generally to mental health services. A workforce action team (WAT) was established to look at workforce, education and training issues of the mental health workforce. A mental health care group work force team has been established to take forward the recommendations of the WAT report.

Now that the draft Mental Health Bill has been published, we will take forward plans to work with the professional bodies and other key national organisations on the implementation of the Bill, including workforce matters.

Lynne Jones: To ask the Secretary of State for Health how many lay members of mental health tribunals had previously been users of mental health services. [65795]

Jacqui Smith: Members of the mental health review tribunal are judicial officers appointed by my noble Friend the Lord Chancellor. No information is held on whether applicants have or have not been users of mental health services.

Radiographers

Bob Spink: To ask the Secretary of State for Health (1) what plans he has to improve retention of radiographers in the NHS in London; and if he will make a statement; [60873]

(2) what estimate he has made of the impact on the NHS of resignations of radiographers in the Greater London region in the last year. [60872]

Mr. Hutton: The NHS plan set targets to increase the NHS workforce. This will include radiographers throughout the country and within London. We recognise that a well-motivated workforce, able to balance their work and domestic responsibilities, will provide a better service to patients.

The regional co-ordinator been seconded from the service since November 2000, to take forward the recruitment, retention and returner initiatives in the field of radiography and the other allied health professions (AHP).

In 1999 Ministers launched the Improving Working Lives Standard (IWL) designed to enable staff to balance their home and work responsibilities as part of this work. A combined AHP and healthcare scientist retention campaign is currently being developed and will be launched in the summer. In addition, the HR strategy for AHPs was accompanied by a booklet called "Building Careers". The booklet illustrates the varied careers available to staff within AHP and the vital contribution they make to patient and client care.

The Department does not collect information on the number of resignations of radiographers both in London and the rest of the country.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Health when he will reply to the letter to him dated 3 May from the right hon. Member for Manchester, Gorton with regard to Mr. A Starkie. [61689]

Mr. Milburn: A reply was sent on the 2 July.

Mr. Kaufman: To ask the Secretary of State for Health when he intends to reply to the letter to him dated 15 May from the right honourable Member for Manchester, Gorton with regard to Mrs. Greenhalgh. [66206]

Mr. Milburn: A reply was sent on 2 July.

Mrs. May: To ask the Secretary of State for Health when he will reply to the letters from the honourable Member for Maidenhead of 19 February and 25 April regarding a constituent, Mrs. Preston on the MMR vaccine and autism. [66346]

Ms Blears *[holding answer 2 July 2002]:* A reply was sent on 3 July.

Free Influenza Injections

Mr. Paul Marsden: To ask the Secretary of State for Health how many free influenza injections have been given to pensioners in each quarter since the scheme was launched; and if he will make a statement. [65583]

Jacqui Smith: Flu immunisations are carried out between October and December each year.

In 2000–01 4,965,370 aged 65 and over received their free influenza immunisation and 5,113,036 received their immunisation in 2001–02.

Disability Equipment Services

Mrs. Brooke: To ask the Secretary of State for Health what action his Department has taken in response to the recommendations made in the Audit Commission's Fully Equipped report on the provision of disability equipment services for older and disabled people; and if he will make a statement. [66263]

Jacqui Smith: Following up its 2000 report 'Fully Equipped', the Audit Commission published 'Fully Equipped 2002' on 27 June 2002. The latter recognises the steps the Government took in response to the first. As an initial response to the new report, I am asking the national support team for the integration of community equipment services to review its action plan in the light of the Commission's recommendations and to produce commissioning guidelines for community equipment services by the autumn. Since the first report was issued the process of modernising hearing aid services has progressed to the point that about a third of the country will be benefiting from a modernised service, including the provision of digital hearing aids, by the end of this financial year. Work is also underway to spread good practice across the country's wheelchair services.

The report affords a welcome opportunity to: remind health and social services of the importance of orthotic, prosthetic, community equipment, wheelchair and audiology services; encourage commissioners of these services to act upon the recommendations; and highlight the importance of using appropriately the additional funding the Government made available for community equipment services.

Work-place Health

Dr. Tonge: To ask the Secretary of State for Health what the role of the Health Department Agency will be with respect to workplace health. [66686]

Ms Blears: The health development agency (HDA) is a special health authority, working to improve the health of people and communities in England, in particular, to reduce health inequalities. In partnership with others, it gathers evidence of what works, advises on standards and develops the skills of all those working to improve people's health.

Employment is a major health determinant. The focus for this year's work on employment and health will be exploring the evidence for the health impacts of changes in work status such as unemployment, incapacity, or retirement.

A website for supporting standards for workplace health interventions and well-being is currently being constructed by the HDA. The site will provide a tool for employers and managers of businesses and public sector organisations to address workplace health in a sustainable manner based on the needs of staff and the capacity of the organisation. Furthermore, the site will act as a portal to other workplace health-related websites spanning human resource and general management, equality issues, occupational health, health and safety, environmental impact and corporate social responsibility. The website will go live during 'Health and Safety Week' in October 2002.

The HDA works closely with the Department of Work and Pensions, and has been asked to act in an advisory capacity on specific projects. The HDA also advises the Department and the Health and Safety Executive as required on public health issues.

Cancer

Mr. Wray: To ask the Secretary of State for Health what support is given to cancer patients during their treatment. [66359]

Ms Blears: As part of the implementation of the NHS Cancer Plan we are developing a supportive care strategy. The strategy will ensure that people affected by cancer are able to access the right professional support, treatment and help, from when cancer is first suspected through to death and into bereavement. As part of the strategy, the National Institute of Clinical Excellence (NICE) has been asked to develop and publish evidence-based guidance on supportive and palliative care. The initial NICE findings will be available from autumn 2002 and will include guidance on psychological and social support for patients and carers.

University Hospital Coventry and Warwickshire NHS Trust

Mr. Burns: To ask the Secretary of State for Health if he will make a statement as to whether the NHS will be making an enhancement to the pension arrangements for the chief executive of the University Hospital Coventry and Warwickshire NHS Trust when he retires; and how much this will amount to. [46820]

Mr. Lammy *[holding answer 10 April 2002]:* The chief executive of the University Hospital Coventry and Warwickshire National Health Service Trust resigned voluntarily and I am advised that the trust will not be making an enhancement to the pension arrangements.

Mr. Burns: To ask the Secretary of State for Health whether pressure was put on the chief executive of the University Hospital Coventry and Warwickshire NHS Trust by *(a)* Ministers and *(b)* the NHS executive to resign. [46823]

Mr. Lammy *[holding answer 10 April 2002]:* I am advised by the University Hospital Coventry and Warwickshire National Health Service Trust and officials at the NHS West Midlands regional office that the chief executive of the trust resigned voluntarily.

Mr. Burns: To ask the Secretary of State for Health if he will make a statement as to whether the NHS will be paying *(a)* redundancy pay, *(b)* compensation and *(c)* an ex-gratia payment to the Chief Executive of the University Hospital Coventry and Warwickshire NHS Trust when he retires; and how much this will amount to. [46819]

Mr. Lammy*[holding answer 10 April 2002]:* The chief executive of the University Hospitals Coventry and Warwickshire NHS Trust is an employee of that organisation. The terms of his leaving his employment are for the trust board to determine within employment law and with regard to the Department's guidance.

Mr. Burns: To ask the Secretary of State for Health if he will make a statement as to whether the Chief Executive of the University Hospital Coventry and Warwickshire NHS Trust will be offered another post within the NHS following his retirement. [46821]

Mr. Lammy *[holding answer 10 April 2002]:* Executive appointments within the national health service are a matter for the employing body concerned. All appointments should be made on merit and should take into account relevant factors that might bear upon the capability of candidates.

Mr. Burns: To ask the Secretary of State for Health what the cost to date is in *(a)* salaries paid, *(b)* management costs and *(c)* other related costs arising out of the suspension of consultants at the University Hospital Coventry and Warwickshire NHS Trust. [46818]

Mr. Lammy *[holding answer 10 April 2002]:* The total cost incurred by the University Hospitals Coventry and Warwickshire NHS Trust in regard to the suspension of Mr. Barros D'Sa is £219,563. This cost includes elements relating to the salary of the suspended consultant, costs of locum cover, the setting up of an Inquiry Panel in accordance with HC(90)9, legal and court costs and mediation meeting costs.

The approximate cost incurred by the trust in regard to the suspension of Miss Briony Ackroyd to date is £467,387 based on legal costs, locum costs and salary.

The approximate cost incurred by the trust due to the suspension of Dr R K Mattu is £57,000 based on legal costs, locum costs and salary.

Joint Committee on Vaccination and Immunisation

Dr. Gibson: To ask the Secretary of State for Health who the members of the Joint Committee on Vaccination and Immunisation are; and what their institutional and commercial affiliations are. [53896]

Ms Blears *[holding answer 2 May 2002]:* The information requested is available in the Library.

Smallpox Vaccine

Norman Baker: To ask the Secretary of State for Health whether he was informed, at the time of signing the contract with Powderject, that *(a)* the manufacturing would be sub-contracted to a further company and *(b)* it would be undertaken outside the UK. [54659]

Mr. Hutton *[holding answer 8 May 2002]:* Yes. The Department knew in advance of awarding the contract that PowderJect would not be the direct manufacturer and that the vaccine would be manufactured in Germany by PowderJect's partner company, Bavarian Nordic.

Norman Baker: To ask the Secretary of State for Health for what reasons the Powderject contract for smallpox vaccines was handled as a matter of national security; and if he will make a statement. [54655]

Mr. Hutton *[holding answer 8 May 2002]:* I refer the hon. Member to answer I gave to my hon. Friend the Member for North Durham (Mr. Jones) on 15 May 2002, *Official Report*, column 727.

Public Appointments

Mr. Simmonds: To ask the Secretary of State for Health what action is being taken to encourage disabled people to stand for public appointments. [56147]

Jacqui Smith *[holding answer 13 May 2002]:* The Government are committed to encouraging people from all sections of society to participate in public life, particularly those from under-represented groups. Specific goals and objectives to increase the number of disabled candidates appointed to public bodies which come under the auspices of the Department were included in 'Public Bodies: Opening up Public Appointments 2002–2005' a copy of which is in the Library.

Mental Health (Young People)

Mr. Heald: To ask the Secretary of State for Health when he last met the Secretary of State for the Home Department to discuss child and adolescent mental health services for young offenders; and if he will make a statement on future mental health provision for young offenders. [56322]

Jacqui Smith *[holding answer 14 May 2002]:* Ministers last met to discuss child and adolescent mental health services at a bi-lateral ministerial meeting on 6 February. The main focus of provision is the ongoing programme to improve the availability and quality of child and adolescent mental health services in accordance with the national development strategy, backed by £85 million of targeted funding, 1999- 2002. The aim is for all local services to be able to respond appropriately to the range of mental health demands from young people, including those arising within the youth justice system, for example through the work of youth offending teams. Good progress is also being made to provide (by means of conversion of an existing facility) a new 24-bedded unit for young people with severe mental health problems requiring treatment in conditions of security. This is part of new arrangements for the national commissioning of adolescent forensic mental health services, including also central revenue support for the two existing national health service units and the assessment of further requirements for secure places. Mental health provision for young offenders will also be considered under the relevant strand of the planned children's national service framework on which work has recently started.

Folic Acid

Mrs. Helen Clark: To ask the Secretary of State for Health when the Food Standards Agency will report its findings on the results of mandatory fortification of flour with folic acid. [57822]

Ms Blears *[holding answer 21 May 2002]:* The Food Standards Agency Board considered the issue of folic acid and the prevention of disease at their open meeting on 9 May 2002. A note of the discussion has been placed on the agency website at www.food.gov.uk/multimedia/pdfs/paperfsa020601.pdf.

The agency will shortly write to UK health ministers with advice arising from the discussion.

Psychiatric Care

Tim Loughton: To ask the Secretary of State for Health what steps his Department is taking to encourage people to train in psychiatric care. [59573]

Jacqui Smith *[holding answer 24 May 2002]:* The mental health care group work force team has set up a sub-group on recruitment and retention. The purpose of the sub-group is to encourage more people to work in mental health.

We also encourage medical staff to develop more rounded experience, and include an element of psychiatry in their training. Psychiatry is already a core part of the training of trainee doctors. The requirements for the new social work qualification, being introduced in 2003, requires students to undertake specific learning and assessment in a number of key areas including mental health.

Ashford and St. Peter's Hospitals NHS Trust

Mr. Wilshire: To ask the Secretary of State for Health (1) how much extra funding will be made available to the Ashford and St. Peter's Hospitals NHS Trust to enable it to implement its franchise plan; [66491]

(2) how many extra *(a)* beds and *(b)* staff will be provided by the implementation of the Ashford and St. Peter's Hospitals NHS Trust franchise plan. [66490]

Ms Blears *[holding answer 2 July 2002]:* The franchise plan for Ashford and St. Peter's Hospitals National Health Service Trust does not make any commitment to extra staff and beds. The plan makes proposals for improving recruitment at the trust to ensure existing vacancies are filled. It also states that a review of the provision of services between the two sites will take place to ensure resources are used effectively.

No additional funding will be provided centrally to the trust to implement the plan.

Ashford (Middlesex) Hospital

Mr. Wilshire: To ask the Secretary of State for Health when Ashford (Middlesex) Hospital accident and emergency department was downgraded to an emergency department. [66489]

Ms Blears *[holding answer 2 July 2002]:* The merger of Ashford and St. Peter's hospitals in 1998 to create the Ashford and St. Peter's hospitals national health service trust provided an opportunity to review clinical service provision between the two hospitals. This was necessary to ensure the safe delivery of services in the light of internal and external priorities, such as junior doctors' hours, increasing sub-specialisation and clinical governance. For this reason the decision was taken, after public consultation, to treat all surgical and trauma emergencies at St. Peter's hospital and maintain an emergency unit at Ashford hospital. This came into effect on 2 October 2000.

Teenage Pregnancy

Mr. Pike: To ask the Secretary of State for Health what the teenage pregnancy rate in Burnley was at the latest date for which figures are available. [65545]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Mr. Pike, dated 3 July 2002:

The National Statistician has been asked to reply to your recent question asking what the teenage pregnancy rate was in Burnley at the latest date for which figures are available. I am replying in his absence.(65545)

The latest available figures are for 2000. In that year the under 18 conception rate for Burnley CD was 49.0 per 1,000 female population aged 15–17.

Written Answers to Questions

Thursday 4 July 2002

TRANSPORT

Railways

Mrs. May: To ask the Secretary of State for Transport what representations he has received from the ORR with regard to enforcement orders following breaches of the network licence; and if he will make a statement. [66605]

Mr. Jamieson *[holding answer 2 July 2002]:* The Regulator has made no such representations. The Regulator has identified a number of areas where Railtrack is currently not complying with the requirements of Condition 7 of its Network Licence. These are detailed in his statement published on 27 June 2002 on the proposed acquisition of Railtrack PLC by Network Rail Limited. The statement explains what regulatory action is being taken in respect of each area of non-compliance and sets out the Regulator's expected approach to the regulation of Network Rail.

London Underground

Tom Brake: To ask the Secretary of State for Transport how much *(a)* Metronet and *(b)* its sponsors are due to be paid in (i) development costs, (ii) risk capital costs, (iii) financial and legal advice costs and (iv) bank and loan insurance costs by London Underground upon signing of contracts; what independent assessment (A) has been and (B) will be made of the validity of Metronet's financial claims; whether Tube Lines and its sponsors will be entitled to further payments beyond money it is due to receive in success fees; and if he will make a statement. [64684]

Mr. Jamieson *[holding answer 27 June 2002]:* London Underground will make payments to the infrastructure companies in line with the service they deliver. Both the preferred bidders, Metronet and Tube Lines Group, have developed their bids on the basis that over the lifetime of the contracts they will recover the costs they incur in enhancing and maintaining the Tube, plus associated finance costs, including a return on their direct financial investment—the level of this return will depend on the level of service delivered. Their bids also allow for their recovering the sums they have invested in developing their bids. This is perfectly normal commercial practice. Such sums include costs incurred directly by the bidders, costs associated with raising finance and fees paid to their financial, legal and other advisers.

These costs will be verified by London Underground before they can be recovered by the bidders. The Government would risk undermining London Underground's commercial position if they were to prejudge the results of this verification by estimating the level of such costs that might ultimately be recovered.

Green Minister

Sue Doughty: To ask the Secretary of State for Transport who his Department's green Minister is; when they *(a)* have attended and *(b)* plan to attend meetings of the Green Ministers' Committee; what the outcomes of meetings were for his Department's activities; and if he will make a statement. [65990]

Mr. Jamieson: I refer the hon. Member to the answer I gave to the hon. Member for Bath (Mr. Foster) on 26 June 2002, *Official Report,* column 882W. I am the Department for Transport's Green Minister and was appointed to ENV(G) on 24 June 2002.

Following the General Election in June 2001, the previously informal Green Ministers Committee was upgraded to a Cabinet Sub-Committee of ENV and it is established practice under exemption two of Part II of the Code of Practice on Access to Government Information not to disclose information relating to the proceedings of Cabinet Committees. Therefore I cannot relate progress or outcomes by my Department to anything that has been discussed.

Track Renewals

Mr. Don Foster: To ask the Secretary of State for Transport what research *(a)* has been conducted and *(b)* is planned (i) by and (ii) for his Department and the Strategic Rail Authority on the impact on track renewals of (A) increased train weights and (B) increased volume of rail traffic on the network; and if he will make a statement. [66308]

Mr. Jamieson: This is an operational matter for the railway industry primarily Railtrack with the train operating companies, freight operating companies and the rolling stock companies. The industry created in May 2001 the Wheel Rail Interface Steering Authority (WRISA) to provide a cross industry forum to advise on matters such as this.

Roadworks

Mr. Don Foster: To ask the Secretary of State for Transport what information has been collated, *(a)* by and *(b)* for (i) his Department and (ii) the Highways Agency regarding roadworks taking place over the next 12 months; what the cost is of each contract; and if he will make a statement. [66212]

Mr. Jamieson: The Department does not collate information on local authority schemes.

Work on the motorway and trunk road network is the responsibility of the Highways Agency. Small scale works are delivered by the Agency's managing agents and term maintenance contractors. Larger works are delivered through individual contracts but because these are still being planned in detail, the Agency cannot say how many individual contracts there will be nor what the value of those contracts will be.

But overall, in the financial year 2002–03 the Agency plans to spend some £740 million on maintaining the motorway and trunk road network. This compares to £692 million last year, which included the resurfacing of 1793 lane kilometres of carriageway and remedial works on 487 bridges. A further £242 million will be spent this year on schemes to make better use of the existing network. This compares to £190 million last year, which included completion of 164 safety local network management schemes.

In addition, the Agency will spend some £700 million in 2002–03 on delivering the Government's Targeted Programme of Improvements.

NATS

Chris Grayling: To ask the Secretary of State for Transport what services NATS provides to aircraft outside controlled airspace. [65739]

Mr. Jamieson: Outside controlled airspace there is no requirement on NATS to provide a control service, but certain services may be available including:

1. Flight Information Services providing aeronautical information relevant to the safe conduct of the flight, including meteorological information and the status of navigation aids provided by NATS;

2. Radar Information Services providing pilots with information on the position of other aircraft;

3. Radar Advisory Services providing information on actions to avoid potential conflicts; and

4. NATS also supports emergency related services operated by the Ministry of Defence and participates in the Lower Airspace Radar Service (LARS).

Chris Grayling: To ask the Secretary of State for Transport if he will make a statement on the right of NATS to refuse to provide IFR to an aircraft outside controlled airspace while charging for that service. [65740]

Mr. Jamieson: Under the terms of its licence from the Civil Aviation Authority (CAA), NATS is not required to provide the full range of air navigation services from all units, and issues such as capacity, radar performance and weather may influence the ability of controllers to provide a service.

10-Year Plan

Chris Grayling: To ask the Secretary of State for Transport if he will list the priority projects in the 10 year plan which he estimates will be completed by 2010. [65738]

Mr. Jamieson: The 10 Year Plan makes clear that decisions on individual projects will flow from the plans and programmes of a range of delivery agencies, subject to the normal decision-making and appraisal processes.

Roads (At-Work Accidents)

Mr. Lazarowicz: To ask the Secretary of State for Transport if he will request the Health and Safety Commission to include among its targets contained in the Revitalising Health and Safety strategy a requirement to reduce the number of at work accidents each year on the roads. [66668]

Mr. Jamieson: The Government and the Health and Safety Commission set out long term strategic targets for health and safety in the Revitalising Health and Safety Statement of June 2000, after extensive consultation. The targets are deliberately broad based covering all occupational health risks, other than work related traffic accidents. These are included within the Governments Road Safety Strategy which aims to reduce all deaths and serious injuries on our roads by 40 per cent. by 2010. There are no plans to revise the Revitalising targets at the current time.

Road Safety

Mr. Redwood: To ask the Secretary of State for Transport if he will make a statement on the trend of *(a)* fatalities and *(b)* serious injuries in traffic accidents in towns and cities over the last five years. [65637]

Mr. Spellar *[holding answer 1 July 2002]:* The provisional results for 2001 indicate that there were 1,409 deaths on roads in Britain with a speed limit of 40mph or less, which generally indicates they are in built-up areas. This was five less than in 2000 but more than in 1998 and 1999, and 61 (4.1 per cent.) less than in 1997. The number of serious injuries on such roads has reduced each year since 1997. The 22,742 serious injuries in 2001 was 14 per cent. less than in 1997.

Mrs. May: To ask the Secretary of State for Transport what recent research he has carried out with regard to the potential costs and benefits of the use of 20 mph zones in urban areas; and if he will make a statement. [66626]

Mr. Jamieson *[holding answer 2 July 2002]:* The financial cost of a 20mph zone is dependent on the size of the zone and the type of traffic calming measures implemented to achieve the desired speed reduction.

A TRL report, "Review of traffic calming schemes in 20mph zones" (TRL Report 215), published in 1996, found that the average annual accident frequency fell by around 60 per cent. Child pedestrian and child cyclist accidents fell by around 70 per cent. and 48 per cent. respectively. This gives an overall reduction of 67 per cent. for all child accidents.

In addition, a well designed 20mph zone can be instrumental in improving the quality of life for local people by protecting them from inappropriate speed.

Channel Tunnel Rail Link

Mrs. May: To ask the Secretary of State for Transport what control the Government have over the sale of the CTRL to LCR; and if he will make a statement. [66501]

Mr. Jamieson *[holding answer 2 July 2002]:* The Government have no controls with which they could require the sale of Railtrack's interests in CTRL to London and Continental Railways (LCR) and Network Rail. They do have various controls over LCR's financing arrangements some of which are relevant to the sale.

Mrs. May: To ask the Secretary of State for Transport what percentage of section 1 of the CTRL is complete; on what date it is *(a)* due to be and *(b)* expected to be (i) completed and (ii) open; and what its expected final cost is. [66500]

Mr. Jamieson *[holding answer 2 July 2002]:* Section 1 is currently 87 per cent. complete. It is expected to be completed in September 2003, and should be ready and able to run Eurostar services in October 2003, which is within schedule.

It is expected to be completed within its £1.9 billion budget.

Mrs. May: To ask the Secretary of State for Transport what the estimated value is of the Channel tunnel rail link owned by Railtrack. [66600]

Mr. Jamieson *[holding answer 2 July 2002]:* London and Continental Railways (LCR) and Network Rail have made a combined offer of £375 million for Railtrack's interests in the Channel tunnel rail link. This is the estimated value which has emerged from negotiations between the parties.

Network Rail

Mrs. May: To ask the Secretary of State for Transport what assessment he has made of the funding necessary to operate the railway network as a going concern; and if he will provide a breakdown. [64366]

Mr. Jamieson *[holding answer 25 June 2002]:* I refer the hon. Member to the Statement made to the House by my right hon. Friend the Secretary of State for Transport, on 27 June 2002 *Official Report,* column 971, about Network Rail.

Mrs. May: To ask the Secretary of State for Transport on what date he was notified by the Office of Fair Trading that the Network Rail proposal will not be referred to the Competition Commission. [66536]

Mr. Jamieson *[holding answer 2 July 2002]:* The Office of Fair Trading has yet to put its recommendation to the Secretary of State for Trade and Industry as to whether or not the Network Rail proposal should be referred to the Competition Commission.

Mrs. May: To ask the Secretary of State for Transport by what mechanism the board Network Rail will be held accountable to the members of Network Rail. [66541]

Mr. Jamieson *[holding answer 2 July 2002]:* Network Rail will be run on a commercial basis and members will have rights similar to shareholders. These include approving the appointment of directors and holding them to account, ensuring high standards of corporate governance, receiving regular reports on company performance and attending general meetings.

Mrs. May: To ask the Secretary of State for Transport what date the bridging loans for Network Rail will *(a)* commence and *(b)* are due for repayment. [66551]

Mr. Jamieson *[holding answer 2 July 2002]:* I refer the hon. Member to paragraph 13 of the Statutory Contingent Liability minute laid before Parliament on 27 June 2002.

Mrs. May: To ask the Secretary of State for Transport if he will list the budgeted level of funding available to Network Rail from the Government to cover future liabilities and unexpected expenditures. [66599]

Mr. Jamieson *[holding answer 2 July 2002]:* I refer the hon. Member to the statement made to the House by my right hon. Friend, the Secretary of State on 27 June 2002, *Official Report,* columns 971–73.

Mrs. May: To ask the Secretary of State for Transport if he will give the proposed modifications to the notes in connection with the Network Rail proposal; and if he will make a statement on the note holders passing a resolution to authorise the modification of the terms and conditions of the notes. [66538]

Mr. Jamieson *[holding answer 2 July 2002]:* This is a matter for Network Rail.

Mrs. May: To ask the Secretary of State for Transport if he will give the proposed modifications to the bonds in connection with the Network Rail proposal; and if he will make a statement on each class of bondholder passing a resolution to authorise the modification of the terms and conditions of the bonds. [66537]

Mr. Jamieson *[holding answer 2 July 2002]:* These are matters for Network Rail.

Mrs. May: To ask the Secretary of State for Transport (1) if he will list the banks involved in the bridging finance for Network Rail; [66546]

(2) if he will publish the terms of the loans associated with the bridging finance for Network Rail. [66547]

Mr. Jamieson *[holding answer 2 July 2002]:* The banks providing bridging finance for Network Rail are listed in the annex to the draft comfort letter entitled "Network Rail Bridging Finance", which was presented to the House on 27 June with a minute detailing non-statutory contingent liabilities in support of Network Rail Ltd. Details of the bridge financing are a matter for Network Rail.

Mrs. May: To ask the Secretary of State for Transport if he will publish the organisation structure of Network Rail. [66548]

Mr. Jamieson *[holding answer 2 July 2002]:* This is a matter for Network Rail.

Mrs. May: To ask the Secretary of State for Transport what the status of railway safety will be under the Network Rail structure. [66640]

Mr. Jamieson *[holding answer 3 July 2002]:* Railway Safety would be acquired by Network Rail from Railtrack Group PLC. It is Network Rail's intention to hold Railway Safety as a separate subsidiary pending its replacement by the new rail industry safety body. The Rail Regulator is now consulting on the establishment of such a body.

Mrs. May: To ask the Secretary of State for Transport whether he will be publishing a revised version of *(a)* the SRA plan and *(b)* the 10-year plan to take into account the change from Railtrack to Network Rail. [66550]

Mr. Jamieson *[holding answer 2 July 2002]:* Our Directions and Guidance to the SRA require it to publish an updated Strategic Plan in January 2003. We are intending to publish a progress report on the 10-year plan in due course.

Mrs. May: To ask the Secretary of State for Transport if he will list the new *(a)* statutory powers and *(b)* other powers that he has over the management of the rail network under the Newtrack Rail arrangements. [66595]

Mr. Jamieson *[holding answer 2 July 2002]:* My right hon. Friend the Secretary of State will have no new statutory or other powers over the management of the rail network as a result of Network Rail's proposals.

Railtrack

Mrs. May: To ask the Secretary of State for Transport on what date he authorised the change in control of Railtrack; and if he will publish the authorisation. [66604]

Mr. Jamieson *[holding answer 2 July 2002]:* Network Rail has not yet asked my right hon. Friend the Secretary of State to authorise the change of control.

Mrs. May: To ask the Secretary of State for Transport what assurances have been given that the existing employment rights, including pension rights, of employees of Railtrack plc will be safeguarded by the sale of Railtrack plc to Network Rail. [66498]

Mr. Jamieson *[holding answer 2 July 2002]:* Network Rail has stated publicly that the existing terms and conditions, including pension rights, of Railtrack PLC employees will be safeguarded.

Mrs. May: To ask the Secretary of State for Transport if he will publish information required by Railtrack Group in order to enable it to identify whether adjusting post balance sheet events have occurred that would require amendments to the figures reported on 27 June by Railtrack Group. [66533]

Mr. Jamieson *[holding answer 2 July 2002]:* This is a matter for Railtrack Group and its auditors, taking account of the sale and purchase agreements entered into by Railtrack Group with Network Rail and with London and Continental Railways (LCR).

Mrs. May: To ask the Secretary of State for Transport whether Railtrack Group is required to purchase section one of the CTRL at its net cost. [66530]

Mr. Jamieson *[holding answer 2 July 2002]:* Railtrack Group is obliged to purchase section one of the CTRL at the actual out-turn construction cost including financing costs and net of Government grants received.

Strategic Rail Authority

Mrs. May: To ask the Secretary of State for Transport if he will list *(a)* the SRA's expenditure for the last year, including their provisions for liabilities and charges and *(b)* the SRA's budget for 2002–03, including budgeted provisions for liabilities and charges. [66597]

Mr. Jamieson *[holding answer 2 July 2002]:* The SRA's expenditure for 2001–02 will be set out in its annual report which will be laid before the House in due course. The Government's 2002–03 spending plans for railways are summarised in the 2002 annual report for the Department for Transport, Local Government and the Regions.

Halcrow

Mr. Gray: To ask the Secretary of State for Transport what fee was paid to Halcrow for the SWARMMS report. [66755]

Mr. Jamieson: The total cost of the London to South West and South Wales Multi-Modal Study (SWARMMS) is £1.812 million (excluding VAT). This figure includes the cost of producing the final report.

Rural Transport

Mr. Moss: To ask the Secretary of State for Transport if the Government have met their target to have a rural transport partnership in every rural county in England. [66823]

Mr. Jamieson: A rural transport partnership has now been established by the Countryside Agency in every predominantly rural county and unitary authority in England.

Risk Assessments

Dr. Tonge: To ask the Secretary of State for Transport what plans the Government have *(a)* to ensure that UK companies comply with the terms of the European framework directive 89/391 and *(b)* to remove the proviso, as far as is reasonably practicable in respect of risk assessments from the Health and Safety at Work Act 1974. [66683]

Mr. Jamieson *[holding answer 2 July 2002]:* The Government will continue to take a range of measures to ensure compliance with the framework directive, including guidance on the legislation implementing the directive, and enforcement of the legislation in proportion to risks to people's health and safety.

The term

> 'so far as is reasonably practicable'

is key to the risk control system embodied in UK health and safety legislation. The Government have no plans to remove it.

Car Use

Mr. Breed: To ask the Secretary of State for Transport what measures he is taking to encourage workers to make less use of their cars to travel to work. [66866]

Mr. Jamieson: In February 2001 we awarded 111 bursaries to 84 local authorities at a cost of £9 million over three years, to fund travel plan co-ordinators to work with schools and businesses on the development of local measures to reduce reliance on the car. We have also set up a programme of free site-specific advice from a panel of consultants to assist schools, businesses and other organisations in developing their travel plans. We also commission guides, seminars and other forms of advice and support. In addition local authorities have powers under the Transport Act 2000 to introduce a levy on work place parking, subject to the approval of the Secretary of State.

Public Transport Costs

Mr. Breed: To ask the Secretary of State for Transport what the average cost of *(a)* community transport and *(b)* public bus services was in (i) 1991, (ii) 1994, (iii) 1997 and (iv) 2000, broken down by region. [66786]

Mr. Jamieson: Information on community transport schemes is not held centrally.

On public local bus services the average cost to the passenger, in terms of pence per journey in each of the years, in each Government Office Region, is summarised.

	Pence per passenger journey[1]			
Government region	*2000–01*	*1997–98*	*1994–95*	*1991–92*
London	50	50	50	46
East	93	90	87	88
South East	88	84	84	85
South West	93	80	80	73
East Midlands	75	72	71	62
North East	70	62	61	51

	Pence per passenger journey[1]			
Government region	*2000–01*	*1997–98*	*1994–95*	*1991–92*
North West	73	70	66	60
Yorkshire and the Humber	70	72	59	55
West Midlands	59	56	57	53

[1] At 2000–01 prices

Committee Mandates

Mr. Bercow: To ask the Secretary of State for Transport, Local Government and the Regions what the mandate of the Advisory Committee on the development and reconversion of regions is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if he will list the items currently under its consideration; if he will take steps to increase its accountability and transparency to Parliament; and if he will make a statement. [56770]

Ms Hewitt *[holding answer 15 May 2002]:* I have been asked to reply.

The mandate for this Committee is set out in Article 48 of Council Regulation (EC) 1260/1999 laying down general provisions on the Structural Funds. The Committee acts as a Management Committee and deals with issues arising from the implementation of the Structural Funds and particularly the European Regional Development Fund (ERDF) under 12/60/1999 and related Regulations. The Committee is also mandated to act as a consultative committee to establish and revise the list of areas eligible under Objective 2, discuss the Community Support Frameworks and Single Programming Documents for Objectives 1 and 2, and discuss issues arising from the allocation of technical assistance to the programmes.

The Committee has met nine times over the last 12 months. My Department, which has co-ordinating responsibility for the Structural Funds in the UK, sends one representative to the Committee. Other Departments with responsibility for the ERDF, and the Devolved Administrations, are also invited. On average the UK's representation is three officials. It is not possible to calculate the cost to public funds of the Committee without incurring disproportionate cost.

The Committee is currently discussing a range of issues linked to implementation of the Structural Funds, particularly simplification of administration while retaining accountability and transparency.

Together with member states, the Commission is currently conducting a review to bring existing legislation on the conduct of comitology committees into line with Council Decision 1999/468/EC, to

> "simplify the requirements for the exercise of implementing powers conferred on the Commission".

As an obligation to this decision, the Commission undertook to publish an annual report on the working of the Committees. The first report was deposited in the Libraries of both Houses on 26 February (COM(2001)783 Final).

As part of the review process, the UK Government have encouraged the Commission to produce and maintain an electronic database of every comitology Committee, its agendas and recent actions, to be accessible through its web site.

Housing Benefits

Mr. Willetts: To ask the Secretary of State for Transport how many complaints about housing benefits were received by the local government ombudsman in 2001–02, broken down by area. [64122]

Mr. McNulty: I have been asked to reply.

Housing benefit complaints received by the local government ombudsman in 2001–02 broken down by Government regions were;

North West—252

North East—27

Yorkshire and Humber—263

East Midlands—96

London—1,802

East of England—84

West Midlands—268

South East—105

South West—99

Total—2,996.

The distribution of these cases between offices of the local government ombudsman was as follows:

London—1,097

Coventry—1,050

York—849.

TRADE AND INDUSTRY

Campaigners for Fair Trade

Mrs. Gillan: To ask the Secretary of State for Trade and Industry how many representations she has received from Campaigners for Fair Trade since 19 June; and if she will make a statement. [64559]

Ms Hewitt*[holding answer 3 July 2002]:* The creation of a free and fair trading system is at the heart of the Government's international trade policy. My Department has received 242 representations on fair trade since 19 June.

General Agreement on Trade in Services

Ms Drown: To ask the Secretary of State for Trade and Industry what her Department's policy is on the inclusion of water in the General Agreement on Trade in Services. [64718]

Ms Hewitt: In principle, my Department believes that no service sector should be excluded from the General Agreement on Trade in Services a priori. This includes water collection, purification and distribution services. Water as a natural resource is not a service and is not covered by the GATS.

Export Credits Guarantee Department

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry what proportion of the guarantee put up by the ECGD for investment in the power generating sector *(a)* was used fully, *(b)* was recovered by the ECGD, *(c)* is still owed to the ECGD and *(d)* is counted as foreign debt; and which countries have had that debt in each year since 1992–93. [63096]

Ms Hewitt: The following table lists for financial years 1992–93 onwards; the countries where ECGD has supported projects recorded in the civil power and civil energy sectors, the original value of the guarantee(s), the amount of those guarantee(s) still at risk, and claims outstanding in respect of those projects. Amounts at risk are not owing to ECGD but represent amounts which have not yet fallen due for payment.

£ million

Country	*Guarantee amount*	*Residual amount at risk 31 March 2002*	*Claims outstanding 31 March 2002*
1992–93			
China	34.7	7.8	—
Greece	67.3	0	—
Hong Kong	895.5	281	—
India	101.6	30.8	—
Indonesia	2.3	0	—
South Africa	7.7	0	—
Turkey	2.5	0	—
1993–94			
Bangladesh	3	0	—
Canada	3	0	—
China	38.9	12.9	—
Dubai	8	0	—
Germany	11.7	0	—
Hong Kong	314.2	0	—
India	87.4	23.6	—
Indonesia	92	33.7	12.4
Lesotho	7.8	3.8	—
Morocco	31.6	5.3	—
Oman	69.5	0	—
Pakistan	6	0	—
Singapore	181.8	35.2	—
United States	11.6	0	—
1994–95			
Argentina	7	0	—
Canada	5.1	0	—
China	15.3	1.6	—
Ghana	2.9	0	—
Hong Kong	23.4	0	—
India	142.4	58.5	—
Indonesia	83.3	60.5	—
Lebanon	52.7	21.1	—
Oman	29.6	11.4	—
Saint Kitts and Nevis	0.7	0	—
Singapore	29.6	7.9	—
South Africa	0	0	—
Thailand	17.1	11.7	—
Turkey	3.6	0	—
1995–96			
China	196.4	0	—
India	63.4	30.2	—
Indonesia	112.6	26.7	5.8
Japan	4.4	0	—
Lebanon	7.2	0	—
Lesotho	7.2	0	—
Philippines	444.6	376.5	—
1996–97			
China	143.7	2.4	—
Hong Kong	2.4	0	—
India	78.7	0.8	—
Lesotho	1.4	0	—
Oman	40.3	0	—
Pakistan	0.3	0	—
Qatar	199.2	184.2	—
Romania	0.5	0	—
Turkey	48.9	45.3	—
1997–98			
Brazil	71.8	35.9	—
India	0	0	—
Indonesia	60.2	40.1	3.4
Lebanon	17	3.7	—
Oman	521.6	0	—
Romania	0.1	0	—
Russian Federation	43.2	31.3	—
South Africa	57.5	4.7	—
Thailand	6.4	1	—
Zimbabwe	8.5	5.7	1.5
1998–99			
Anguilla	1	0.3	—
Brazil	65	27.3	—
China	421.3	412.7	—
Columbia	34.2	26	—
Cyprus	7.4	1.3	—
India	22.9	20.6	—
Malaysia	0	18.6	—
Mexico	14.7	8.1	—
Saint Kitts and Nevis	8.7	5.4	—
Turkey	25	15	—
United Arab Emirates	7.7	0	—
Venezuela	52.3	50.3	—
1999–2000			
Hong Kong	12.4	11.3	—
India	96.6	41.5	—
Malaysia	773.1	718.7	—
Mexico	101.5	62.7	—
Philippines	83.3	76.7	—
Taiwan	136.7	136.7	—
Vietnam	23.8	23.8	—
2000–01			
Bangladesh	7.9	5.7	—
China	1.4	1.4	—
Dominican Republic	24.5	24.5	—
Mexico	8.9	7.3	—
Taiwan	17.6	17.6	—
Thailand	3.6	3.6	—
Turkey	67.3	63.7	—

Dr. Cable: To ask the Secretary of State for Trade and Industry what work is being carried out by *(a)* the Government and *(b)* external organisations on behalf of the Government concerning the Export Credits Guarantee Department that quantifies the value of contracts entered into by the ECGD on (i) an option pricing approach and (ii) a pricing model using the approach commonly used to price credit derivatives. [66552]

Ms Hewitt *[holding answer 3 July 2002]:* With a view to following best practice, ECGD reviews regularly its approach to measuring, modelling and pricing risk, with advice from external organisations where appropriate, but has no plans to engage in work corresponding to the areas specified in the question.

Arms Exports

Sue Doughty: To ask the Secretary of State for Trade and Industry what the level is of debt owed by developing countries to the Export Credits Guarantee Department as a result of UK defence-related sales. [62037]

Ms Hewitt: For business underwritten by ECGD since 1991, the following amounts are outstanding in respect of ECGD claims payments in cases involving exports of defence equipment. Information on claims on business underwritten before 1991 is not held on a sectoral basis. Amounts outstanding on Algeria and Indonesia have been rescheduled through the Paris Club.

£ million

Market	*Claims Outstanding (as at 31 March 2002)*
Algeria	0.1
Indonesia	488
Zimbabwe	0.9

Gregory Barker: To ask the Secretary of State for Trade and Industry what representations have been made to her Department regarding the increases of national debt in *(a)* India and *(b)* Pakistan due to the importation of weapons from the United Kingdom in (i) each year since 1999 and (ii) January to June 2002. [65431]

Nigel Griffiths: The Department of Trade and Industry's Export Control Organisation has received representations regarding the export of arms and other items controlled for strategic reasons to India and Pakistan from a number of different sources, including Members of Parliament and the general public. It is not possible to say whether any of these concerned increases in national debt in India and Pakistan, as the information requested is not held centrally and could only be provided at disproportionate cost.

Gregory Barker: To ask the Secretary of State for Trade and Industry what steps she takes to assess conformity with the EU Code of Conduct on Arms Exports during the evaluation of arms export licence applications. [65432]

Mr. Mike O'Brien: I have been asked to reply.

The Government announced the consolidation of the UK national export licensing criteria with those in the EU Code of Conduct on Arms Exports in a statement by my right hon. Friend the Member for Neath (Peter Hain) on 26 October 2000, *Official Report*, column 199–203W. We assess all applications on a case-by-case basis against these consolidated criteria. In doing so, we take account of reliable evidence, including, for example, reporting from diplomatic posts, relevant reports by international bodies, intelligence and information from open sources and non-governmental organisations. In addition, the EU Code of Conduct requires member states to inform partners of licence refusals under the EU Code through the circulation of denial notifications. The code requires member states to consult partners before approving a licence for a transaction refused by those partners. This helps further to ensure conformity within the EU when assessing export licence applications.

Dr. Cable: To ask the Secretary of State for Trade and Industry, pursuant to the answer to the hon. Member for Guildford (Sue Doughty) of 24 June 2002, *Official Report*, column 684W, on arms exports, which countries received export credit guarantee coverage for arms sales in each of the last five years; and how much export credit guarantee coverage each country received. [66556]

Ms Hewitt *[holding answer 3 July 2002]:* The table shows for financial years 1996–97 to 2000–01, the markets where ECGD has provided support for the export of defence equipment and the maximum liability of the guarantees issued for each market.

Year/market	*ECGD maximum liability (£ million)*
1996–97	
Australia	0.9
Bahrain	1.4
Indonesia	148.2
Korea, Republic of	13.6
Lithuania	1.5
Qatar	5.5
Saudi Arabia	225
Turkey	2
1997–98	
Egypt	8.8
Germany	1.3
Greece	18.7
Indonesia	18.6
Italy	2.7
Korea, Republic of	62.4
Kuwait	55.7
Lithuania	2.9
Oman	0.9
Qatar	193.2
Saudi Arabia	225
Singapore	18.6
Thailand	27.3
Turkey	35.6
United Arab Emirates	9.8
United States	58.3
1998–99	
Brazil	29.3
Brunei Darussalam	580.3
India	14.3
Indonesia	9.7
Italy	1.5
Korea, Republic of	19.7
Malaysia	16.2
Oman	21.1
Saudi Arabia	1,000
Sweden	4
United States	6.9
1999–2000	
Chile	2
Greece	5.4
Kuwait	29.7
Malaysia	123.2
Oman	226.4
Saudi Arabia	1,000
Turkey	214.9
2000–01	
Greece	55.3
Saudi Arabia	1,000
South Africa	1,624.7

Trade Partners UK

Dr. Cable: To ask the Secretary of State for Trade and Industry what role Trade Partners UK has in connection with defence equipment exhibitions in the UK and overseas; and if she will make a statement. [66554]

Ms Hewitt *[holding answer 3 July 2002]:* Government support for defence related exports remain the responsibility of the Defence Export Services Organisation (DESO). Trade Partners UK activities support DESO where appropriate in overseas markets. Support for defence equipment exhibitions overseas is available through Trade Partners UK's Support for Exports and Seminars Abroad (SESA) and Inward Missions schemes.

Defence Equipment (Export Credits)

Dr. Cable: To ask the Secretary of State for Trade and Industry what the outstanding amounts of ECGD guarantees were in respect of defence equipment, broken down by country, for financial year 2001–02. [62711]

Ms Hewitt *[holding answer 19 June 2002]:* The table lists amounts outstanding as at 31 March 2002 in respect of ECGD guarantees for exports of defence-related equipment. These figures, which are net of sums already repaid, are made up of future maturities (amounts yet to fall due for payment) and claims outstanding. Claims outstanding are in respect of business underwritten from 1991 onwards as ECGD does not hold claims information on cases supported before this date on a sectoral basis.

£ million

Market	*ECGD amount outstanding*
Algeria	0.1
Brazil	27
Brunei Darussalam	204
Chile	17.1
Egypt	10.4
Greece	62.3
India	8.3
Indonesia	694.4
Italy	4.2
Korea, Republic of	21.4
Kuwait	7
Lithuania	0.7
Malaysia	104.9
Oman	315
Qatar	36.2
Saudi Arabia	1,000
South Africa	860.6
Spain	23
Sweden	4.1
Thailand	2.9
Turkey	237.7
United States	38
Zimbabwe	0.9

Engineering

Mr. Jenkins: To ask the Secretary of State for Trade and Industry what steps she is taking to tackle the gender inequality in salaries for *(a)* full time and *(b)* part time employees in the engineering sector. [63662]

Ms Hewitt: The Government are already taking a number of steps to further reduce the pay gap between men and women which currently stands at 18 per cent., for full-time workers, down from the figure of 20 per cent. in 1997.

As well as the introduction of the national minimum wage and the provisions in the Employment Bill, the Fair Pay Champions and Castle Awards are helping to spread good practice on equal pay. All Government Departments are committed to carrying out a pay review by March 2003 and we are also taking forward recommendations from the Kingsmill Report.

80 per cent. of Britain's 6 million part-time workers are women. The Part-Time Workers Regulations, introduced in July 2000, ensure that part-timers are no longer treated as second class citizens. The regulations establish a minimum standard of fairness for part-timers so that they can no longer be treated less favourably than the full-timers they work alongside. The regulations cover conditions such as pay, pensions, training and holidays.

The Equal Opportunities Commission is developing practical tools for employers wishing to investigate their pay systems such as an Equal Pay Review model; a Code of Practice, Guidance Notes and an Opportunity Now/Equal Pay Forum.

I have no separate proposals to tackle gender inequality in salaries for professionals in the engineering sector where figures in the year 2000 showed that the gender pay gap was also 18 per cent.

Industrial Support

Mr. Colman: To ask the Secretary of State for Trade and Industry how the methodology her Department uses to allocate industrial support resources, including staff and direct financial investment, takes into account the growth potential of industrial sectors. [63805]

Ms Hewitt: Following the DTI review, we are strengthening our analytical capability to ensure our resources are targeted on those parts of the economy which will contribute most to driving up UK productivity and competitiveness and where our support will make the greatest difference. In deciding resource allocations a range of factors is considered, including growth indicators.

Amraf Training Plc

Mr. Todd: To ask the Secretary of State for Trade and Industry what recent action she has taken in respect of Amraf Training plc. [65496]

Ms Hewitt: None.

A winding-up order was made against Amraf Training plc on 30 May 2002 following the company going into administration. The administrators were subsequently appointed to be the joint liquidators.

The Official Receiver at Southend-on-Sea is investigating the causes of the company's failure, but the investigations are at an early stage. Matters of concern may be addressed to her at: 4th Floor, Central House, 8 Clifftown Road, Southend-on-Sea, SS1 1AB.

Mr. Todd: To ask the Secretary of State for Trade and Industry what payments were made to Amraf Training plc in *(a)* 2000–01 and *(b)* 2001–02 for the provision of training courses. [65494]

Ms Hewitt: We have identified no payments made by the Department of Trade and Industry to Amraf Training plc.

False Accounting

Dr. Cable: To ask the Secretary of State for Trade and Industry what action her Department is taking to ensure that examples of false accounting in the USA are not repeated in the UK; and if she will make a statement. [66775]

Miss Melanie Johnson: The UK has well-developed and internationally respected arrangements for setting and enforcing accounting and auditing standards, both of which are vital to the preparation of company accounts which show a 'true and fair' view. There were substantial changes for the better to both accounting and auditing standards during the 1990s.

It would be unwise, however, to conclude that serious concerns over particular company accounts could not arise in the UK, or that more regulation can prevent all possibilities of false accounting.

There are a number of relevant actions in hand, which build on the existing position. A group, which I chair together with my hon. Friend, the Financial Secretary, was formed in February to co-ordinate the response of key regulators to the issues for accounting, auditing and aspects of corporate governance raised initially in the aftermath of Enron. The group will produce an interim report by the end of July.

In addition, the Government will publish shortly their response to the company law review, which made a number of relevant recommendations to improve company reporting. The Government have also set up a review of the role and effectiveness of non-executive directors under Derek Higgs, which is expected to report around the end of the year.

It is also important, as we move with our EU partners to adopt international accounting standards for 2005, that none of the strength of existing UK requirements is lost. The Government therefore welcome the leading role which the UK Accounting Standards Board is playing in the development of international standards; and the determination of the International Board under Sir David Tweedie to ensure that there are rigorous international standards in place by 2005.

Investment (Coventry)

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what action the Government have taken to attract businesses to Coventry since 1997. [66160]

Ms Hewitt: Over the last five years more than 270 companies have invested in Coventry for the first time, creating over 11,400 jobs. Coventry is home to more than 130 overseas-owned companies which have taken advantage of the many opportunities offered by the City.

Growth in value-added R&D activity has seen major investment and modernisation from companies such as Yachiyo, Denso, Edscha, Eu-Matic, Mission Foods, Peugeot, Jaguar and others which have all benefited from the wide employment opportunities in the area, and received support from local, regional and national Government schemes. Eu-Matic's investment was the first inward investment announced under the new Labour Government in 1997 and their 132,000 sq ft, purpose-built factory on seven acres at Coventry Business Park was completed in January 1999. This £17 million investment was supported by a Regional Selective Assistance grant of £2.5 million.

Other investments have seen a new HQ for AAH Pharmaceuticals, new investment from a Mexican company, Mission Foods, EPMB, and a major expansion at Peugeot. Jaguar and Denso are among many other examples.

Much of the city is eligible for Objective 2 funding. Other European funding via "Rechar" programmes have benefited Kersley Colliery and the "Retex" (textile industry) programme has added to major reinvestment by the public sector in regenerating large parts of the area.

Brownfield site regeneration has been an area of major success in the city with former major employment sites now housing new inward investors and investment from the city's university at the Technopark and the Coventry business park. Growth in the city's and sub-region's ICT sector has seen over 40,000 people now employed in 1,300 companies in this sector, helping diversify the area away from traditional manufacturing.

The creation of a science park, and a Technocentre housing centres for incubator units, innovation, and many small start-up companies, have all been supported by public sector partnerships working with others. Other examples of such developments include Binley development. Nearly 50 acres have been developed for commercial use in the city, including the private sector-led Prologis park.

DTI's Small Business Service has ensured that in the last year nearly 2,000 local businesses have received advice and support. Also, almost 2,000 people have benefited from training to raise the local skills threshold. Additionally, some £1.5 million worth of funding from the Skills Development Fund has been allocated to Coventry for projects such as a purpose-built centre for the delivery of engineering training.

Advantage West Midlands, the west midlands regional development agency, is supporting Coventry and its sub-region's desire to promote the area as a High Technology Corridor. Substantial investment from the Rover task force resource will be used for HTC projects e.g. through the establishment of an ICT Skills Taskforce and an associated skills training scheme.

Part of the city falls within Advantage West Midlands' Coventry-Nuneaton Regeneration Zone, which aims to connect areas of need to opportunities, working with many local partners in the community, voluntary and education sectors. This will receive considerable funding from Government.

Community investment has been supported by approximately £12 million via the Government's Neighbourhood Renewal Programme, including developments at Hillfields and Wood End, and some £55 million under the New Deal for Communities. £37 million has been provided via the Single Regeneration Budget Programme in the same period.

Coventry has benefited from substantial other funding from a number of Government schemes, including Sure Start and the Children's Fund, along with over £50 million from the national lottery.

Employment is at its highest since the mid 1980s, with 142,000 employed in the city compared with 118,000 in 1992. While there have been some shifts in employment between sectors (telecoms and aerospace have suffered recent downturns), the changing nature of Coventry's economy has meant that unemployment has remained at 3.7 per cent. for several years, only slightly above the regional average of 3.5 per cent. The strong sub-regional partnership between agencies operating across the area, such as Jobcentre Plus, the Chamber, LSC, city council, Advantage West Midlands and Regional Supply Office, has ensured that when downsizing situations arise, the partnership is able to deploy the necessary tools to assist companies in a number of practical ways. This has been reinforced with Government funding via the Rapid Response Fund and other training and development initiatives.

More than 20,000 students are expected to graduate from the two universities this year assisting business and individuals gain qualifications and training across many sectors.

Through these significant interventions the Government have worked hard to achieve some important improvements in the regional economy, and to support the strong lead which local partners have shown to promote the industrial growth and diversification of Coventry and its sub-region since 1997.

UK Atomic Energy Authority

Mr. Lloyd: To ask the Secretary of State for Trade and Industry, pursuant to her statement of 28 November 2001, *Official Report*, column 992W, on the UK Atomic Energy Authority, when the White Paper on arrangements for managing public sector civil nuclear liabilities will be published. [67725]

Mr. Wilson: The White Paper "Managing the Nuclear Legacy—A Strategy for Action" is being published today. Copies are available in the Library and the Vote Office.

The White Paper sets out plans for radical changes to current arrangements for the clean up of the public sector civil nuclear legacy including the creation of a new body—the Liabilities Management Authority—responsible to Government and with a specific remit to ensure that clean up is carried out safely, securely, cost effectively and in ways which protect the environment for the benefit of current and future generations. It makes clear the Government's determination to drive clean up forward systematically and progressively using the best available skills to get the job done and, through competition, to promote the development of the supply chain and skills base required to sustain the clean up programme over the long term. It also underlines our commitment to ensuring that management arrangements are open, transparent and command public confidence. Implementing legislation will be brought forward at the first available opportunity.

In the interim, a Liabilities Management Unit (LMU) has been established in the DTI to drive forward the clean up work and to prepare the ground for the LMA. Membership of the LMU is drawn from the private and public sectors. The appointment of Bechtel as partner contractor adds international experience to the LMU, reflecting the Government's intention to ensure that the best skills are brought to bear on legacy clean up.

In line with the commitment to openness and transparency, the Government have consulted widely with stakeholders in the preparation of the White Paper and would welcome views on the proposed new arrangements and the way in which they should be implemented. Views should be submitted to the Department by 18 October. Contact details are provided in the White Paper.

Enterprise Bill

Mr. Salmond: To ask the Secretary of State for Trade and Industry what advice her Department acted upon when deciding on paragraph 75 of the draft Enterprise Bill in relation to the three month limit for the appointment of an administrator. [66688]

Miss Melanie Johnson: During consultation on the White Paper: "Productivity and Enterprise: Insolvency: A second chance", concerns were expressed that lack of a fixed timetable in administration resulted in uncertainty for creditors and costly delays. These concerns were mainly expressed by practitioners who specialise in smaller cases because the costs of running a lengthy administration can be a significant barrier to entry into administration.

Annual Leave

Mr. Bercow: To ask the Secretary of State for Trade and Industry what the average annual leave entitlement is for staff in her Department in 2002. [64658]

Ms Hewitt: I will write to the hon. Member as soon as possible with the information for the year ended 31 July 2002. This will enable comparison with the information given in my reply of 8 February 2002 to his earlier question on this subject.

Castle Award

Mr. Tynan: To ask the Secretary of State for Trade and Industry if her Department has applied for a Castle Award for equal pay. [65224]

Ms Hewitt: The Department of Trade and Industry has not applied for a Castle Award this year.

Ministerial Visits

Lynne Jones: To ask the Secretary of State for Trade and Industry how many *(a)* overseas visits by Ministers in her Department and *(b)* visits to Ministers in the UK by overseas Government Ministers and officials have taken place in each of the last three years in which UK arms sales have been discussed. [65263]

Ms Hewitt: Department of Trade and Industry Ministers regularly meet with their overseas counterparts and with other senior officials to discuss a range of issues surrounding UK commerce and exports. Inevitably these have occasionally touched upon defence export opportunities. Details of such discussions are not however held centrally.

Broadband

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how much her Department has *(a)* committed to and *(b)* spent on broadband access in rural areas in each of the last four years. [61173]

Mr. Timms *[holding answer 13 June 2002]:* Promoting broadband access in rural areas is a legitimate use of Government funds in pursuit of economic development objectives as long as it is in line with the guidelines for each fund. It is possible that some expenditure has been made from a variety of funding streams including European Structural Funds, Regional Selective Assistance and the Regional Development Agencies' Strategic Programme.

The Department has made available a £30 million fund to help the Regional Development Agencies and devolved Administrations develop innovative schemes to extend broadband networks. In the first year of this fund (Financial Year 2001–02) the Department transferred £3 million of this fund to the recipients. Many projects funded from this will contribute in whole or in part to rural broadband access.

Mr. Gray: To ask the Secretary of State for Trade and Industry whether broadband will be available in rural areas. [64276]

Mr. Timms: Through ADSL, cable and wireless technologies, broadband is available to around 66 per cent. of the population, including in some rural areas, and we expect this proportion to increase. Satellite technology can make broadband available almost anywhere. Our strategy, set out in the December 2001 UK Online Annual Report, includes a number of actions to help make the broadband market more extensive and competitive, including measures to stimulate broadband supply.

In addition, I announced last week that from the autumn there will be:

> a new network of dedicated regional broadband advisers co-ordinated by the DTI, with the aim of increasing both availability and take-up of broadband in the regions;
>
> a new team of procurement experts in the Office of Government Commerce (OGC), providing hands-on support and advice to enable smarter public sector buying of broadband; and,
>
> new framework agreements between the Office of Government Commerce (OGC) and suppliers. This will enable public sector organisations to buy broadband quickly and efficiently, without having to negotiate terms and conditions for each purchase while ensuring value for money.

Lembit Öpik: To ask the Secretary of State for Trade and Industry what initiatives her Department has to extend the availability of broadband internet provision to rural Wales; and if she will make a statement. [65061]

Mr. Timms: On 26 June I announced a new broadband team and network of dedicated broadband advisers to help boost roll-out and take-up of broadband across the UK, including in Wales.

The Government have also made available the £30 million UK Broadband fund to help the English Regional Development Agencies and the devolved Administrations develop innovative schemes to extend broadband access. The Welsh Assembly Government will receive £2.67 million and will be using the money to:

> Link up all educational facilities, libraries and adult learning centres with broadband services to allow the public to access broadband services; and
>
> Support a project that will pilot the use of broadband wireless technology at the soon to be deregulated 2.4 GHz frequency in North West Wales.

In addition, the Welsh Assembly Government is developing its own broadband strategy, based upon the findings of their Ubiquitous Broadband Infrastructure Study, and continues to support a number of initiatives across Wales that are designed to bring affordable broadband access within the reach of many more people.

Postal Services

Mr. Wray: To ask the Secretary of State for Trade and Industry what steps the Government are taking to ensure that a full range of postal services is maintained. [66636]

Mr. Timms *[holding answer 3 July 2002]:* The Government laid down the universal postal service obligation in primary legislation in the Postal Services Act 2000. The legislation says that the obligation consists of a service provided at an affordable price determined by a public tariff uniform throughout the UK and includes the delivery each working day to the home or premises of every individual in the UK and a collection each working day from access points. Under the Act it is the primary duty of the Postal Services Commission (known as Postcomm) to exercise its functions in the manner which it considers is best calculated to ensure the provision of a universal postal service and it currently requires Consignia, in the licence, to provide the universal postal service.

Mr. Wray: To ask the Secretary of State for Trade and Industry what financial assistance the Government have given to Consignia since 1997. [66637]

Mr. Timms *[holding answer 3 July 2002]:* The Government have shown a strong commitment to maintaining postal services through a variety of schemes which have been predominantly designed to support the Post Office network and to explore possible new income streams.

The Government contributed £480 million to the capital cost of the Horizon project which computerised the whole network. We have also made available a £2 million fund to support volunteer and community initiatives to maintain or reopen post office facilities in the rural areas where traditional service would otherwise close. Figures for the end of May showed that applications to the value of £500,000 had been assessed and approved and to that date, payments of £231,000 had been made. Government provided £25 million for the "Your Guide" pilot in Leicestershire and Rutland which trialled the concept of post offices as one stop shops for government information and services.

Following the announcement in January agreeing in principle to a compensation package for the urban network restructuring programme, the Government will make available up to £210 million for the compensation and investment package for urban offices, subject to state aid and parliamentary approval.

In line with the Government's commitment to the maintenance of a nationwide network of post offices, proposals for the rural network are being developed in the context of advice on transitional financial assistance from the Postal Services Commission.

In terms of supporting the mail business, the Government have not provided financial assistance for specific projects but, as announced to the House on 13 June, the need for the company to restructure has led to the Government agreeing the basis of a financing package which will allow the restructuring to go ahead. The £1.8 billion of investments on the Balance Sheet will be held by the group holding company as reserves. It will be available to back the investment required in the mails business, to implement the renewal programme and to support the nationwide network of post offices, subject, where necessary, to the relevant state aid clearances.

Law Society

Dr. Cable: To ask the Secretary of State for Trade and Industry what support she is providing to the Law Society to facilitate the prompt reform of those solicitors practice rules identified as anti-competitive by the Director General of Fair Trading; and if she will make a statement. [66478]

Ms Rosie Winterton: I have been asked to reply.

Reform of the solicitors practice rules and removal of anti-competitive restrictions therein are matters for the Law Society to take forward. Where there are restrictions in legislation relating to the regulation of solicitors they fall to Government to consider. As has already been announced, the Government are planning to consult before the summer break on those issues which fall to them arising from the DGFT's report.

Dr. Cable: To ask the Secretary of State for Trade and Industry what discussions her Department has had with the Law Society in the past 12 months on employed solicitors advising the public, fee-sharing and referral fees; and if she will make a statement. [66477]

Ms Rosie Winterton: I have been asked to reply.

Officials from both the Lord Chancellor's Department and from the Department of Trade and Industry have separately held meetings with the Law Society. The DTI has discussed competition issues generally. The LCD has discussed progress relating to those matters highlighted in the Director General of Fair Trading's report "Competition in Professions". The issue of employed solicitors advising the public is one of the matters to be considered in the Government's consultation paper planned for release before the summer break.

EDUCATION AND SKILLS

Grammar Schools (Kent)

12. **Dr. Ladyman:** To ask the Secretary of State for Education and Skills based on benchmark tables as defined in the autumn package, 2001, how many of Kent and Medway's grammar schools fall in the bottom quartile of performance expectations of schools; and how many would be expected to fall in that bottom quartile if they performed to the average level of grammar school performance. [64407]

Mr. Miliband: The benchmark tables allow comparisons between schools in a number of ways. On the basis of the percentage of pupils achieving 5+A*-C, none of the Kent and Medway grammar schools falls in the lower quartile for all schools. I am also aware of the research commissioned by my hon. Friend from Professor Jesson of the University of York, which argues that 17 of Kent and Medway's grammar schools fall in the bottom quartile of performance, seven more than Professor Jesson believes should be expected.

Further Education (Funding)

13. **Andy Burnham:** To ask the Secretary of State for Education and Skills if she will make a statement about future resources for the further education sector. [64408]

Mr. Ivan Lewis: By next year funding for FE will have risen by 26 per cent. in real terms since 1997. The Learning and Skills Council's funding rates for programmes delivered by FE sector colleges are increasing by 2.5 per cent. in cash terms for the 2002–03 academic year, above the current rate of inflation. We are looking to the current spending review to deliver the resources needed to meet the Government's ambitions for further education in 2003–04 and beyond.

Mr. Battle: To ask the Secretary of State for Education and Skills what her Department's estimate is of the performance-related pay shortfall from the original budgeted announcement for further education staff in the colleges in Leeds. [45370]

Margaret Hodge: My Department does not publish data on the numbers of lecturers in individual colleges who are receiving particular payments under the Teaching Pay Initiative (TPI). This is because the distribution of TPI payments to teachers within individual colleges is properly a matter for the management of those colleges and their staff. However, distribution of TPI funds from the Learning and Skills Council to colleges is being monitored, and TPI is being evaluated at a national level. I am able to make the following information available.

For sixth form colleges, the size of TPI payments to individual teachers is prescribed as part of the initiative; the formula is the same as that applying to school teachers. The original announcement stated the Government expected that about two-thirds of teachers in sixth form colleges would qualify for payments of £2,000.

For general further education (FE) colleges, the size of payments to individual teachers is not prescribed as part of the initiative. In the original announcement the Government expected that over two thirds of teachers in general FE colleges would qualify for payments of up to £2,000, with 10 per cent. receiving career structure and initiative payments of up to £4,000. However, the announcement made it clear that colleges would have the flexibility to determine the precise levels of payments.

This is the first year of TPI and we are currently evaluating its impact on colleges. The Sixth Form Colleges' Employers' Forum estimates that, nationally, 84 per cent. of sixth form college teachers have already received payments of £2,000 in 2001–02. For general FE colleges, although no comparable figures are available, indications nationally are that progress has been much more gradual. The first case study evaluation report is due from the Association of Colleges in April.

In Leeds, seven general FE and one sixth form college, have been allocated a total of £1,007,749 TPI support in 2001–02 as follows:

Leeds College of Art and Design—£83,422

Leeds College of Music—£49,498

Joseph Priestley College—£72,539

Leeds College of Building—£67,693

Leeds College of Technology—£102,195

Thomas Danby College—£162,238

Park lane College—£339,611

Notre Dame Sixth Form College—£130,553.

In 2002–03 allocations to each college will increase by between 25 per cent. and 50 per cent. Further increases to the TPI budget are planned for 2003–04. These increases will enable colleges to extend TPI payments to teachers who meet the criteria for the first time. The increases should also enable general FE colleges to review the size of payments offered to individual staff and to consolidate these payments where they have not already done so.

Mr. Pike: To ask the Secretary of State for Education and Skills how many post-16 students went on to further education in *(a)* Burnley and *(b)* Lancashire in 2001. [65544]

Mr. Ivan Lewis: Data on the percentage of students staying on in full-time education are not calculated for areas smaller than LEAs as reliable estimates cannot be made.

The percentage of 16 and 17-year-olds in full-time education in Lancashire LEA, which includes the constituency of Burnley, in 1999–2000, the latest year for which figures are available, is set out in the table:

Lancashire LEA, 1999–2000

Percentage

Age	*Full-time education*	*Part-time education*
16	66	8
17	56	10

Participation rates by LEA are published in an annual statistical bulletin, "Participation in Education and Training by Young People Aged 16 and 17 in Each Local Area and Region, England".

23. **Ian Lucas:** To ask the Secretary of State for Education and Skills what steps she is taking to improve recruitment and retention of further education lecturers. [64418]

Mr. Ivan Lewis: We are investing more than £300 million in the Teaching Pay Initiative (TPI). TPI is an important initiative designed to help modernise further education (FE) pay arrangements and to recruit, reward and retain teachers and lecturers as part of the drive to improve teaching and learning.

Alongside TPI, we are piloting Training Bursaries for students training to be FE teachers. From the autumn of 2002, we will also introduce Golden Hello payments and, subject to the approval of Parliament, a scheme to pay off, over time, the student loans of new teachers in FE shortage subject areas.

Neighbourhood Nurseries

15. **Sue Doughty:** To ask the Secretary of State for Education and Skills if she will make a statement on the provision of neighbourhood nurseries under the neighbourhood nursery initiative. [64410]

Margaret Hodge: The neighbourhood nurseries programme is making real progress. The first neighbourhood nurseries have now opened, and the pace of development is encouraging some 32,000 places are currently under development. 36 per cent. of these first nurseries are linked to Sure Start and 32 per cent. are on school sites.

School and Business Links

16. **Gillian Merron:** To ask the Secretary of State for Education and Skills what steps she is taking to support links between schools and business. [64411]

Mr. Stephen Twigg: We welcome links between schools and business, which help raise pupils' achievement, motivation and attendance, and prepare them for adult and working life.

We have allocated £25 million this year to fund a range of activities, through local Learning and Skills Councils contracting with Education/Business Links Consortia. These include professional development placements for teachers, work experience and mentoring for young people, and enterprise activities.

Excellence in Cities

18. **Mr. Rammell:** To ask the Secretary of State for Education and Skills if she will make a statement on the development of the Excellence in Cities programme. [64413]

Mr. Miliband: Excellence in Cities covers 58 local authority areas and their secondary schools. It also includes Excellence Clusters and selected primary schools. With new ways of working based on effective partnerships the programme is already making an impact. Overall standards are rising faster in EiC schools than elsewhere. We are determined to secure and extend these gains by helping all EiC partnerships to perform at the level of the best.

Autistic Children

19. **Dr. Murrison:** To ask the Secretary of State for Education and Skills if she will make a statement on provision for schooling of children with autism. [64414]

Mr. Stephen Twigg: Children with autism, along with others with special educational needs, should receive the schooling their learning difficulties call for. The SEN Code of Practice gives statutory guidance to schools and local education authorities in identifying needs and making suitable provision. Forthcoming guidance from the Department's Autism Working Group will help providers plan and make good quality provision for children with the condition.

Collegiate Academy (Birmingham)

20. **Mr. McCabe:** To ask the Secretary of State for Education and Skills what assessment she has made of Birmingham LEA's proposals for a collegiate academy. [64415]

Mr. Miliband: We judged the Birmingham proposal to be an interesting model of collaborative practice between secondary schools, well worth supporting. The intention of the collegiate academies is to raise standards and broaden curriculum choices for students through the schools working together in a very structured way. If they prove successful, they could provide a useful model for other clusters of schools to adopt in order to maximise the benefits of school diversity.

This is a pathfinder project, so by its nature is untested. The Department has commissioned research to evaluate the pathfinder project over the next three years. Their first report is expected in October this year. In addition the Birmingham LEA will evaluate the collegiate academies in partnership with Warwick University.

After-school Clubs

21. **Mr. Gareth Thomas:** To ask the Secretary of State for Education and Skills what action she is taking to improve the regulation of after-school clubs. [64416]

Margaret Hodge: Last year we transferred responsibility for the registration and inspection of under 8s child care, including after-school clubs, from local authorities to the Office for Standards in Education (Ofsted). At the same time we introduced National Standards and there is a specific set of criteria covering out of school care. A national scheme will bring improvements to the regulation of after-school clubs, not least a more consistent approach across England. Earlier this year we consulted on proposals for a scheme for certifying child care providers' suitability to look after older children, and we will be looking carefully at the results of that consultation as these proposals are taken forward.

Adult Literacy and Numeracy

22. **Mr. Clapham:** To ask the Secretary of State for Education and Skills what measures she is taking to increase basic literacy and numeracy skills for adults. [64417]

Mr. Ivan Lewis: The Government are fully committed to improving the literacy, language and numeracy skills of adults. The Prime Minister launched Skills for Life, the national strategy for improving adult literacy and numeracy in England in March 2001. Since then, we have introduced a new national teaching and learning infrastructure of standards, curricula, teacher training and national tests in literacy and numeracy nationally to help increase standards and learner achievement. There have been three bursts of national promotion activity to increase demand for basic skills provision. These have led to over 100,000 calls to the national information hotline. Demand is also being stimulated among employers with a toolkit of advice and materials to ensure low skilled employees have opportunities to improve their skills. We have completed a series of pilots to test innovative pedagogical approaches and financial incentives for learners and employers. A new national research and development centre, led by the London University's Institute of Education, has begun investigating best practice in the UK and internationally. Our target is that 750,000 adults improve their literacy and numeracy by 2004. Between April 2001 and January 2002, more than 124,000 adults were helped to gain literacy and numeracy qualifications.

Child Care

24. **Dr. Cable:** To ask the Secretary of State for Education and Skills what plans there are to improve the provision of child care places for the under-fives. [64419]

Margaret Hodge: The Department for Education and Skills has responsibility for the development of child care places in England through the National Childcare Strategy. The Strategy is carried forward at a local level by Early Years Development and Childcare Partnerships (EYDCPs) that have been established in every local education authority area in England and are tasked with providing and supporting good quality, affordable child care in their respective areas.

More than 175,000 new pre-school child care places[1] have been created since 1997 and EYDCPs have plans to create approx. 140,000 new pre-school places over the next two years.

Many of these places will be created through the Neighbourhood Nurseries programme, a key component of the Government's wider Neighbourhood Childcare Initiative. Launched in January 2001, the initiative aims to create 45,000 new nursery places for children from birth to school age and 25,000 childminding places in the most disadvantaged areas of England.

Since September 1998 all four-year-olds have had access to a free part time early education place for the three terms before they become of compulsory school age.

In addition, we have also increased the number of three-year-olds accessing a free early education place from 34 per cent. in January 1997 to more than 66 per cent. in March 2002. From September 2004 all three-year-olds will have access to a free early education place.

[1] Pre-school child care places include day care places lasting for three and a half hours or more per day and places with childminders.

School Discipline

25. **Mr. Amess:** To ask the Secretary of State for Education and Skills what recent assessment she has made on the impact of disciplinary problems on standards in schools. [64420]

Mr. Stephen Twigg: In his annual report for 2000–01 Her Majesty's Chief Inspector of Schools reported that standards of behaviour were unsatisfactory in one secondary school in 12 and one primary school in 50. He added that unsatisfactory behaviour in some secondary schools had undermined efforts to raise standards, and that such behaviour and negative attitudes towards work were significant problems in half of the secondary schools making poor progress in raising attainment.

We have provided extensive support to schools to tackle disruptive behaviour and help improve standards, including funding for over 1,050 Learning Support Units, guidance on discipline and exclusion policies, and guidance on developing effective anti-bullying strategies. In addition, the £66 million made available through this year's Budget will fund a programme of focused support for schools in the 34 LEAs facing the toughest challenges of behaviour and criminality.

We will also extend the availability of Parenting Orders, so that these can cover parents of pupils excluded for violence or persistent serious disruption.

Truancy

27. **Huw Irranca-Davies:** To ask the Secretary of State for Education and Skills if she will make a statement on the long-term social and economic costs of truancy, particularly in communities of high deprivation. [64422]

Mr. Stephen Twigg: The Government are fully aware of the consequences of truancy, especially of its links with educational underachievement, unemployment, homelessness and in particular crime.

We are continuing to tackle this issue through a number of initiatives. These include nationally co-ordinated truancy sweeps and the investment of £66 million in the Behaviour Improvement Programme which is being funded in those local education authorities identified as having high truancy and high crime rates.

It is important that parents and local communities are encouraged to see the importance of regular attendance and share responsibility for preventing truancy.

30. **Mr. Illsley:** To ask the Secretary of State for Education and Skills what action she proposes to reduce the level of truanting taking place with parental consent. [64425]

Mr. Stephen Twigg: We have introduced a higher penalty for those parents who know that their child is not attending school and taken no reasonable steps to secure their attendance. We are examining ways in which the Government can support the prosecution process by sharing information and guidance.

Magistrates can now impose Parenting Orders as a means of underlining parents' responsibility for their children's behaviour and providing parents with structured help and support.

We have also introduced truancy sweeps which can help to identify parents who are not taking their child's attendance seriously. These send the strong message to parents and the wider community that children should be in school.

Mr. Willis: To ask the Secretary of State for Education and Skills what percentage of children of secondary age were absent from school due to *(a)* authorised and *(b)* unauthorised absence in each of the years 1996–97 to 2001–02 in (i) foundation, (ii) voluntary aided, (iii) voluntary controlled, (iv) community, (v) specialist, (vi) city technology college and (vii) grammar schools. [65400]

Mr. Stephen Twigg *[holding answer 1 July 2002]:* The information requested is shown in the table.

Percentage of half days missed due to (a) authorised and (b) unauthorised absence in secondary schools in England

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
(a) Authorised absences					
(i) Foundation	7.3	7.2	7.3	7.0	7.5
(ii) Voluntary aided	7.9	7.7	7.3	7.1	7.4
(iii) Voluntary controlled	7.4	7.3	7.4	7.1	7.5
(iv) Community	8.5	8.3	8.2	8.0	8.4
(v) Specialist	—	—	7.4	7.3	7.7
(vi) City technology colleges	6.1	6.1	5.8	5.9	6.2
(vii) Grammar schools	4.8	4.9	5.1	4.8	5.1
(b) Unauthorised absences					
(i) Foundation	0.5	0.6	0.7	0.7	0.7
(ii) Voluntary aided	0.8	0.8	0.7	0.7	0.7
(iii) Voluntary controlled	0.9	1.0	1.0	1.0	1.0
(iv) Community	1.3	1.4	1.3	1.3	1.3
(v) Specialist	—	—	0.9	0.9	0.9
(vi) City technology colleges	0.2	0.1	0.1	0.2	0.2
(vii) Grammar schools	0.1	0.1	0.1	0.1	0.1

Note:

Information for 2001–02 is not yet available.

Mr. Laws: To ask the Secretary of State for Education and Skills what her estimate is of the change in *(a)* school truancy and *(b)* school exclusions between 1998 and 2002; and if she will make a statement. [66284]

Mr. Stephen Twigg: The information requested for schools in England is as follows:

(a) School truancy	*1997–95*	*2000–01*
Percentage of half days missed due to unauthorised absence	0.7	0.7

(b) Permanent exclusions from school	*1997–98*	*2000–01*[1]
Primary schools[2]	1,539	1,460
Secondary schools[2]	10,187	7,410
Special schools[3]	572	340
Total	12,298	9,210

[1] Provisional estimate

[2] Maintained

[3] Maintained and non-maintained

The truancy and exclusion data are collected by academic year therefore the latest figures available are for 2000–01.

Schools Education

28. **Mrs. Brooke:** To ask the Secretary of State for Education and Skills if she will make a statement on funding for schools education. [64423]

Mr. Miliband: Since 1997–98 recurrent funding per pupil has risen by an average £670 (24 per cent.) in real terms: by 2003–04 it will have increased by over £760 in real terms.

31. **Mrs. Calton:** To ask the Secretary of State for Education and Skills if she will make a statement on the future of funding for schools education. [64426]

Mr. Miliband: We will be consulting on proposals for a new system of school and LEA funding over the summer, starting by mid-July. We aim to create a simpler, more transparent and fairer formula that reflects fairly, on the basis of up-to-date evidence, the needs of authorities in different parts of the country.

Primary Schools

29. **Mr. Bellingham:** To ask the Secretary of State for Education and Skills when she next expects to meet governors of state primary schools to discuss the burden of paperwork. [64424]

Mr. Miliband: Ministers meet school governor representatives from time to time to discuss a range of issues. The Secretary of State does not have any meetings currently arranged with governors of state primary schools specifically to discuss paperwork.

Roger Casale: To ask the Secretary of State for Education and Skills how many reception places are available at each primary school in Merton, broken down by parliamentary constituency; and how many applications there have been in each case for the school year 2002–03. [R] [66777]

Mr. Miliband: Information on places available by year group and the number of applications to schools is not collected centrally.

Student Support

32. **Mr. Swire:** To ask the Secretary of State for Education and Skills what plans she has to consult with universities over the new system of student support. [64427]

33. **Patrick Mercer:** To ask the Secretary of State for Education and Skills when she intends to publish a consultation document outlining options for a new system of student support; and if she will make a statement. [64428]

Margaret Hodge: The review of higher education student funding is still under way. We will make an announcement when the review is complete, at which time there will be opportunity for the universities and others to comment.

School Buildings

34. **Colin Burgon:** To ask the Secretary of State for Education and Skills how much money has been allocated for new school buildings and renovations in the current financial year; and if she will make a statement. [64429]

Mr. Ivan Lewis: Government support for capital investment in schools in England for 2002–03 is over £3 billion. We allocate most of this funding to schools and local education authorities (LEAs) by needs related formulae, so that they can prioritise investment in line with locally agreed Asset Management Plans. We do not collect information on the spread of capital investment between new buildings and renovation.

Mr. Cox: To ask the Secretary of State for Education and Skills what Government funding has been given to each London education authority to improve and upgrade school buildings in each of the last three years. [65049]

Mr. Ivan Lewis: The table sets out the amount of funding we have allocated to each London education authority to support capital expenditure in the last three years. This funding was provided for the improvement, renovation or replacement of school buildings.

Capital allocation

£000

LEA	*2000–01*	*2001–02*	*2002–03*
Inner London			
Camden	5,754	4,937	21,737
City of London	67	155	133
Hackney	6,412	8,472	7,816
Hammersmith and Fulham	3,677	3,608	4,133
Haringey	8,330	10,700	14,944
Islington	6,885	3,870	8,885
Kensington and Chelsea	2,506	2,968	2,099
Lambeth	6,970	9,401	6,420
Lewisham	8,387	8,239	66,549
Newham	12,678	38,464	13,915
Southwark	7,841	6,499	11,811
Tower Hamlets	6,602	7,904	10,211
Wandsworth	7,469	6,843	12,261
Westminster	4,088	3,572	5,256
Outer London			
Barking and Dagenham	5,026	5,794	39,816
Barnet	10,149	6,126	13,157
Bexley	8,439	7,344	48,900
Brent	16,705	8,206	39,563
Bromley	7,970	6,825	6,695
Croydon	10,575	6,250	23,965
Ealing	9,402	9,265	46,323
Enfield	8,166	7,474	19,778
Greenwich	6,485	11,319	11,743
Harrow	5,534	4,038	18,130
Havering	6,729	6,133	8,171
Hillingdon	10,000	8,103	23,710
Hounslow	6,435	4,295	6,308
Kingston-upon-Thames	5,076	4,621	5,579
Merton	4,554	32,702	14,014
Redbridge	10,913	26,521	8,482
Richmond-upon-Thames	4,092	18,821	3,244
Sutton	8,945	6,684	7,938
Waltham Forest	7,368	8,517	63,789
Total capital allocation	240,229	304,661	595,475

Notes:

1. Allocations comprise of capital grant and credit approvals, including Private Finance Initiative (PFI) credits for school buildings.

2. The total allocation for 2000–01 includes £9 million of PFI credits.

3. The total for 2000–01 also includes £610.8 million announced for New Deal for Schools 4, which was available for use in 2000–01 and 2001–02.

4. The total allocation for 2001–02 includes £84.2 million of PFI credits.

5. The total allocation for 2002–03 includes £298.1 million of PFI credits.

6. All allocations include funding allocated direct to schools within each LEA.

Individual Learning Accounts

Sir Nicholas Winterton: To ask the Secretary of State for Education and Skills if she will make a statement on the moneys owed to course providers following the closure of the individual learning account scheme. [64409]

Mr. Ivan Lewis: Following the closure of the individual learning account (ILA) programme on 23 November 2001, at the end of June £16.8 million of claims from 267 registered learning providers has been withheld pending the results of investigations.

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what payments *(a)* have been claimed, *(b)* have been paid, *(c)* are outstanding and *(d)* are in dispute with ILA providers in each month since August 2001. [60231]

Mr. Ivan Lewis *[holding answer 10 June 2002]:* The amounts claimed, paid and withheld at the end of each month from August 2001 to 28 June 2002 are set out in the following table. The amounts in the withheld column relate to those claims from registered individual learning account (ILA) providers which are subject to validation checks and/or investigation. The claims withheld are those which are in dispute.

At the time of closure on 23 November a total of £19.4 million relating to learning episodes confirmed on the ILA centre system was awaiting payment and therefore outstanding. Following validation checks payments for eligible learning relating to this amount were subsequently made in December and January.

ILA programme rules allowed bookings to be made six months in advance of the learning episode, so booked learning could be confirmed up to and including 22 May 2002. A paper-based claims and payment system was introduced in January 2002 to allow providers to confirm and claim for delivery of this advanced booked learning. Claims, payments and amounts withheld are reflected in the table. In addition an estimated sum of £5.6 million remains unclaimed relating to advance booked learning by providers who cannot be invited to claim until all investigations are complete.

£

Month	*(a) Amount claimed*	*(b) Amount paid*	*(c) Amount withheld /in dispute*
August 2001	24,672,600	[1]26,216,174	1,580,245
September 2001	26,401,842	25,818,692	583,150
October 2001	39,173,099	[1]39,251,249	0
November 2001	51,334,141	31,789,658	113,100
December 2001	0	3,495,594	11,280,502
January 2002	0	[1]2,241,238	2,422,450
February 2002	559,290	[1]507,636	107,854
March 2002	3,299,073	[1]1,937,840	1,365,652
April 2002	2,078,824	[1]1,555,490	540,489
May 2002	1,048,282	[1]928,924	199,303
June 2002	380,898	[1]382,371	68,672

[1] These payments include amounts released from earlier claims which had been previously withheld.

School Fire Safety

Bob Russell: To ask the Secretary of State for Education and Skills if she will make it a requirement that all new schools and extensions should be fitted with fire sprinkler systems. [64304]

Mr. Ivan Lewis: Since April 2001, all new construction work at schools has been subject to approval under the Building Regulations. The Building Regulations do not require the installation of fire sprinkler systems in new school accommodation and the Department does not intend to seek such a change.

With regard to fire safety, projects will not be approved unless they are designed in accordance with the 2000 edition of Approved Document B (Fire Safety), which accompanies the regulations. The Department's guide 'Fire Safety' includes information on sprinklers. It states that, though expensive to install, sprinklers can be worthwhile in areas where the risk of arson is high. In these circumstances their use can help minimise the loss of valuable course work and teaching materials, and prevent major disruption to the life of a school.

Teacher Vacancies (Portsmouth, South)

Mr. Hancock: To ask the Secretary of State for Education and Skills how many vacancies, unfilled with permanent staff, in secondary schools there are in the Portsmouth, South constituency; how many there were in 1997; and if she will make a statement. [66467]

Mr. Miliband: The number of vacancies for full-time teachers in maintained secondary schools in Hampshire were:

Vacancy numbers

	January 1997	*January 2001*
Former Hampshire	33	n/a
Hampshire	n/a	85
Portsmouth	n/a	36
Southampton	n/a	27

This is the most recent available information.

Hampshire local authority was affected by the local government reorganisation (LGR) on 1 April 1997, when it became three authorities; Portsmouth, Southampton and Hampshire. Figures for 1997 are for the Hampshire local authority prior to LGR.

Information on teacher vacancies by constituency is not held centrally.

Specialist Schools

Mr. Don Foster: To ask the Secretary of State for Education and Skills how many *(a)* failing schools and *(b)* schools under special measures have (i) applied to and (ii) become specialist schools since the specialist schools scheme came into operation. [65504]

Mr. Miliband: Under section 13(9) of the School Inspections Act 1996, special measures are required to be taken in relation to a school if the school is judged to be

> "failing or likely to fail to provide pupils with an acceptable standard of education".

The number of schools judged to be *(a)* failing and consequently *(b)* under special measures at the time of their applications to become specialist schools is four. All of these applications were unsuccessful.

Mr. Laws: To ask the Secretary of State for Education and Skills how many schools applied for specialist school status in the latest round; how many of these applications were accepted and in which specialisms; if she will list the successful schools; and if she will make a statement. [66276]

Mr. Miliband: 282 schools applied for designation in one of the eight specialisms in March 2002. I have today announced 160 new designations taking the total number of specialist schools operational from September 2002 to 992. From September there will be specialist schools in 97 per cent. of local education authorities in England responsible for the education of over 1 million young people. Today's announcement puts us well on course to reach our target of at least 1,500 specialist schools by 2005. The successful specialist school applicants announced today are as listed in the table.

160 specialist schools designed July 2002—listed by LEA by school name

School	*LEA*	*Specialism*
Ashmole School	Barnet, LB of	Science
Copthall School	Barnet, LB of	Business and Enterprise
Finchley Catholic High School	Barnet, LB of	Business and Enterprise
Kirk Balk School	Barnsley	Technology
Wootton Upper School	Bedforshire	Arts
Bexley Grammar School	Bexley, LB of	Language
Archbishop Ilsley R. C. School/Technical College	Birmingham	Technology
Bournville School and Sixth Form Centre	Birmingham	Business and Enterprise
Castle Vale School	Birmingham	Arts
Our Lady and St. John RC High School	Blackburn with Darwen	Arts
Garth Hill School (The)	Bracknell Forest	Technology
Preston Manor High	Brent, LB of	Science
Coopers School	Bromley, LB of	Technology
Dr. Challoner's Grammar School	Buckinghamshire	Science
Brighouse High School	Calderdale	Business and Enterprise
Bassingbourn Village College	Cambridgeshire	Technology
Catholic High School (The)	Cheshire	Science
Malbank School and Sixth Form Centre	Cheshire	Arts
Virgo Fidelis Senior Convent School	Croydon, LB of	Maths and Computing
St. Benedict's Catholic High School	Cumbria	Engineering
Thorncliffe School	Cumbria	Sports
Eckington School	Derbyshire	Engineering
Heanor Gate School	Derbyshire	Science
Braunton School and Community College	Devon	Maths and Computing
King's School (The)	Devon	Sports
Kingsbridge Community College	Devon	Science
Rossington High School	Doncaster	Sports
Thomas Hardye School (The)	Dorset	Science
Earls High School (The)	Dudley	Arts
Holly Hall School (The)	Dudley	Maths and Computing
Windsor High School	Dudley	Sports
Shotton Hall School	Durham	Arts
Ellen Wilkinson School for Girls (The)	Ealing, LB of	Science
Headlands School	East Riding of Yorkshire	Science
Bishop Bell CofE School (The)	East Sussex	Maths and Computing
Chailey School	East Sussex	Language
Lea Valley High School	Enfield, LB of	Sports
Colchester County High School for Girls	Essex	Science
Gilberd School (The)	Essex	Maths and Computing
King Edmund School (The)	Essex	Business and Enterprise
King John School	Essex	Maths and Computing
Rainsford High School	Essex	Arts
Thurstable School	Essex	Sports
Trinity Catholic High School	Essex	Science
West Hatch High School	Essex	Business and Enterprise
Hackney Free and Parochial CE School	Hackney, LB of	Sports
Brookfield Community School	Hampshire	Language
Henry Beaufort School (The)	Hampshire	Technology
Hurst Community School	Hampshire	Science
Park Community School	Hampshire	Arts
Perins Community School	Hampshire	Sports
Vyne Community School (The)	Hampshire	Arts
Wavell School (The)	Hampshire	Technology
Hatch End High School	Harrow, LB of	Arts
Nower Hill High School	Harrow, LB of	Arts
Gaynes School	Havering, LB of	Language
John Kyrle High School (The)	Herefordshire	Technology
Broxbourne School (The)	Hertfordshire	Business and Enterprise
Watford Grammar School for Girls	Hertfordshire	Arts
Uxbridge High School	Hillingdon, LB of	Technology
Sion Manning RC Girls School	Kensington and Chelsea, RB of	Arts
Astor School	Kent	Arts
Pickering High School	Kingston upon Hull, City of	Sports
Coombe Girls' Schools	Kingston upon Thames, RB of	Language
Tiffin Girls School (The)	Kingston upon Thames, RB of	Maths and Computing

160 specialist schools designed July 2002—listed by LEA by school name

School	*LEA*	*Specialism*
Almondbury High School	Kirklees	Language
Broughton High School	Lancashire	Business and Enterprise
Garstang High School	Lancashire	Technology
Ivy Bank High School	Lancashire	Business and Enterprise
Horsforth School	Leeds	Science
Priesthorpe School	Leeds	Sports
Roundhay School	Leeds	Technology
Brookvale High School (Joint)	Leicestershire	Language
Groby Community College (Joint)	Leicestershire	Language
Branston Community College	Lincolnshire	Business and Enterprise
Gartree Community School (The)	Lincolnshire	Technology
Shorefields School	Liverpool	Technology
Stopsley High School and Community College	Luton	Sports
Whalley Range High School	Manchester	Business and Enterprise
Sir Joseph Williamson's Mathematical School	Medway	Maths and Computing
Upbury Manor School	Medway	Arts
Raynes Park High School	Merton, LB of	Technology
St. David's Roman Catholic Comprehensive School	Middlesbrough	Technology
Walton High	Milton Keynes	Business and Enterprise
Caister High School	Norfolk	Arts
Litcham High School	Norfolk	Science
Toll Bar School	North East Lincolnshire	Business and Enterprise
High Ridge School	North Lincolnshire	Sports
St. Bede's Catholic School	North Lincolnshire	Maths and Computing
Churchill Community College	North Tyneside	Sports
Scalby School	North Yorkshire	Technology
Whitby Community College	North Yorkshire	Technology
Moulton School	Northamptonshire	Science
Cramlington Community High School	Northumberland	Science
All Saints RC School	Nottinghamshire	Arts
Brunts School (The)	Nottinghamshire	Arts
Carlton Le Willows School	Nottinghamshire	Technology
South Wolds School	Nottinghamshire	Language
Blue Coat School (The)	Oldham	Science
Matthew Arnold School	Oxfordshire	Science
Devonport High School	Plymouth, City of	Engineering
Chadwell Heath Foundation School	Redbridge	Arts
Wickersley School	Rotherham	Sports
Heathfield Foundation School (The)	Sandwell	Technology
Christ The king Catholic High School	Sefton	Technology
Rhyn Park School	Shropshire	Arts
Thomas Adams School (The)	Shropshire	Arts
William Brookes School	Shropshire	Arts
Langley School	Solihull	Arts
Huish Episcopi School	Somerset	Science
Preston School	Somerset	Business and Enterprise
West Somerset Community College (The)	Somerset	Technology
Westfield Community School	Somerset	Science
Prittlewell School (The)	Southend on Sea	Technology
St. Michael's School	Southwark, LB of	Business and Enterprise
Sutton Community High School	St. Helens	Sports
Blackfriars Special School	Staffordshire	Technology
Blake Community High School	Staffordshire	Technology
Blessed William Howard Catholic High School	Staffordshire	Arts
Chase Terace High School	Staffordshire	Technology
Kingsmead School	Staffordshire	Technology
Madeley High School	Staffordshire	Technology
St. Margaret Ward Catholic High School	Stoke on Trent	Arts
Farlingaye High School	Suffolk	Maths and Computing
Mildenhall Upper School	Suffolk	Technology
Sudbury Upper School	Suffolk	Arts
Farringdon Community School	Sunderland	Sports
Hetton School	Sunderland	Technology
Howard of Effingham School	Surrey	Science
Rodborough School	Surrey	Technology
Woolmer Hill School	Surrey	Technology
Glenthorne High School	Sutton, LB of	Arts
Wilson's School	Sutton, LB of	Maths and Computing
Astley High School	Tameside	Sports
Paignton Community College	Torbay	Sports
Swanlea School	Tower Hamlets, LB of	Business and Enterprise
Altrincham Grammar School for Girls	Trafford	Language
Green Lane High School	Trafford	Arts

160 specialist schools designed July 2002—listed by LEA by school name

School	*LEA*	*Specialism*
Horbury School	Wakefield	Language
Brownhills Community School	Walsall	Technology
Shelfield Community School	Walsall	Sports
Birchwood Community High School	Warrington	Business and Enterprise
Aylesford School	Warwickshire	Language
Harris High School	Warwickshire	Sports
Myton School	Warwickshire	Science
Stratford-upon-Avon Grammar School	Warwickshire	Language
John O'Gaunt School	West Berkshire	Technology
St. Bartholomew's School	West Berkshire	Business and Enterprise
Grey Coat Hospital (The)	Westminster	Language
Cransfield Community High School	Wigan	Language
Mornington High School	Wigan	Arts
Sheldon School	Wiltshire	Science
Newlands Girls School	Windsor and Maidenhead, RB of	Technology
St. Anselm's College	Wirral	Technology
Upton Hall School FCJ	Wirral	Technology
Woodchurch High School	Wirral	Engineering
Maiden Erlegh School	Wokingham	Arts
Prince Henry's High School	Worcestershire	Language
Archbishop Holgate's School	York, city of	Science
Fulford School	York, city of	Maths and Computing

Pupil Rolls

Mr. Alan Campbell: To ask the Secretary of State for Education and Skills (1) how many secondary schools in England have pupil rolls *(a)* below 600, *(b)* between 601 and 1,000, *(c)* between 1,001 and 1,500 and *(d)* over 1,500; [65526]

(2) how many primary schools in England have pupil rolls *(a)* below 200, *(b)* between 201 and 400, *(c)* between 401 and 600 and *(d)* above 600. [65527]

Mr. Miliband: The information requested is shown in the table.

Maintained primary and secondary schools: number of schools by size of school[1]—England—As at January 2002 (provisional)

Size of school[1]	*Number of schools*
Primary	
Up to 200	8,070
201 to 400	8,258
400 to 600	1,485
601 and over	145
Secondary	
Up to 600	596
601 to 1,000	1,397
1,001 to 1,500	1,221
1,501 and over	239

[1] Based on the number of full time pupils

Source:

Annual Schools Census

MLD and SLD Schools

Chris Grayling: To ask the Secretary of State for Education and Skills how many places there are in schools for *(a)* MLD and *(b)* SLD pupils in England and Wales; and what information she has collated on the demand for places in (i) MLD and (ii) SLD schools in England and Wales. [65675]

Margaret Hodge: Information is not collected on the available places for children with particular categories of special educational needs in England. The majority of children with special educational needs are educated in mainstream schools which respond to the unique needs of each of their pupils. Special schools will also commonly include a diverse range of pupils within a broad spectrum of need.

Since the Education Act 1981, schools have not been required to return information about pupils' special educational needs categorised by disability or learning difficulty. We are now looking into the feasibility of collecting this information.

The responsibility for planning of school places, including for pupils with special educational needs, rest with local education authorities. Information about the demand for placed in MLD and SLD schools is not therefore collated centrally.

In Wales, such matters are for the Welsh Assembly. However we understand that the position is the same.

Regulatory Impact Unit

Dr. Cable: To ask the Secretary of State for Education and Skills how many members of her Department have been employed in its Regulatory Impact Unit in the past five years; and if she will make a statement. [65966]

Mr. Stephen Twigg: From 1997 to 2002, the Department has employed the following numbers of staff in its Regulatory Impact Unit:

1997–98: Approximately half the time of a full-time member of staff (with line management support when necessary)

1998–99: Approximately half the time of a full-time member of staff (with line management support when necessary)

1999–2000: Approximately half the time of a full-time member of staff (with line management support when necessary) up to 31 December 1999, and, one full-time member of staff (with line management support when necessary) from 1 January 2002

2000–01: One full-time member of staff (with line management support when necessary)

2001–02: One full-time member of staff (with line management support when necessary)

From 2002: One full-time member of staff (with line management support when necessary).

It is the job of the departmental Regulatory Impact Unit to establish and promote the principles of good regulation in the Department. The unit works closely with the officials responsible for developing policies in the Department and the Regulatory Impact Unit within the Cabinet Office. It focuses on those regulations that impact on business, charities, and the voluntary sector.

Careers Advice

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what advice is made available at school to pupils who do not wish to continue into further education and want to enter work. [66157]

Mr. Stephen Twigg: School pupils receive advice on their post-16 choices from three main sources:

> a curriculum-led programme of careers education during school years nine, 10 and 11;
>
> Impartial advice on learning and career choices from a Connexions Personal Adviser or Careers Adviser;
>
> Careers information products such as the "It's Your Choice" workbook for students in year 10 or 11 and the "Working In" series of booklets that provide information on working in particular occupations.

Careers education enables young people to develop the skills needed to understand and evaluate the post-16 options open to them. This is supported by impartial advice and guidance from a Connexions Personal Adviser or Careers Adviser. The Connexions Service is being established to provide integrated advice, guidance and support to 13 to 19-year-olds on a range of issues, including advice on learning and careers. It is currently live in 28 out of 47 local Learning and Skills Council areas in England. The Careers Service provides advice in those areas not yet covered by Connexions.

While the primary focus of connexions Personal Advisers and Careers Advisers is to encourage young people to stay in education or learning, they also provide advice on vocational and work related options for post-16 learning, including Modern Apprenticeships. Their help includes a job matching service to help young people find and retain a suitable job. They work with both young people and employers to ensure that, wherever possible, young people start a job with training and that employers are aware of their responsibilities under the Right to Time Off for Study or Training regulations.

Teachers

Mr. Laws: To ask the Secretary of State for Education and Skills how many teachers were teaching in English schools in each year from 1979–80 to 2001–02; and if she will make a statement. [66269]

Mr. Miliband: The numbers of full-time equivalent[1] teachers in regular service[2] in the maintained schools sector in England in January of each year since 1980[3] are in the table:

[1] Part-time teachers have been converted to an estimate of their full-time equivalence and added to full-time numbers.

[2] Excludes occasional teachers.

[3] Teachers in Sixth Form Colleges were included in the survey prior to 1993; these have been removed by estimation to provide this consistent time series excluding Sixth Form Colleges.

	Number
1980	444,000
1981	435,000
1982	425,500
1983	419,100
1984	414,900
1985	409,000
1986	404,600
1987	404,900
1988	402,400
1989	397,100
1990	397,600
1991	394,800
1992	394,000
1993	395,900
1994	397,000
1995	399,600
1996	399,800
1997	399,200
1998	397,700
1999	401,200
2000	404,600
2001	410,200
2002[1]	419,600

[1] Data for January 2002 are provisional

Mr. Laws: To ask the Secretary of State for Education and Skills what plans she has to specify a minimum level of non-contact time for teachers who are teaching the core subjects of maths and English; and if she will make a statement. [66274]

Mr. Miliband: Consultation on the recommendations in the School Teachers' Review Body's report on teacher work loads came to an end yesterday. The Department's consultation letter of 8 May said that my right hon. Friend would consult again on practical measures as appropriate in the light of this initial consultation. For the time being the Department is evaluating the initial consultation responses. Further consultation is likely to take place in the early autumn.

Nurture Groups

Mr. Laws: To ask the Secretary of State for Education and Skills what plans she has to provide funding for a nurture group for each English primary school; and if she will make a statement. [66271]

Mr. Miliband: Funding of £174 million has been available during 2001–02 for schools and LEAs to deal with problems of poor behaviour. Many schools have used this funding to develop early intervention work, including nurture groups, for vulnerable children.

School Budgets

Mr. Laws: To ask the Secretary of State for Education and Skills what plans she has to give schools greater flexibility over allocating moneys received from central Government. [66272]

Mr. Miliband: The Government have already simplified the operation of the Standards Fund, by far the largest specific grant for education. Since April 2001 schools have had more freedom to move funds between the different Standards Fund activities; separate auditing of the Standards Fund is no longer required; and the spending period for the Standards Fund was extended from 12 months to 17 months to give schools even more flexibility in planning expenditure. The Government also committed to make more transparent the local government funding system, as set out in the local government White Paper.

Standard Spending Assessment (Somerset)

Mr. Laws: To ask the Secretary of State for Education and Skills what plans she has to increase the level of the standard spending assessment per pupil in Somerset to the average such figure for England; and if she will make a statement. [66273]

Mr. Miliband: We intend to commence consultation on detailed options for a new education funding system shortly, which will run over the summer. We will take decisions in time for the local government finance settlement and implement the new system in 2003–04. At this stage it is not possible to say how individual authorities will be affected by the new system.

Value-added League Tables

Mr. Laws: To ask the Secretary of State for Education and Skills whether value-added league tables are available for all schools; and if she will make a statement. [66283]

Mr. Miliband: This year, we intend to publish value-added measures in the secondary school performance tables of progress made from Key Stage 2 to Key Stage 3 and from Key Stage 3 to GCSE/GNVQ for all secondary schools. We are also conducting a pilot programme for measures of progress made from Key Stage 1 to Key Stage 2 for primary schools, with full publication planned for 2003. We aim to pilot a measure of value-added between Key Stage 2 and GCSE/GNVQ in 2003, and between GCSE/GNVQ and A/AS level in 2004, prior to full publication the following year.

Education Action Zones

Mr. Laws: To ask the Secretary of State for Education and Skills how many education action zones exist; where they are; and if she will make a statement. [66285]

Mr. Miliband: There are 73 Statutory Education Action Zones. The table indicates where they are located:

Education action zone	*Local education authority*
Ashington	Northumberland
Aston and Nechells	Birmingham
Barnsley	Barnsley
Barrow	Cumbria
Bedford	Bedfordshire
Blackburn with Darwen	Blackburn with Darwen
Breightmet and Tonge	Bolton
Bridgwater	Somerset
Bristol	Bristol
Camborne Pool Redruth	Cornwall
Clacton and Harwich	Essex
Corby	Northamptonshire
Coventry	Coventry
Derby North East	Derby
Dingle Granby Toxteth	Liverpool
Downham and Bellingham	Lewisham
Dudley	Dudley
Easington and Seaham	Durham
East Basildon	Essex
East Brighton	Brighton and Hove
East Cleveland	Redcar and Cleveland
East Manchester	Manchester
Ellesmere Port	Cheshire
Gloucester	Gloucestershire
Great Yarmouth	Norfolk
Greenwich	Greenwich
Grimsby	North East Lincolnshire
Hackney	Hackney
Halifax	Calderdale
Hastings and St. Leonards	East Sussex
Herefordshire	Herefordshire
Hull	Kingston upon Hull
Kent-Somerset Virtual	Kent and Somerset
Kitts Green/Shard End	Birmingham
Lambeth	Lambeth
Leicester	City of Leicester
Leigh	Wigan
Leigh Park	Hampshire
Middlesbrough	Middlesbrough
NE Derbyshire Coalfields	Derbyshire
NE Sheffield	Sheffield
New Addington	Croydon
Newcastle	Newcastle-upon-Tyne
Newham	Newham
North Gillingham	Medway Towns
North Islington	Islington
North Southwark	Southwark
North Stockton	Stockton
Nottingham	Nottingham
NW Shropshire	Shropshire
Oxford Hamilton	Oxford
Peterlee	Durham
Plymouth	Plymouth
Preston	Lancashire
Rainbow (Stoke)	Stoke
Salford and Trafford	Salford and Trafford
SE England Virtual	Bromley and Essex
SE Sheffield	Sheffield
Slough	Slough
South Bradford	Bradford
South Tyneside	South Tyneside
Southend	Southend
Speke Garston	Liverpool
Sunderland	Sunderland
Telford and Wrekin	Telford and Wrekin
Thetford	Norfolk
Wakefield	Wakefield
Wednesbury	Sandwell
Westminster	Westminster
Weston	North Somerset
Withernsea and Southern Holderness	East Riding
Wolverhampton	Wolverhampton
Wythenshawe	Manchester

There are also 102 EiC Action Zones which form part of the Excellence in Cities initiative, and are located in EiC areas.

School Admissions

Mr. Pickthall: To ask the Secretary of State for Education and Skills what mechanisms she has to guarantee fair admissions in the secondary school system as restructured according to her plans. [66364]

Mr. Miliband: The Education Bill will place a duty on LEAs to co-ordinate the admissions process for their area. Every admission authority in that area will have a duty to comply with the agreed co-ordination scheme for their area. The scheme will set out a common timetable for local admissions, and ensure that all parents state their preferred schools on a single form and are made a single offer of a school place on the same day. This will be fairer than the current system—where some parents may hold multiple offers of places, while others have none. All maintained schools and academies will be part of these local schemes. Admission forums will be responsible for monitoring the admissions process in their area, to check that it operates in the best interests of children and parents.

School Leavers

Mr. Laws: To ask the Secretary of State for Education and Skills how many pupils left school or formal education at the age of 16 years as a proportion of the total cohort in each local authority area, in each year from 1990–91 and 2001–02; and if she will make a statement. [66277]

Mr. Miliband: The proportions of 16-year-olds who were not in full-time education in each year 1990–91 to 1999–2000, by local education authority, are given in the following table. Some of these will of course be involved in part-time education or work based learning.

The participation rates by LEA are taken from an annual statistical bulletin, 'Participation in Education and Training by Young People Aged 16 and 17 in Each Local Area and Region, England'. The year 1999–2000 is the latest for which figures are available.

Non-participation of 16-year-olds in full-time education by LEA, England, 1990–91 to 1999–2000

LEA	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
North East										
Cleveland	47	42	39	38	37	38	37	38	37	33
Hartlepool	—	—	—	—	—	—	36	37	34	33
Middlesbrough	—	—	—	—	—	—	39	41	42	32
Redcar and Cleveland	—	—	—	—	—	—	40	41	39	36
Stockton-on-Tees	—	—	—	—	—	—	33	35	33	31
Durham	50	45	43	42	43	40	41	41	41	38
Durham	—	—	—	—	—	—	—	41	41	39
Darlington	—	—	—	—	—	—	—	41	41	35
Northumberland	48	39	41	36	37	31	32	33	34	32
Gateshead	57	49	44	46	48	40	41	42	38	39
Newcastle upon Tyne	42	33	31	30	33	32	30	35	33	33
North Tyneside	38	32	29	28	33	32	33	33	36	32
South Tyneside	55	51	46	48	45	46	45	48	47	43
Sunderland	52	48	45	45	44	44	48	47	47	44
North West										
Cheshire	39	35	30	27	29	29	30	28	30	26
Cheshire	—	—	—	—	—	—	—	—	23	23
Halton	—	—	—	—	—	—	—	—	47	40
Warrington	—	—	—	—	—	—	—	—	33	28
Cumbria	49	41	39	33	31	32	32	32	31	30
Bolton	45	43	38	34	34	28	32	32	33	26
Bury	31	29	24	28	31	25	26	29	31	28
Manchester	43	33	33	31	36	35	40	40	37	38
Oldham	54	51	41	35	37	36	37	37	34	31
Rochdale	54	51	49	45	50	45	45	43	44	40
Salford	51	52	49	44	49	52	50	51	54	52
Stockport	36	28	25	29	30	32	31	34	33	32
Tameside	52	46	46	41	46	40	37	42	44	38
Trafford	44	48	42	36	39	36	37	35	33	35
Wigan	42	37	33	42	43	42	42	41	42	37
Lancashire	45	42	37	34	40	35	36	35	35	34
Lancashire	—	—	—	—	—	—	—	—	36	34
Blackburn with Darwen	—	—	—	—	—	—	—	—	29	34
Blackpool	—	—	—	—	—	—	—	—	36	36
Knowsley	59	56	51	59	49	49	46	49	50	48
Liverpool	43	42	35	33	38	38	41	37	37	36
St. Helens	34	39	30	33	32	27	25	27	28	27
Sefton	31	27	24	22	22	24	23	26	22	20
Wirral	37	33	28	31	31	30	32	29	33	30
Yorkshire and the Humber										
Humberside	47	44	39	35	38	34	37	37	35	34
City of Kingston upon Hull	—	—	—	—	—	—	42	48	44	43
East Riding of Yorkshire	—	—	—	—	—	—	34	30	29	28
North East Lincolnshire	—	—	—	—	—	—	37	39	37	35
North Lincolnshire	—	—	—	—	—	—	33	32	31	29
North Yorkshire pre April 1996	37	31	28	23	24	23	25	23	27	26
North Yorkshire post April 1996	—	—	—	—	—	—	26	25	28	27
York	—	—	—	—	—	—	19	19	24	24
Barnsley	56	52	46	46	48	48	48	48	47	45
Doncaster	48	45	41	38	40	43	43	42	41	36
Rotherham	41	35	38	34	33	33	34	34	34	27
Sheffield	51	43	41	37	42	43	44	44	46	43
Bradford	47	41	41	40	40	38	38	39	41	37
Calderdale	37	35	35	26	30	34	31	33	30	31

Non-participation of 16-year-olds in full-time education by LEA, England, 1990–91 to 1999–2000

LEA	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Kirklees	41	36	32	34	37	34	32	33	33	34
Leeds	44	37	37	33	34	35	34	36	37	35
Wakefield	47	41	35	34	35	34	36	30	36	31
East Midlands										
Derbyshire	42	38	34	34	38	36	36	38	40	32
Derbyshire	—	—	—	—	—	—	—	36	39	32
Derby	—	—	—	—	—	—	—	44	42	34
Leicestershire	39	35	30	28	32	30	28	27	26	24
Leicestershire	—	—	—	—	—	—	—	26	28	26
Leicester	—	—	—	—	—	—	—	30	26	25
Rutland	—	—	—	—	—	—	—	6	10	6
Lincolnshire	42	36	33	29	34	34	35	33	34	30
Northamptonshire	39	30	27	25	28	29	29	31	30	33
Nottinghamshire	48	41	37	36	38	37	37	38	36	33
Nottinghamshire	—	—	—	—	—	—	—	—	34	33
Nottingham	—	—	—	—	—	—	—	—	43	34
West Midlands										
Hereford and Worcester	37	32	28	26	25	26	25	27	25	24
Herefordshire	—	—	—	—	—	—	—	—	35	33
Worcestershire	—	—	—	—	—	—	—	—	22	22
Shropshire	41	34	29	25	27	30	29	29	28	27
Shropshire	—	—	—	—	—	—	—	—	26	25
Telford and Wrekin	—	—	—	—	—	—	—	—	32	32
Staffordshire	45	39	37	34	35	36	35	37	35	33
Staffordshire	—	—	—	—	—	—	—	33	32	30
Stoke on Trent	—	—	—	—	—	—	—	51	48	42
Warwickshire	36	29	29	26	29	28	30	30	30	28
Birmingham	43	38	34	30	34	32	33	32	33	31
Coventry	44	34	30	27	32	33	33	35	32	34
Dudley	49	46	40	39	39	40	41	43	38	39
Sandwell	57	52	48	44	40	45	49	46	46	43
Solihull	36	26	24	12	16	19	23	26	20	21
Walsall	48	42	35	35	40	41	43	39	36	33
Wolverhampton	48	40	37	32	32	36	36	39	35	35
East of England										
Bedfordshire	35	26	25	22	25	25	25	26	24	24
Bedfordshire	—	—	—	—	—	—	—	19	20	22
Luton	—	—	—	—	—	—	—	39	32	29
Cambridgeshire	40	30	24	24	28	26	23	29	29	25
Cambridgeshire	—	—	—	—	—	—	—	—	29	25
Peterborough	—	—	—	—	—	—	—	—	29	26
Essex	41	34	30	27	28	28	28	30	29	29
Essex	—	—	—	—	—	—	—	—	29	29
Southend-on-Sea	—	—	—	—	—	—	—	—	24	25
Thurrock	—	—	—	—	—	—	—	—	36	39
Hertfordshire	26	18	14	11	15	14	14	15	13	13
Norfolk	43	35	32	27	33	31	33	31	32	31
Suffolk	45	37	33	27	30	29	29	31	29	30
London										
Inner London	45	31	30	27	31	32	32	30	30	30
Outer London										
Barking and Dagenham	59	44	39	39	34	37	30	41	40	39
Barnet	27	14	12	16	17	18	19	16	22	17
Bexley	39	30	27	26	30	27	27	30	29	29
Brent	44	36	38	28	31	28	28	24	27	25
Bromley	34	26	25	18	20	18	20	16	14	12
Croydon	36	24	17	15	17	18	24	23	25	23
Ealing	35	25	24	28	26	32	34	26	31	30
Enfield	36	30	23	18	22	16	16	18	15	15
Greenwich	45	33	33	28	32	31	37	35	38	37
Harrow	20	18	16	21	27	29	30	33	31	31
Havering	44	32	28	21	24	26	29	27	29	28
Hillingdon	39	27	23	24	23	20	20	22	20	20
Hounslow	37	27	18	17	12	15	17	17	12	10
Kingston upon Thames	27	19	17	10	10	7	7	7	7	7
Merton	37	31	24	21	23	23	24	20	30	32
Redbridge	33	20	18	14	17	15	14	12	6	7

Non-participation of 16-year-olds in full-time education by LEA, England, 1990–91 to 1999–2000

LEA	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Richmond upon Thames	33	19	20	16	10	10	13	27	30	30
Sutton	31	18	17	14	12	16	7	7	11	8
Waltham Forest	42	32	29	27	24	23	20	22	28	26
South East										
Berkshire	32	21	20	16	20	24	24	24	25	24
Bracknell Forest	—	—	—	—	—	—	—	—	25	25
Windsor and Maidenhead	—	—	—	—	—	—	—	—	23	19
West Berkshire	—	—	—	—	—	—	—	—	22	20
Reading	—	—	—	—	—	—	—	—	31	33
Slough	—	—	—	—	—	—	—	—	28	22
Wokingham	—	—	—	—	—	—	—	—	23	24
Buckinghamshire	34	29	27	27	28	29	30	29	29	28
Buckinghamshire	—	—	—	—	—	—	—	22	25	23
Milton Keynes	—	—	—	—	—	—	—	42	40	40
East Sussex	37	25	21	19	22	24	25	25	27	25
East Sussex	—	—	—	—	—	—	—	24	26	24
Brighton and Hove	—	—	—	—	—	—	—	26	28	25
Hampshire	40	31	27	25	28	26	28	29	30	29
Hampshire	—	—	—	—	—	—	—	29	30	28
Portsmouth	—	—	—	—	—	—	—	27	27	30
Southampton	—	—	—	—	—	—	—	32	32	28
Isle of Wight	29	29	22	24	21	21	19	23	20	17
Kent	38	27	23	20	23	24	24	24	23	23
Kent	—	—	—	—	—	—	—	—	22	24
Medway	—	—	—	—	—	—	—	—	27	20
Oxfordshire	38	26	21	21	24	24	25	25	29	28
Surrey	29	22	19	19	20	21	22	21	22	21
West Sussex	30	23	20	16	20	22	23	23	23	23
South West										
Avon	39	29	22	28	26	25	24	26	28	26
Bath and NE Somerset	—	—	—	—	—	—	10	13	10	9
City of Bristol	—	—	—	—	—	—	33	33	38	33
North Somerset	—	—	—	—	—	—	20	26	27	29
South Gloucestershire	—	—	—	—	—	—	25	26	27	25
Cornwall (inc. Isles of Scilly)	32	28	22	21	22	24	23	25	24	22
Devon	39	30	28	25	26	28	28	28	30	28
Devon	—	—	—	—	—	—	—	—	31	29
Plymouth	—	—	—	—	—	—	—	—	29	27
Torbay	—	—	—	—	—	—	—	—	27	25
Dorset	37	26	23	18	23	24	22	23	23	23
Dorset	—	—	—	—	—	—	—	26	26	25
Poole	—	—	—	—	—	—	—	23	18	21
Bournemouth	—	—	—	—	—	—	—	13	18	19
Gloucestershire	39	28	23	25	24	22	26	26	23	25
Somerset	36	27	25	24	24	26	24	29	27	26
Wiltshire	43	32	29	27	30	28	28	31	29	29
Wiltshire	—	—	—	—	—	—	—	28	27	27
Swindon	—	—	—	—	—	—	—	39	35	32
England total	41	33	30	28	30	30	30	30	30	29

Note:

The figures given in the table are for non-participation in full-time education. Those students in both full-time education and Government support training are included in full-time education figures.

Source:

DfES Statistical Bulletins 8/96 and 14/01.

Pensions

Mr. Webb: To ask the Secretary of State for Education and Skills how much money was spent by the relevant pension fund on paying pensions to retired *(a)* teachers and *(b)* university staff in 2001–02; if she will estimate the corresponding amounts to be spent in (i) five years' time, (ii) 10 years' time, (iii) 20 years' time and (iv) 30 years' time; if she will estimate in each case the proportion of such liabilities which will arise from (A) unfunded pension schemes and (B) pre-funded pension schemes; and in the case of pre-funded schemes, if she will estimate the value of the corresponding pre-funded funds in each of these years. [66561]

Mr. Miliband: The projected expenditure on pension benefits in respect of members of the teachers' pension scheme for the years in question is shown in the table. The teachers' pension scheme, which covers schools, further education establishments and the "post 1992" university sector, is an unfunded scheme.

Teachers' pension scheme (England and Wales)

£ billion

Year ending 31 March	*Projected outgo*[1]
2002	[2]4.0
2007	4.3
2012	4.6
2022	5.0
2032	5.0

[1] Constant earnings terms, real earnings growth 1.5 per cent. a year.

[2] Based on "Actual outgo" for 2001–02 of £3.96 billion.

Source:

Government Actuary's Department.

Academic staff in the "pre 1992" universities are generally members of the universities superannuation scheme. This is a fully funded private sector scheme. Non-academic staff in all universities can be members of one of a number of private sector funded schemes or the funded local government pension scheme depending on the pension arrangements made by individual universities.

SOLICITOR-GENERAL

Sentence-review

Mr. Andrew Turner: To ask the Solicitor-General, pursuant to her answer to the hon. Member for Isle of Wight, 30 April 2002, *Official Report*, column 635W, if she will provide equivalent figures for each year between the coming into effect of the legislation and April 2001. [55080]

The Solicitor-General: The following table shows the number of offenders whose sentences were referred by the Law Officers to the Court of Appeal as unduly lenient sentences from 1989 to 1999 and the decisions of the Court of Appeal. Records maintained by the Legal Secretariat to the Law Officers for this period do not distinguish between cases referred to the Law Officers by the CPS, members of public or hon. Members. Nor do the records show how many were not eligible for referral because they were received by the Law Officers out of time.

The records for 2000 onwards are more detailed. They are being reviewed and I shall, by the end of July, write to the hon. Member and place an answer in the House of Commons Library.

	Offenders referred by the Law Officers to the CA	*Number of references withdrawn*	*Leave Granted by the Court of Appeal*	*Number of referrals Court of Appeal held to be ULS*	*Sentences increased by the Court of Appeal*	*Sentences unchanged by Court of Appeal*
1989	9	2	7	—	7	1
1990	25	5	19	—	17	2
1991	26	3	22	—	18	4
1992	37	4	32	—	29	3
1993	30	2	28	—	24	4
1994	50	2	46	—	39	7
1995	77	4	73	—	68	5
1996	68	2	64	—	49	15
1997	70	1	66	58	47	19
1998	95	10	80	74	69	10
1999	89	6	80	72	59	21

MINISTER FOR WOMEN

Private Members' Clubs

Mr. David Stewart: To ask the Minister for Women what recent research she has *(a)* commissioned and *(b)* evaluated which assesses discriminatory treatment experienced by women at private members' clubs open to both men and women. [66876]

Ms Hewitt: There has been no formal assessment of discriminatory treatment experienced by women members of mixed sex private clubs.

We have consulted interested parties. For example, the Club and Institute Union (CIU), which represen[illegible] 2 million club members and to which the vast majority of "working men's clubs" belong, reports that of their 2680 clubs, some 60 per cent. still deny their female members full rights.

Child Benefit Reductions

Helen Jackson: To ask the Minister for Women what assessment she has made of the effect on women's incomes of reducing child benefit for parents whose children truant. [57955]

Ms Hewitt: The Government are considering a number of measures to combat truancy. We are therefore looking at ways of ensuring parents meet their responsibilities in bringing up their children.

HOUSE OF COMMONS

Beer Sales

Mr. Pickthall: To ask the Chairman of the Catering Committee how much beer was sold to the House in *(a)* 2000–01 and *(b)* 2001–02. [65238]

Mr. Dennis Turner: During the 12-month period from April 2000 until March 2001, the House of Commons Refreshment Department purchased 61,096 pints of draught beers and lagers and a total of 18,831 bottles of beers and lagers. During the 12 months from April 2001 until March 2002, the Department purchased 53,568 pints of draught beers and lagers and 15,228 bottles.

WORK AND PENSIONS

Pensions Simplification

Mr. Love: To ask the Secretary of State for Work and Pensions when the Pickering report on pensions simplification will be published. [68396]

Mr. Andrew Smith: Alan Pickering's report will be published on Thursday 11 July and placed in the Library. Copies for hon. Members will be available in the Vote Office and the report will be published on the Department's internet site at www.dwp.gov.uk.

Child Support Agency

Mr. Todd: To ask the Secretary of State for Work and Pensions, pursuant to his answer of 19 April 2002, *Official Report*, column 1213W, on the Child Support Agency, if he will place copies of the OGC Gateway reviews in the Library. [53078]

Malcolm Wicks: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Doug Smith to Mr. Todd, dated 3 July 2002:

> The Secretary of State for Work and Pensions in replying to your recent Parliamentary Question about the Child Support Agency promised a substantive reply by me.
>
> You ask if, pursuant to the Secretary of State for Work and Pensions answer of the 19th April, Official Report column 1213w on the Child Support Agency, if he will place copies of the two OGC Gateway reviews in the Library.
>
> I do not think that it is appropriate to do so. The strength of the OGC Gateway review process is that it is speedy and generates robust, unvarnished opinion and advice. This is invaluable and I would not wish to see an awareness that a report may become public, to constrain the reviewers willingness to provide advice in this way.
>
> This concern is recognised in the code of practice on access to government information. This exempts from disclosure, inter alia "information whose disclosure would harm the frankness and candour of internal discussion, including: internal opinion, advice, recommendation, consultation and deliberation". Against that background I am sorry but I am unable to reply positively to your request.

Benefits Decision Reviews

David Winnick: To ask the Secretary of State for Work and Pensions under what circumstances a Minister will decide to review a decision taken by decision makers on benefits; and if he will make a statement. [55581]

Mr. Nicholas Brown *[holding answer 10 May 2002]:* Decisions on applications to change decisions are made on behalf of the Secretary of State by decision makers who are suitably trained and experienced. The Department has put in place a structured and transparent system for dealing with such applications. Claimants can lodge an appeal to an independent tribunal if they disagree with the decision of the decision maker.

Minimum Income Guarantee

Mr. Pike: To ask the Secretary of State for Work and Pensions how many pensioners in *(a)* the north-west, *(b)* Lancashire and *(c)* Burnley have claimed the minimum income guarantee, and in each case how many claims have been awarded in the last 12 months. [65548]

Mr. McCartney: The information requested is not available in the format requested. Such information as is available is shown in the table:

Area	*Number of MIG claims*
Burnley parliamentary constituency	3,000
Lancashire	35,400
North-west GOR	244,300

Source:
Income Support Quarterly Enquiry, February 2002

Income Support Computer Software

Mr. Burstow: To ask the Secretary of State for Work and Pensions how many people in receipt of *(a)* pension, *(b)* income support and *(c)* both have had their payment delayed as a result of the income support computer software being unable to calculate payment due to increases in retirement pension; if such problems in making payments had been anticipated; if similar failures in processing payments are expected at the beginning of the next financial year; and if he will make a statement. [58032]

Mr. McCartney: We are not aware of any delay in payments of *(a)* retirement pension, *(b)* income support or *(c)* both as a result of the income support computer software being unable to calculate payment due to increases in retirement pension.

Asylum Seekers

Lynne Jones: To ask the Secretary of State for Work and Pensions (1) if he will make a statement on the mechanism by which the Benefits Agency issues guidance to its offices on working with the Immigration and Nationality Directorate to ensure that the issuing of national insurance numbers, NASS 35 documents and asylum decision letters are co-ordinated; [61958]

(2) if he will make a statement on the mechanism by which the Benefits Agency has informed its offices of the provision allowing access to documentation directly from NASS if an asylum seeker wishing to have access to mainstream benefits has not received his or her NASS 35 document through the post. [61959]

Mr. Nicholas Brown: Procedural bulletins issued routinely to all staff provide guidance on the handling and processing of claims from successful asylum seekers. The transition for asylum seekers moving from National Asylum Support Service support to benefits is, like any claim to benefit, subject to the relevant evidence requirements being satisfied. In some cases this can lead to delays although every effort is made to keep that delay to a minimum.

A procedural bulletin was issued to all income support and jobseeker's allowance processing staff in December 2001, informing them of new procedures designed to minimise delays in assessing claims to benefit from successful asylum seekers. Where an asylum seeker has reported that they have not received their NASS 35 form, staff are instructed to send a fax to NASS requesting that another one is issued within 48 hours. The NASS 35 provides details of the level of support the person has received from the National Asylum Support Service and the date when the support ceased. This information is necessary so that full rate benefit can be paid. The new procedure was introduced in consultation with the National Asylum Support Service.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Work and Pensions when he intends to reply to the letter to his predecessor dated 7 May from the right hon. Member for Manchester, Gorton with regard to Ms Winifred Lang. [66207]

Mr. Andrew Smith: I replied to my right hon. Friend on 28 June 2002.

Mr. Kaufman: To ask the Secretary of State for Work and Pensions when he will reply to the letter to him dated 7 May from the right hon. Member for Manchester, Gorton with regard to Mrs. Abdul Kader. [61691]

Mr. Andrew Smith: I replied to my right hon. Friend on 3 July.

Young Disabled People

Mr. Boswell: To ask the Secretary of State for Work and Pensions what representations he has received concerning the impact on young disabled people of the change from severe disablement allowance to incapacity benefit; and what action he is taking to mitigate this, with particular reference to *(a)* the low income scheme for health charges and *(b)* non-dependent deductions from housing benefit. [65797]

Mr. Nicholas Brown: We have reformed severe disablement allowance (SDA) in order to provide more support to young people disabled early in life who have never had the opportunity to work. Existing SDA recipients under the age of 20 on 6 April 2001 were automatically transferred to long-term incapacity benefit (IB) in April 2002, making them up to £28.10 per week better off. We estimate that around 175,000 young people will benefit from the change over time.

We have received some representations from hon. Members and a small number of letters from the public about the change.

Depending on their circumstances, young disabled people receiving IB can qualify for help with NHS charges (for example, prescriptions, dental treatment, sight tests, money-off vouchers for glasses, wigs, fabric supports and help with the cost of travel to hospital for NHS treatment) on the grounds of low income. We recognise that some will no longer have automatic entitlement to this help but many in this group will already be considerably better off as a result of the changes we have introduced and it would be unfair to treat these people differently to other IB recipients.

Non-dependant deductions are made where a housing benefit recipient has another adult living in the household who could reasonably be expected to make a contribution towards the rent. The level of deduction depends upon the income and other circumstances of the non-dependant adult.

CULTURE, MEDIA AND SPORT

Listed Places of Worship

Barbara Follett: To ask the Secretary of State for Culture, Media and Sport what money was taken from the English Heritage budget in 2001 to fund the listed places of worship grant scheme. [64609]

Dr. Howells: English Heritage redirected £2 million in grant in aid in the financial year 2001–02, from the existing Joint Places of Worship (JPOW) Scheme. For 2001–02 only, the Heritage Lottery Fund (HLF) agreed to allocate an additional £5 million to the JPOW scheme. English Heritage and the HLF have jointly agreed a revised repair grant scheme for places of worship in England for 2002–03 which is currently expected to make grants totalling £21 million available for this financial year.

Regulatory Impact Unit

Dr. Cable: To ask the Secretary of State for Culture, Media and Sport how many members of her Department have been employed in its regulatory impact unit in the past five years; and if she will make a statement. [65962]

Dr. Howells: Departmental responsibility for regulatory impact issues has been located in various central units over the past five years. The number of posts in the relevant unit has been as follows:

1997–98: five full-time posts
1998–99: five full-time posts
1999–2000: six full-time posts
2000–01: four and a half full-time posts
2001–02: six and a half full-time posts.

Subtitling

Mr. Alan Campbell: To ask the Secretary of State for Culture, Media and Sport what recent discussions her Department has had with the film industry over subtitled films for deaf people. [65529]

Dr. Howells: The Department has discussed disability issues, including the provision of subtitled films for deaf people, with the Film Council and the Cinema Exhibitors Association. The Film Council has provision for sub-titled films in its new specialised distribution and exhibition strategy and the Cinema Exhibitors Association is also working towards more subtitled films for the deaf with the provision of new equipment. The Department has also liaised with the audiovisual industry, for example via the Broadcasters Disability Network and the British Video Association, as well as with organisations representing those with hearing difficulties in order to promote the availability of sub-titled material throughout the audiovisual sector.

Paul Holmes: To ask the Secretary of State for Culture, Media and Sport how she plans to ensure that the quality standards for television subtitling are maintained once the regulatory requirements for television subtitling are extended to digital cable and satellite in future communications legislation. [66252]

Dr. Howells: The draft Communications Bill gives OFCOM a requirement to produce, publish and from time to time review, a Code relating to provision of television services for the deaf and visually impaired and the means by which such services should be promoted. The Code will include guidance on the technical standards to be attained for subtitling, as the current Code produced by the Independent Television Commission does. The Code applies to the services listed in subsection (9) of Section 203 of the draft Communication Bill.

Green Minister

Sue Doughty: To ask the Secretary of State for Culture, Media and Sport who her Department's green minister is; when they *(a)* have attended and *(b)* plan to attend meetings of the Green Ministers' Committee; what the outcomes of meetings were for her Department's activities; and if she will make a statement. [65987]

Dr. Howells: My right hon. and noble Friend Baroness Blackstone is the Minister with responsibility for green issues at the DCMS. This Parliament the Green Ministers Committee has been reconstituted as the Cabinet Sub-Committee of Green Ministers, ENV(G), under the Chairmanship of the Minister for the Environment. It is established practice under exemption two of Part II of the Code of Practice on Access to Government Information not to disclose information relating to the proceedings of Cabinet Committees.

Overseas Tourist Offices

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport how many tourist offices the UK has overseas; where they are located; and what plans she has to extend the UK tourist offices overseas. [66084]

Dr. Howells: The British Tourist Authority is responsible for marketing Britain overseas as a tourist destination. It has 30 offices overseas located in Austria, Germany (Frankfurt, Berlin), Switzerland, Belgium, Netherlands, Denmark, Finland, Norway, Sweden, France, Ireland, Italy, Portugal, Spain, Australia, New Zealand, Hong Kong, Japan, Singapore, India, United Arab Emirates, Saudi Arabia, South Africa, USA (New York, Chicago, Los Angeles), Canada, Brazil and Argentina. We have no plans to extend these offices but the BTA keeps this matter under review.

Regional Television

Mr. Hunter: To ask the Secretary of State for Culture, Media and Sport what representations she has received from ITC on ITC's new Charter for Broadcasting in the Nations and Regions. [66448]

Dr. Howells: The Independent Television Commission kept the Department informed of progress as they negotiated the Charter for Broadcasting in the Nations and Regions with the ITV companies.

Mr. Hunter: To ask the Secretary of State for Culture, Media and Sport what her policy is in respect of promoting and encouraging regional television; and what further plans she has in this respect. [66447]

Dr. Howells: The Government's policy is to retain and strengthen the regional dimension to public service broadcasting to ensure that it continues to meet the needs of different communities and cultural interests. The draft Communications Bill contains detailed provisions designed to achieve this.

Under the Bill, Channel 3 companies will have targets for programmes produced in the regions for the regions, programmes made regionally for national audiences and investment in programme production in the regions. They will also have targets for the provision of high quality regional programmes, including news, a sufficient proportion of which will have to be shown at or around peak time. OFCOM will be required to publish a review of the regional obligations in each Channel 3 licence whenever ownership changes hands and to change licence conditions to meet any concerns arising.

Channel 4 will have targets for programme production and investment in the regions. Obligations in this area will also be applied to the BBC, through the Agreement with the Secretary of State.

Television Licence

Mr. Pike: To ask the Secretary of State for Culture, Media and Sport how many pensioners over 75 years old in *(a)* the North West, *(b)* Lancashire and *(c)* Burnley receive free television licences. [65546]

Dr. Howells: TV Licensing, which administers the free television licence scheme for the BBC as Licensing Authority, is not able to provide geographical breakdowns of the number of free licences issued. However, estimates based on the 1991 Census indicate that there were approximately 368,000 people aged 75 or over in the North West Government Office Region, 97,000 in Lancashire and 6,400 in the Burnley constituency.

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport how many prosecutions undertaken by Television Licensing in each of the last five years resulted in a custodial sentence; and what was the length of the sentence in each case. [65460]

Dr. Howells *[holding answer 1 July 2002]:* Custodial sentences are not available for television licence evasion, the maximum penalty being a fine. However, custodial sentences can be imposed for non-payment of such a fine. The number of people in England and Wales received into prison for non-payment of fines for TV Licence evasion, by sentence length and year, in each of the last five years was as follows:

Sentence Lengths	*1997*	*1998*	*1999*	*2000*	*2001*
Up to and including three months	235	167	180	37	28
GT 3 LE six months	1	2	—	—	—
GT 12 LE 18 months	—	1	—	—	—
GT 18 months LE three years	—	—	—	1	—
Total	236	170	180	38	28

Departmental Energy Use

Mr. Stunell: To ask the Secretary of State for Culture, Media and Sport what the estimated *(a)* level and *(b)* cost of energy use in her Department and associated agencies was in each year since 1997; what proportion of energy was generated from renewable sources; and if she will make a statement. [65958]

Dr. Howells: The Department did not retain details of energy levels until 2000–01. Energy costs since 1997–98, and levels from 2000–01 are as follows.

Year	*kilowatt hours*	*£000*
1997–98		311
1998–99		107
1999–2000		133
2000–01	3.9	146
2001–02	[1]2.6	112

[1] Reflects release of a building

The Department has not bought from renewable sources in the past but is planning buy a proportion of energy from such sources when contracts are re-let later in the year.

Figures for the Royal Parks Agency are:

Year	*kilowatt hours*	*£000*
1997	7.9	311
1998	7.9	305
1999	6.5	313
2000	7.6	247
2001	7.3	211

Note:

None of the energy consumed in the above periods by the Royal Parks Agency was procured from renewable sources.

Digital Television

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with the BBC about their bid for a multiplex licence. [65459]

Dr. Howells *[holding answer 1 July 2002]:* My right hon. Friend the Secretary of State has had no discussions with the BBC about their bid. This is a matter for the ITC.

The Dome

Mr. Beith: To ask the Secretary of State for Culture, Media and Sport if she will list the names and amounts paid by *(a)* sponsors and *(b)* contributors to the Dome who did not make confidentiality a condition of their donation; and (i) how much money and (ii) how many donations remain subject to confidentiality. [65570]

Dr. Howells: Official sponsors of the Millennium Experience were: Boots (supported by L'Oreal and Roche), BskyB, BT, City of London (a consortium of Corporation of London, Barclays, CGU, NatWest, Prudential), Ford, Manpower, Marks and Spencer, McDonalds and Tesco.

Official partners were: BAA, BAE, British Airways, Camelot and Marconi.

Official suppliers were: 3Com, Coca-Cola, Compaq, Daily Mail, Kodak, Mars, Thames Water, Typhoo and Walls.

Sponsorship for the Faith zone came from the Laing Family Trusts, the Hinduja Foundation and other Christian trusts including the Jerusalem Trust.

Other contributors, in various ways, were: De Beers, Halifax, London borough of Greenwich, Reuters and Woolwich.

The total amount of sponsorship obtained by the New Millennium Experience Company (NMEC) was £120 million cash and value in kind, not including direct funding by BT and Ford of the costs of their zones or extra funding for marketing and promotion spent by a number of sponsors over and above the requirements of their contracts. Actual payments of cash and value in kind following negotiations are subject to various confidentiality requirements of the contracts and agreements between the NMEC and contributors.

DEFENCE

Entertainment Costs

Mr. Bercow: To ask the Secretary of State for Defence if he will list for 1997–98 and for each subsequent financial year, including the current year to date, the amount spent by *(a)* his Department, *(b)* its agencies and *(c)* its non-departmental public bodies on (i) food and (ii) alcohol, indicating how much was spent on guests, and how much in respect of (A) Ministers and (B) staff, broken down to show how much was provided directly by his Department and how much reclaimed. [34446]

Dr. Moonie: The information requested is not held centrally and could be provided only at disproportionate cost.

Part-time Employees

Mr. Bercow: To ask the Secretary of State for Defence how many and what proportion of the staff of his Department are part-time employees. [47154]

Mr. Ingram *[holding answer 10 April 2002]:* I refer the hon. Member to the answer given to him on 10 April 2002, *Official Report,* column 49W, by my hon. Friend the Parliamentary Secretary, Cabinet Office (Mr. Leslie).

Regulatory Impact Unit

Dr. Cable: To ask the Secretary of State for Defence how many members of his Department have been employed in its Regulatory Impact Unit in the past five years; and if he will make a statement. [65964]

Mr. Ingram: As a non-regulatory Department, the Ministry of Defence does not have a dedicated Regulatory Impact Unit. Five years ago the MOD's focal point was a civilian in the MOD Procurement Executive (now Defence Procurement Agency). From early 1999 issues relating to regulatory impact have been addressed by two civilian members of staff, as part of their wider remit to assess the potential impacts of EU legislation on the Ministry of Defence.

Services (Foreign Nationals)

Mr. Gerald Howarth: To ask the Secretary of State for Defence how many foreign nationals are serving in the *(a)* Army, *(b)* Royal Navy, and *(c)* Royal Air Force; which countries they were recruited from; and how many were in each service in 1995. [55447]

Mr. Ingram: The number of foreign nationals serving in the Army in 2002 and 1995 by country is shown on the following table.

There is no nationality marker held on the Personnel Record of Service for the Naval Service although information on ethnicity and religion is held.

The RAF holds some information on 'not British' personnel, however, data are not accurate enough to provide a reliable estimate.

Nationality (NOW)	*1 April 1995*	*1 April 2002*
Aden	—	—
African Country	—	—
America	1	6
Antigua (Leeward Is.)	—	2
Australia	78	72
Bahama Islands	—	1
Bangladesh	1	2
Barbados	8	6
Barbuda (Leeward Is.)	1	—
Belgium	1	—
Belize	—	3
Britain/Singapore	2	3
British Commonwealth/Foreign Rest.	1	2
Brunei	1	—
Cameroon Republic	—	1
Canada	60	66
Cyprus	4	2
Denmark	2	—
Dominica (Windward Isl.)	1	1
Dominican Republic	—	2
Egypt	3	1
Falkland Islands	2	1
Fiji	3	1,053
France	—	—
Gambia	—	16
Germany	8	4
Ghana	5	99
Gibraltar	—	1
Grenada (Windward Is.)	—	14
Guyana	3	3
Hong Kong	6	5
India	13	18
Jamaica	34	240
Kenya	3	24
Lebanon	—	—
Malawi	1	6
Malaysia	3	3
Malta GC	10	6
Mauritius	2	5
Montserrat (Leeward Is.)	2	2
Namibia (Fmlay SW African)	—	1
Nepal	4	10
Netherlands	—	1
New Zealand	58	46
New Zealand Islands	—	15
Nigeria	1	17
Norway	1	1
Pacific Islands	—	1
Pakistan	2	7
Papua	—	1
Republic of Ireland	203	204
Rhodesia	5	5
Seychelles	—	1
Sierra Leone	2	6
Singapore	—	1
South Africa	9	226
Sri Lanka	2	4
St. Helena	1	22
St. Kitts Island	2	1
St. Lucia Island	—	17
St. Vincent Island	1	168
Sweden	2	1
Switzerland	1	1
Tanzania	1	—
Tongan Islands	—	3
Trinidad and Tobago	10	30
Uganda	2	3
West Indies—British	9	3
Zambia	—	3
Zimbabwe	26	190
Stateless	—	1
Grand total	601	2,659
Gurkhas	4,325	3,795

Gulf War Syndrome

Mr. Laws: To ask the Secretary of State for Defence if he will make a statement on the decision made on 22 May by the Pensions Appeal Tribunal to oblige the Government to accept the diagnosis of Gulf War Syndrome in the case of a former member of the UK armed forces. [60332]

Mr. Ingram *[holding answer 13 June 2002]:* The Pensions Appeal Tribunal's decision in the recent case involving "Gulf War Syndrome" is specific to that case. It does not set a legal precedent for other war pension claims. The Tribunal found that the Ministry of Defence had failed to show beyond reasonable doubt that "Gulf War Syndrome" was not attributable to service. However the overwhelming consensus of medical and scientific opinion is that the symptoms reported by some Gulf veterans do not constitute a discrete disorder. It would be wrong to interpret from the Tribunal's finding that "Gulf War Syndrome" does exist.

The fact that there is, at present, no proper basis for recognising "Gulf War Syndrome" as an appropriate diagnostic label does not prevent a Gulf Veteran getting a war pension. A war pension can be paid for any disablement provided that a causal link to service is accepted.

Chinook

Norman Lamb: To ask the Secretary of State for Defence what his assessment is of the level of airworthiness of the RAF Chinook HC2 fleet at the time of the fatal accident on the Mull of Kintyre on 2 June 1994. [64563]

Mr. Ingram: In November 1993, the Chinook Mk 2 fleet had been given an interim Controller Aircraft (CA) release, permitting the aircraft to be operated at a maximum all-up weight of 18,000 kg. This would have enabled the aircraft to be safely operated on one engine. On 1 March 1994 this weight limit was increased to 22,700 kg when using under-slung-loads. The fleet was given these flight clearances as the Ministry of Defence had no doubts about its safe operation.

Hawk T1

Gregory Barker: To ask the Secretary of State for Defence (1) what representations his Department has received concerning the time required to convert the Hawk T1 trainer into a weapons delivery system; [65426]

(2) what representations his Department has received regarding the capacity of the Hawk T1 to deliver *(a)* air-to-surface munitions and *(b)* nuclear air-to-surface munitions; and if he will make a statement. [65428]

Mr. Hoon: The Hawk aircraft has been an exceptionally successful export in both its training and operational roles. The Ministry of Defence does not have available records of representations made on these issues over the years. No Hawk aircraft have been converted to deliver nuclear air-to-surface munitions.

RNAS Yeovilton

Mr. Ben Chapman: To ask the Secretary of State for Defence what steps he is taking to ensure that the training and experience of helicopter pilots at RNAS Yeovilton is up to date. [65199]

Mr. Ingram: A multi-level system exists to ensure that all helicopter aircrew are sufficiently trained to carry out any mission that they may be called upon to undertake.

All helicopter crews initially pass through the military flying training system where standards are set and monitored by the tri-service Central Flying School.

Crews in operational squadrons are monitored by the squadron training officer, who ensures that all crews maintain flying currency in accordance with the flying training directive produced by the Assistant Chief of Staff Aviation.

While in squadron service all crews undertake periodic examinations and flying tests to confirm their proficiency. The Naval Flying Standards Flight, made up of senior, experienced instructors external to the units and squadrons, visits squadrons and examines all aircrew, producing written reports on their capability.

Lynx

Mr. Jenkin: To ask the Secretary of State for Defence what the expected service life is of the Lynx Mark 8. [66033]

Mr. Ingram: The Maritime Lynx Helicopter Force based at RNAS Yeovilton operates both the Mk 3 and Mk 8 Lynx aircraft. Both variants are managed as one fleet. The Maritime Lynx was introduced into service in the mid-1970s. At current flying rates, the bulk of the fleet will reach its specified airframe fatigue life limits in 2008, however, the first airframe will be withdrawn for disposal in 2004. The intention is to replace both the Mk 8 and Mk 3 aircraft with the Surface Combatant Maritime Rotorcraft.

MOD Police

Mr. Gray: To ask the Secretary of State for Defence if he will list those locations where more than five MOD police personnel are based. [65715]

Mr. Ingram: The following locations have a permanent complement of more than five Ministry of Defence police officers.

MOD police HQ Essex

Area policing teams

Aldershot
Chatham
Devonport
Bovington
Corsham[1]
Innsworth
South Wiltshire
Dishforth
Preston
Gosport
Chilwell
Donnington
Colchester
Feltham
Whitehall

Criminal investigation departments

Aldershot
Foxhill
Catterick
Clyde
Central London

Stations

DLO Andover
Bordon Garrison
DEFRA Fort Halstead
RAF Hythe
Longcross Barracks
Solent Station Marchwood
RMA Sandhurst
DSL Beaconsfield
Bicester Garrison
AWE Burghfield
RMCS Shrivenham
RAF Welford
RNAS Culdrose
BRNC Dartmouth
MOD Abbeywood
JSU Corsham
DERA Boscombe Down
RAF Fairford
Larkhill Garrison
AAC Netheravon
Porton Down
Winterbourne Gunner
RNAS Yeovilton
HMS Forest Moor
RAF Fylingdales
AFC Harrogate
DM Longtown
RAF Menwith Hill
DM Dean Hill[2]
RDMC Fort Blockhouse
DM Gosport
HMNB Portsmouth
NATO Balado Bridge
DM Beith
RNSE Caledonia
HMNB Clyde
DM Coulport
DM Crombie
DM Glen Douglas
RNAS Prestwick
QinetiQ West Freugh[1]
DSDC Donnington
Hereford Garrison
DM Kineton
RM Llantrisant
QinetiQ Pendine[1]
RAF Stafford
RAF Alconbury
Colchester Garrison
Regents Park Barracks
Feltham Station
RAF Lakenheath

Mill Hill
QinetiQ Shoeburyness[3]
US(N) London
AWE Aldermaston
RAF West Drayton
Woolwich Garrison

[1] The complement at this site is currently the subject of consultation with the Defence Police Federation. In the meantime, however, some officers from Corsham are being detached on a temporary basis to help reduce overtime where it is currently high.

[2] Site due to close.

[3] MDP complement due to be withdrawn.

Mr. Gray: To ask the Secretary of State for Defence what plans he has to reduce the number of MOD police. [65717]

Mr. Ingram: The overall strength of the Ministry of Defence police is kept under constant review to ensure that the staffing levels of the force match the tasking requirements. This will involve both the creation and the discontinuance of posts at different locations, and, where appropriate, the transfer of personnel.

Mr. Gray: To ask the Secretary of State for Defence how many MOD police there were in *(a)* 1997 and *(b)* on the latest date for which figures are available. [65716]

Mr. Ingram: The strength of the force on 31 May 1997 was 3,807 officers and 3,338 on 31 May 2002.

Submarines

Mr. Jenkin: To ask the Secretary of State for Defence how many fleet submarines are at sea. [66029]

Mr. Ingram: As of 2 July [illegible]002 we had six fleet submarines operationally at sea, and one at sea conducting sea trials. The remaining five are either in extended periods of maintenance, or at extended readiness.

Mr. Jenkin: To ask the Secretary of State for Defence how many Tomahawk armed SSNs will be operational in this and each of the next five years. [66035]

Mr. Ingram: On current plans, the number of Tomahawk-capable SSNs which will be operational in this and the next five years are as follows:

Year	*Number*
2002	5
2003	4
2004	4
2005	5
2006	6
2007	6

This does not take into account maintenance periods.

Munitions Depots

Mr. Key: To ask the Secretary of State for Defence what the area is of the munitions depot at West Dean, Wiltshire; and what percentage is *(a)* buildings, *(b)* roads and hard standing, *(c)* farmland, *(d)* woodland and *(e)* designated as a SSSI. [65714]

Mr. Ingram: The Defence Munitions Depot, Dean Hill has a total area of some 236 hectares (583 acres). Building development is of low density and disbursed across the whole site. There are 1.3 hectares of underground storage within the hillside and approximately five hectares of buildings. These are connected by an infrastructure of roads, rail, services and bonded storage which is contained within a footprint of approximately 75 hectares or 31 per cent. of the total. 36 per cent. of the site is let for agricultural purposes, while woodland constitutes 15 per cent. The site of special scientific interest (SSSI) extends to some 43 hectares or 18 per cent. of the total, and it should be noted that part of the woodland is within the SSSI.

Mr. Key: To ask the Secretary of State for Defence what proportion of *(a)* stored munitions and *(b)* engineering and munitions maintenance work is carried out at Dean Hill for each of the three armed services. [65732]

Mr. Ingram: 48 per cent. by volume of the munitions stored at Dean Hill are held in support of the Navy and 52 per cent. in support of the RAF. However, munitions stocks held at Dean Hill represent less than four per cent. of munitions stored by Defence Munitions on behalf of all three armed services.

In the last year, 49 per cent. of engineering and munitions maintenance work at Dean Hill was carried out in support of the Navy and 51 per cent. in support of the RAF. Again, however, this represents about four per cent. of the processing capacity within Defence Munitions.

Mr. Key: To ask the Secretary of State for Defence if he will list the criteria used to decide which munitions depot to dispose of; and if he will list the depots against which Dean Hill competed. [65733]

Mr. Ingram: An internal rationalisation study, known as Defence Munitions Rationalisation Study 2 (DMRS 2), started in 2001, and examined the best utilisation of Defence Munitions (DM) facilities throughout the United Kingdom. An earlier study (DMRS 1) had already recommended two other site closures at DM Welford on Berkshire and DM Smalmstown near Carlisle in 2000.

Even after the impact of the closure of the Welford and Smalmstown sites has been taken into account, DMRS 2 confirmed that spare capacity remains in DM's explosives storage and processing capacity.

The DMRS 2 team examined munitions storage, processing and supply issues. Most of DM's eight principal depots cover a variety of these outputs. The study drew these elements together to determine how the necessary capacity could most efficiently be retained. Taking all of these elements into account, it was concluded that only the capacity and facilities provided by the DM Depot at Dean Hill, near to West Dean village in south Wiltshire, was not critical to the delivery of DM's outputs. The other Defence Munitions depots are required either for the volume of explosives storage and processing capacity they offer and/or have specialised (often unique) facilities to outload and issue munitions to customers.

All eight Defence Munitions depots were included in the review. Apart from DM Dean Hill, these are DM Beith in Ayrshire, DM Crombie in Fife, DM Glen Douglas in Dunbartonshire, DM Gosport in Hampshire, DM Kineton in Warwickshire, DM Longtown in Cumbria and DM Plymouth in Devon.

Married Quarters

Dr. Murrison: To ask the Secretary of State for Defence, pursuant to the answer of 25 June 2002, *Official Report*, column 749W, on married quarters, what criteria are used to assign standards to service families accommodation. [66230]

Mr. Ingram: The Defence Housing Executive (DHE) uses a Standard for Condition rating system. Properties are categorised as being Standard 1, 2, 3 or 4 according to points for each of a number of attributes including bathroom and kitchen facilities, electrical sockets, building fabric, safety, and energy efficiency. A property is graded Standard 1 for Condition (SIFC) only if all the attributes are assessed as being at Standard 1.

Forces Manpower

Mr. Laws: To ask the Secretary of State for Defence whether there is full manning of the *(a)* Royal Air Force and *(b)* Royal Navy; and if he will make a statement. [66293]

Mr. Ingram: The RAF is in broad manning balance. However, shortfalls remain in a number of branches and trades. The RAF aim is to meet the Public Service Agreement (PSA), so that full manning against the requirement within a tolerance band of +1/–2 per cent. will be achieved by March 2004. The naval service will not now reach its PSA target of full manning within a tolerance band of +1/–2 per cent. in 2004, but it is determined to do so by 2005 and work continues on measures to achieve this.

Non-munition Stocks

Mr. Laws: To ask the Secretary of State for Defence what the book value of non-munition stocks was in *(a)* 1997, *(b)* 1998 and *(c)* April 2001; and if he will make a statement. [66294]

Mr. Ingram: Information was not presented on a Resource Accounting basis until financial year 1999–2000. Consequently, the information sought for 1997 and 1998 is not available. The opening and closing balances for non-munition stocks in financial year 2000–01[1] were:

Financial year 2000–01[1]	*£ million*
Opening balance	[2, 3]5,295
Closing balance	[2, 3]4,573

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[1] The Departmental Resource Accounts for 2000–01 were the subject of NAO qualification.

[2] Figures are book values after deducting provisions from gross stock values.

[3] Figures are subject to normal Modified Historic Accounting indexation, and are rounded to the nearest whole.

HOME DEPARTMENT

Harold Shipman

James Purnell: To ask the Secretary of State for the Home Department whether he has set a tariff in the case of Harold Shipman. [67644]

Mr. Blunkett: I do not usually comment on the tariff decided in individual life sentence prisoner cases. However, I recognise that Harold Shipman's crimes raise issues of particular public concern and I therefore intend to depart from my usual practice in this case. Harold Shipman was convicted in January 2000 on 15 counts of murder. I extend my deepest sympathies to the families and friends of the victims. These were the most heinous of offences and the grossest breach of the duty of trust he owed as a doctor to the victims all of whom were trusting patients. Taking all the circumstances into account I have decided that nothing less than a whole life tariff should apply in this case.

British Overseas Citizens

Fiona Mactaggart: To ask the Secretary of State for the Home Department if he will make a statement on the future of British overseas citizens who hold no other nationality. [67224]

Beverley Hughes: Following representations made during passage of the Nationality, Immigration and Asylum Bill about the continuing difficulties faced by British Overseas Citizens who have no other nationality, my right hon. Friend the Home Secretary has decided that those British Overseas Citizens who currently do not hold, and have never given up another nationality will be given an entitlement to register as British citizens. We are doing this to address the situation which left those people concerned with no right of abode in any country. An amendment to this effect will be made to the Bill at Report Stage in the House of Lords. Applicants will be dealt with at our posts overseas and will not need to meet any United Kingdom residence requirements. There will be no deadline for applications.

Fireworks

Mr. David Stewart: To ask the Secretary of State for the Home Department what additional steps he plans to take to restrict the use of fireworks. [66875]

Miss Melanie Johnson: I have been asked to reply.

I refer my hon. Friend to the reply given yesterday by my right hon. Friend the Prime Minister to my hon. Friend the Member for Motherwell and Wishaw, *Official Report*, column 218.

Rural Awareness

Mr. Andrew Turner: To ask the Secretary of State for the Home Department (1) when his Department will establish rural targets and monitoring as part of overall rural proofing measures as set out in the Countryside Agency's report "Rural Proofing in 2001–02"; [54409]

(2) when his Department will introduce measures to raise rural awareness through staff *(a)* training, *(b)* development and *(c)* secondments as part of overall rural proofing measures set out in the Countryside Agency's report "Rural Proofing in 2001–02"; [54419]

(3) when his Department will implement proofing and checklist measures as part of overall rural proofing measures set out in the Countryside Agency's report "Rural Proofing in 2001–02". [54435]

Beverley Hughes: I refer the hon. Member to the answer given to him by my hon. Friend the Member for Wallasey (Angela Eagle) on 20 May 2002, *Official Report*, column 82W.

Road Traffic Penalties

Sir Michael Spicer: To ask the Secretary of State for the Home Department when he will publish the results of the consultation on road traffic penalties. [64283]

Hilary Benn *[holding answer 25 June 2002]:* We are currently in the final stages of formulating the Government's response to the consultation exercise on road traffic penalties.

Voluntary Sector

Mr. Streeter: To ask the Secretary of State for the Home Department, pursuant to his answer of 30 April 2002, to the hon. Member for West Dorset (Mr. Letwin), *Official Report*, column 703W, on Government funding of the voluntary sector, how the voluntary sector has been defined for the purpose of the estimates; and whether some categories of non-governmental organisation have been excluded from this definition. [65038]

Beverley Hughes: The definition used for the purposes of the estimates is the same as that published in the report on Central Government Funding of Voluntary and Community Organisations 1982–83 to 1999–2000 (annexe B, page 23) ISBN 1 84082 636–3, copies of which are available in the Library.

Some categories of non-governmental organisation are excluded under this definition, i.e. universities, non-departmental public bodies, political parties, informal groups and self-help groups directly run by clinicians.

Mr. Streeter: To ask the Secretary of State for the Home Department, pursuant to his answer of 30 April 2002, to the right hon. Member for West Dorset (Mr. Letwin), *Official Report*, column 703W, on Government funding for the voluntary sector, if he will break down the figure for *(a)* other state sources, by type of statutory body, *(b)* lottery funding by lottery distributor, *(c)* local government by local authority, *(d)* central Government by department and *(e)* European funds by Directorate-General; and in the case of (e), what EU funding for the voluntary sector is given in the other member states. [65037]

Beverley Hughes: The full information requested on a breakdown of funding to the voluntary sector from all these sources is not routinely collated by Government and could be obtained only at disproportionate cost.

Information on central Government funding by Department was published in the report on Central Government Funding of Voluntary and Community Organisations 1982–83 to 1999–2000 (pages (4–5) ISBN 1 84082 636–3, copies of which are available in the Library.

Dumped Vehicles

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department if he will make a statement on the steps the police take to track down the owners of dumped vehicles. [66515]

Mr. Bob Ainsworth *[holding answer 2 July 2002]:* The police and local authorities have a joint responsibility for the removal of abandoned vehicles and taking action as appropriate against their owners. When a vehicle is reported or discovered apparently abandoned on the highway, the police will carry out a number of checks to ensure it is not stolen, illegally parked, or causing an obstruction or danger. If it is, removal of the vehicle will be arranged as soon as possible. Once the vehicle is removed, the police will take steps to identify the last registered keeper of the vehicle via a search of vehicle keepership information on the police national computer.

Where an apparently abandoned vehicle is not of police interest, details are forwarded to the local authority, which has responsibility for its removal and ultimate disposal. The Government have recently introduced tough new measures to help local authorities deal more effectively with the problem of abandoned vehicles, including improved access to the Driving Vehicle Licence Agency (DVLA) vehicle records.

Policy Appraisal

Sandra Gi[illegible]y: To ask the Secretary of State for the Home Department if he has established a baseline for policy appraisal against which to measure progress on equal treatment; and what progress has been achieved. [66606]

Beverley H[illegible]hes *[holding answer 2 July 2002]:* In 1998, the Home Office, Department for Education and Skills (DfES) [illegible] the Cabinet Office Women's Unit issued Policy Appraisal for Equal Treatment (PAFET) guidelines to all Government Departments. PAFET covers the responsibility officials have for assessing how their work is likely to affect different groups and to take action to ensure this is taken into account from the beginning of the policy process and its evaluation.

Guidance has been circulated to all senior managers at Grade 7 level and above within the Home Department to ensure that the effects of any policy changes on all sections of the population are considered at the earliest stage of policy development.

In addition, as a result of the Race Relations (Amendment) Act 2000, listed public bodies are now required to consult on the potential impact of new policies, and to monitor existing policies, to ensure that there is no differential and adverse impact on people from minority ethnic communities.

EU Directives

Mr. Bercow: To ask the Secretary of State for the Home Department if he will list the EU directives and regulations that have been implemented through his Department in 2002; and what was the cost of each to public funds. [64975]

Mr. Bob Ainsworth: No European Union directives and regulations have been implemented through the Home Office in 2002.

Plain Clothes Allowance

Sir Nicholas Winterton: To ask the Secretary of State for the Home Department if [illegible] will make a statement on the proposal to remove the plain clothes allowance to CID officers; and whether he intends to introduce measures requiring police officers to contribute payments towards the cost of their uniforms. [30114]

Mr. Denham: The Police Negotiating Board (PNB) reached agreement on 9 May 2002 on a package of modernising reforms to police pay and conditions of service. The PNB is the statutory negotiating body for police pay and conditions of service, on which all the main police organisations are represented, including the Association of Chief Police Officers, the Association of Police Authorities, the Superintendents' Association and the Police Federation.

One of the reforms agreed is to reduce the plain clothes allowance on 1 April 2003 to half its current rate of £258 and then to abolish it altogether on 1 April 2004. That change has to be seen in the context of all the changes, which include an increase in the basic salary for all federated ranks' officers of £402 a year from 1 April 2003 and a shortening of the federated ranks' pay scales, resulting in faster progression to the top of the scales. Once they have spent a year at the top of the scales, federated ranks officers will be eligible for a new competence-related payment of £1,002 a year, with at least 75 per cent. of those eligible expected to get the payment. In addition, under a new special priority payment scheme to target extra pay at those officers at the sharp end of policing, officers in qualifying posts will receive annual payments of between £500 and £3,000 normally, up to £5,000 exceptionally.

The PNB Agreement does not require officers to contribute to the cost of their uniforms.

Youth Justice

Mrs. Brooke: To ask the Secretary of State for the Home Department (1) how many cases involving young people as defendants have been thrown out of magistrates courts in each month in *(a)* 1999, *(b)* 2000 and *(c)* 2001; [58891]

(2) what assessment his Department has made of the recent trend in court cases involving young people which *(a)* are adjourned and *(b)* do not end in a conviction. [58890]

Hilary Benn: The information requested for 1999 and 2000 is contained in the table, except for statistics of cases that are adjourned which are not collected centrally.

Persons aged 10–17 whose charges were discontinued, discharged, withdrawn or dismissed at magistrates courts, England and Wales, 1999 and 2000, by month

Number of persons

Month	*Proceedings discontinued*[1]	*Discharged Section 6*[2]	*Charge withdrawn*[3]	*Sub-total*	*Charge dismissed*[4]	*Total cases not ending in conviction*
1999						
January	695	216	2,388	3,299	378	3,677
February	794	187	2,210	3,191	359	3,550
March	801	218	2,617	3,636	412	4,048
April	688	175	2,158	3,021	353	3,374
May	681	167	2,122	2,970	336	3,306
June	745	172	2,603	3,520	366	3,886
July	795	166	2,504	3,465	409	3,874
August	704	147	2,275	3,126	327	3,453
September	739	184	2,638	3,561	400	3,961
October	678	189	2,408	3,275	375	3,650
November	716	191	2,765	3,672	451	4,123
December	541	168	2,097	2,806	320	3,126
Total	8,577	2,180	28,785	39,542	4,486	44,028
2000[5]						
January	661	200	2,436	3,297	397	3,694
February	681	168	2,550	3,399	422	3,821
March	758	191	2,616	3,565	483	4,048
April	563	193	2,158	2,914	383	3,297
May	619	205	2,600	3,424	419	3,843
June	733	209	2,756	3,698	459	4,157
July	791	193	2,726	3,710	480	4,190
August	756	195	2,876	3,827	472	4,299
September	651	217	2,543	3,411	513	3,924
October	717	214	2,913	3,844	558	4,402
November	773	192	2,960	3,925	545	4,470
December	563	160	2,213	2,936	435	3,371
Total	8,387	2,349	32,296	43,032	5,590	48,622

[1] Under section 23(3) Prosecution of Offences Act 1985, adjourned 'sine die' etc.

[2] Discharged under section 6 Magistrates Courts Act 1980 (when examining Justices decide that there is insufficient evidence on which to commit the defendant for trial).

[3] No evidence offered, not proceeded against or charge withdrawn.

[4] Under section 9 Magistrates Courts Act 1980 (when the court, after hearing the evidence, decide the defendant is not guilty).

[5] Staffordshire police were only able to submit sample data for one week in each quarter for persons proceeded against in magistrates courts in 2000. Although sufficient to estimate higher orders of data, estimates derived from these data are not robust enough at a monthly level and have been included in the totals only.

Communications Interception

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what plans he has to allow *(a)* the police and *(b)* other regulatory or investigatory agencies of the state to intercept the e-mails and internet communications to internet websites of private individuals; and if he will make a statement. [62053]

Mr. Blunkett: Authority to intercept communications can only be given by the Secretary of State personally. Where the warrant is the result of a request for assistance made under an international mutual assistance agreement and where the subject or premises to which the interception relates appear to be outside the United Kingdom, authority may be given by a senior official. Such authority can only be given to those persons specified in Section 6(2) of the Regulation of Investigatory Powers Act 2000. They are:

the Director-General of the Security Service;

the Chief of the Secret Intelligence Service;

the Director of the Government Communications Head Quarters;

the Director-General of the National Criminal Intelligence Service;

the Commissioner of Police of the Metropolis;

the Chief Constable of the Royal Ulster Constabulary (now the Police Service of Northern Ireland);

the chief constable of any police force maintained under or by virtue of section 1 of the Police (Scotland) Act 1967;

the Commissioners of Customs and Excise;

the Chief of Defence Intelligence; and

a person who, for the purposes of any international mutual assistance agreement, is the competent authority of a country or territory outside the United Kingdom.

Authority can only be given where the Secretary of State is satisfied that the interception is necessary:

(a) in the interests of national security;

(b) for the purpose of preventing or detecting serious crime;

(c) for the purpose of safeguarding the economic well being of the United Kingdom;

(d) in circumstances where he would issue a warrant under (b) above, to give effect to an international mutual legal assistance agreement.

The interception of communications is subject to oversight by the Interception of Communications Commissioner.

The Regulation of Investigatory Powers (Interception of Communications: Code of Practice) Order 2002 was laid before Parliament on 8 May 2002. The Code of Practice sets out in further detail the procedure, safeguards and oversight regimes governing the lawful interception of communications in the United Kingdom.

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what action is being taken to ensure that individuals are protected from invasion of privacy and personal rights when the Regulation of Investigatory Powers Act 2000 is extended. [62675]

Mr. Blunkett: The Government recognise the need to balance respect for personal privacy with legitimate measures to protect the public, especially in the context of rapidly developing technology.

I have therefore decided to bring forward new proposals in this area in the autumn after consultation over the summer.

The aim of the Regulation of Investigatory Powers Act 2000 is to provide greater security, clarity and regulation of these activities. First the Act is intended to ensure that:

> public authorities who have been added can only access communications data for one of the specified purposes in the Act;
>
> such access will have to be proportionate to what it seeks to achieve;
>
> use of the power will be subject to oversight by the Interception of Communications Commissioner; and
>
> anyone who thinks their data has been wrongly accessed will have the right to complain to the Investigatory Powers Tribunal.

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what he will do to warn users of the Internet that the Government will be monitoring them. [62676]

Mr. Blunkett: There is no question of general monitoring of users of any means of communication in the United Kingdom (UK) including the internet. An agency listed in section 6(2) of the Regulation of Investigatory Powers Act 2000 which applies for authority to intercept communications must identify either one person or a set of premises as the interception subject. Authority must be given in each case by the Secretary of State personally and will not be given except when the Secretary of State is satisfied that the interception is necessary for a specified purpose and proportionate to what is sought to be achieved. The purposes are the prevention and detection of serious crime, the protection of national security and safeguarding the economic well-being of the United Kingdom. The fact of an individual interception is not, of course, disclosed to the target.

With regard to communications data (i.e. not the content of a communication but data related to it), the aim of Chapter II of Part 1 of RIPA is to provide greater security, clarity and regulation of this activity as well as to introduce proper procedures for oversight and complaints.

In relation to implementation of this part of the Act, I will be bringing forward new proposals in the autumn following detailed public consultation in order to secure public confidence that arrangements balance respect for personal privacy with legitimate measures to protect the public.

HMP Holloway

Dr. Vis: To ask the Secretary of State for the Home Department whether staff at HMP Holloway were permitted to watch the England against Nigeria football match on 12 June; and if visits to prisoners continued during this period. [64501]

Hilary Benn: There were no special arrangements made for prison staff at Holloway to watch the England against Nigeria football match. The prison arranged for all prisoners to be unlocked in time for the match, so that they could either watch it in their cells or on association. Some staff came in early to enable this to happen. Staff supervising association will have been able to watch the match with prisoners.

The match had no impact on visits as domestic visits do not occur on weekday mornings at Holloway. Visits on the afternoon of 12 June were slightly delayed due to staff shortages and the need to train a new drug dog.

Brixton Prison

John McDonnell: To ask the Secretary of State for the Home Department how many prison officers working in Brixton between 1996 and April 2002 who had previous military experience had served in Northern Ireland. [65440]

Hilary Benn: Information on the earlier careers of prison staff is not held in the form required by the question and could only be obtained by asking individuals. As previously explained to my hon. Friend in a written answer from my hon. Friend the Member for Stretford and Urmston (Beverley Hughes) on 11 June 2002, *Official Report,* column 1243W, this would involve examining around 1,300 files and interviewing several hundred staff, many of whom no longer work for the Prison Service. This could be carried out only at disproportionate cost.

Prison Service

Mr. Stinchcombe: To ask the Secretary of State for the Home Department which prisons in England and Wales have been opened since January 1992; and when they first received prisoners. [66232]

Hilary Benn: The Prison Service records a prison's opening date as the date from which the prison receives its first prisoners. Since January 1992, 20 prisons have opened in England and Wales. These prisons are listed in the table.

Prison	*Opening date*
Elmley	February 1992
Bullingdon	March 1992
Wolds	April 1992
Holme House	May 1992
Woodhill	July 1992
Highdown	August 1992
Lancaster Farms	March 1993
Blakenhurst	May 1993
Doncaster	June 1994
Buckley Hall	December 1994
Eastwood Park	March 1996
Colchester	February 1997
Weare	July 1997
Parc	November 1997

Prison	*Opening date*
Altcourse	December 1997
Lowdham Grange	February 1998
Ashfield	November 1999
Forest Bank	January 2000
Rye Hill	January 2001
Dovegate	July 2001

Ashfield, Buckley Hall and Lowdham Grange are new establishments built on former prison sites. Eastwood Park was reopened following a major refurbishment after being closed in December 1992. Colchester opened in 1997 as a young offender institution. The establishment piloted a high intensity training camp regime and closed when the pilot finished in February 1998.

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many prisoners in England and Wales have a whole life tariff. [66233]

Hilary Benn: There are at present 23 people in custody in England and Wales with whole life tariffs.

Parole Licences

Simon Hughes: To ask the Secretary of State for the Home Department how many individuals in the last 12 months had their licences revoked and were consequently recalled to prison in England and Wales; and if he will make a statement. [66616]

Hilary Benn *[holding answer 2 July 2002]:* During the 12 month period ending 31 May 2002, 4,773 determinate prisoners and 19 life sentence prisoners were recalled to prison using the Secretary of State's powers to revoke a prisoner's licence pursuant to sections 38(a)(1) and 39 of the Criminal Justice Act 1991.

Prisoner Costs

Simon Hughes: To ask the Secretary of State for the Home Department what the average annual cost is of accommodating a person in *(a)* a prison and *(b)* a youth offender institution; and if he will make a statement. [66624]

Hilary Benn *[holding answer 2 July 2002]:* The table gives the annual average establishment cost per place in 2001–02 by category of prison. Figures are expressed in resource terms and exclude capital expenditure and headquarters overheads.

Average annual establishment cost per prison place 2001–02

	£
Male closed young offender institution	20,732
Male open young offender institution	20,075
Category B	22,497
Category C	18,463
Dispersal	34,365
Female closed	24,795
Female local	31,310
Female open	21,220
Male juvenile	27,452
Male local	26,878
Male open	17,438
Male remand centre	32,474
Semi open	20,224
Average all establishments	23,500

People Trafficking

Mr. Steen: To ask the Secretary of State for the Home Department what recent assessment he has made of the extent of the trafficking of women and children in the UK. [66152]

Beverley Hughes *[holding answer 3 July 2002]:* Forming an accurate estimate of the levels of trafficking in people is problematic given the reluctance of the victims of trafficking to report to the police. There is currently no accurate, reliable data in existence within the United Kingdom (UK) or the European Union. A Home Office research study, "Stopping Traffic" (Police Research Series 125, published in 2000), indicated that there was intelligence to suggest that some women and children are trafficked into the UK for the purposes of sexual exploitation. This was estimated at between 140 and 1,400 per year but it was impossible to make a more accurate assessment of numbers. The report concluded that there was no evidence to suggest that this was on a large scale compared with other European countries.

The Immigration and Nationality Department Intelligence Section (INDIS) and the National Criminal Intelligence Service (NCIS) produce confidential monthly assessments and annual threat assessments for Reflex, our multi-agency task force on organised immigration crime. These assess the extent of organised immigration crime, which includes the trafficking of women and children, as it impacts on the UK. Reflex is led by the National Crime Squad and brings together all the key agencies involved in combating the problem, including INDIS, NCIS, the security and intelligence agencies and key police forces including the Met, Kent and the British Transport police.

Wolvercote Clinic

Mr. Dawson: To ask the Secretary of State for the Home Department if a decision has been made about the future location of the Wolvercote clinic; and if he will make a statement on the provision of residential treatment of sex offenders living in the community. [67645]

Hilary Benn: In the interests of public protection, I have commissioned the national probation service to undertake a national review of the provision of residential treatment for sex offenders. This will encompass the work of the Lucy Faithfull foundation, which runs the Wolvercote clinic in Epsom.

I have also decided not to proceed with the relocation of the Wolvercote clinic to Silverlands.

The Wolvercote clinic will cease to operate at Horton hospital in Epsom following the sale of the site. Contingency plans will be implemented for the nine remaining residents so that they can complete their treatment on a non-residential basis, and for those under licence or supervision, formal contact with the authorities will continue.

Kevin White Centre (Waiting Times)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many patients *(a)* are awaiting treatment and *(b)* have had to wait for treatment at the Kevin White centre in Merseyside in the last year; and how long the waiting period is on average in each case. [64616]

Mr. Bob Ainsworth: Figures are not available on the numbers waiting for treatment (or the average waiting time of each case) at the Kevin White centre for 2000–01.

The following figures provide an illustration of current access to the unit:

during April and May 2002 a total of 42 people were admitted into the Kevin White Unit;

of the 18 people who entered treatment in May 2002, 15 had been waiting less than two months, with only three waiting between three and five months.

The Government set up the National Treatment Agency last year with the objective of increasing the capacity, quality and effectiveness of drug treatment in England. Since then the NTA has:

established waiting time targets for drug treatment;

piloted a co-ordinated system of treatment delivery in eight areas (this aims to integrate all support services); and promoted the shared-care approach to enable GPs to work more effectively with specialist services and drug users in their areas.

In June 2002, the NTA issued its third paper providing national guidance to Drug Action teams, commissioners and service providers on managing and reducing waiting times for specialist drug treatment.

Detox Units

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many people are waiting for places in detox centres in the north west. [64615]

Mr. Bob Ainsworth: The information requested is not centrally held. From information provided by the 22 Northwest Drug Action Teams (DATs) in treatment plans submitted to the National Treatment Agency (NTA) in January this year, the mean waiting time for access into treatment for in-patient detoxification services and residential rehabilitation in the Northwest is as follows:

In-patient Detoxification Services

December 2001:

Priority—average 4.3 weeks (range 0–20 weeks)

Non-priority—average 13.7 weeks (range 0–52 weeks)

December 2002 Forecast:

Priority—average 3.5 weeks (range 0–10 weeks)

Non-priority—average 8.8 weeks (range 2–40 weeks)

Residential Rehabilitation:

December 2001:

Priority—average 5.0 weeks (range 0–24 weeks)

Non-priority—average 9.5 weeks (range 0–43 weeks)

December 2002 Forecast:

Priority—average 3.4 weeks (range 0–8 weeks)

Non-priority—average 4.7 weeks (range 0–13 weeks).

The NTA's priority is to reduce waiting times for treatment. It aims to enable practitioners, managers and commissioners to achieve measurable and sustainable reductions in waiting times, in line with NTA targets.

The NTA programme will achieve this by equipping local stakeholder teams, at DAT level, with the confidence, knowledge and skills to identify the main causes of avoidable waiting and to implement shared action plans to redress these.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many *(a)* drug rehabilitation and *(b)* detox units there are in the north west of England. [64614]

Mr. Bob Ainsworth: There are 17 specialist residential rehabilitation units in the North West of England for people recovering from problems with drug use. Non-residential rehabilitative support is available from a large number of community drug teams offering a comprehensive service over most of the region.

Three of the 17 units also offer detoxification services. Additionally, there are three specialist in-patient detoxification units in the north west of England.

Many drug users undergo in-patient detoxification in non-specialist beds within existing psychiatric care systems.

As above, community based detoxification is widely available across the region.

Drug Misusing Offenders

Mr. Laws: To ask the Secretary of State for the Home Department what the level of repeat offending by drug misusing offenders was in (a)1997, (b) 1998 and (c) 2001; and if he will make a statement. [66289]

Mr. Bob Ainsworth: The New English and Welsh Arrestee Drug Abuse Monitoring (NEW-ADAM) research programme currently provides estimates of repeat offending by drug misusing offenders for the purpose of tracking the drugs strategy. Repeat offending drug misusing offenders are defined as the proportion of arrestees who are using heroin and/or cocaine and/or crack at least once a week and who have offended at least twice a month in the last 12 months. The proportion of arrestees falling within the definition of repeat offending drug misusing offenders category was 15 per cent. for the financial year 1999–2000 (the first year of data collection). This only represents an interim figure from eight fieldwork sites. A summary of the full, two-year data from 16 sites (1999–01) is due be published later this year.

We are currently reviewing the drugs strategy targets and progress against them, including those concerning drugs and crime, to ensure we still have the right balance and focus. As part of this review, researchers in the Home Department are undertaking work to improve our ability to track changes over time in drug-related crime.

NORTHERN IRELAND

Bill of Rights

Stephen Hesford: To ask the Secretary of State for Northern Ireland if he will make a statement on his policy on a Bill of Rights for Northern Ireland. [58366]

Mr. Browne: In accordance with the Northern Ireland Act 1998, the then Secretary of State commissioned the Northern Ireland Human Rights Commission to "consult and advise on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights, to reflect the particular circumstances of Northern Ireland". I understand that the

Commission is currently considering submissions made to it following the publication last September of its consultation document 'Making a Bill of Rights for Northern Ireland' and expects to report to me in 2003. The Government's position remains that we will not reach any policy conclusions on the scope for a Bill of Rights for Northern Ireland until that report has been received.

INTERNATIONAL DEVELOPMENT

LNM Holdings

Adam Price: To ask the Secretary of State for International Development if the Government approved International Finance Corporation support for LNM Holdings in its acquisition of the Czech Nova Hut Steelworks. [65662]

Clare Short: The Board of the International Finance Corporation (IFC), of which the British Government is a member, has not considered any proposal for financial support for LNM Holdings in its acquisition of the Czech Nova Hut Steelworks.

Adam Price: To ask the Secretary of State for International Development what recent representations have been received in relation to the EBRD financing of LNM Holdings' acquisition of the Nova Hut Steelworks. [65663]

Clare Short: None.

Malawi

Mr. David Stewart: To ask the Secretary of State for International Development if she will make a statement on her Department's actions during the famine in Malawi. [66869]

Clare Short: Since October 2001 my Department has committed over £23 million to help the people and Government of Malawi deal with the food crisis. Our assistance has supported the supply of agricultural inputs to help increase domestic food production, access to employment income from public works, and supplementary feeding programmes for children under five and mothers. These activities have been carried out in partnership with local NGOs, UN agencies, EU and Malawi Government departments. Included in the above sum is £10 million which I announced last month for Malawi as a contribution to the international response to the regional crisis. It will also be used for food imports, agricultural inputs and feeding programmes for vulnerable groups.

My officials in Malawi are playing a leading role in the Malawi national task force and working groups responsible for development of a comprehensive, long-term national food security strategy.

Sudan

Mr. Dawson: To ask the Secretary of State for International Development what deliveries of humanitarian assistance have been made to the Nuba Mountains since the ceasefire was signed. [65656]

Clare Short *[holding answer 3 July 2002]:* According to UN sources in Khartoum, over 1,600 metric tonnes (mt) of food aid has been delivered to government controlled areas of the Nuba Mountains and 1,800 mt to areas controlled by the Sudan Peoples Liberation Army. In addition, United Nations (UN) agencies and other and international non-government organisations are actively implementing relief programmes in both areas.

Mr. Dawson: To ask the Secretary of State for International Development what assessment she has made of recent reports of displacement of civilians in Western Upper Nile, Sudan. [65657]

Clare Short *[holding answer 3 July 2002]:* Fighting in Western Upper Nile continues and it has not been possible to accurately ascertain the extent of displacement of civilians in the region.

Mr. Dawson: To ask the Secretary of State for International Development what progress has been made towards setting up mechanisms for monitoring the ceasefire in the Nuba Mountains, Sudan. [65655]

Clare Short *[holding answer 3 July 2002]:* An international monitoring unit has been established as part of the Joint Military Commission under the Nuba Mountains ceasefire agreement. Norwegian Brigadier General Wilhelmson heads the 95 strong Joint Monitoring Mission which comprises international monitors and representatives of the Government of Sudan and the SPLA. The UK has provided the vice chairman of the Joint Military Commission, four monitors to the international monitoring unit and US$ 1 million to help meet the costs.

Zimbabwe

Mr. Wiggin: To ask the Secretary of State for International Development if she will make a statement on her Department's policy in respect of the section 8 orders being carried out in Zimbabwe. [65679]

Clare Short: We believe there is a strong case for land reform in Zimbabwe. However we strongly deplore the way in which the Zimbabwe Governments fast track process is being implemented.

Section 8 orders are a part of a deeply flawed process that is not supported by the British Government or the international community.

Mr. Wiggin: To ask the Secretary of State for International Development what plans she has to discuss with EU colleagues proposals to stabilise Zimbabwe's farming industry. [65682]

Clare Short: We have been active in promoting an international coalition, including the EU, to bring to bear whatever pressure is possible on the ruling party to change its ruinous economic policy. In the meantime, we are exploring proposals with non-governmental organisations to help small scale farmers revive maize production in the next growing season.

Mr. Wiggin: To ask the Secretary of State for International Development if she will make a statement on assistance *(a)* offered and *(b)* proposed for assisting farmers in Zimbabwe. [65684]

Clare Short: Neither the UNDP nor the Abuja processes have resulted in a plan for sustainable land reform. In the absence of a credible Government programme, we are considering with non-governmental organisations how we can help poor farmers in the communal areas to increase food production, which has been so badly affected this year by drought, the failing economy and ill-conceived fast track land reform.

Mr. Wiggin: To ask the Secretary of State for International Development what funding her Department has allocated in 2002–03 for projects in Zimbabwe; and if she will list them. [65683]

Clare Short: The original allocation made for Zimbabwe in 2002–03 was £12 million. The following projects are being funded from this figure (most have been or will be funded over several years):

	£ million
UN Humanitarian Assistance and Recovery Programme	6
Support for UN Relief and Recovery Unit	0.086
NGO Supplementary Feeding Programme	4
NGO Emergency Preparedness and Response	0.8
Sexual and Reproductive Health Phase 2	20
Social Marketing Phase 2	6.8
Education Section HIV/AIDS Impact Assessment	0.13
Bikita integrated rural water supply and sanitation	2.72
Small Dams Rehabilitation	1.96
Credit for the Information Sector	1.84
Agribusiness Entrepreneur Network development	0.492
Wills and Inheritance rights programme	0.86
Empowerment of Farm Worker Communities	1.6

We have recently increased spending in the southern Africa region to assist with the current food crisis, and Zimbabwe will benefit from additional support through the UN World Food Programme, and through non-governmental organisation feeding and agricultural recovery programmes.

Mr. Wiggin: To ask the Secretary of State for International Development what estimate she has made of the number of families in Zimbabwe who have been moved from their homes as a result of section 8 orders. [65678]

Clare Short: It is difficult to obtain accurate information. According to the Commercial Farmers' Union about 2,900 farm owners have received section 8 orders and most of these will be legally required to leave their homes in the first half of August. However many may choose not to do so at this point while further legal avenues are being explored. Farm workers are also at risk of losing their only income and their home with the change of farm ownership. There are around 300,000 farm workers affected by the land reform programme which with their families affects perhaps two million people. While we do not know exactly how many of them have already been forced off farms, we are working with the farm workers' organisations and the UN World Food Programme to monitor their situation and meet their immediate humanitarian needs.

Oxfam

Keith Vaz: To ask the Secretary of State for International Development when she last met the Chairman of Oxfam. [66333]

Clare Short: I have not recently met Rosemary Thorp, the current chair of Oxfam. However I do regularly meet with Barbara Stocking, the Director of Oxfam, alongside other Heads of major NGOs.

Poverty Reduction Strategy

Dr. Tonge: To ask the Secretary of State for International Development, pursuant to the answer of 16 May 2002, *Official Report*, column 753W, which countries have a poverty reduction strategy that exhibits characteristics of strategic processes for sustainability. [65500]

Clare Short: There is no internationally-agreed system for monitoring the extent to which poverty reduction strategies exhibit characteristics of strategic processes for sustainability. The 'characteristics' of strategic processes for sustainability are broadly the same as the agreed 'principles' of strategic processes for sustainability. The challenge is to ensure that strategies adhere to these principles.

The following 13 countries have agreed formal Poverty Reduction Strategy Papers (PRSPs) with the World bank: Albania, Bolivia, Burkina Faso, Guyana, Honduras, Mauritania, Mozambique, Nicaragua, Niger, Tanzania, Uganda, Vietnam and Zambia.

A further 33 have interim PRSPs, which set out a road-map for reaching a full PRSP:

Armenia
Azerbaijan
Benin
Cambodia
Cameroon
Cape Verde
Central African Republic
Chad
Cote D'Ivoire
DR Congo
Djibouti
Ethiopia
Gambia
Georgia
Guinea-Bissau
Guinea
Kenya
Kyrgyz Republic
Lao PDR
Lesotho
Macedonia
madagascar
Malawi
Mali
Moldova
Mongolia
Pakistan
Rwanda
Sao Tome and Principe
Senegal
Sierra Leone
Tajikistan
Yemen.

Full details of these can be found at www.worldbank.org. Other developing countries have poverty plans, though the sustainability of these is difficult to quantify. Some display more sustainable characteristics than others. My Department, together with partner governments and the rest of the international community, works to ensure they provide the framework for sustainable development.

UN World Food Summit

Dr. Tonge: To ask the Secretary of State for International Development how many people attended the UN World Food Summit in Rome in June from *(a)* her Department and *(b)* other UK Government Departments; and what the total cost of the visit was. [66223]

Clare Short: The World Food Summit: five years later event in June was attended by *(a)* seven people from DFID and *(b)* four from DEFRA. The total travel and subsistence costs were £6,250.00. There were also three non-officials on the delegation whose costs wee not met from public funds.

UN Summit on Children

Dr. Tonge: To ask the Secretary of State for International Development how many people attended the UN Summit on Children in New York in May from *(a)* her Department and *(b)* other UK Government departments; and what the total cost of the visit was. [66221]

Clare Short: The delegation to the United Nations General Assembly Special Session on Children comprised eight people from DFID, including Hilary Been, the Parliamentary Under-Secretary of State, 11 people from other UK Government Departments and six people from the UK Mission in New York. Not all invoices have been received but the total cost of the visit will be in the region of £75,000.

In addition other Government Departments financed attendance by one NGO representative and two young people at an approximate cost of £15,000.

Departmental Energy Use

Mr. Stunell: To ask the Secretary of State for International Development what the estimated *(a)* level and *(b)* cost of energy use in her Department and associated agencies was in each year since 1997; what proportion of energy was generated from renewable sources; and if she will make a statement. [65957]

Clare Short: The information requested is as follows:

	Gas (Kw/H)	*Electricity (Kw/H)*	*Oil (litres)*	*Total cost (£)*
1996–97	3,078,904	2,837,540	n/a	212,935
1997–98	3,065,[illegible]3	3,037,780	9,892	227,056
1998–99	3,271,499	3,105,217	11,233	211,036
1999–2000	3,694,801	3,078,375	11,744	185,826
2000–01	3,180,602	2,895,150	11,679	187,857
2001–02	3 279,018	3,018,021	15,378	221,941

n/a = Not available

The contract for our electricity supply in London has recently expired. Our new agreement sets out that 10 per cent. of our supply is from renewable sources. We will look to establish a similar arrangement for our East Kilbride office when the current contract expires next year.

South Africa (Discussions)

Mrs. Spelman: To ask the Secretary of State for International Development what recent discussions she has had with the Government of South Africa regarding the humanitarian situation in *(a)* Malawi, *(b)* Mozambique, *(c)* Zimbabwe, *(d)* Zambia, *(e)* Lesotho and *(f)* Swaziland. [66177]

Clare Short: DFID officials are in touch with the Government of South Africa and with Grain South Africa. South Africa is participating in World Food Programme and SADC discussions on the humanitarian situation in the region.

South Africa's transport corridors are essential for moving food supplies to inland countries in the region. The South African Government has recently worked with WFP on an assessment of the routes.

South Africa could also be affected by movements of people from areas of food shortage.

Trafficking

Mrs. Spelman: To ask the Secretary of State for International Development what steps she is taking to prevent people trafficking in *(a)* West Africa and *(b)* central and eastern Europe. [66183]

Clare Short: Combating people trafficking is part of a wider set of issues related to the vulnerability of poor people to the interests of national and international traffickers. It is an international problem requiring co-ordinated action. DFID's goal is to eliminate the poverty and social injustice that creates the conditions where such abuse can flourish. With other Government Departments, we are supporting the efforts of Governments and international agencies to strengthen social protection policies and justice systems in line with the international treaty framework covering these issues.

We are also supporting efforts such as Anti-slavery International's work with civil society in West Africa to stop the trafficking of children for domestic work, and the International Organisation for Migration's programme of training for agencies helping trafficked women in the Balkans.

Ghana

Mrs. Spelman: To ask the Secretary of State for International Development what her Department is doing to support cocoa producers in Ghana. [66187]

Clare Short: DFID has provided a bank guarantee to secure finances for the Day Chocolate Company (33 per cent. owned by Kuapa Kokoo—a Ghanaian smallholder cocoa farmer's union). Our support aims to develop new opportunities for mainstreaming fair trade chocolate into the United Kingdom large-scale multiple retail market. The products are Divine, Darkly Divine and Dubble. This represents a major advance in fair trade marketing.

DFID is also supporting a substantial portfolio of research developing integrated pest management and biological control solutions for a variety of key cocoa pests and diseases. These technologies are particularly critical in view of the move towards organic productions.

We are also supporting the Government of Ghana's (GoG) plans to improve rural infrastructure by installing steel bridges on feeder roads in rural areas of western and central regions—the main cocoa growing regions. Most of the current log bridges have deteriorated to the extent that they cannot carry loaded vehicles and, as a result, there is limited access to markets and social services. The goal of the project is to improve the livelihoods of the people living in the targeted areas by providing physical access, all year round, to markets, schools and hospitals/clinics. DFID has committed £8.5 million to this project and so far 28 bridges have been constructed, with a further 37 envisaged.

Central and Eastern Europe

Mrs. Spelman: To ask the Secretary of State for International Development what proportion of her Department's funding has been allocated to countries in central and eastern Europe in each of the last five years. [66188]

Clare Short: Figures on DFID spending broken down by country are available in "Statistics on International Development", a copy of which is in the Library of the House. The relevant tables for the figures requested are Table 7.4 "Bilateral Aid by Country (Europe)" which shows DFID spend in each country in Europe for the last five years and Table 3 "Gross Public Expenditure on Aid" which shows DFID expenditure split between bilateral and multilateral channels for the last five years.

Corruption

Mrs. Spelman: To ask the Secretary of State for International Development what steps she is taking to combat corruption in *(a)* Malawi, *(b)* Mozambique, *(c)* Zimbabwe, *(d)* Zambia, *(e)* Lesotho and *(f)* Swaziland. [66179]

Clare Short: The six countries are all signatories to the Southern African Development Community Protocol against corruption, which outlines comprehensive measures to prevent, detect, punish and eradicate corruption in the public and private sectors.

Working with governments and other development organisations, our programmes provide a range of assistance depending on the particular needs of each country. This addresses both enforcement action against corruption, such as effective anti-corruption agencies, and preventive measures, such as strengthening public sector financial management and supporting civil society to promote transparency and accountability in public life.

Malawi and Zambia benefit from £2 million DFID support for a World Bank Institute anti-corruption programme in 14 countries.

In Mozambique and Zambia we are working with the World bank to survey the extent of corruption and to support efforts to develop a national anti-corruption strategy which involves all key stakeholders. In Lesotho we are working with the Government to design a justice sector programme which will include the establishment of an anti-corruption unit.

In Malawi and Zambia we have helped to establish anti-corruption commissions and have provided assistance to build up their management systems and capability to conduct preventative and investigative activities.

In Malawi, Mozambique, Zambia and Lesotho we are supporting efforts to strengthen financial controls and administrative systems in government.

Public Inquiries

Mr. Randall: To ask the Secretary of State for International Development what her policy is on using 0870 telephone numbers for inquiries by the public to the Department and its agencies. [66193]

Clare Short: The Department for International Development does not have a general policy on the use of 0870 telephone numbers for inquiries by the public. Instead, and in line with promoting the widest possible access to its Public Enquiry Point, DFID provides an 0845 number for UK callers.

The cost range for callers using the 0845 number is 3.95p (peak) to 1p (weekends), compared with 7.91p (peak) to 2p (weekends) for an 0870 number.

GATS Talks

Phil Sawford: To ask the Secretary of State for International Development what her priorities are in respect of the forthcoming GATS talks. [66559]

Clare Short: The current negotiations on the GATS offer developing countries the potential to gain access to new markets overseas and to benefit from more efficient and competitive services at home. One of my key priorities for the GATS talks is to ensure that developing countries are able to participate fully in the negotiations. To this end, my Department is working with the UN Conference for Trade and Development (UNCTAD) on a £350,000 project to strengthen developing country involvement in the services negotiations in Geneva. We are also working with other donors and international organisations to find the best way of providing technical assistance to developing countries to carry out an impact assessment of the requests made of them.

More generally, my officials are working closely with the Department for Trade and Industry (DTI) and other Government Departments to ensure that UK and EC policy on trade in services takes development considerations into account. In the recently agreed EC requests of other WTO Members, for example, requests to least developed countries have been mainly limited to 3–5 sectors, with a focus on sectors where liberalisation is most likely to contribute to development. The requests also make clear that the EC recognises the importance of liberalisation being underpinned by domestic regulatory frameworks designed to ensure the achievement of public policy objectives.

Burundi

Ms Oona King: To ask the Secretary of State for International Development if she will make a statement on the policy of the World bank and IMF towards Burundi. [66325]

Clare Short: The IMF have been in regular dialogue with the Government of Burundi in recent months and will be undertaking a further mission to Burundi in July to progress negotiations on an emergency post-conflict facility, which we hope will be in place this autumn. The World Bank's Transitional Support Strategy for Burundi was agreed in March, involving support for demobilisation and reintegration, HIV/AIDS prevention and agricultural development, and a further Economic Rehabilitation Credit is under preparation. We remain in close touch with both institutions about their plans.

Great Lakes Region

Ms Oona King: To ask the Secretary of State for International Development what level of development aid her Department has made available to *(a)* Burundi and *(b)* other countries in the Great Lakes Region in the last five years. [66324]

Clare Short: Over the past five years, my Department made the following levels of development aid available to Burundi, and other countries in the Great Lakes region:

£ million

	Burundi	*Dem. Rep. Congo*	*Rwanda*	*Uganda*
1997–98	1.6	6.9	6.2	47.9
1998–99	0.3	0.5	13.6	52.5
1999–2000	0.9	1.3	14.4	81.2
2000–01	1.5	3.1	32.8	86.2
2001–02	[1]0.5	[1]5.5	[1]26.9	[1]66.6

[1] These figures are provisional. Final disbursement figures will be available in November when the 2002 edition of DFID's 'Statistics on International Development' will be published.

Green Ministers

Sue Doughty: To ask the Secretary of State for International Development who her Department's Green Minister is; when they *(a)* have attended and *(b)* plan to attend meetings of the Green Ministers Committee; what the outcomes of meetings were for her Department's activities; and if she will make a statement. [65984]

Clare Short: Our Green Minister is Sally Keeble MP. She was appointed to the ENV (G) Committee on 29 May.

Following the general election in June 2001, the previously informal Green Ministers Committee was upgraded to a Cabinet Sub-Committee of ENV and it is established practice under exemption two of Part II of the Code of Practice on Access to Government Information not to disclose information relating to the proceedings of Cabinet Committees. Therefore I cannot relate progress or outcomes by my Department to anything that has been discussed.

Recycling

Sue Doughty: To ask the Secretary of State for International Development what proportion of *(a)* paper and *(b)* other goods purchased by her Department was recycled paper in each year since 1997; what the annual total cost of these purchases was; what plans there are to increase these proportions; and if he will make a statement. [65766]

Clare Short: The following table shows my Department's costs for paper and paper products since 1997. The recycled element of the figures up to last year are for recycled paper only; other recycled products were obtained but were not separately recorded or identified. since May of this year, 98 per cent. of paper used by my London office is recycled and therefore this proportion will now increase significantly. Other recycled paper products, particularly envelopes where available, will be purchased in future. Further trials of recycled paper are currently being carried out in our East Kilbride office.

£

	Cost of paper and paper products
1997	57,658 of which 199 was recycled paper only
1998	62,790 of which 235 was recycled paper only
1999	48,249 of which 99 was recycled paper only
2000	93,439 of which 2,179 was recycled paper only
2001	67,447 of which 1,289 was recycled paper only
2002	28,327 of which 2,527 was recycled paper only

Health Care Reform Programmes

Mr. Bercow: To ask the Secretary of State for International Development what financial support her Department is giving to health care reform programmes in 2002–03 in *(a)* Tanzania, *(b)* Zambia, *(c)* Ghana and *(d)* Bangladesh. [65757]

Clare Short: In Tanzania we plan to disburse up to £11.8 million to the health sector development programme during 2002–03 to support health sector reforms.

A further £4.76 million will be spent on technical assistance projects to support improved approaches to managing malaria, increasing access to and quality of reproductive health care, and better evidence based planning for public health services.

Commission on Macroeconomics and Health

Mr. Bercow: To ask the Secretary of State for International Development how much money was provided by her Department in 2001–02 to the Commission on Macroeconomics and Health. [65755]

Clare Short: My Department provided £693,073 in 2001–02 to support the Commission on Macroeconomics and Health.

Overseas Financial Aid

John Barrett: To ask the Secretary of State for International Development what action her Department is taking to ensure that overseas financial aid is used for development purposes. [65735]

Clare Short: My Department continuously reviews and assesses mechanisms for the delivery of, and accounting for, UK development funds in order to minimise the risks of misuse.

Financial aid to developing countries through direct Budget support is provided after a thorough evaluation of public financial management and accountability systems against specific benchmarks, and risks have been assessed in a systematic way.

DFID set out the arrangements in detail in a guidance note for staff in March 2002, "Managing Fiduciary Risk When Providing Direct Budget Support". A copy is being placed in the Library.

John Barrett: To ask the Secretary of State for International Development what evidence her Department has collated over the last 12 months that overseas financial aid has not been used for development purposes. [65731]

Clare Short: My Department has no such evidence.

EU Aid

Mrs. Spelman: To ask the Secretary of State for International Development (1) if she will make a statement on the outcome of the EU summit in Seville with respect to aid; [65190]

(2) whether EU development aid may be tied to asylum policies following the conclusions reached in the Seville summit. [65189]

Clare Short: The conclusions of the European Council meeting in Seville (20–21 June) dealt with three issues relevant to international development.

First, as part of the EU's continuing preparations for enlargement, it was agreed that the work of the Development Council should be merged into a new General Affairs and External Relations Council which will also deal with foreign policy, military and security policy, foreign trade and humanitarian aid. The Government will be discussing working arrangements for this new Council over the next few weeks in order to ensure effective handling of the European Community's development programmes.

Second, in their discussions of asylum and immigration, Heads of State and Government agreed that closer economic cooperation, trade expansion, development assistance and conflict prevention were all means of promoting prosperity and reducing the underlying causes of migration flows. It was also agreed that, in dealing with countries that do no cooperate in combating illegal immigration, measures taken by the European Union should not jeopardise EU development objectives.

Third, Heads of State also endorsed the EU position for the World summit on Sustainable Development in Johannesburg and stressed the Union's willingness to continue playing a leading role in the preparation of the summit.

Mrs. Spelman: To ask the Secretary of State for International Development how much EU aid will be used to support poor countries' efforts to comply with the EU's asylum policy in each of the next three years. [65194]

Clare Short: There has been no change in the objectives of the EC's development programmes. A separate budget line was established in 2001 to fund migration-related activities in third countries. Euro 10 million was committed through that budget in 2001 and Euro 22.8 million was provided for 2002. This budget is not used in pursuit of the EC's development policy. The amount available for this budget is decided on an annual basis and figures for the next three years are therefore not available.

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the steps she has taken to ensure that the European Union devotes more of its resources to the poorest countries. [64690]

Clare Short: In 2000, only 38 per cent. of EC aid was spent in low income countries compared to 70 per cent. a decade before. In November 2000 we secured adoption of an EC development policy which, for the first time, makes poverty reduction the central objective of EC development programmes. This new policy calls for priority in resource allocation to be given to low income countries and we continue to work for agreement on the budget allocations to implement this policy and have the greatest impact on poverty reduction. In particular we are working for an increase in allocations for Asia. We welcome the positive steps that have been taken to reform EC development assistance. This should help improve the rate of programme implementation, of particular importance to the African, Caribbean and Pacific countries where many of the world's poorest people live. But much remains to be done to improve the poverty focus and effectiveness of EC development assistance.

United Nations Development Programme

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the progress of the work of the United Nations Development Programme in crisis prevention and recovery. [64976]

Clare Short: Crisis prevention and recovery has been identified as one of the six core practice areas within the UNDP mandate. The former Emergency Response Division which deals with these issues was upgraded to a Bureau in November 2001 and now has greater authority to engage in the inter-agency processes such as the Executive Committee on Peace and Security, and to develop its role in peace building in relation to that of the UN Department for Political Affairs. These are very welcome developments, through which UNDP is attempting to realise the "untapped" potential of the organisation in crisis and conflict situations, as noted in the Report of the Panel on UN Peace Operations (the Brahimi report), published in August 2000.

My Department has observed that strategy and policy development over the past 12 months is starting to deliver demonstrable benefits at the country level. UNDP's transition recovery programme, developed in the aftermath of the earthquake in Gujarat in January 2001, is a positive example of a community-led recovery process which builds on local traditions and capacities. UNDP has also played a key role in drafting the UN's five-year strategy for mine action. The pivotal role of UNDP is clearly recognised by the relevant players in this field, since it has been tasked to lead on 10 of the 40 strategic objectives.

Crucially, UNDP is also beginning to develop policy and tools to deliver conflict-sensitive development programmes. My Department is encouraging UNDP to incorporate conflict assessment into planning and management processes such as the common country assessment and the UN development assistance framework.

However, there is still a considerable amount of progress to be made, before UNDP's role in crises and conflicts will be universally accepted and welcomed by the United Nations family and the broader international community. It is essential that UNDP capitalises on the opportunities which now present themselves and focuses on successful implementation at the country level across the full range of technical areas. My Department will continue to work with UNDP's Bureau for Crisis Prevention and Recovery and encourage a continued focus on improving delivery at the field level.

Performance Targets

Mr. Bercow: To ask the Secretary of State for International Development what the *(a)* cost and *(b)* saving has been from the Department's pursuit of Service Delivery Agreement targets in each year since they were introduced. [61642]

Clare Short: Performance against DFID's Service Delivery Agreement (SDA) is reported on annually in our departmental report, a copy of which is available in the House of Commons Library. The SDA forms an integral part of DFID's systems. Separate analysis of costs and savings from the pursuit of SDA targets could be undertaken only at disproportionate cost.

Mr. Bercow: To ask the Secretary of State for International Development what has been the *(a)* cost and *(b)* saving from the pursuit of the Department's Public Service Agreement targets in each year since they were introduced. [61043]

Clare Short: Performance against DFID's Public Service Agreement (PSA) is reported on annually in our departmental report, a copy of which is available in the House of Commons Library. The PSA forms an integral part of DFID's systems. Separate analysis of costs and savings from the pursuit of PSA targets could be undertaken only at disproportionate cost.

Emerging Africa Infrastructure Fund

Mr. Bercow: To ask the Secretary of State for International Development what financial support her Department gave to the Emerging Africa Infrastructure Fund in 2001–02. [67000]

Clare Short: My Department provided US$38.5 million (equivalent to £26,708,788) to the Emerging Africa Infrastructure Fund (EAIF) during 2001–02.

Democratic Republic of Congo

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on the peace process in the Democratic Republic of Congo. [66184]

Clare Short: The various technical and economic agreements reached at the recent Inter-Congolese Dialogue at Sun City represented some progress towards a settlement of the conflict in the DRC, but the key agreement on an inclusive transitional government has not yet been achieved. We are working actively within the UN and directly with the parties concerned to help promote an inclusive agreement, which will be an essential basis for agreeing a constitution and planning elections. We also need to make progress on DDR and a halt to the arming of negative forces so that the security of Rwanda and Burundi can be improved and a phased withdrawal of foreign forces agreed. I plan to visit Kinshasa at the end of July to discuss these issues further with President Kabila and explore what more the UK can do to help.

Dr. Tonge: To ask the Secretary of State for International Development what action has been taken by *(a)* the United Kingdom Government and *(b)* the international community as a result of the UN Panel investigation into illegal exploitation of mineral resources in the Democratic Republic of Congo published in November 2001. [65559]

Clare Short: The November 2001 report was the second produced by the UN Panel on resource exploitation in the DRC. At the request of the Panel, the UN Security Council took note of the report and recommended that the Secretary General grant an extension of the Panel's mandate for a further six months to prepare a final report which is due in August. It is anticipated that this will provide an updated assessment of the situation and make recommendations to the UN and international community on specific actions which should be taken to help end the illegal exploitation of the natural resources and other forms of wealth of the DRC. We shall study the final report carefully and participate fully in the Security Council's deliberations on its recommendations. In the meantime, the UK has encouraged the Governments of countries mentioned in the Panel's reports to take the allegations seriously and investigate the activities of the individuals and organisations named therein.

Small Arms Strategy

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the share of the Global Conflict Prevention Pool's Small Arms Strategy that has been spent. [64688]

Clare Short: In partnership with the Foreign and Commonwealth Office and the Ministry of Defence, my Department has established a UK Small Arms and Light Weapons Reduction Programme under the Global Conflict Prevention Pool. Over the three years from 2001–02 to 2003–04, we will allocate £19.5 million to UN agencies, regional organisations, Governments and non-governmental organisations seeking to develop and implement local, national, regional and international measures to combat small arms problems. During financial year 2001–02, £3.4 million was spent of an allocated £4.35 million. The under spend has been carried over to the current financial year.

FOREIGN AND COMMONWEALTH AFFAIRS

Arms Sales

Gregory Barker: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on arms sales to *(a)* India and *(b)* Pakistan between December 2001 and June 2002; and if he will make a statement. [65409]

Mr. Mike O'Brien: There has been no change in our policy on arms sales to India or Pakistan between December 2001 and June 2002. All relevant export licence applications for India and Pakistan are considered on a case-by-case basis against the Consolidated EU and national arms export licensing criteria, and in the light of the reply given to my hon. Friend the Member for Edmonton (Mr. Andrew Love) by my hon. Friend, the Member for Exeter (Mr. Ben Bradshaw), on 15 March 2002, *Official Report*, column 1296–98W.

Gregory Barker: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effectiveness of the United Kingdom's arms export policies in calming tensions between Pakistan and India between December 2001 and June 2002; and if he will make a statement. [65410]

Mr. Mike O'Brien: All relevant export licence applications for India and Pakistan are considered on a case-by-case basis against the Consolidated EU and national arms export licensing criteria, and in the light of the reply given to my hon. Friend the Member for Edmonton (Mr. Andrew Love) by my hon. Friend, the member for Exeter (Mr. Ben Bradshaw), on 15 March 2002, *Official Report*, column 1296–98W. The consolidated criteria clearly set out our commitment to take account of the risk that exports might be used for external aggression.

Gregory Barker: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he has undertaken *(a)* to assess and *(b)* to prevent the diversion of arms to terrorist organisations in Pakistan. [65408]

Mr. Mike O'Brien: The Government focus their efforts on assessment of potential end-use at the export licensing stage, including where needed through checks made by our Posts overseas. Carrying out effective risk assessment on end-users before making the export licensing decision is the best way of preventing arms from falling into the wrong hands. Nevertheless, the Government remain committed to carrying out end-use monitoring in those circumstances where this will genuinely add value to our efforts to minimise the risk of misuse and diversion and where such monitoring is practicable. And our overseas posts have standing instructions to report on reports of misuse of any UK-origin defence equipment. We take these reports into account in our assessment.

Gregory Barker: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations his Department received regarding *(a)* increases in Pakistan's (i) offensive and (ii) defensive weapons capabilities in each month from November 2001 to May 2002 and *(b)* his Department's assessment as to their effect on relations between India and Pakistan; [65412]

(2) what representations his Department received regarding *(a)* increases in India's (i) offensive and (ii) defensive weapons capabilities in each month from November 2001 to May 2002 and *(b)* his Department's assessment as to their effect on relations between India and Pakistan. [65411]

Mr. Mike O'Brien: We have received numerous representations on India and Pakistani weapons capabilities in the last eight months. We do not record separately whether the representations distinguish between offensive and defensive weapons.

As my right hon. Friend the Foreign Secretary said in the House on 25 June 2002, *Official Report*, column 728, as long as there are one million men under arms on either side of the Line of Control, the risks of a conflict remain significant.

India

Mr. Davidson: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress he has made with the Government of India on bilateral training initiatives in counter-terrorism. [66173]

Mr. Mike O'Brien: I refer my hon. Friend to the answer given by the then Parliamentary Secretary my hon. Friend the Member for Exeter (Mr. Ben Bradshaw) to my hon. Friend the Member for Ealing, North (Mr. Stephen Pound) on 13 May 2002, *Official Report*, column 456W.

Chemical Weapons

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 18 June 2002, *Official Report*, column 293W, whether the term income refers to cash available from contributions to *(a)* the OPCW Secretariat and *(b)* the agreed budget of the OPCW; by when the major budgetary contributors to the OPCW budget finished paying their contributions in each of the last five years; (i) what the role of the Head of Administration in the OPCW is and (ii) from which country this post-holder came in 2001; if he will make a statement on the monthly statements made by Mr. José Bustani covering the operational programme; if he will make a statement regarding the use of the term unrealistic; whether the revised budget of the OPCW addresses the concerns over the previous OPCW budget proposals referred to; how many member states of the OPCW there were in each of the last five years; what the UK Government's estimate is of the frequency of inspections (A) proposed for the major budgetary contributors to the OPCW under the budgetary proposals referred to and (B) for the major budgetary contributors to the OPCW under the current budgetary proposals; and if he will make a statement on the action of the Conference of States Parties in the handling of the staff grading review referred to. [65259]

Mr. Mike O'Brien: The term income referred to the income of the OPCW from the usual three sources: contributions from member states in accordance with assessments adopted by the Conference of States Parties; payments by declared possessors of chemical weapons in respect of costs incurred by the OPCW in verifying chemical weapons destruction; and interest on cash deposits held.

We do not have precise information on the timing of payments by member states. Our understanding is that all the major contributors paid their assessed contributions by mid-year in each of the past five years.

The Head of the Administrative Division of the OPCW supervises the work of the budget and finance branch, the human resources branch, the information systems branch, the procurement and support services branch and the training and staff development branch. The post was vacant throughout much of 2001: it was occupied by a US national early in the year, and succeeded in September by another US national.

The OPCW Secretariat, through much of 2001, issued monthly statements on income and expenditure. The Director-General included commentary on the operational programme in his statements to Executive Council meetings and in separate briefings of delegations through the year, where he outlined the cuts to the operational programmes he believed were needed to keep within anticipated income; and reported on progress in delivering what remained of the operational programmes. The Executive Council, on receipt of these reports, requested further authoritative information; requested specific proposals to deal with problems identified; expressed concerns about proposed cuts in operational programmes; authorised the use of all available cash to finance credible levels of verification activity and international co-operation and assistance.

The first draft of the 2000 budget proposed 12 per cent. growth over 1999; 2001 draft proposed 17 per cent. growth over 2000; 2002 draft proposed 24 per cent. over 2001; and the preliminary draft put to ABAF (Advisory Body on Administrative and Financial matters) in respect of 2003 proposed 29 per cent. growth over 2002. During these years, the norm in most international organisations was zero growth, and OPCW member states regularly made clear each year their belief that the draft budget should much more closely reflect the financial and political reality, so as to provide a sound basis for negotiations.

At Entry-into-Force on 29 April 1997, there were 87 States Parties. At 31 December 1997—105; 31 Dec 1998—121; 31 Dec 1999—128; 31 Dec 2000—141; 31 Dec 2001 (and today)—145.

OPCW industrial inspection targets are in many respects randomly selected by the Technical Secretariat, so it is not possible to estimate with any accuracy the likely frequency of inspections to be faced in any country or group of countries. Previous budget proposals have provided an indication of numbers of inspections planned for the various categories of industrial facilities subject to declaration and inspection. The current budget proposal for 2003 under consideration in the Executive Council makes comparable projections based on current risk assessments which, if implemented, we estimate would tend to provide a more global coverage by the OPCW. If total inspection numbers remain broadly the same as in past years, as is currently forecast, this shift in emphasis could perhaps slightly reduce inspection frequency in 2003 for some of the major contributors, relative to what might have been expected from budget projections in previous years.

The Director-General, in August 1998, published a grading review conducted by an outside consultant, together with his intended actions in respect of the review, including his decision to implement, effective 1 January 1999, all the grade changes recommended. In October 1998, the Director-General noted to the Executive Council his understanding that some member states had reservations about the funding needed to implement the grading recommendations. In November 1998, the Conference of States Parties decided that the reclassification of posts involved should be discussed and decided by States Parties at a later stage, and requested the Director-General meanwhile not to implement the study. The Conference of States Parties in July 1999 reiterated its request to the Director-General not to implement the 1998 staff grading review, and requested him to initiate a new classification study once terms of reference were approved by the Executive Council. In June 1999, OPCW staff members filed complaints with the Administrative Tribunal of the International Labour Organisation, an action joined later by a total of 89 staff. The Tribunal concluded that, in August 1998, the Director-General had had the competence for classification of posts, and that the re-classification announced should therefore have proceeded on 1 January 1999. The concern of many States Parties was that the basis of the grading review was open to question, the Director-General's decision to implement it was premature, and he had no budgetary authority to incur the significant additional costs that would arise.

Since the recent change in leadership the situation at the OPCW has improved with indications that better staff morale and planning are leading to greater efficiency and effectiveness.

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 18 June 2002, *Official Report*, column 294W, if there is a role for member states of the OPCW in approving the transfers of funds referred to; and if he will make a statement on the *(a)* reasons given for the loss of confidence referred to and *(b)* late payments by member states of the OPCW. [65275]

Mr. Mike O'Brien: The OPCW Financial Regulations provide for transfers of appropriated funds between programmes. Transfers of up to 10 per cent. of the original appropriation may be made by the Director-General, and reported to the Executive Council; transfers over 10 per cent. may be made only with the prior concurrence of the Executive Council. All transfers should be reported to the Conference of States Parties.

The loss of confidence in the former Director-General by a significant number of members of the OPCW Executive Council we believe arose largely from the financial and administrative concerns noted in the answer I gave to my hon. Friend on 18 June 2002, *Official Report*, columns 293–294W. There was also a perception among many Executive Council members that the former Director-General took an unnecessarily confrontational approach in his dealings with the Executive Council, to the detriment of the effective functioning of the OPCW, and contrary to the supportive role envisaged in Article VIII of the Chemical Weapons Convention.

As at 31 May 2002, 19 States Parties had outstanding sums due in respect of 1997 assessed contributions, totalling about £114,000 or 0.5 per cent. of that year's budget. The figures for 1998 are 29 States Parties, £177,000 (0.5 per cent.); for 1999, 31 States Parties, £50,000 (0.2 per cen[illegible] for 2000, 28 States Parties, £76,000 (0.3 per cent.); for [illegible] 50 States Parties, £590,000 (1.7 per cent.). So far in 2002, [illegible] 18 June, 76 States Parties have paid their 2002 assessed contributions in full and another 13 have made part payments totalling £34.75 million (95.6 per cent. of the budget). 56 States Parties have yet to pay any of their assessed contributions for 2002, amounting to £1.625 million (4.5 per cent. of the budget). The UK pays in full and on time, and takes every opportunity to urge all States Parties to do likewise.

Oman

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit Oman. [64822]

Mr. Mike O'Brien: My right hon. Friend the Foreign Secretary has no plans to visit Oman.

Zimbabwe

Mr. Peter Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to protect the interests of United Kingdom nationals engaged in legal action in Zimbabwe. [65244]

Mr. MacShane: Our consular staff in Harare will provide support and assistance where they properly can, but in all such cases, as elsewhere in the world, British citizens are advised to seek local legal advice on how best to pursue their case.

Iraq

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the medicines and medical equipment that are on the dual use list of banned imports to Iraq. [65558]

Mr. Mike O'Brien: There is no list of banned imports to Iraq. The Goods Review List, introduced by UN resolution 1409, contains dual-use items whose export to Iraq is subject to UN Security Council approval. It is not a denial list. Before approving Goods Review Listed items for export, the UN Sanctions Committee, drawing on expert advice from the UN Monitoring Verification and Inspection Commission (UNMOVIC) and the IAEA, will decide whether the military risk of allowing the Iraqi regime to have the listed items outweighs their humanitarian benefits. The Goods Review List is a publicly accessible document, the contents of which are available on the UN website at www.un.org/Departments/oip/index.html.

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs if the United Nations organisations in Iraq are present on the same basis as they routinely operate in countries where there is a non-military UN presence. [65557]

Mr. Mike O'Brien: United Nations organisations are present in Iraq in support of the UN's Oil for Food humanitarian programme. FAO, UNICEF, UNDP and WHO also operate country programmes, as they do elsewhere.

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the purpose for which each United Nations-related organisation is present in Iraq. [65556]

Mr. Mike O'Brien: United Nations-related organisations are present in Iraq for the following purposes:

Support to the UN Oil for Food programme:

WFP (food sector)
WHO (health, nutrition, water and sanitation sectors)
FAO (agriculture sector)
UNDP (electricity sector)
UNICEF (education, nutrition, health sectors)
UNESCO (education sector)
UNOPS (demining, water and sanitation sectors)
Habitat (housing, resettlement sectors)
ITU (telecommunications sector)
UNGCI (security for UN personnel in northern Iraq).

Country programmes:

FAO, UNICEF, UNDP and WHO also operate country programmes, the funding and activities of which are separate from the work these agencies do under the Oil for Food programme.

UNIKOM:

Monitoring the demilitarized zone along the Iraq-Kuwait border.

British Nationals (Prisoners)

Mr. Pope: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on when it is Her Majesty's Government's policy to support officially a plea for clemency on compassionate grounds from a British national imprisoned overseas. [67699]

Mr. Mike O'Brien: Decisions on whether to support an application for clemency are taken at ministerial level. When considering an application for clemency on compassionate grounds, Ministers will, as a general rule, mirror the policy applied by the UK prison services when considering applications for early release on compassionate grounds submitted by prisoners in the UK. Each application for support will be considered on its merits on a case-by-case basis.

Ministers would not normally support a plea for clemency on compassionate grounds if a Prisoner Transfer Agreement exists between the UK and the sentencing state and a transfer to the UK could be completed within a reasonable time frame. In such circumstances, any request for early or temporary release on compassionate grounds could then be made to the appropriate UK prison authority.

DEPUTY PRIME MINISTER

Public Appointments

Keith Vaz: To ask the Deputy Prime Minister if he will list the public appointments he has made since 7 June 2001. [66365]

Mr. McNulty: Since 7 June last year Ministers have made the following appointments or re-appointments to the non-departmental public bodies currently sponsored by the Office of the Deputy Prime Minister.

Title	*First name*	*Surname*	*Role*	*NDPB*
Ms	Gill	Richardson	Member	Advisory Panel on Standards in the Planning Inspectorate
Ms	Hazel	Duffy	Member	Advisory Panel on Standards in the Planning Inspectorate
Mr.	Timothy	Comer	Member	Advisory Panel on Standards in the Planning Inspectorate
Mr.	Michael	Watson	Member	Advisory Panel on Standards in the Planning Inspectorate
Ms	Judith	Curson	Member	Audit Commission
Mr.	John	Bowen	Member	Audit Commission

Title	*First name*	*Surname*	*Role*	*NDPB*
Mr.	Roy	Hoyle	Member	Audit Commission
Mr.	Anthony	Prior	Member	Building Regulations Advisory Committee
Mr.	Michael	Finn	Chair	Building Regulations Advisory Committee
Ms	May	Cassar	Member	Building Regulations Advisory Committee
Mr.	David	Holliday	Member	Building Regulations Advisory Committee
Mr.	Peter	Warburton	Member	Building Regulations Advisory Committee
Mr.	Matthew	Smith	Member	Building Regulations Advisory Committee
Ms	Janet	Young	Member	Building Regulations Advisory Committee
Mr.	Thiru	Moolan	Member	Building Regulations Advisory Committee
Ms	Clare	Wright	Member	Building Regulations Advisory Committee
Ms	Lynne	Sullivan	Member	Building Regulations Advisory Committee
Rev.	David	Hazlehurst	Member	Community Forum
Mrs.	Georgina	Holdsworth	Member	Community Forum
Ms	Allison	Trimble	Member	Community Forum
Ms	Barbara	Willis-Brown	Member	Community Forum
Mrs.	Camille	Ade-John	Member	Community Forum
Mr.	Joe	Montgomery	Chair	Community Forum
Rev.	Graham	Brownlee	Member	Community Forum
Mr.	Edward	Cox	Member	Community Forum
Mrs.	Carol	Dickinson	Member	Community Forum
Mrs.	Jeanette	Worthington	Member	Community Forum
Ms	Laura	Moynaham	Member	Community Forum
Mr.	Graham	Bell	Member	Community Forum
Mrs.	Lorraine	Cavanagh	Member	Community Forum
Mr.	Zualfqar	Hussain	Member	Community Forum
Ms	Jess	Steele	Member	Community Forum
Mr.	Richard	Kemp	Member	Community Forum
Mr.	Waheed	Saleem	Member	Community Forum
Dr.	Mohammed	Ali	Member	Community Forum
Mr.	Mohammed	Malik	Member	Community Forum
Mrs.	Elizabeth	Ladimeji	Member	Community Forum
Mrs.	Maureen	Lambert	Member	Community Forum
Mrs	Margaret	Ford	Chair	English Partnerships
Mrs.	Janet	Putman	Member	Housing Action Trust Castle Vale
Mr.	Ronny	Ross	Member	Housing Action Trust Liverpool
Mr.	John	Petitt	Member	Housing Action Trust Liverpool
Ms	Yvonne	Hutchinson	Member	Housing Corporation
Mr.	Andrew	Winckler	Member	Housing Corporation
Ms	Geraldine	Huka	Member	Housing Corporation
Ms	Corinne	Swain	Member	Property Advisory Group
Mr.	Roger	Groom	Member	Property Advisory Group
Mrs.	Hazel	Williamson	Member	Property Advisory Group
Mr.	Ronald	Spinney	Member	Property Advisory Group
Miss	Wendy	Shillam	Member	Property Advisory Group
Mr.	Simon	Kirkham	Member	Property Advisory Group
Mr.	Geoff	Freeman	Lawyer Chair	Rent Assessment Panel Northern
Mr.	Robert	Wilson	Lawyer Chair	Rent Assessment Panel Southern

Mayoral Management

Mr. Pickles: To ask the Deputy Prime Minister whether local authorities must first obtain the consent of their electorate by a referendum before they proceed to a mayoral management system. [65996]

Mr. Raynsford: The Local Government Act 2000 specifies three models of executive arrangements, two of which involve a directly elected mayor. The Act, together with regulations made under it, provides that if a local authority proposes to move to or from either of the mayoral models, they must first obtain the consent of their local electorate in a referendum.

Elected Mayors

Mr. Pickles: To ask the Deputy Prime Minister which authorities have indicated that they wish to proceed to elected mayors. [65995]

Mr. Raynsford: To date, 28 local authorities have held referendums under the Local Government Act 2000 on whether or not to adopt executive arrangements that involve a directly elected mayor. Eleven of these referendums produced a result in favour of a system with an elected mayor. Of these, seven (Doncaster, Hartlepool, Lewisham, Middlesbrough, Newham, North Tyneside, and Watford) held their first mayoral election on 2 May this year, and the remaining four (Bedford, Hackney, Mansfield, and Stoke-on-Trent) will hold their first mayoral election on 17 October 2002. Corby borough council have also recently advised us that they will be holding a mayoral referendum later this year, following receipt of a valid local petition.

Regional Government

Mr. Pickles: To ask the Deputy Prime Minister what estimate he has made of the cost of introducing regional government in each English region; and if he will make a statement. [65860]

Mr. Raynsford: I refer the hon. Member to my answer of 24 May 2002 to the hon. Member for Salisbury (Mr. Key), *Official Report*, column 624W.

Local Government Workers

Ms Christine Russell: To ask the Deputy Prime Minister what steps he is taking to guarantee the conditions of local government workers where they have been transferred to the private sector. [64340]

Mr. Raynsford: The Secretary of State for Transport, Local Government and the Regions announced on 26 March measures to ensure fairness for all staff working on local authority contracts, including those transferred out of local government as a result of an outsourcing of a service.

In broad terms, the Transfer of Undertakings (Protection of Employment) Regulations 1981 (as amended) (TUPE) protects employees' terms and conditions (except in relation to future occupational pensions) when the business in which they work is transferred from one employer to another, and the business retains its identity.

The measures we have announced include a commitment to legislate to make statutory within local government the provisions in the Cabinet Office 'Statement of Practice on Staff Transfers in the Public Sector' and the annex to it, 'A Fair Deal for Staff Pensions'. This will ensure that local authority contracting exercises are conducted on the basis that TUPE will apply, unless there are genuinely exceptional circumstances, and that transferees' pension benefits will be protected. New statutory guidance to local authorities will also set out a package of measures which will ensure that new joiners taken on to work beside transferees on local government contracts will be treated fairly.

Local Government Finance

Mr. Webb: To ask the Deputy Prime Minister if he will list for each English local authority, the level of spending on *(a)* education and *(b)* social services expressed as a percentage of the SSA for that service in that authority in 2001–02. [65091]

Mr. Raynsford: The information has been placed in the Library of the House.

Personal Social Services

Mr. Nigel Jones: To ask the Deputy Prime Minister how much each local authority in England and Wales with social services responsibilities *(a)* spent on personal social services and *(b)* was allocated for personal social services by standard spending assessment in each of the last five years for which figures are available; and if he will make a statement. [65202]

Mr. Raynsford: Figures for England have been placed in the Library of the House. Figures for Wales are the responsibility of the National Assembly for Wales.

Capital Receipts

Chris Grayling: To ask the Deputy Prime Minister if he will make a statement on plans to distribute capital receipts from local authority housing sales via a central pool. [65671]

Mr. McNulty: Last December's local government White Paper—"Strong Local Leadership—Quality Public Services"—set out our intention to introduce arrangements to pool a proportion of future housing capital receipts arising in debt-free authorities for use to finance new housing investment where the need is greatest. The change, which will be introduced alongside other changes to the local government capital finance system, will bring the treatment of debt-free authorities in line with the arrangements that apply to other authorities. We will be consulting on the detailed operation of the pooling shortly.

Single Regeneration Budget

Ms Shipley: To ask the Deputy Prime Minister what the nominal Single Regeneration Budget's lifetime expenditure on physical regeneration will be. [66240]

Mr. McNulty: 1,027 schemes under the six rounds of the Single Regeneration Budget stand to receive over £5.7 billion of SRB grant over their lifetime of up to seven years, many of which include physical regeneration activities. However, due to the holistic, multiple-objective nature of the majority of these schemes, it is not possible to say how much of SRB funding is available by specific activity including physical regeneration.

Deprivation

Mr. Hopkins: To ask the Deputy Prime Minister what the rank is of each local authority that has undertaken a full or partial transfer since 1997 under *(a)* the 1998 Index of Local Deprivation and *(b)* the Indices of Deprivation 2000, in each year. [64393]

Mr. McNulty: The table sets out those authorities who have undertaken full or partial transfer since 1998 by their rank on the extent measure of the Index of Local Deprivation 1998 and the Indices of Deprivation 2000. The extent measure shows the proportion of the local authority's population living in one of the 10 per cent. most deprived wards in England. It should be noted that the extent measure is one of the four measures of deprivation in the ILD and one of the six district measures in the ID 2000.

Authority	*Extent measure—ILD 1998*	*Extent measure—ID 2000*
Allerdale BC	153	82
Basildon DC	158	90
Bath and North East Somerset C	158	158
Birmingham CC	15	37
Blackburn with Darwen BC	43	15
Boston BC	158	158
Burnley BC	74	62
Calderdale MBC	57	75
Chelmsford BC	158	158
Chester CC	135	103
Chichester DC	158	158
Congleton BC	158	158
Cotswold DC	158	158
Coventry CC	38	50
Derbyshire Dales	158	158
East Hertfordshire	158	158
East Lindsey DC	114	59
East Northamptonshire DC	158	158
East Staffordshire BC	143	114
Eden C	158	158
Elmbridge BC	158	158
Erewash BC	152	155
Fylde BC	158	158
Horsham DC	158	158
Huntingdon DC	158	158
Kerrier DC	120	49
LB Bexley	127	158
LB Brent	21	78
LB Enfield	77	95
LB Greenwich	16	47

Authority	*Extent measure—ILD 1998*	*Extent measure—ID 2000*
LB Hackney	1	1
LB Hammersmith and Fulham	14	99
LB Islington	3	9
LB Lambeth	5	79
LB Merton	107	158
LB Richmond	158	158
LB Tower Hamlets	4	2
Lichfield DC	158	158
Liverpool CC	11	7
Manchester CC	8	4
Mendip DC	158	158
Mid-Bedfordshire DC	158	158
Newcastle Under Lyme BC	158	112
North Devon DC	158	104
Oldham BC	37	39
Preston BC	26	46
Reigate and Banstead BC	158	158
Restormel BC	158	158
Rother DC	158	158
Shrewsbury and Atcham BC	158	158
South Hams District Council	158	158
South Oxfordshire DC	158	158
South Somerset DC	158	158
South Staffs C	155	158
St. Edmundsbury	158	158
Staffordshire Moorlands DC	158	147
Stoke-on-Trent CC	55	54
Sunderland CC	34	26
Tameside	100	102
Telford and Wrekin	158	89
Test Valley BC	158	158
Tewkesbury BC	158	158
Torbay BC	115	158
Tynedale BC	158	158
West Devon BC	158	158
West Lindsey DC	110	121
West Oxfordshire DC	158	158
West Somerset DC	158	158
West Wiltshire DC	158	158
Weymouth and Portland C	158	124
Wirral	60	57
Worthing BC	121	158
Wyre Forest DC	158	129

Housing (Older People)

Mr. Burstow: To ask the Deputy Prime Minister when he will publish the choice and quality in housing for older people guidance strategy that has been conducted with the Department of Health; and if he will make a statement. [65058]

Mr. McNulty: I refer the hon. Member to the answer given to the hon. Member for Sutton and Cheam (Mr. Burstow) on 27 June 2002, *Official Report,* column 1034W.

Temporary Accommodation

Margaret Moran: To ask the Deputy Prime Minister what further measures he is taking to increase supply of temporary accommodation to replace the use of bed-and-breakfast for the homeless. [65184]

Mr. McNulty: In March 2002 we announced a £35 million programme to help local authorities ensure that by March 2004 no homeless family with children is in bed-and-breakfast hotels (B&B) for more than six weeks.

On 17 June 2002 almost £25 million was allocated to 44 high B&B using local authorities to assist them reduce numbers in B&B. The funding is being used on a range of initiatives to procure alternative temporary accommodation to B&B and on measures to prevent homelessness occurring. We are now working with the next 40 or so highest using B&B authorities to see how we can assist them in reducing numbers.

In addition, all local authorities will benefit from the changes the Department for Work and Pensions has recently made to housing benefit subsidy levels which make local authority leasing of self-contained temporary accommodation much more financially viable than B&B hotels.

Home Valuations

Mr. Letwin: To ask the Deputy Prime Minister what assessment he has made of the impact upon home purchasers of the practice of district valuers reviewing the effect of improvements on value only after a sale takes place. [64375]

Mr. Raynsford: Dwellings are only revalued following improvements when the property is subsequently sold. This is so that people are not deterred from improving their home because their council tax might increase. The reassessment may lead to a property being moved to a higher council tax band. However, this is not always the case. No assessment has been made of the impact upon home purchaser.

Social Housing Targets

Mr. Hopkins: To ask the Deputy Prime Minister what plans he has made to meet the 2010 social housing targets if tenants vote against large scale voluntary stock transfers; and if he will make a statement. [64391]

Mr. McNulty: The Government have substantially increased the resources provided to local authorities for housing investment to support delivery of the commitment on decent social housing. Where an authority is unable to fund the works necessary to bring its housing up to a decent standard by 2010 from its own resources and those provided through the Major Repairs Allowance and the Housing Investment Programme, there are three options for additional funding:

transfer the housing to a housing association which can access private finance;

qualify for additional funding by establishing a high performing arms length management organisation;

acquire additional resources through the Private Finance Initiative.

The planned ending of direct control of local authority borrowing will also allow increased investment where an authority can meet the additional borrowing costs.

It is for local authorities to decide with their tenants which investment option to pursue and we have extended the role of the Community Housing Task Force to help them with this. If stock transfer is rejected by tenants, then clearly the authority needs to consider which of the other options will enable it to deliver.

Right to Buy

Chris Grayling: To ask the Deputy Prime Minister whether housing associations retain funds raised as a result of the exercising of the right to buy. [65672]

Mr. McNulty: The right to buy can be exercised only by those few housing association tenants who are secure tenants of non-charitable housing associations. Any sale proceeds that remain after the deduction of expenses, outstanding loan debt and the recovery of any grant for the original provision of the property, may be retained and spent on purposes permitted by legislation for an association registered with the Housing Corporation.

Former local authority tenants of housing stock that has been transferred to registered social landlords retain a Preserved Right to Buy. The transfer arrangements will normally contain a sharing agreement aimed at giving the local authority a share of sales receipts.

Tenants of registered social landlord properties built or acquired with public funds since 1 April 1997 have a right to acquire their rented home under the Housing Act 1996. The Housing Corporation provides the registered social landlord with a grant to cover the discount offered to the tenant for right to acquire sales and the landlord retains all proceeds of such disposals. The legislation requires the proceeds to be placed in a separate fund—the Disposal Proceeds Fund—and the Housing Corporation directs the registered social landlord to use the proceeds to provide replacement housing for rent.

Equity Release Schemes

Mr. Martlew: To ask the Deputy Prime Minister what plans he has to promote equity release schemes to assist with disrepair in the owner-occupied housing sector. [65720]

Mr. McNulty: The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 was approved by Parliament on 28 May and will come into force very shortly. It will allow local authorities to develop equity release schemes for housing renewal. This Order contains a new power enabling local authorities to provide assistance to owner-occupiers for the repair, improvement or adaptation of their properties. Such assistance can be provided in a variety of ways including grants, loans or equity release schemes. It replaces the powers contained in the Housing Grants, Construction and Regeneration Act 1996 which allowed local authorities to make renovation grants available to homeowners.

Empty Homes

Mr. Pike: To ask the Deputy Prime Minister when he will announce the money being allocated to Burnley to tackle the problem of empty homes as part of the East Lancashire Housing Renewal pathfinder project. [65551]

Mr. Raynsford: We announced on 16 May that we were making available £25 million from the Capital Modernisation Fund to assist low demand pathfinder projects in vital preparatory work, in equal shares of £2.66 million (£1 million will be retained centrally for collective monitoring and evaluation). That funding will, importantly, not be distributed to individual local authorities but to the pathfinder project as a whole. We are considering the case for further investment to tackle low demand, over and above that which local authorities and others already devote to tackling the problem, in the spending review.

Fire Brigades Union

Mr. Pickles: To ask the Deputy Prime Minister when he last met representatives from the Fire Brigades Union; what was discussed; and if he will make a statement. [65994]

Mr. Raynsford: Responsibility for the Fire Service transferred to the Office of the Deputy Prime Minister on 29 May 2002. The Deputy Prime Minister has not met with representatives of the Fire Brigades Union.

Refurbishment

Ms Walley: To ask the Deputy Prime Minister if he will list the refurbishment projects that *(a)* are in progress and *(b)* will start within the next six months; and what action is being taken to ensure that these will procure certified timber. [59764]

Mr. Alexander: I have been asked to reply.

My right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher) set out the Government's policy on timber procurement in his answer to my hon. Friend the Member for Elmet (Colin Burgon) on 28 July 2000, *Official Report*, column 948W.

The Ripley Building and Kirkland House are currently being refurbished by the Cabinet Office. The Cabinet Office is working closely with Balfour Beatty, the main contractor, to seek to ensure that all timber for this project, that has not yet been ordered, is procured in accordance with that policy. A full investigation into timber procurement matters on this project has been undertaken by the Cabinet Office. A report of the findings of the investigation is due to be published shortly.

As part of some wider electrical and rewiring and redecoration works under way in Admiralty House, one new hardwood timber door is being procured. This is being procured from an independently-certified sustainable source.

In May 2002 the Cabinet Office entered into a private finance initiative contract with Initial Style Conferences Ltd. (ISC) for a rolling programme of construction and refurbishment works to the Sunningdale Park estate. The terms of the contract require ISC to purchase timber or timber products which are compliant with the Government's policy on timber procurement relevant at the time. The Cabinet Office will provide the details of the timber procurement policy relevant at any particular time and work with ISC to ensure their compliance with it.

The refurbishment of the National Crises Management Centre is due to commence within the next six months. The contract specification for this will include a clause stating that all timber used in the project should be procured in accordance with the Government's policy on timber procurement current at the time. The Cabinet Office will be responsible for providing details of the policy to the contractor and will work with them to help ensure their compliance with it.

Ombudsman System

Huw Irranca-Davies: To ask the Deputy Prime Minister what plans he has to bring forward legislation to reform the ombudsman system. [63978]

Mr. Alexander: I have been asked to reply.

The Government have made clear that they intend to bring forward legislation to replace the existing arrangements with a more unified ombudsman body when parliamentary time allows.

Fire Stations

Mr. Alan Campbell: To ask the Deputy Prime Minister how many fire stations have been *(a)* opened and *(b)* closed since 1995. [65521]

Mr. Raynsford: Based on annual returns to HM Fire Service Inspectorate, the number of fire stations in each fire authority area in England and Wales at 1 January for each year from 1995 to 2002 is set out in the table. On the basis of these returns, 10 fire stations have opened and 14 closed since 1 January 1995. However, these figures do not reflect instances where the opening of a fire station is balanced by the closure of another in the same fire authority within the same calendar year.

Number of fire stations in England and Wales at 1 January 19[illegible]ary 2002

Brigade name	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
Avon	23	23	23	23	23	23	23	23
Bedfordshire	14	14	14	14	14	14	14	14
Buckinghamshire	22	22	20	20	20	20	20	20
Cambridgeshire	28	28	28	28	28	28	28	28
Cheshire	24	24	24	24	24	24	24	24
Cleveland	15	15	15	15	15	15	15	15
Cornwall	31	31	31	31	31	31	31	31
County Durham and Darlington	17	17	16	15	15	15	15	15
Cumbria	38	38	38	38	38	38	38	38
Derbyshire	31	31	31	31	31	31	31	31
Devon	58	58	58	58	58	58	58	58
Dorset	26	26	29	29	29	29	29	30
East Sussex	24	24	24	24	24	24	24	24
Essex	51	51	51	51	51	51	51	51
Gloucestershire	20	20	20	20	20	20	20	20
Greater Manchester	44	43	43	43	43	43	43	43
Hampshire	55	55	54	54	54	54	52	52
Hereford and Worcester	26	26	26	26	26	26	26	27
Hertfordshire	32	32	32	32	32	32	32	32
Humberside	31	31	31	31	31	31	31	32
Isle of Wight	10	10	10	10	10	10	10	10
Isles of Scilly	7	7	7	7	7	7	7	7
Kent	66	66	66	66	66	66	66	66
Lancashire	40	40	40	40	40	40	40	40
Leicestershire	19	20	20	20	20	20	20	20
Lincolnshire	37	37	37	37	37	37	38	38
London	113	113	113	113	113	113	112	112
Merseyside	27	27	27	27	27	26	26	26
Mid and West Wales	60	60	57	57	57	57	57	57
Norfolk	40	40	40	40	40	40	40	40
North Wales	44	44	44	44	44	44	44	44
North Yorkshire	37	37	37	37	37	37	37	37
Northamptonshire	22	22	22	22	22	22	22	22
Northumberland	19	19	19	19	19	19	19	19
Nottinghamshire	25	25	25	25	25	25	25	25
Oxfordshire	24	24	24	24	24	24	24	24
Royal Berkshire	20	20	20	20	20	20	20	20
Shropshire	23	23	23	23	23	23	23	23
Somerset	24	24	24	24	24	24	24	24
South Wales	50	50	50	50	50	50	50	50
South Yorkshire	24	24	24	24	24	24	24	24
Staffordshire	30	30	30	30	30	30	30	30
Suffolk	36	36	36	36	36	36	36	36
Surrey	24	24	24	24	24	24	24	24
Tyne and Wear	18	18	18	19	19	19	19	19
Warwickshire	20	20	20	20	20	19	19	19
West Midlands	41	41	41	41	41	41	41	41
West Sussex	28	28	28	28	28	28	28	28
West Yorkshire	50	50	50	50	50	50	50	50
Wiltshire	24	25	25	25	25	25	25	25
Total	1,612	1,613	1,609	1,609	1,609	1,607	1,605	1,608

Source:

ODPM calendar year returns

Local Authority Housing

Mr. Hopkins: To ask the Deputy Prime Minister which local authorities have undertaken full or partial transfers of their local authority housing stock in each year since 1997. [64392]

Mr. McNulty: There have been 57 full and 39 partial large scale voluntary transfers (LSVT) of local authority housing stock undertaken by 73 authorities since 1997. The table shows which authorities have undertaken full or partial LSVT since 1997.

List of all housing stock voluntary transfers which have taken place since 1997

Authority	*Date of transfer*	*No. of dwellings*
Cotswold DC[1]	28 February 1997	4,282
South Staffordshire C[1]	7 March 1997	5,273
Lichfield DC[1]	19 March 1997	4,921
South Oxfordshire DC	7 July 1997	5,018
Eden C	22 September 1997	1,510
LB Lambeth[2] Moorlands[3]	5 January 1998	515
LB Bexley	9 February 1998	4,118
LB Bexley[3,4]	9 February 1998	4,097
Congleton BC	2 March 1998	4,061
Oldham BC[2] Limehurst	9 March 1998	642
Liverpool CC[2] Windermere[3]	19 March 1998	493
LB Merton[2] Pollards Hill[3]	23 March 1998	1,018
LB Tower Hamlets[2] Poplar I[3]	23 March 1998	1,852
Kerrier DC	23 March 1998	3,732
LB Hackney[2] Kingsmead[3]	30 March 1998	951
LB Brent[2] Fortunegate/Church End[3]	30 March 1998	1,481
Basildon DC[2] Vange[3]	30 March 1998	708
West Somerset DC	30 March 1998	1,869
Stoke-on-Trent CC[2] Bentilee[3]	31 March 1998	917
Tewkesbury BC	27 April 1998	3,066
Rother DC	1 May 1998	3,058
LB Lambeth[2] Lansdowne Green[3,4]	20 July 1998	681
LB Tower Hamlets[2] Poplar II[3,4]	7 December 1998	2,431
Wirral[2] Leasowe[3]	25 January 1999	1,082
Tameside[2] West Ashton[3]	1 February 1999	901
West Devon BC	22 February 1999	1,446
South Somerset DC	1 March 1999	8,883
East Lindsey DC	1 March 1999	5,102
Liverpool CC[2] Pinehurst[3,4]	5 March 1999	646
Manchester CC[3,4]	8 March 1999	1,030
LB Hackney[2] Morningside[3,4]	15 March 1999	1,084
South Hams district council	22 March 1999	3,096
LB Hammersmith and Fulham[2] Old Oak[3]	17 March 1999	668
LB Hackney[2] Upper Clapton[3,4]	22 March 1999	1,000
Telford and Wrekin C	25 March 1999	13,081
LB Enfield[3]	29 March 1999	1,194
Worthing BC	29 March 1999	2,525
Bath and North East Somerset C	29 March 1999	9,887
Manchester CC[2] East Wythenshawe[3,4]	29 March 1999	6,667
LB Greenwich[2] Charlton Triangle[3]	29 March 1999	1,280
LB Hackney[2] Haggerston[3,4]	29 March 1999	661
Allerdale BC	31 March 1999	3,704
Allerdale BC[2] Salterbeck[3,4]	31 March 1999	727
Preston BC[2] Avenham[3]	14 June 1999	1,121
LB Lambeth[2] Central Stockwell[3,4]	5 July 1999	2,358
Birmingham CC[2] Central Areas[3]	21 June 1999	2,813
LB Islington[2] Barnsbury[3]	26 September 1999	647
LB Islington[2] Ten Estates[3,4]	26 September 1999	739
Liverpool CC[2] Speke Garston[3,4]	4 October 1999	4,382
West Lindsey DC	18 October 1999	3,929
LB Lambeth[2] St. Martins[3,4]	25 October 1999	1,033
Boston BC	29 November 1999	4,871
Tynedale DC	20 December 1999	3,564
Newcastle under Lyme BC	31 January 2000	9,887
Restormel BC	7 February 2000	3,577
Manchester CC Colshaw Farm[3,4]	14 February 2000	600
North Devon DC	21 February 2000	3,293
LB Hackney[2] Stamford Hill[3,4]	6 March 2000	1,095
LB Hackney[2] Pembury Estate[3,4]	6 March 2000	1,241
Burnley BC	8 March 2000	5,330
Manchester CC Sale Estate[3,4]	20 March 2000	1,655
Weymouth and Portland C	20 March 2000	3,105
Huntingdon DC	20 March 2000	6,650
Elmbridge BC	27 March 2000	4,894
Test Valley BC	27 March 2000	5,495
Wyre Forest DC	27 March 2000	6,056
Manchester CC Whitefield Estate[3,4]	27 March 2000	1,033
LB Tower Hamlets[2] THCH[3,4]	27 March 2000	1,551
Tameside MBC[4]	27 March 2000	8,532
Tameside MBC[4]	27 March 2000	7,934
LB Richmond	17 July 2000	7,139
Coventry CC	22 September 2000	20,125
Fylde BC	2 October 2000	1,905
Chester CC	27 November 2000	7,096
Horsham DC	11 December 2000	4,650
LB Tower Hamlets[3,4]	12 February 2001	196
East Northamptonshire DC	19 February 2001	3,495
Torbay C	19 February 2001	2,947
Staffordshire Moorlands DC	23 February 2001	3,132
Calderdale MBC	6 March 2001	12,759
Chichester DC	13 March 2001	5,321
Mendip DC	19 March 2001	4,326
West Wiltshire DC[4]	26 March 2001	3,284
West Oxfordshire DC	26 March 2001	3,643
East Staffordshire BC	26 March 2001	5,637
Manchester CC Handforth Estate[3,4]	26 March 2001	659
Sunderland CC	26 March 2001	36,356
Blackburn with Darwen BC	28 March 2001	9,886
Shrewsbury and Atcham BC	1 October 2001	5,500
Mid-Bedfordshire DC	5 November 2001	3,084
Derbyshire Dales	4 March 2002	3,287
Chelmsford BC	11 March 2002	6,902
East Hertfordshire DC	18 March 2002	2,687
East Hertfordshire DC	18 March 2002	3,237
Erewash BC	25 March 2002	5,847
Reigate and Banstead BC	25 March 2002	4,846
Total number of dwellings		386,689
Average number of dwellings		4,028
Number of authorities		73
Number of whole transfers		57
Number of partial transfers		39
Number of transfers		96
Number of transfers to repeating authorities		24

[1] These transfers were completed before Labour came into office.

[2] Transfer is an Estate Renewal Challenge Fund Scheme.

[3] Partial transfer.

[4] Transfer to repeating authority.

HEALTH

Intermediate Care Beds

Dr. Fox: To ask the Secretary of State for Health how many extra *(a)* intermediate care beds and *(b)* non-residential intermediate care places have been introduced since the publication of the National Plan. [47827]

Jacqui Smith: The results of a survey in autumn 2001 for national health service intermediate care in England indicated that good progress has been made towards meeting the NHS Plan targets.

While audited figures for 2001–02 will not be available for another eight weeks or so, we expect on the basis of last year's survey that around an additional 2,400 intermediate care beds and 6,200 non-residential intermediate care places will have been provided, compared to year 1999–2000, which was the baseline used in the NHS Plan.

Rural Awareness

Mr. Andrew Turner: To ask the Secretary of State for Health (1) when his Department will introduce measures to raise rural awareness through staff *(a)* training, *(b)* development and *(c)* secondments as part of overall rural proofing measures set out in the Countryside Agency's report Rural Proofing in 2001–02; [54418]

(2) when his Department will establish rural targets and monitoring established as part of overall rural proofing measures as set out in the Countryside Agency's report, Rural Proofing in 2001–02; [54408]

(3) when his Department will have rural proofing embedded in policy-making procedures as set out in the Countryside Agency's report, Rural Proofing in 2001–02. [54430]

Ms Blears: The Department is committed to introducing a process of rural proofing as set out in the Rural White Paper (2000). I have taken careful note of the recommendations in the report of the Countryside Agency, and will take them fully into account in further implementing rural proofing throughout the Department.

MMR Vaccine

Miss Kirkbride: To ask the Secretary of State for Health what progress has been made with plans to launch a national advertising campaign to promote the MMR vaccine. [57455]

Ms Blears: Through frequent and extensive market research studies, it is clear that parents want clear, consistent advice based upon the facts about MMR. The Government's efforts have therefore focused on ensuring both parents and health professionals have access to scientifically accurate information about the vaccine. The leaflet 'MMR—the facts' has been updated. To supplement this an information pack for parents containing factsheets, website references, a list of published research and a glossary of terms has been developed. The availability of this information pack, through NHS Direct, is being advertised in the national and regional press.

Prescription Fraud

Mr. Gibb: To ask the Secretary of State for Health how many cases of fraudulent exemption claims for prescriptions were submitted by pharmacists in *(a)* 1998, *(b)* 1999, *(c)* 2000 and *(d)* 2001. [61974]

Mr. Lammy: The responsibility for detecting fraudulent claims for prescriptions submitted by pharmacists has lain with the Prescription Pricing Authority for each of the years referred to.

The number of cases where they have detected potential fraud is detailed in the table:

	Number of referrals
1998	3
1999	2
2000	2
2001	7

In March 2002 it was decided, in order to put in place more effective arrangements, that the national health service counter fraud service should take over this area of work. This is likely to take place late in 2002.

The table represents the number of investigations carried out, where the pharmacist has received the prescription charge from the patient and then submitted the prescription for payment as exempt. The majority of these referrals were identified during samples for targeted checks on patient claims to exemptions, and may not be representative of all patient exemption claims as a whole.

Waiting Lists

Mr. Wyatt: To ask the Secretary of State for Health what action his Department is taking to reduce the waiting times of elderly patients and mental health patients on the Isle of Sheppey. [61814]

Ms Blears: The Government are committed to improving services for the elderly and mentally ill. National service frameworks have been published for both mental health services and those for older people, setting out new standards of care with targets for delivery.

I understand that Swale Primary Care Trust is currently considering options to improve waiting times for elderly and mentally infirm patients and also to improve access to mental health services.

Mr. Laws: To ask the Secretary of State for Health what his estimate is of the in-patient hospital waiting list in *(a)* March 1997, *(b)* December 2001, *(c)* March 2002, *(d)* June 2002 and *(e)* the latest date for which information is available; and if he will make a statement. [66286]

Mr. Hutton: The table shows published figures for the number of patients waiting for elective admission at national health service trusts in England at month end. Figures for April 2002 are the latest available. Data for June will be published on 9 August.

Patients waiting for elective admission: NHS Trusts, England

Month end	*Number*
March 1997	1,158,004
December 2001	1,050,221
March 2002	1,035,365
April 2002	1,046,265

Source:

Department of Health form KH07

Scrapie

Mr. Lidington: To ask the Secretary of State for Health when he expects the final results of the research being carried out for the Food Standards Agency of the Veterinary Laboratories Agency into the level of scrapie infectivity after intestine processing for sausage casings to be *(a)* completed and *(b)* published. [64113]

Ms Blears: I am advised by the Food Standards Agency that work funded to date by the agency on sheep intestines has shown that not all the tissues that are most likely to contain scrapie infectivity are removed by the casings manufacturing process. A contract to carry out work to quantify the risk reduction has not yet been awarded. Such work is likely to involve bioassay and may take some time to complete and publish.

BSE

Mr. Lidington: To ask the Secretary of State for Health (1) when he expects the European Commission's country by country assessments of the geographical bovine spongiform encephalopathy risk of small ruminants *(a)* to be sent to this Department and *(b)* to be published; [64110]

(2) what representations he has made to the European Commission about the time scale for the completion and publication of the country by country assessment of the geographical bovine spongiform encephalopathy risk of small ruminants; [64111]

Ms Blears: I am advised by the Food Standards Agency, that the agency's board endorsed a report on BSE and sheep from a core group of stakeholders at its meeting in Armagh on June 13. The report contained a recommendation that the agency should request that European Commission accelerate the provision of country by country BSE risk categorisation for small ruminants. The agency has formally registered the report with the Commission, but does not yet have information on the time scale for the completion of the risk categorisation.

Committee Mandates

Mr. Bercow: To ask the Secretary of State for Health what the mandate of the EU Advisory Committee on cancer prevention is; how many times it has met over the last 12 months; what the United Kingdom representation on it is; what the annual cost of its work is to public funds; if he will list the items currently under its consideration; if he will take steps to increase its accountability and transparency to Parliament; and if he will make a statement. [63635]

Ms Blears: The Europe Against Cancer (EAC) programme was set up under Article 129 of the Maastricht Treaty. The programme has a management committee made up of representatives from each member state. The management committee has met once in the last year. The costs to public funds were minimal, meetings last one day, the Commission pay the travel costs of nominated representatives, UK departments are required to pay subsistence and UK travel costs.

The programme is currently funding eight projects: European network of cancer registries; European prospective investigation into cancer and nutrition; European network on smoking prevention; European network on young people and tobacco; European cervical cancer screening network; European breast cancer network; education, science and quality assurance in radiotherapy and a project to evaluate the European code against cancer.

The overarching European public health action programme of which the EAC programme is one part ends on 31 December 2002. The new European public health action programme has been agreed under conciliation procedures and is expected shortly.

Together with member states, the Commission is currently conducting a review to bring existing legislation on the conduct of comitology committees into line with Council Decision 1999/468/EC, to

> "simplify the requirements for the exercise of implementing powers conferred on the Commission".

As an obligation to this decision, the Commission undertook to publish an annual report on the working of committees. The first report was deposited in the Libraries of both Houses on 26 February 2002 (Com (2001) 783 Final.

As part of the review process, the UK Government have encouraged the Commission to produce and maintain an electronic database of every comitology committee, its agendas and recent actions, to be accessible through its website.

Disease Statistics

Lynne Jones: To ask the Secretary of State for Health what his policy is on the collection of statistics on mobility and mortality rates of various conditions and diseases. [63661]

Ms Blears: The Department makes use of the following information on mortality and morbidity, in particular to support the NHS Plan, "Our Healthier Nation" and work on health inequalities.

Mortality statistics are the responsibility of the registrar general who is also director of the Office for National Statistics (ONS). The cause of every death is certified either by a doctor who attended the deceased in his last illness, or a coroner. ONS codes the diseases, injuries and external causes from the certificate and selects the underlying cause using the current revision of the international classification of diseases, published by the World Health Organisation. Since January 2001, the Tenth Revision (ICD-10) has been used. Prior to that, the Ninth Revision was in use from 1979. Mortality statistics are published by ONS in electronic and paper form and are used by the Department, other Government Departments, the national health service and academic researchers.

The Department collects and uses a wide range of data on morbidity according to the condition of interest and the context of the question to be answered

Data sources in the Department and the ONS include population surveys (such as the health survey for England, general household survey) and health services data (such as hospital episode statistics and the Royal College of General Practitioners Weekly Returns Service). Data sources include administrative sources and ad-hoc surveys according to the particular issues. Some sources have general health information and others focus on specific conditions (eg cancer registration, psychiatric morbidity survey). Further details of these and other sources are available on the Department's and ONS websites, www.doh.gov.uk/public/stats1/htm, www.nationalstatistics.org.uk/.

NHS Dentistry

Dr. Evan Harris: To ask the Secretary of State for Health how many NHS (General Dentist Services) dentists there were per 100,000 population in *(a)* England, *(b)* each NHS region and *(c)* each health authority in each year since 1997. [64536]

Mr. Hutton: The total number of general dental service (GDS) dentists per 100,000 population in *(a)* England, *(b)* each national health service region and *(c)* each health authority is shown in the table at 30 September for the years 1997 to 2001.

The total number of GDS dentists covers principals on a health authority list, their assistants and vocational dental practitioners.

General dental service: number of dentists[1] *working the GDS per 100,000 population*[2] *by health authority at 30 September 1997 to 2001*

Health authority	*1997*	*1998*	*1999*	*2000*	*2001*
England	34	35	36	36	37
Northern and Yorkshire	32	32	33	33	34
Bradford	32	32	30	30	30
Calderdale and Kirklees	32	32	32	33	34
County Durham and Darlington	25	27	28	28	28
East Riding and Hull	24	24	25	27	27
Gateshead and South Tyneside	34	36	36	36	36
Leeds	35	38	37	36	39
Newcastle and North Tyneside	34	36	37	36	37
North Cumbria	33	33	33	33	34
North Yorkshire	36	37	38	39	40
Northumberland	32	33	34	33	33
Sunderland	26	27	28	31	33
Tees	34	33	35	35	37
Wakefield	28	29	28	31	34
Trent	29	29	30	31	31
Barnsley	28	28	29	28	29
Doncaster	32	30	30	34	34
Leicester	28	29	30	30	30
Lincolnshire	22	23	24	25	25
North Derbyshire	26	28	28	30	31
North Nottinghamshire	26	29	30	31	31
Nottingham	33	34	36	35	35
Rotherham	26	28	29	30	30
Sheffield	36	34	36	36	38
Southern Derbyshire	29	31	31	32	31
South Humber	24	25	26	26	26
West Midlands	29	29	30	31	31
Birmingham	31	31	32	32	32
Coventry	27	31	31	31	31
Dudley	26	27	28	29	29
Herefordshire	39	41	43	45	44
North Staffordshire	23	24	26	27	27
Sandwell	32	31	31	33	32
Shropshire	31	32	31	34	33
Solihull	26	29	30	28	33
South Staffordshire	26	28	27	29	30
Walsall	22	23	24	23	22
Warwickshire	29	29	30	33	33
Wolverhampton	28	25	27	29	30
Worcestershire	34	33	35	33	34
North West	34	35	35	34	35
Bury and Rochdale	33	32	32	30	30
East Lancashire	31	32	32	32	32
Liverpool	34	33	33	33	34
Manchester	39	42	44	39	39
Morecambe Bay	34	36	37	36	37
North Cheshire	29	27	31	31	30
North West Lancashire	35	35	37	35	37
Salford and Trafford	34	34	34	35	36
Sefton	33	35	35	35	34
South Cheshire	39	41	37	38	38
South Lancashire	28	31	31	31	31
St. Helens and Knowsley	28	32	31	31	31
Stockport	39	38	37	39	41
West Pennine	31	31	31	33	32
Wigan and Bolton	30	30	31	32	31
Wirral	41	41	42	42	42
Eastern	33	34	35	36	37
Bedfordshire	28	30	32	33	33
Cambridgeshire[3]	—	—	31	32	34
Cambridge and Huntingdon[3]	29	29	—	—	—
East Norfolk[3]	36	38	—	—	—
Hertfordshire	41	43	46	46	49
Norfolk[3]	—	—	34	34	35
North Essex	32	33	33	34	35
North West Anglia[3]	27	27	—	—	—
South Essex	30	31	32	35	35
Suffolk	31	32	34	34	34
London	41	42	42	43	43
Barking and Havering	28	29	31	32	34
Barnet, Enfield and Haringey	42	43	44	45	45
Bexley, Bromley and Greenwich	37	36	37	40	40
Brent and Harrow	41	45	41	45	47
Camden and Islington	55	55	56	59	59
Croydon	44	42	41	42	44
Ealing, Hammersmith and Hounslow	50	53	54	50	51
East London and The City	31	32	31	30	32
Hillingdon	36	38	39	41	41
Kensington, Chelsea and Westminster	57	56	54	53	50
Kingston and Richmond	45	45	46	45	46
Lambeth, Southwark and Lewisham	37	39	35	36	36
Merton, Sutton and Wandsworth	42	43	45	44	47
Redbridge and Waltham Forest	36	36	40	42	41
South East	36	37	38	38	39
Berkshire	35	35	37	39	39
Buckinghamshire	39	38	41	39	42
East Kent	31	33	34	34	34
East Surrey	45	45	43	46	46
East Sussex, Brighton and Hove	40	40	41	42	43
Isle of Wight, Portsmouth and SE Hampshire	30	32	34	33	35
North and Mid Hampshire	33	33	35	36	37
Northamptonshire	26	27	28	27	27
Oxfordshire	33	36	37	40	41
Southampton and South West Hampshire	34	37	36	37	36
West Kent	39	37	38	37	37
West Surrey	42	44	44	45	47
West Sussex	40	42	43	44	46
South and West	36	37	38	39	40
Avon	40	41	43	42	43
Cornwall and Isles of Scilly	31	33	34	35	36
Dorset	35	38	39	39	40
Gloucestershire	37	39	39	39	40
North and East Devon	37	38	40	40	42
Somerset	33	33	33	36	35
South and West Devon	37	36	39	42	43
Wiltshire	32	34	36	36	35

[1] Dentists are principals on a HA list, assistants and vocational dental practitioners.

[2] ONS 1997 to 2000 mid year population estimates based on the 1991 census. ONS 2001 mid year population estimates are not yet available, mid year 2000 population estimates are used to calculate the number of dentists working in the GDS per 100,000 population in 2001.

[3] Three HAs: Cambridge and Huntingdon, East Norfolk and North West Anglia were replaced by two HAs: Cambridge and Norfolk in April 1999.

Mr. Hancock: To ask the Secretary of State for Health (1) what action is being taken to improve access to NHS dentistry in the Portsmouth, South constituency; and if he will make a statement; [65374]

(2) how many NHS-registered dentists there were in the Portsmouth, South constituency in 2001; and if he will make a statement. [65373]

Ms Blears: Hampshire and Isle of Wight health authority has advised me that there are plans to develop a school of dental hygiene and therapy within Portsmouth university. Proposals to use this facility as a dental access centre are under consideration.

Information on the number of national health service dentists in the former Isle of Wight, Portsmouth and south-east Hampshire health authority area is shown in the table. Information is not available by constituency.

Number of dentists working in the NHS in the Isle of Wight, Portsmouth and south-east Hampshire health authority at 30 September 2001

	Number
GDS dentists[1]	238
Salaried service of GDS	0
PDS dentists only[2]	11
Salaried community dentists[3]	30
Hospital salaried dentists[3]	30
Total	305

[1] The general dental service (GDS) includes principals on a health authority list, assistants and vocational dental practitioners.

[2] The personal dental service (PDS) covers dentists working in the PDS who are not working in the GDS.

[3] Figures are rounded to the nearest 10.

Notes:

1. The number of NHS dentists includes GDS dentists, dentists working in the salaried services of the GDS, hospital and community dentists and PDS dentists.
2. The figures are on a headcount basis rather than whole time equivalent (wte) and take no account of part-time working.
3. Dentists working in more than one dental service are included in each service apart from dentists working in both PDS and GDS who are counted in the GDS only.
4. Dentists working solely in private dentistry are not covered in these figures.

Doctors (Specialist Posts)

Alistair Burt: To ask the Secretary of State for Health what plans he has to take steps to allow doctors to have experience gained in associate specialist posts taken into account in their progression to consultancy level; and if he will make a statement. [64613]

Mr. Hutton: We have consulted on proposals to amend the European Specialist Qualifications Order (1995), to enable the Specialist Training Authority of the Medical Royal Colleges to take training, as well as qualifications, into account when assessing doctors for entry to the specialist register. There was strong support for our proposals from the medical profession and the amended legislation is currently being prepared. The proposed amendment is designed to facilitate entry to the specialist register for doctors working in the national health service, and may be of benefit to doctors in the non-consultant career grade posts.

We did not specifically consult on the inclusion of experience gained outside formal training posts, as criteria for entry to the specialist register, for the current amendment. However, some responses to consultation indicated that we should consider the inclusion of experience. We accept that there needs to be a proper debate about the issue and we are considering taking forward work to look at the appropriateness of including experience in the longer term. We would not introduce retrospectively approved experience as a criterion for entry to the specialist register without a full debate and consultation about the appropriateness of this with the medical profession.

Child Care

Brian Cotter: To ask the Secretary of State for Health what child care provisions or schemes are made available to NHS staff. [64932]

Mr. Hutton: A national survey of national health service child care provision, undertaken early in 2001, found that 114 NHS trusts provided nursery facilities for their staff. The NHS child care strategy aims to develop a further 150 on-site nursery schemes by 2004, and over £70 million has been made available for this. 60 new nursery schemes were funded last year and a further 30 have had funding allocated already this year. In addition, we expect all new build hospitals to include an on-site nursery in its plans.

We are expanding the NHS child care strategy to cover other forms of child care and to ensure that all staff groups are included. We have pledged additional funding for NHS child care, building up to £100 million, to do this. Many NHS trusts already provide holiday play schemes and other forms of child care support, and we want to ensure that all NHS organisations help meet their staff's child care needs. In addition, all staff will have access to an NHS child care co-ordinator by April 2003, and we are providing funding to pump-prime these posts. Over 70 child care co-ordinators are already working in the NHS, developing local child care strategies, and providing advice and support to parents working in the NHS. A number of NHS trusts also provide child care vouchers to their staff.

Brian Cotter: To ask the Secretary of State for Health how many hospitals within England provide creche facilities for their staff. [64929]

Mr. Hutton: A national survey of national health service child care provision, undertaken early in 2001, found that 114 NHS trusts provided nursery facilities for their staff. The NHS child care strategy aims to develop a further 150 on-site nursery schemes by 2004, and over £70 million has been made available for this. 60 new nursery schemes were funded last year and a further 30 have had funding allocated already this year. In addition, we expect all new build hospitals to include an on-site nursery in its plans.

Variant CJD

Mr. Hancock: To ask the Secretary of State for Health how many people in the Portsmouth, South constituency have been diagnosed with a probable variant CJD; what treatment they are receiving; and if he will make a statement. [64727]

Ms Blears: Information is not collected at constituency level. The National CJD Surveillance Unit has advised me that there have been two cases of definite or probable vCJD where patient was resident in Hampshire at death and five cases of definite/probable vCJD resident in Hampshire at onset of symptoms. Currently there are no patients diagnosed with definite/probable vCJD in the county. Information is not held centrally on the care individual patients received.

Drug Rehabilitation Programmes

Mr. Hancock: To ask the Secretary of State for Health what funding has been given to drug rehabilitation programmes in the Portsmouth, South constituency in each of the last three years; and if he will make a statement. [64590]

Ms Blears: The information requested on funding given to drug rehabilitation programmes in the Portsmouth, South constituency is not held centrally. More information on local drug rehabilitation services will be available from the Drug Treatment and Advice Service.

Orphan Drug Law

Mr. Hancock: To ask the Secretary of State for Health what the effect has been of the Orphan Drug law on *(a)* hospitals and *(b)* patients in the Portsmouth, South constituency; and if he will make a statement. [64726]

Ms Blears: No assessment has been made centrally of the effect of the European Union Orphan Drug regulations on the Portsmouth, South constituency.

The Orphan Drug regulations are vital to encourage drug companies to produce clinically tested medicines for disorders that affect a very small number of people. Without the regulations these drugs would not be available.

Cardiac Care

Mr. Burstow: To ask the Secretary of State for Health what recent assessment he has made of the impact of prescribing practice relating to statins on the risk of a second heart attack to people aged 60 years and over; and if he will make a statement. [65074]

Ms Blears: We have not made a recent assessment of the impact of statin prescribing practice on the risk of second heart attack in people aged over 60.

There is a well established evidence base drawn from several trials for the benefit of statin therapy in preventing further events in patients with established coronary heart disease (CHD). This evidence underpins the guidance on prescribing of statins contained in the national service framework (NSF) for CHD, as amended by the Chief Medical Officer's Update 29 (February 2001). It recommends that people with clinical evidence of CHD should be prescribed statins to lower their cholesterol level to below 5.0mmol/l or reduce total serum cholesterol by about 20–25 per cent., whichever would result in the lowest level. Equivalent figures for LDL cholesterol would be 3.0 mmol/l or by 30 per cent. reduction, whichever results in the lowest level.

An underlying principle of the NSF that services and treatments should be accessible to everyone on the basis of need, irrespective of age, gender, race, culture, religion, disability, sexual orientation or where people happen to live.

Health Professionals

Mr. Burstow: To ask the Secretary of State for Health how many applications there were to train as a *(a)* general practitioner, *(b)* social worker, *(c)* physiotherapist and *(d)* special therapist in (i) London and (ii) England and Wales in each of the last five years, broken down by (A) health authority and (B) region. [65060]

Mr. Hutton: This information is not held centrally.

Irradiated Goods

Mr. Greg Knight: To ask the Secretary of State for Health what assessment he has made of the safeguards in place to prevent the sale of irradiated goods in the United Kingdom; and what regular monitoring takes place in this regard. [65107]

Ms Blears: The sale of irradiated foods in England are strictly controlled by the Food (Control of Irradiation) Regulations 1990, as amended by the Food Irradiation Provision (England) Regulations 2000. Similar legislation applies in Scotland, Wales and Northern Ireland.

The enforcement of these is the responsibility of local authorities. Periodic checks are carried out to ensure that irradiated foods are not being incorrectly marketed and action taken where necessary.

For example, in a recent survey by the Food Standards Agency a number of dietary supplements were found to contain non-approved irradiated ingredients and the companies concerned were told to withdraw the affected products. A copy of the survey report has been placed in the Library.

Food Labelling

Mr. Greg Knight: To ask the Secretary of State for Health if he will introduce measures to require the labelling of all food sold for human consumption in the United Kingdom to contain clear details of genetically modified contents. [65108]

Ms Blears: The Genetically Modified and Novel Foods (Labelling) (England) Regulations 2000 require foods containing genetically modified material, such as DNA or protein, to be labelled. Equivalent provisions apply in Scotland, Wales and Northern Ireland.

Mr. Hendry: To ask the Secretary of State for Health what plans he has to require labels to identify food substances, colourings and additives which could result in hyperactive behaviour among children and young people. [63031]

Ms Blears *[holding answer 27 June 2002]:* European Union rules already require the labels of pre-packed foods to declare their ingredients, including additives such as colourings, although some exemptions do apply. Amendments currently under discussion would remove a number of these exemptions, including the 'compound ingredient rule' which exempts ingredients of ingredients making up less than 25 per cent. of the food. The Food Standards Agency is supporting plans for early discussions aimed at removing the ingredient listing exemption for alcoholic drinks. It is also pressing for an early review of the justification for the remaining exemptions, especially those which apply to additives used as processing aids or which do not have a technological function in the final food.

General Practitioners

Mr. Pickles: To ask the Secretary of State for Health when he will issue detailed guidance notes on financial support towards costs GPs incur as owner-occupiers or leaseholders of premises used to provide NHS general practice services. [65878]

Mr. Hutton: For general practitioners (GPs) who work under the national framework for general medical services (GMS), detailed guidance on funding premises is contained in the statement of fees and allowances. Guidance for GPs who work under locally agreed contracts for personal medical services is included in

"Personal Medical Services: Comprehensive Guidance". Guidance on the new flexibilities announced on 19 April 2002, will be issued soon. Further guidance will be issued in due course on any further changes to premises arrangements which may be proposed as part of the new GMS contract currently being developed by the national health service confederation and the British Medical Association.

Domiciliary Community Care

Mr. Jim Cunningham: To ask the Secretary of State for Health what the Government are doing to ensure that councils' policy on charging for domiciliary community care is in line with the national guidance by *(a)* 1 October 2002 and *(b)* 1 April 2003. [66154]

Jacqui Smith: Monitoring of the implementation of this policy is being carried out by the Department's social services inspectorate, as part of a wider in-year monitoring programme. Councils have been asked to indicate the stage of preparation reached at 31 May 2002, in implementing the policy. Results are currently being processed. We propose to repeat the monitoring in autumn 2002 and spring of 2003.

Mr. Jim Cunningham: To ask the Secretary of State for Health what measures are in place to ensure that local authorities consult users of domiciliary community care services when deciding on their charging policy. [66153]

Jacqui Smith: The guidance "Fairer Charging Policies for Home Care and other non-residential Social Services", issued in November 2001, requires councils to consult users and carers when deciding their charging policy. The guidance is issued under Section 7 of the Local Authority Social Services Act 1970 and is legally binding.

Mental Health

Mr. Heald: To ask the Secretary of State for Health, pursuant to the answer of 21 May 2002, *Official Report*, column 310W, when the next bilateral ministerial meeting between health and education to discuss child and adolescent mental health is to take place. [66846]

Jacqui Smith: I have no current date to meet ministerial colleagues at the Department for Education and Skills to discuss child and adolescent mental health. Officials in the Department regularly meet with their counterparts at the Department of Education and Skills to discuss this topic. The last time they met was Thursday 27 June.

Mr. Heald: To ask the Secretary of State for Health, pursuant to the answer of 21 May 2002, *Official Report*, column 310W, whether the training of teachers in mental health issues was discussed at the bi-lateral ministerial meeting; and if he will make a statement on the outcome of the meeting and work to be taken forward. [66845]

Jacqui Smith: At the meeting we discussed the broad issues surrounding health and education and the interface. The training of teachers in mental health issues was not discussed in specific detail.

Primary Care

Mr. Heald: To ask the Secretary of State for Health, pursuant to his answer of 20 May 2002, *Official Report*, column 159W, what research the Department has commissioned into CAMHS in primary care; and if he will place the preliminary, emerging and final results in the Library. [66841]

Jacqui Smith: A joint research study into child and adolescent mental health services (CAMHS) in primary care was commissioned from teams at the national primary care research and development centre, University of Manchester, the academic department of child and adolescent psychiatry, Imperial College, London and the department of psychiatry, University of Manchester. Their final report will be available for release shortly and I will arrange for a copy to be placed in the Library.

Lister Hospital, Stevenage

Mr. Heald: To ask the Secretary of State for Health what plans there are for capital development of the Maxilla/Facial, Orthodontic and Restorative Department at the Lister Hospital, Stevenage. [66766]

Mr. Lammy: Further work is being undertaken by East and North Hertfordshire National Health Service Trust with respect to capital development of the maxilla/facial, orthodontic and restorative department at the Lister Hospital. This will be presented to a future stakeholder meeting.

Nurses

Mr. Heald: To ask the Secretary of State for Health (1) if he plans to amend the draft Nurses' Agencies Regulations to *(a)* reduce the level of financial disclosure and *(b)* reduce the number of appraisals of nurses' overall performance; [66794]

(2) for what reasons it is necessary to conduct an agency providing nurses' services in a different office from one providing domiciliary care; [66792]

(3) when he expects to lay the Nurses' Agencies Regulations before Parliament; [66843]

(4) what account will be taken of experience in establishing the management ability of the owner or manager of a nurses' agency; [66789]

(5) what plans he has to make amendments to the draft Nurses' Agencies Regulations prior to laying them; [66793]

(6) what requirement as to health and safety audit he intends to impose on nurses' agencies in respect of patients' homes prior to commencement of care; and if he will make a statement as to how this will operate in cases of urgency; [66790]

(7) what plans he has to allow the National Care Standards Commission to have access to the premises of nurses' agencies at night. [66791]

Jacqui Smith: The Nurses Agency Regulations and National Minimum Standards are being finalised in the light of responses to the consultation exercise. We will lay the regulations before Parliament as soon as possible.

Several of the issues raised are under active consideration in response to the consultation.

Mr. Heald: To ask the Secretary of State for Health what safeguards there are for the privacy of medical records of the managers and owners of the nurses' agencies produced to the authorities for the purpose of showing fitness to run an agency. [66788]

Jacqui Smith: The National Care Standards Commission is subject to the provisions of the Data Protection Act 1998.

Chiropody

Mr. Heald: To ask the Secretary of State for Health, pursuant to his answer of 24 June 2002, *Official Report*, column 735W, on chiropody, whether the shift in policy focus referred to has led to service reductions; and if he will make a statement. [66849]

Jacqui Smith: We are not aware that the shift in policy focus from professionally-led guidance to patient-led services has led to service reductions. Shifting the balance of power has placed increasing emphasis on involving frontline staff including chiropodists and podiatrists, and consulting with users and carers to ensure services meet the needs of the local population. Primary care trusts (PCTs) are responsible for ensuring the right services are delivered to the right people at the right time.

To assist PCTs meet this increasing demand for national health service chiropody/podiatry services, we are committed to recruiting more allied health professionals (AHPs), which include chiropodists/podiatrists, through the NHS Plan target of over 6,500 extra AHPs, and as extended and stated in the "Delivery Plan", there will be 30,000 extra therapists and scientists over the September 2001 baseline by 2008.

Pershore Community Hospital

Sir Michael Spicer: To ask the Secretary of State for Health how many patients have been treated at the Minor Injuries Unit of Pershore Community Hospital in the last 12 months. [66862]

Mr. Lammy: Between May 2001 and May 2002 (latest available figures) the number of patients treated at Pershore community hospital minor injuries unit was 4,132.

Source:

South Worcestershire Primary Care Trust.

Sir Michael Spicer: To ask the Secretary of State for Health what the cost of running the Minor Injuries Unit of Pershore Community Hospital has been in the last 12 months. [66861]

Mr. Lammy: In the last financial year the running cost of the minor injuries unit at Pershore Community Hospital was £57,000.

Source:

South Worcestershire Primary Care Trust.

Sir Michael Spicer: To ask the Secretary of State for Health what steps have been taken to find substitutes for staff whose illness has caused the closure of the minor injuries unit at Pershore community hospital. [66864]

Mr. Lammy: I am advised that south Worcestershire primary care trust is actively seeking substitute nursing staff with appropriate qualifications and experience in minor injuries from the in-house nursing bank, national and local nursing agencies and an advertising campaign.

Sir Michael Spicer: To ask the Secretary of State for Health how many staff have been affected by illness resulting in the closure of the minor injuries unit at Pershore community hospital; and for how long there has been a shortage of staff resulting in its closure. [66865]

Mr. Lammy: Two staff with clinical expertise in minor injuries went on long-term sick leave at the same time. Following this the minor injuries unit was temporarily closed by South Worcestershire Primary Care Trust on 1 June 2002, on the grounds of clinical safety.

Sir Michael Spicer: To ask the Secretary of State for Health how long he estimates that the minor injuries unit of Pershore community hospital will be closed. [66863]

Mr. Lammy: I am advised that, due to staff shortages, the minor injuries unit of Pershore community hospital was closed on 1 June 2002. The unit will reopen when nursing staff with appropriate experience and qualifications in minor injuries are recruited or when the existing staff, currently on long-term sick leave, return. This temporary closure is being reviewed by the South Worcestershire Primary Care Trust on a weekly basis.

Special Envoy

Mr. Burstow: To ask the Secretary of State for Health if he will set out the targets for the Government's special envoy for the national health service. [63815]

Mr. Hutton *[holding answer 24 June 2002]:* The remit of the Government's special envoy for the national health service is to:

promote British medicine and the opportunities for internationally trained doctors to work in the national health service;

support and promote the development of the NHS international fellowship scheme at home and abroad, including assisting in the recruitment and selection of fellows;

work closely with the Department, the NHS, medical royal colleges and other stakeholders to enable fellows to make a valuable contribution to patient care and to get the best out of their clinical practice experience in the UK.

Stem Cell Research

Mr. Prosser: To ask the Secretary of State for Health if he will publish the Government's response to the House of Lords Select Committee report of Session 2001–02 on Stem Cell Research. [67646]

Ms Blears: The Government's response to the House of Lords Select Committee report on Stem Cell Research is published today as CM 5561, and copies have been placed in Library.

TREASURY

Departmental Consultation

Keith Vaz: To ask the Chancellor of the Exchequer on how many matters his Department has consulted outside lawyers; and what the total cost is of the fees charged in the last 12 months. [65379]

Ruth Kelly: This information is not held centrally, and could be collated only at disproportionate cost.

BBC World Service

Miss McIntosh: To ask the Chancellor of the Exchequer what representations he has received as part of the spending review with regard to funding for the BBC World Service. [65752]

Mr. Boateng: I have received a number of representations in connection with the funding of the BBC World Service in the 2002 spending review.

Buildings Insurance

Mr. Bercow: To ask the Chancellor of the Exchequer what the cost of buildings insurance to his Department was *(a)* before and *(b)* after 11 September 2001. [66930]

Ruth Kelly: In the case of Inland Revenue and HM Customs and Excise, the Departments have never insured their own properties. Following the transfer of departmental properties under STEPS, the PFI contractor (Mapeley) is required to insure them as part of PFI risk transfer. The cost of insurance is subsumed within the overall facility price payable under the STEPS contract.

In the case of the Treasury, the issue of buildings insurance only arises in the case of Allington Towers, for which HMT pay insurance under the terms of their lease. The cost covering the period November 2000 to October 2001 was £14,980; for November 2001 to October 2002 it is £17,342.

Public Service

Mr. Laws: To ask the Chancellor of the Exchequer (1) how the Government are meeting their commitment to report regularly on the progress made in delivering the targets for public service improvement as set out in Cm 4011; and if he will make a statement; [66281]

(2) if he will make a statement on his Department's assessment of the success of other Departments in meeting the public service agreement targets set out in December 1998; and if he will make a statement. [66280]

Mr. Boateng: Departments publish performance against their public service agreement targets in their departmental reports and, from this year, in autumn performance reports. Annex A2 on page 67 of HM Treasury's departmental report included an overall analysis of performance against the 1998 targets.

National Insurance Contributions

Mr. Boswell: To ask the Chancellor of the Exchequer what responsibilities *(a)* his Department, *(b)* the Contributions Agency and *(c)* the Department for Work and Pensions have for ensuring collection and prompt payment by employers of national insurance contributions, including those with contracted in pension schemes; and if he will make a statement on efforts being made to ensure compliance by employers. [65798]

Dawn Primarolo: The functions of the Contributions Agency were transferred to the Inland Revenue from 6 April 1999. The Contributions Agency ceased to exist at that point and the Department for Work and Pensions no longer have any responsibility in relation to the collection of national insurance contributions.

Employers pay over national insurance contributions either monthly or quarterly to the Inland Revenue. The Board of Inland Revenue's Annual Report shows that, in the tax year 2000–01, on average 89.7 per cent. of employers paid within a week of the due date.

The Inland Revenue encourage all employers to make payment electronically via the BACS system which reduces the time taken to clear funds through the banking system.

Where payment is delayed the Inland Revenue take a series of steps to collect that payment. This will begin with a simple phone call and, if the employer still fails to pay, may result in recovery action being taken either by means of distraint or by action in the courts.

The Inland Revenue also act to ensure that all employers comply with their obligations. Employers are subject to regular inspections of their records by Inland Revenue officers. During the year 2001–02 the Inland Revenue carried out over 43,000 of these Employer Compliance Reviews and identified over £257 million of unpaid tax and national insurance contributions.

Financing for Development Conference

Dr. Tonge: To ask the Chancellor of the Exchequer how many people attended the Financing for Development conference in Monterrey in March from *(a)* his Department and *(b)* other UK Government Departments; and what the total cost of the visit was. [66222]

Clare Short: I have been asked to reply.

The Monterrey Conference was attended by eight people—including myself—from DFID and 21 people from other UK Government Departments. Not all invoices have yet been received, but the total cost of the visit will be in the region of £150,000.

OECD PISA Survey

Mr. Gibb: To ask the Chancellor of the Exchequer (1) what the conceptual difference is in the science and maths questions asked in the OECD *(a)* TIMSS and *(b)* PISA surveys; [65132]

(2) when the OECD PISA 2000 technical report will be published. [65136]

Mr. Miliband: I have been asked to reply.

The OECD report, "Knowledge and Skills for Life", published in December 2001, made the distinction as follows. The assessment materials in the Third International Mathematics and Science Study (TIMSS), which was conducted in 1995 by the International Association for the Evaluation of Educational Achievement (IEA) among students in international grades 3–4, 7–8 and the final year of secondary school, and repeated in 1999 among students in the eighth grade only, were constructed on the basis of an analysis of the intended curriculum in each participating country, so as to cover the core material common to the curriculum in the majority of participating countries. The assessment materials in PISA 2000 covered the range of skills and competencies that were, in the respective assessment domains, considered to be crucial to an individual's capacity to fully participate in, and contribute meaningfully to, a successful modern society.

We understand from OECD that the web version of the PISA technical report is likely to be available in July and the published version in August.

Heavily Indebted Poor Countries

Mr. David Stewart: To ask the Chancellor of the Exchequer if he will make a statement on the progress of the HIPC initiative; and what steps he is taking to enhance the debt management capacity of HIPC in order to meet the UN development goals. [66874]

John Healey: The UK continues to press to ensure that the HIPC (heavily indebted poor countries) initiative provides a sustainable exit from debt. Of the 42 HIPCs, 26 countries have already qualified for debt relief amounting to US$62 billion in total. We therefore welcome the recent announcement of an extra US$1 billion for this aim at the G8 summit in Kananaskis and the statement by G7 leaders on specific measures to deliver on the promise of the enhanced HIPC initiative. The leaders agreed to take action to secure the participation of all creditors, to complete the financing of the initiative and to address the issue of debt sustainability at completion point.

To enable HIPC countries to develop their expertise on debt and debt management, the Department for International Development provided £2.5 million and has committed a further £1.5 million to co-fund the HIPC Capacity Building Programme, which provides technical assistance to these countries.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Committee Mandates

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the mandate of the Advisory Committee on Agricultural Product Health and Safety is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if she will list the items currently under its consideration; if she will take steps to increase its accountability and transparency to Parliament; and if she will make a statement. [61714]

Mr. Morley: The mandate of the Advisory Committee on Agricultural Product Health and Safety is set out in Commission Decision 98/235/EC. The UK is not formally represented on the committee; members are directly appointed by the Commission, drawn from across the EU, on the basis of their socioeconomic interests.

The Commission, together with member states, is currently conducting a review to bring existing legislation on the conduct of comitology committees into line with Council Decision 1999/468/EC, to 'simplify the requirements for the exercise of implementing powers conferred on the Commission'. As an obligation to this Decision, the Commission undertook to publish an annual report on the working of committees. The first report was deposited in the Libraries of both Houses on 26 February (Com (2001) 783 Final). As part of the review process, the UK Government have encouraged the Commission to produce and maintain an electronic database of every comitology committee, its agendas and recent actions, to be available through its website.

Standstill Rule (Cumbria)

Mr. Collins: To ask the Secretary of State for Environment, Food and Rural Affairs what recent representations she has received on the 20-day standstill rule in Cumbria. [64879]

Mr. Morley *[holding answer 27 June 2002]:* Industry organisations and individual farmers have made a number of representations on the impact of the 20-day standstill both in Cumbria and elsewhere. Ministers and officials are in dialogue with industry representatives about the veterinary justification for the rule and its economic impact.

Mr. Collins: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the practical implications of the 20-day standstill order on agricultural shows in Cumbria. [64878]

Mr. Morley *[holding answer 27 June 2002]:* There is firm veterinary and scientific advice in support of a 20-day standstill, both to improve the prospect of detecting disease on infected premises before animals move off, and to slow the rate of spread of any undetected disease.

Animals moving to a show are subject to a 20-day standstill prior to their first move to a show. Animals trigger a 20-day standstill on the whole farm when they return from a show, unless they are kept in approved isolation premises for 20 days. I am aware that a number of show organisers across the country have taken steps to adjust their schedules so as to work with the standstill rules.

Mains Water

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of domestic residences in England and Wales have no connection to mains water. [62415]

Mr. Meacher: The 1996 English House Condition Survey showed that 1.1 per cent. of dwellings were not connected to a main water supply. Information from the Welsh Assembly Government is that the 1998 Welsh House Condition Survey showed that 1.3 per cent. of homes were without access to mains water.

Camels

Mr. Liddell-Grainger: To ask the Secretary of State for Environment, Food and Rural Affairs what restrictions exist on the movement of camels. [64803]

Alun Michael: Camelids are susceptible to foot and mouth disease (FMD), although less so than some other species. Based on veterinary advice, movements of camelids have therefore been subject to conditions set out in a general licence under the interim livestock movement controls. Details were set out in leaflets sent to all livestock farmers in February 2002 and placed in the Library of the House. They are also on the Department's website. They reflect discussions with organisations representing the owners of camelids.

Special arrangements apply to llama trekking, which can currently take place under a separate licence issued by the DEFRA Divisional Veterinary Manager. Again, details were discussed with the relevant organisations in March 2002 and can be found on the Department's website.

Veterinary advice has now been revised reflecting the passage of time since the end of the lambing season with no re-emergence of FMD, and it is our intention to remove all restrictions on camelid movements, including llama trekking, assuming there is no change to the current disease situation. This will require amendments to the legal instrument which sets out the animal movement controls, and the changes are expected to come into force at the end of July. Controls over camelid movements would be reimposed if a further outbreak of FMD occurred.

Fishing

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs if she will oppose proposals from the European Commission for the phased introduction of vessel monitoring by satellite to all vessels down to 10 metres; and if she will request EU financing for mandatory fitting of VMS to UK vessels. [64509]

Mr. Morley: As yet there are no firm proposals to extend satellite monitoring to all vessels over 10 metres, although this is suggested in the Commission's road map to the reform of the CFP. Satellite monitoring has applied to vessels over 24 metres since 1 January 2000 and has made a significant contribution to the effectiveness of enforcement operations across the Community. There are obvious advantages in extending satellite monitoring and we shall need to consider carefully its impact on smaller vessels. It is too early to make any commitments on the issue of funding.

Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the *(a)* quantity and *(b)* value of fish quota purchased by the Shetland Fish Producers' Organisation in 1998 to 2002 for (i) cod, (ii) haddock, (iii) monk, (iv) coley and (v) hake. [63954]

Mr. Morley: Producer organisations have been able to acquire access to quota on behalf of their members by a number of means including buying up and cancelling fishing vessel licences but retaining the track record and FQA units, taking track record and FQA units from decommissioned fishing vessels and through agreements with their members and fishermen in other organisations. It is not he practice of the fisheries departments in the UK to disclose details of such transactions whether on an individual or collective basis. Moreover, the departments do not maintain records of the value of such transactions.

Fisheries Inspectorate

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on proposals for an EU-wide fisheries inspectorate. [64505]

Mr. Morley: The Commission has said that, following a feasibility study to be undertaken in co-operation with member states, it intends to propose the establishment before mid-2004, of a joint inspection structure at Community level, which will pool national means of inspection and surveillance in relation to fisheries or other areas and manage them within a Community framework. Pooling of means will include the operation of multinational inspection teams in both Community and international waters. The Commission has also said that the establishment of a joint inspection structure will not change the distribution of responsibilities for fisheries control and enforcement between the Commission and member states, in which the member states are primarily responsible for the control and enforcement of CFP rules and the Commission is responsible for monitoring and enforcing the correct application of Community law by the member states. Effective and consistent standards of enforcement are key priorities for the UK and we shall be examining the Commission's proposals carefully to ensure that they achieve these objectives.

Bilateral Ministerial Meetings

Matthew Taylor: To ask the Secretary of State for Environment, Food and Rural Affairs when Ministers in her Department have held meetings with Ministers and officials of the Irish Government since 1 June 2000; when and where each meeting took place; which Ministers were involved in each meeting; which Irish Government Departments were involved in each meeting; and which Ministers and officials from the Irish Government attended each meeting. [63074]

Mr. Morley: DEFRA Ministers meet fairly regularly with Irish Ministers in the margins of Agriculture, Fisheries and Environment Councils and in other international meetings.

My right hon. Friend the Secretary of State met with Joe Walsh last November. He was accompanied by John Malone (Secretary General of AFRD); Bart Brady (Assistant Secretary General); Mr. Seamus Healey (Assistant Secretary General); Mr. Colm Gaynor (CVO) and Pat Lynch (Agriculture Counsellor at the Irish embassy).

In February the Minister for the Environment, my right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher), chaired a BIC (E) meeting in Edinburgh. Sue Essex, Noel Dempsey (Environment) and Joe Jacob (Public Enterprise RoI) were in attendance.

I met with Mr. Frank Fahey at DEFRA offices in December. Ammon Confrey (Private Secretary), Sarah White (Deputy Secretary General) and Cecil Beamish (Principal Official) were in attendance.

Statutory Instruments

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how many statutory instruments have been *(a)* introduced, *(b)* removed and *(c)* amended by her Department since 1 January; and what the (i) cost and (ii) saving has been in each case. [64625]

Mr. Morley: As at 1 July, DEFRA had made 70 statutory instruments since 1 January 2002. All published statutory instruments are available on the HMSO website at http://www.legislation.hmso.gov.uk/stat.htm.

Detailed information regarding costings, revocations and amendments on these instruments could be provided only at disproportionate cost, but details of regulatory impact assessments (RIAs) relating to statutory instruments can be found at the Cabinet Office website at: http://

www.cabinet-office.gov.uk/regulation/scrutiny. Copies are also placed in the Libraries of the House on the day the instrument is laid.

Herefordshire

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs for what reason Herefordshire is dealt with by the Welsh Environment Agency. [65169]

Mr. Morley: The Environment Agency is a corporate body covering England and Wales. DEFRA sponsors all of the Environment Agency's work in England and the National Assembly for Wales sponsors the Environment Agency's work in Wales.

The agency has eight regions, seven in England and one in Wales. The operational boundaries of regions are defined by the confines of river catchments. A catchment is an area of land from which the water drains into a particular river. This continues a long-standing policy that originated with the water authorities and was subsequently adopted by one of the agency's predecessor bodies, the National Rivers Authority.

Herefordshire is located in the Wye River catchment. The River Wye crosses the boundary between England and Wales, but application of the catchment principle requires that the whole river is managed by a single agency operational unit, in this case Environment Agency Wales.

This means that the whole of the Wye catchment, including a large part of Herefordshire, is managed on a day-to-day operational basis by staff working for Environment Agency Wales. However, the first and main point of contact with the agency for those living anywhere in Herefordshire is the Upper Severn Area of the agency's midlands region.

Bovine TB

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made towards the development of a bovine TB vaccine. [65685]

Mr. Morley: DEFRA's ultimate aim is to produce an effective vaccine for cattle to protect against bovine tuberculosis, and it is spending over £1.4 million a year on this. DEFRA recently announced that the sequence of the entire genoma of the organism that causes bovine tuberculosis has been determined in a collaborative project between the Veterinary Laboratories Agency (UK), the Institut Pasteur (France) and the Pathogen Genome Sequencing Unit at the Wellcome Trust Sanger Institute (UK). This breakthrough is a major step forward in the long-term search for a vaccine against bovine TB and more rapid diagnostic testing. However, the Independent Scientific Group for Cattle TB (ISG) advise that this would offer a solution only in the long term.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made towards the completion of the scientific badger culling trial; when the trial will be completed; and what preliminary results have been obtained. [66078]

Mr. Morley: Field operations associated with the badger culling trial were suspended during the foot and mouth disease (FMD) outbreak, because of the risk of the disease being carried by field operatives onto agricultural land, and because of the diversion of resources. Surveying resumed in January, with trapping under way on 1 May. The Independent Scientific Group for Cattle TB (ISG) has considered the impact of FMD on the trial and advised that the delivery of results will only be delayed by 3–4 months, to late 2004 or early 2005.

The ISG advise that it is to early for an analysis of results so far. It is a basic rule for scientific trials that results are not published prematurely. It has, however, been possible to complete a preliminary analysis of the risk factors associated with cattle TB and this is set out in the ISG's third annual report, copies of which are available in the House Library.

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the possibility of bovine TB being transferred to humans; and if she will make a statement. [66511]

Mr. Morley *[holding answer 2 July 2002]:* There are estimated to be about 40–50 cases of Mycobacterium bovis (bovine TB) in humans each year in Great Britain. Most of these cases are either contracted abroad or result from the reactivation of M. bovis acquired in the past.

Public health safeguards have been in existence for many years to minimise the risk of people being exposed to bovine TB through meat, milk or dairy products. It is possible that some cases of bovine TB may have occurred in people who have a close association with infected animals. The HSE has published guidance for farm workers on minimising the risk of infection.

Regular meetings are held between Government Departments to monitor the potential for bovine TB to infect humans through the UK food chain and other zoonotic routes.

Common Agricultural Policy

Mr. Spring: To ask the Secretary of State for Environment, Food and Rural Affairs what the Government's assessment is of the effect of its CAP reform proposals on common agricultural policy spending *(a)* for the United Kingdom and *(b)* for the European Union (i) as it stands and (ii) after the accession of the 10 candidate countries to the European Union in 2004. [66094]

Mr. Morley: The effects of CAP reform on national and European spending depends on the detail and extent of the reform. We expect the European Commission to publish proposals for reform of the CAP on 10 July. We would expect any proposals to respect the budget ceilings set out in the Financial Perspective.

Milk

Gillian Merron: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to promote awareness of the school milk subsidy scheme among primary schools in *(a)* Lincolnshire and *(b)* England. [65085]

Mr. Morley: In addition to campaigns by the dairy sector, the Rural Payments Agency regularly sends out guidance on the scheme to local education authorities.

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs if she will hold a meeting with representatives from dairy farmers and buyers regarding the price of milk. [66576]

Mr. Morley: The price that milk purchasers pay farmers for their milk is a commercial matter in which the Government cannot become involved. My right hon. Friend the Secretary of State therefore has no plans to meet representatives of dairy farmers and milk buyers specifically to discuss this issue. However, Ministers frequently meet with representatives from all parts of the dairy sector in the course of their duties, do discuss the overall market situation, and are aware of the concern caused by the current low prices. The Government have therefore actively supported measures taken in Brussels to support EU markets for milk and milk products and to encourage exports.

Countryside and Rights of Way Act

Tony Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what progress she has made in the management of access and systems to ensure that members of the public are informed of their rights and responsibilities if the Countryside and Rights of Way Act 2000 is implemented on a regional basis. [65736]

Alun Michael: Section 20 of the Countryside and Rights of Way Act 2000 requires the Countryside Agency to issue codes of conduct for the guidance of walkers and land managers about their rights and obligations on access land.

The agency is also revising the Country Code and consulting widely on its content. The agency plans to relaunch the Code, to contain guidance both to walkers and land managers about access under the Act and more generally, in the summer of 2003.

I am currently considering whether it will be possible to opt for a regional roll-out of the right of access and to manage the implementation of arrangements for informing people of their rights and responsibilities accordingly.

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the workings of the Access to the Countryside legislation, with particular reference to farm land. [66518]

Alun Michael: The Countryside Agency is consulting on draft maps of open country and registered common land on a rolling, regional, programme. Following the consultation on each draft map, the agency will then issue a provisional map, and land managers will have an opportunity to appeal to the Secretary of State if they object to the mapping of any land as open country or registered common land.

In addition to mapping, there are practical issues which must be addressed, such as managing access and ensuring that members of the public and land managers are properly informed of their rights and responsibilities. We are working closely with the Countryside Agency and other bodies to ensure that appropriate measures are put in place before the right of access is commenced in any area.

Flood Defence

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs when the last assessment of the relative risks and priorities in regard to the categorisation of watercourses in England took place; and when she intends to review this categorisation to determine responsibilities for flood defence measures based on the current assessment of the severity of the flood risk issues and their relative priority. [66189]

Mr. Morley: Watercourses in England are classed either as "main river" or "ordinary watercourses". The Environment Agency has permissive powers to undertake flood defence works on main rivers while for ordinary watercourses similar powers rest with the relevant operating authority, ie the local authority or, where one exists, the internal drainage board.

In 1999 the Government published a series of high level targets for flood and coastal defence, alongside an elaboration of the Environment Agency's general flood defence supervisory duty. Following this, work has been undertaken to identify "critical ordinary watercourses" which are those watercourses agreed between the Environment Agency and the relevant operating authority as presenting a significant flood risk. The Environment Agency has also been working with the operating authorities to ensure that these watercourses and any related flood defences are regularly inspected and their condition reported to the Environment Agency.

We recently consulted on a Review of Flood and Coastal Defence Funding including a number of options for streamlining the service. These included the possibility of transferring to the EA responsibility for watercourses presenting the most significant flood risk. We have received nearly 300 responses to the consultation, and will be considering these and our conclusions through the summer and autumn.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs which of the high level targets for flooding and coastal defence her Department *(a)* met within the stated objective date, *(b)* has met and *(c)* has still to achieve. [66555]

Mr. Morley *[holding answer 3 July 2002]:* The high level targets (HLT) published in November 1999 apply to the Environment Agency and other bodies. No targets apply to the Department for Environment, Food and Rural Affairs. The targets generally require the Environment Agency and others to report on specific issues at specific times. Unfortunately reports due in 2001 were delayed because resources had to be diverted during the serious and widespread flooding in autumn 2000 and to deal with follow-up work.

Reports covering the 2001–02 period were published on 24 May 2002 for: HLT 1 (Policy statements); HLT 2 (Provision of Flood Warnings); HLT 3 (Emergency exercises and emergency plans) and HLT 9 (Biodiversity). I expect shortly to be able to publish reports for HLT 2 (due April 2002) and HLT 5 (Flood defence inspections and assessment).

On other targets, the National Flood and Coastal Defence Database (HLT 4) is now expected to become operational by September. Coastal groups have provided partial responses under HLTs 6, 8 and 13 and we are working with them to secure fuller and timely compliance in future. Information has been forthcoming from operating authorities under HLT 7, and the Association of Drainage Authorities have issued guidance to IDBs under HLT 14, though this was delayed by factors beyond the Association's control.

The Environment Agency are still awaiting submissions for the targets 10, 11 and 12, and reports will be published in coming months. While there might be some residual delay following the impact of the autumn 2000 floods, I hope to achieve rather more timely publication in future.

Air Quality

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs whether her Department's latest modelling shows that the objectives of the 1997 National Air Quality Strategy will be achieved for each of the eight pollutants named in the strategy under current policies. [65541]

Mr. Meacher *[holding answer 1 July 2002]:* Our latest modelling suggests that, for five out of the eight named pollutants (carbon monoxide, lead, benzene, 1,3 butadiene, and sulphur dioxide), we are broadly on track to meet the objectives set out in the 1997 National Air Quality Strategy. In respect of three pollutants, however, (particles, ozone and nitrogen dioxide) there are some parts of the country which are at risk of exceeding the objectives originally proposed in the 1997 strategy.

Many of the objectives of the 1997 National Air Quality Strategy have been tightened or amended in recent years, in the light of on-going policy and scientific developments. Details of our latest objectives together with modelled forecasts for each pollutant, are set out in the January 2000 Air Quality Strategy for England, Scotland, Wales and Northern Ireland, and also in the September 2001 consultation document on proposed new air quality objectives for particles, carbon monoxide, benzene and polycyclic aromatic hydrocarbons (PAH). These documents are both available via the DEFRA website at http://www.defra.gov.uk/environment/airquality/index.htm.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what the recommended standard is for each of the eight pollutants named in the National Air Quality Strategy; and whether the standards for each pollutant were breached in *(a)* the UK and *(b)* London in the last recorded year of monitoring. [65542]

Mr. Meacher *[holding answer 1 July 2002]:* The standards for each of the eight pollutants in the Air Quality Strategy are given in Table 1a. The strategy is advised by the Expert Panel on Air Quality Standards (EPAQS), which recommends health based ambient air quality standards on which objectives will generally be based. Standards represent the concentrations of pollutants in the atmosphere which can broadly be taken to achieve a certain level of environmental quality. They are based on assessment of the effects of each pollutant on human health including the effects on sensitive subgroups. The Air Quality Strategy also incorporates objectives which are policy targets generally expressed as a maximum ambient concentration to be achieved, taking account of the costs and benefits, and the feasibility and practicability of moving towards the standards. These are given in Table 1b.

Table 1a: Air Quality Strategy standards (2000)

Pollutant	*Concentration*	*Standard measured as*
Nitrogen dioxide	200 micrograms per metre cubed[1]	1 hour mean
	40 micrograms per metre cubed[1]	Annual mean
Sulphur dioxide	266 micrograms per metre cubed[1]	15 minute mean
	350 micrograms per metre cubed	1 hour mean
	125 micrograms per metre cubed[1]	24 hour mean
Particulate matter (PM_{10})	50 micrograms per metre cubed[1]	24 hour mean
	40 micrograms per cubic metre[1]	Annual mean
Ozone	100 micrograms per cubic metre[1]	Running 8 hour mean
Carbon monoxide	11.6 milligrams per metre cubed[1]	Running 8 hour mean
Benzene	16.25 micrograms per metre cubed[1]	Running annual mean
1,3-butadiene	2.25 micrograms per metre cubed[1]	Running annual mean
Lead	0.5 micrograms per metre cubed[1]	Annual mean
	0.25 micrograms per metre cubed[1]	Annual mean

Table 1b: Air Quality Strategy objectives (2000)

Pollutant	*Concentration*	*Measured as*	*Date to be achieved by*
Nitrogen dioxide	200 micrograms per metre cubed, not to be exceeded more than 18 times per year	Hourly mean	31 December 2005
	40 micrograms per metre cubed	Annual mean	31 December 2005
Sulphur dioxide	266 micrograms per metre cubed[1], not to be exceeded more than 35 times per year	15 minute mean	31 December 2005
	125 micrograms per metre cubed, not to be exceeded more than three times per year	24 hour mean	31 December 2004
	350 micrograms per metre cubed, not to exceeded more than 24 times per year	1 hour mean	31 December 2004

Table 1b: Air Quality Strategy objectives (2000)

Pollutant	*Concentration*	*Measured as*	*Date to be achieved by*
Particulate matter (PM_{10})	50 micrograms per metre cubed[1], not to be exceeded more than 35 times per year	24 hour mean	31 December 2004
	40 micrograms per metre cubed	Annual mean	31 December 2004
Ozone[1]	100 micrograms per metre cubed[1], not to be exceeded more than 10 times per year	Running 8 hour mean	31 December 2005
Carbon monoxide	11.6 milligrams per metre cubed[1]	Running 8 hour mean	31 December 2003
Benzene	16.25 micrograms per metre cubed[1]	Running annual mean	31 December 2003
1,3-butadiene	2.25 micrograms per metre cubed[1]	Running annual mean	31 December 2003
Lead	0.5 micrograms per metre cubed	Annual mean	31 December 2004
	0.25 micrograms per metre cubed	Annual mean	31 December 2008

[1] The objective for ozone is not in regulations for the purposes of local air quality management due to the transboundary nature of this pollutant.

There are 122 automatic air quality monitoring sites in the UK national monitoring networks and of these 24 are in London. All data are reported in the National Air Quality Archive (www.airquality.co.uk). The number of sites in the UK and in London which breached each of the standards and objectives are given in Table 2.

Table 2: The number of sites in the UK and London which breached each of the standards and objectives

Pollutant	*Air Quality Strategy standards*	*Number of automatic sites exceeding Air Quality Strategy standard in 2001* *UK*[2]	*London*
Nitrogen dioxide	Hourly mean, 200 micrograms per metre cubed[1]	22	5
	Annual mean, 40 micrograms per metre cubed[1]	32 automatic and 251 non-automatic sites	18 automatic and 24 non-automatic sites
Sulphur dioxide	15 minute mean, 266 micrograms per metre cubed[1]	17	2
	1 hour mean, 350 micrograms per metre cubed	2	0
	24 hour mean, 125 micrograms per metre cubed[1]	1 automatic and 8 non-automatic sites	0 automatic and 0 non-automatic sites
Particulate matter (PM_{10})	24 hour mean, 50 micrograms per cubic metre[1]	47	12
	Annual mean, 40 micrograms per metre cubed	1	[illegible]
Ozone	Running 8 hour mean, 100 micrograms per cubic metre[1]	69	12
Carbon monoxide	Running 8 hour mean, 11.6 milligrams per metre cubed[1]	0	0
Benzene	Running annual mean, 16.25 micrograms per metre cubed[1]	0	0
1,3-butadiene	Running annual mean, 2.25 micrograms per metre cubed[1]	0	0
Lead	Annual mean, 0.5 micrograms per metre cubed[1]	0	0
	Annual mean, 0.25 micrograms per metre cubed	0	0

Pollutant	*Air Quality Strategy objectives*	*Number of automatic sites exceeding Air Quality Strategy objective in 2001* *UK*[2]	*London*
Nitrogen dioxide	Hourly mean, 200 micrograms per metre cubed not to be exceeded more than 18 time per year	4	1
	Annual mean, 40 micrograms per metre cubed not to be exceeded	32 automatic and 251 non-automatic sites	18 automatic and 24 non-automatic sites
Sulphur dioxide	15 minute mean, 266 micrograms per metre cubed not to be exceeded more than 35 times per year	1	0
	1 hour mean, 350 micrograms per metre cubed not to be exceeded more than 24 times per year	0	0
	24 hour mean, 125 micrograms per metre cubed not to be exceeded more than three times per year	1 automatic and 4 non-automatic sites	0 automatic and 0 non-automatic sites
Particulate matter (PM_{10})	24 hour mean, 50 micrograms per cubic metre not to be exceeded more than 35 times per year	6	1
	Annual mean, 40 micrograms per metre cubed not to be exceeded	1	1
Ozone	Running 8 hour mean, 100 micrograms per cubic metre not to be exceeded more than 10 times per year	36	7
Carbon monoxide	Running 8 hour mean, 11.6 milligrams per metre cubed not to be exceeded	0	0
Benzene	Running annual mean, 16.25 micrograms per metre cubed not to be exceeded	0	0
1,3-butadiene	Running annual mean, 2.25 micrograms per metre cubed not to be exceeded	0	0
Lead	Annual mean, 0.5 micrograms per metre cubed not to be exceeded	0	0
	Annual mean, 0.25 micrograms per metre cubed not to be exceeded	0	0

[1] The objective for ozone is not in regulations for the purposes of local air quality management due to the transboundary nature of this pollutant.

[2] Total number of sites in the UK exceeding the standard (ie London plus rest of UK)

Arable Farm Prices

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on recent trends in arable farm prices. [66517]

Mr. Morley *[holding answer 2 July 2002]:* The table shows price patterns for arable crops over the period May 2001 to May 2002, one month more than a year to allow comparison for the maincrop potato where the season end is May. Here follows the explanation of the price trends.

Bread making wheat prices have fallen by around 4 per cent. between May 2001 and May 2002. Domestic demand has been flat and any short term supply difficulties have been met by imports from the EU.

Feed wheat prices have declined by around 12 per cent. over the last year with the most marked fall since February 2002. Markets have come under increasing pressure from cheap Black sea eg Ukrainian supplies.

Feed barley prices have been affected by falling wheat prices and limited trade on the domestic market. Overall they have declined by 19 per cent. over the period May 2001 to May 2002.

Maincrop potato prices have declined by 20 per cent. since the start of the current maincrop season in August 2001 and by 47 per cent. compared to the end of the 2000–01 season in May 2001. The fall in prices can be attributed to supplies outstripping demand. There is a large price difference between the poorest and best quality stock.

Early potatoes are not shown on the table as at this point in 2002 there is no monthly representative data, however weekly information provides an indication. For the 2001 early season (June and July), prices were considerably higher than during 1999 and 2000 due to strong demand and poor weather restricting supplies. Early indications for 2002 suggest a likely fall in prices due to large volumes of imports. The latest provisional weekly prices (14–20 June) show the prices 98 per cent. and 30 per cent. higher than the equivalent weeks in 1999 and 2000 but 53 per cent. lower than in 2001.

£/tonne

Date	*Bread making wheat*	*Feed wheat*	*Feed barley*	*Maincrop potatoes*
May 2001	84.86	76.48	72.0[illegible]	159.12
June 2001	88.18	76.56	71.73	—
July 2001	86.05	75.19	66.96	[1]—
August 2001	88.72	75.38	65.22	105.86
September 2001	91.04	76.71	66.99	84.89
October 2001	89.87	76.27	65.69	79.01
November 2001	89.89	77.05	65.51	81.87
December 2001	89.94	76.75	67.44	84.32
January 2002	90.79	76.84	68.07	91.59
February 2002	91.23	76.23	67.02	93.47
March 2002	87.05	72.45	63.67	93.34
April 2002	84.09	68.75	59.75	89.26
May 2002	81.23	67.46	58.26	84.73

[1] Out of season

Farm Diversification

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on progress made on farm diversification. [66519]

Alun Michael: It is a Government policy priority to help farmers to consider diversifying the economic base of their businesses. This accords with views on farm diversification emerging from the Policy Commission on the Future of Farming and Food.

To help achieve this policy aim DEFRA provides grants under the Rural Enterprise Scheme, which forms part of the England Rural Development Programme. Since the scheme's launch in October 2000, over 200 diversification projects have been approved and awarded nearly £9 million in funding. The Department also offers assistance in the form of free planning consultancy advice to farmers who intend to pursue an eligible diversification project through the Rural Enterprise Scheme and we are considering how to improve the provision of help and information to farmers considering diversifying their business. Our Rural Development Service has been running successful business planning seminars in a number of the regions.

There are many types of farm business and no single approach will be appropriate. The Rural Enterprise Scheme is just one of a number of measures under the England Rural Development Programme, including agri-environment schemes, aid for conversion to organic farming, grants for processing and marketing of agricultural products, farm woodlands, energy crops and vocational training.

Curry Report

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what economic assessment she has made of the implementation of the Curry report. [66352]

Mr. Morley *[holding answer 3 July 2002]:* The Policy Commission estimated that implementing its recommendations would cost approximately £500 million over three years. However, the cost of many of the recommendations will depend upon the precise way in which they are implemented. The Government intend to produce a strategy for sustainable food and farming in England in the autumn, following a wide-ranging process of stakeholder engagement. This strategy will incorporate a definitive response to each of the Policy Commission's recommendations, although not all of these fall to, or involve expenditure by Government.

Farming Techniques

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what the Government have done to encourage farmers to adopt more wildlife-friendly farming techniques. [66645]

Mr. Morley: The Department and its agencies have a variety of mechanisms to promote more wildlife-friendly farming among farmers. The two largest instruments are the Countryside Stewardship and Environmentally Sensitive Areas schemes. These offer farmers and other land managers payments to assist them in the protection and enhancement of the rural environment.

Other measures include:

Wildlife Enhancement Agreements (administered by English Nature on Sites of Special Scientific Interest);

environmental measures attached to the Organic Farming scheme;

cross-compliance measures to ensure good environmental management of set-aside land to tackle over-grazing and inappropriate supplementary feeding of livestock;

delivery of free conservation advice to farmers, focusing especially on priority Biodiversity Action Plan species and habitats;

a biodiversity and conservation management research programme worth over £2 million a year.

Animal Welfare

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what legislation is in place to control the welfare of *(a)* livestock and *(b)* other species. [66646]

Mr. Morley: The following is a list of primary legislation in England and Wales relating to the welfare of livestock and other animals (the list excludes secondary legislation and EU directives):

Night Poaching Act 1828
Game Act 1831 (and amendments)
Night Poaching Act 1844
Hares Act 1848
Game Licences Act 1860
Poaching Prevention Act 1862
Ground Game Act 1880 (and amendments)
Protection of Animals Act 1911 (and amendments)
Performing Animals (Regulation) Act 1925
Protection of Animals Act 1934
Cinematograph Films (Animals) Act 1937
Docking and Nicking of Horses Act 1949
Pet Animals Act 1951 and amendment 1983
Cockfighting Act 1952
Dogs (Protection of Livestock) Act 1953
Protection of Animals (Anaesthetics) Act 1954
Abandonment of Animals Act 1960
Animals (Cruel Poisons) Act 1962
Animal Boarding Establishments Act 1963
Veterinary Surgeons Act 1966
Agriculture (Miscellaneous Provisions) Act 1968
Riding Establishments Acts 1964 and 1970
Conservation of Seals Act 1970
Animals Act 1971
Breeding of Dogs Acts 1973 and 1991
Guard Dogs Act 1975
Farriers (Registration) Act 1975 and amendment 1977
Agricultural (Miscellaneous Provisions) Act 1976
Dangerous Wild Animals Act 1976
Animal Health Act 1981 (and amendments)
Wildlife and Countryside Act 1981 (and amendments)
Zoo Licensing Act 1981
Animal Health and Welfare Act 1984
Animals (Scientific Procedures) Act 1986
Protection Against Cruel Tethering Act 1988
Deer Act 1991
Protection of Badgers Act 1992
Wild Mammals (Protection) Act 1996
Breeding and Sale of Dogs (Welfare) Act 1999.

Livestock Movements

Mr. Pickthall: To ask the Secretary of State for Environment, Food and Rural Affairs whether she intends to change the 20 day standstill rule on livestock movements in time for autumn sales. [65571]

Mr. Morley: No decision will be made until the recommendations of the Royal Society and Lessons Learned Inquiries have been published. There is firm veterinary and scientific advice in support of the present 20 day standstill as a means of helping protect against the rapid spread of any new incursion of disease. We are in discussion with industry representatives about the economic impact of the present standstill rule.

Wye Navigation Order

Jim Knight: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make an announcement about the Wye Navigation Order. [68018]

Mr. Morley: The Environment Agency has applied for an Order under the Transport and Works Act 1992 making it the navigation authority for the River Wye. A public inquiry into the application was held in 1997 following which further detailed representations were made. After careful consideration the Minister responsible my noble Friend the Lord Whitty has decided to accept the Inspector's recommendation and, with the agreement of the National Assembly for Wales, make the Order. A copy of the decision letter has been placed in the Library of the House.

Departmental Communications

Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs if she will calculate *(a)* how many and *(b)* at what total cost circulars were issued by her Department in each of the last five years for which figures are available. [33381]

Mr. Morley: DEFRA was created in June 2001. Obtaining information prior to this date would incur disproportionate cost.

Records show that up to the end of the 2001 financial year the departmental publicity and publications section produced 418 circulars/information documents, 225 forms targeted at the farming community and ancillary organisations and 38 consultation papers. The total cost of this was £2,012,886 of which £831,049 covered the cost of delivery of these items by mail.

Affordable Homes

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs how many affordable homes *(a)* were built and *(b)* are estimated to be built in (i) deep rural and (ii) mixed rural areas in each year from 1996 to 2016. [58931]

Mr. McNulty: I have been asked to reply.

Available information on affordable housing units completed by social landlords since 1996–97 in local authority districts classified as either "deep" or "mixed" rural are presented in the following table.

New affordable housing units completed: England

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Deep rural authorities						
Local authority	37	16	1	18	2	n/a
Registered Social Landlords	851	2,022	1,541	1,462	1,280	1,121
Total new affordable housing units	888	2,038	1,542	1,480	1,282	n/a
Mixed Rural authorities						
Local authority	84	57	36	1	62	n/a
Registered Social Landlords	3,047	6,599	5,945	4,849	4,722	3,965
Total new affordable housing units	3,131	6,656	5,981	4,850	4,784	n/a
All Rural authorities						
Local authority	121	73	37	19	64	n/a
Registered Social Landlords	3,898	8,621	7,486	6,311	6,002	5,086
Total new affordable housing units	4,019	8,694	7,523	6,330	6,066	n/a

Notes:

Registered Social Landlord (RSL) completions represent units funded through the Housing Corporation's Approved Development Programme and/or via local authorities with Local Authority Social Housing Grant (LASHG).

Affordable housing schemes by RSLs comprise those for rent (including Tariff, and Mixed Funded schemes); temporary social housing schemes (including MiniHag, and short-life housing); and shared or outright ownership schemes (including leasehold for the elderly). RSL schemes will include "off-the-shelf" purchases from private developers, and other additions to RSL stock through acquisition and refurbishment.

Sources:

LA new-build from DTLR housing activity monthly P2 returns.

RSL provision from Housing Corporation returns.

No precise information on affordable homes constructed without public funding is available. Provisional data covering 2000–01 were collected as part of the Housing Investment Programme Statistical Appendices for the first time last year, but returns were incomplete. We have made changes to this year's return to encourage more complete reporting.

Central Government does not make long-term forecasts of affordable housing build. We expect local authorities to plan to meet the housing requirements of the whole community including those in need of affordable housing.

The Government recognise the importance of affordable housing in maintaining balanced and successful rural communities, and is doubling the size of the Housing Corporation's programme to deliver affordable housing in small rural settlements (with a population of 3,000 or less), from 800 in 2000–01 to 1,600 homes a year by 2003–04. We expect to deliver around 9,000 affordable homes annually in rural areas by 2003–04, including the 1,600 in small rural settlements.

Hazardous Freight

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* hazardous and *(b)* radioactive material has been transported through the Portsmouth, South constituency by road on a regular basis in the last year; and if she will make a statement. [66481]

Mr. Jamieson: I have been asked to reply.

Information of this nature is not held by the Department.

Illegal Waste

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what advertising campaigns *(a)* have taken place and *(b)* are planned by (i) her Department, (ii) the Environment Agency and (iii) other Government bodies in relation to tackling problems from (A) litter, (B) fly tipping, (C) abandoned vehicles and (D) other waste disposed by illegal means; how much these have cost; what assessment has been made of their effect; and if she will make a statement. [64738]

Mr. Meacher: The Department grant funds the environmental charity, Environmental Campaigns (ENCAMS), which runs the Keep Britain Tidy campaign. Last year ENCAMS ran anti-litter advertising campaigns targeted at drivers who throw litter from cars, and adolescents. The latter campaign used pop stars, soap personalities and footballers to convey the message that it is not "cool" to litter. ENCAMS also initiated a clean up campaign targeted at those who drop litter in and around football grounds using Michael Owen and other famous footballers to get the message across—so far campaigns have been launched at Liverpool and Arsenal football grounds. This year ENCAMS will be launching a campaign directed at fast food litter. This campaign will run in August in cinemas throughout the country. ENCAMS also runs a number of Keep Britain Tidy campaigns throughout the year which get local communities cleaning up their local environment.

It is primarily the responsibility of local authorities and the Environment Agency to instigate advertising campaigns in relation to fly tipping and waste disposed of by illegal means. While there is no central list of campaigns by local authorities, the Environment Agency has worked to establish the fly tipping forum which has helped to raise awareness and the profile of the issue. The forum is proposing to organise a seminar specifically relating to fly tipping and waste related crime in the future. In addition, information about fly tipping and advice on what to do in relation to a fly tipping incident can be found on the agency's website at: http://www.environment-agency.gov.uk/business/wasteman/flytip/. The agency has also produced a fly tipping leaflet which gives details of how to report fly tipping incidents.

DEFRA has not carried out any advertising campaigns in relation to abandoned vehicles, nor is any planned.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* advice and guidance has been given by her Department and *(b)* legislation is in place with relation to tackling problems from (i) litter, (ii) fly tipping, (iii) abandoned vehicles and (iv) other waste disposed by illegal means; and if she will make a statement. [64737]

Mr. Meacher: Guidance for dealing with litter is contained in the 1999 DETR Code of Practice on Litter and Refuse. This sets out reasonable and acceptable standards of cleanliness for local authorities and Duty Bodies which they can be expected to meet. Advice for the general public is published by the Tidy Britain Group in their leaflet entitled "Litter and the Law". This explains the litter laws and how the public can help to achieve a litter-free local environment.

The current legislation in place to deal with litter and refuse is contained in the Environmental Protection Act 1990. This makes Duty Bodies responsible for keeping their land clear of litter and refuse. It also gives both local authorities and citizens the right to take legal action to get areas cleaned up.

The Environment Agency, in conjunction with the fly tipping forum has put together a comprehensive pack of guidance to help various sectors of society to deal with fly tipping. This guidance is available on the Environment Agency website at: http://www.environment-agency.gov.uk/business/wasteman/flytip/.

Section 33 of the Environmental Protection Act 1990 makes it a criminal offence to dispose of waste outside the terms of a Waste Management Licence or a registered exemption from licensing. Section 59 of the same act gives the Environment Agency and local authorities the power to serve notice on the perpetrators of fly tipping, requiring them to remove the waste and pay for the clean up. Local authorities and the Environment Agency are also empowered to effect the removal of fly tipped waste and to recover the costs from those responsible.

The Department has not given any advice or guidance with relation to tackling problems from abandoned vehicles. The legislation covering abandoned vehicles is contained in the Refuse Disposal (Amenity) Act 1978, the Road Traffic Regulation Act 1984, the Removal and Disposal of Vehicles Regulations 1986 and the Removal and Disposal of Vehicles (England) (Amendment) Regulations 2002.

There is no advice given by the Department in relation to waste disposed by illegal means—other than fly tipping. The Environment Agency can also take action to revoke or amend a waste management licence, if waste is deposited outside the conditions of that licence. These provisions are detailed in the Waste Management Licensing Regulations 1994.

Waste Disposal

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment has been conducted for *(a)* her Department and *(b)* the Environment Agency on progress towards meeting the EU Incinerator Directive; and if she will make a statement. [65603]

Mr. Meacher: On 20 June 2002, I announced in a written answer, *Official Report*, column 489W, the publication by the Department of a consultation paper setting out how the Government intend to implement Directive 2000/76/EC on the incineration of waste. This followed consideration of the directive's requirements and the refinement of a regulatory impact assessment (which is included as Annexe 1 to the consultation paper). Responses to consultation are requested by 9 September, in the light of which the Department will finalise draft secondary legislation to put before the House.

In anticipation of the impending implementation of this directive, the Environment Agency has taken the following actions:

Permits for all new incinerators now incorporate the directive's emission limits. Notices varying the operational conditions for existing municipal waste incinerators were issued earlier this year requiring operators to report on plant performance against the emission standards set out in the directive.

Detailed guidance on the interpretation of the directive has been drafted in order to help agency staff to apply the directive's requirements in a consistent and transparent manner.

A technical guidance note on waste incineration techniques and their associated emissions has been drafted and placed on the agency's website.

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has had from the *(a)* European Commission, *(b)* Environment Agency, *(c)* Environmental Services Association, *(d)* waste management companies, *(e)* industry and *(f)* others on the EU Waste Incineration Directive; and if she will make a statement. [65604]

Mr. Meacher: The former Department for Environment, Transport and the Regions conducted extensive consultations with these organisations during negotiations of the draft directive on the incineration of waste. The Department announced on 20 June 2002 the publication of a consultation paper setting out how the Government intend to implement the resulting directive (2000/76/EC) and inviting, by 9 September, responses from regulators, trade associations, industry and any other organisations or individuals with an interest. At this early point in the consultation period, no response has been received.

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what discussions she had had with *(a)* the European Commission and *(b)* others regarding the Waste Acceptance Criteria; what the status of the timetable for implementation is; and if she will make a statement; [65630]

(2) what representations she has received regarding the Waste Acceptance Criteria; and if she will make a statement. [65629]

Mr. Meacher: The waste acceptance criteria have been discussed at length with the Commission and other member states at a series of regular meetings of the Landfill Sub-Committee of the Committee for the Adaption to Scientific and Technical Progress of EC Legislation on Waste held since 1999.

These negotiations have been shadowed by a consultation group comprising representatives of the Environment Agency, Government Departments, the devolved Administrations, the waste management industry and waste producers. The representations made by members of the group have formed a valuable input into the development of the UK's negotiating position on the waste acceptance criteria.

The Commission have now finalised and circulated a draft decision setting out criteria and procedures for the acceptance of waste at landfills. This will be voted on at a meeting of the Committee for the Adaption to Scientific and Technical Progress of EC Legislation on Waste in Brussels on 23 July 2002. The draft decision document requires the waste acceptance criteria to be transposed into domestic legislation by July 2004 and implemented by July 2005.

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs what research *(a)* has been conducted and *(b)* is planned for her Department on the (i) healthy, (ii) environmental and (iii) other impacts of (A) emissions from incinerators and (B) dioxins in incinerator ash; and if she will make a statement. [65605]

Mr. Meacher: Emissions: The Environment Agency is currently conducting a 'Human Health Review of Incineration and Combustion Techniques' which is looking at the health impacts of emissions and a number of combustion processes including incineration.

Dioxins in incinerator ash: The Environment Agency has conducted an investigation into the composition, destination and use of residues from the 11 Municipal Solid Waste Incinerators in England. This includes analyses of dioxin levels in the residues, and assessments as to the environmental and health risks involved. The Agency's report has now been published and copies will be placed in the Library of the House.

Planned research: With the involvement of the Department of Health and the devolved Administrations, my Department recently hosted a seminar to identify the research needs of all waste management options, including incineration.

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs who is responsible for *(a)* testing and *(b)* monitoring (i) incinerator ash and (ii) incinerator emissions; and if she will make a statement. [65606]

Mr. Meacher: Operators are responsible for testing and monitoring incinerator emissions (including incinerator ash) and demonstrating compliance with assessment criteria specified by the regulator. The Environment Agency regulates all municipal waste incinerators (MWIs) with a capacity of 1 tonne per hour or greater. Local authorities regulate MWIs with a capacity less than 1 tonne per hour.

The Environment Agency carries out independent monitoring of emissions at least once a year. The agency also checks the operator's monitoring procedures and findings using a formal audit procedure.

Food Safety

Laura Moffatt: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with the Secretary of State for Education and Skills to ensure that sufficient numbers of environmental health officers are being trained to oversee food safety. [64533]

Ms Blears: I have been asked to reply.

Food safety is the responsibility of the Food Standards Agency. I am advised by the agency that its board has expressed concern about the recruitment and retention problems being faced by local authorities. It requested officials to discuss the issues with other relevant stakeholders to look for ways to improve the situation and to help ensure continued provision of effective food law enforcement services. The matter is to be considered again in detail at the board's meeting on 11 July 2002.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to commission an audit of the uses of sheep and goat products in *(a)* food and *(b)* non-food products. [64112]

Ms Blears: I have been asked to reply.

I am advised by the Food Standards Agency that the board of the agency endorsed a report on BSE and sheep from a group of stakeholders at its meeting on 13 June in Armagh. It contained a recommendation that the agency, with other Government Departments, should commission a full audit of the uses of sheep and goat products in food and non-food products. The agency will now take forward its share of the work and approach the other Departments involved.

Foot and Mouth

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what measures have been taken since the foot and mouth epidemic to ensure that if another outbreak were to occur it could be efficiently dealt with. [66647]

Mr. Morley: DEFRA has produced an interim contingency plan for foot and mouth disease in consultation with some key stakeholders and operational partners. The interim contingency plan builds on the existing plan (which is required by EC Directive 90/423) and codifies experiences and lessons learned from the recent outbreak. However, it does not seek to pre-judge the results of the official inquiries into the last outbreak. All plans will be comprehensively reviewed as a result of any recommendations made by the official inquiries.

A programme of testing through simulation exercises is planned for the future. Stakeholders at both national and local level will be invited to be involved in the programme.

A number of restrictions on animal movements remain in place as a means of helping protect against the rapid spread of any new incursion of disease, and measures have been taken to improve standards of biosecurity in livestock markets and shows. These arrangements also will be reviewed in the light of the recommendations of the official inquiries.

Mr. Martlew: To ask the Secretary of State for Environment, Food and Rural Affairs what action she is taking to implement the NAO recommendation on the continued close environmental monitoring and inspection of foot and mouth disposal sites and the publication and reflection in her Department's contingency plans of the results. [65191]

Mr. Morley: The Department is working closely with the Environment Agency (EA) to ensure that FMD disposal sites are effectively monitored. Up until the end of March 2002, the EA managed a programme of environmental monitoring in the areas worst affected by the outbreak. DEFRA has now taken over responsibility for this interim monitoring programme and has recently issued a tender for the sampling and analysis of selected sites throughout England and Wales.

The Department also intends to commission individual site-specific risk assessments for each carcase and ash disposal site. These assessments will be made available to the EA, who will review the environmental risk and Groundwater Authorisations. Based on the results of these risk assessments, the Department will then commission a targeted monitoring programme to ensure that any potential longer-term environmental impacts are identified.

In addition to this monitoring programme, each of the mass burial sites has its own comprehensive monitoring programme with regular reporting to DEFRA and the EA. The agency also carries out audit monitoring. Watchtree has 68 monitoring boreholes, Tow Law 32, Throckmorton 28 and Widdrington six. These boreholes are at varying distances from the cells and samples are taken, in some cases at several different depths. The Environment Agency is sampling stream springs and watercourses in the vicinity of the mass burial sites. No pollution from carcase disposal has been detected to date.

The need for formal risk assessments to be undertaken prior to the burial of carcases or ash is being incorporated into departmental operational guidance.

EU Committees
(Scottish Executive Representation)

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee on the control of major accident hazards involving dangerous substances (Seveso II) is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66449]

Mr. Jamieson: I have been asked to reply.

The Committee of Competent Authorities (CCA) next meeting, which will be its eighth, will be held in Odense, Denmark, from 16 to 18 October 2002. The UK delegation will be headed by the Health and Safety Executive (HSE), and will include others, also from HSE and the Environment Agency (EA). Matters relating to Scottish representation at such meetings should be raised with the Scottish Executive.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee for the adaptation to technical and scientific progress of the Directive on the prevention and reduction of environmental pollution by asbestos is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66459]

Mr. Meacher: There are currently no plans for the EU Committee for the adaptation to technical and scientific progress of the Directive on the prevention and reduction of environmental pollution by asbestos to meet. The UK representation on this committee depends on the agenda items under discussion. Officials from the Scottish Executive and other devolved Administrations attend as necessary in accordance with their interests.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee on agricultural structures and rural development is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64899]

Alun Michael: The EU Committee on agricultural structures and rural development is next due to meet on 24 July 2002. UK representation may vary according to the agenda for each meeting and may include members of the Scottish Executive and other devolved Administrations where there are items of sufficient interest. Agendas and papers are routinely circulated to all devolved Administrations in advance of meetings and they also receive reports of matters discussed.

CABINET OFFICE

Recycling

Sue Doughty: To ask the Minister for the Cabinet Office what guidance is given to Government Departments in relation to *(a)* recycling of waste products, *(b)* purchase of materials which are recycled, and *(c)* purchases of materials from renewable sources; what plans there are to change such guidance; and if he will make a statement. [65597]

Mr. Meacher: I have been asked to reply.

The Government's policy on these issues is currently set out in the "Model Framework for Greening Government Operations", that was issued in 1998 and is on DEFRA's Greening Government website: http://defraweb/environment/greening/conserve/conserve.htm. This will be replaced by a new Framework for Sustainable Development on the Government Estate that will be rolled out during the current financial year and set targets for all key operational areas of the Government estate, including waste management and procurement.

The Greening Government website also provides guidance on recycling waste products, e.g. in the "Waste Guide—Advice for Government Departments". The procurement page on that site also contains guidance on purchasing recycled materials, e.g. Part 2 of the "Green Guide for Buyers" contains best practice advice on 'Resource Efficiency' covering the four "Rs", and there is specific guidance in Part 3 covering paper and IT equipment. URL: http://defraweb/environment/greening/greenpro/greenpro.htm There are also links to other sources of information such as the Buy Recycled Programme's Products Guide and the Waste Resources Action Programme (WRAP).

There are plans to revise the "Waste Guide". The Secretary of State has also set up a cross-Government Sustainable Procurement Group that will report to Ministers this summer on using the Government's purchasing power to promote sustainable development and encourage innovation and the supply of environmentally preferable goods and services. Their report due in July will, among other things, look at how the Government can increase its purchases of re-manufactured and recycled goods.

LORD CHANCELLOR'S DEPARTMENT

Catherine Meyer

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department when his Department will set up a meeting with hon. Members to discuss the case of Catherine Meyer. [65383]

Mr. Mike O'Brien: I have been asked to reply.

My noble Friend Baroness Amos, Foreign and Commonwealth Office Minister responsible for consular affairs, would be happy to meet with my hon. Friend to discuss this case.

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department when her Parliamentary Secretary will meet the hon. Member for Leicester, East to discuss the Catherine Meyer case. [66332]

Ms Rosie Winterton: I will meet with the hon. Member for Leicester, East if he wishes. However, the Lord Chancellor's Department has had no involvement in the case since November 1994.

Leicester County Court

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department what the staffing level is at Leicester county court; and what it was in 1990. [64832]

Ms Rosie Winterton: The Department holds records on this which are accurate, back to April 1996.

The Department employed a total of 57 employees as at 1 June 2002 at Leicester county court. As at 1 April 1996 the Department employed 68 employees.

Land Registry

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many staff were employed in the Land Registry in 1990; and how many are employed currently. [66329]

Ms Rosie Winterton: On 1 April 1990, the Land Registry employed 10,771 members of staff and on 1 April 2002 it was employing 7,998.

Contact Orders

Margaret Moran: To ask the Parliamentary Secretary, Lord Chancellor's Department how many contact orders were *(a)* granted and *(b)* refused under section 8 of the Children Act 1989 in (i) 1999, (ii) 2000 and (iii) 2001. [65721]

Ms Rosie Winterton: The figures sought are published annually in Judicial Statistics.

	1999	*2000*	*2001*
Granted	41,862	46,070	55,030
Refused	1,752	1,276	713

Contact orders include ones made for indirect contact or supervised contact, though no breakdown is available.

Regulatory Impact Unit

Dr. Cable: To ask the Parliamentary Secretary, Lord Chancellor's Department how many members of her Department have been employed in its Regulatory Impact Unit in the past five years; and if she will make a statement. [65972]

Ms Rosie Winterton: Between 1997 and March 2002, one person was employed to co-ordinate work on regulatory impact across LCD, alongside other duties. In April, this increased to two.

It is the job of departmental Regulatory Impact Units to establish and promote the principles of good regulation in their Departments. The staff in each unit work closely with the officials responsible for developing policies within their Department and the Regulatory Impact Unit within the Cabinet Office. They focus on those regulations that impact on business, charities and the voluntary sector.

Visa Applications

Mr. Simon Thomas: To ask the Parliamentary Secretary, Lord Chancellor's Department how many successful appeals for visa applications there have been from Arab countries since September 1999. [65232]

Ms Rosie Winterton: The information requested could be provided only at disproportionate cost. There are a number of different types of visa and only family visit visa appeals are recorded separately from other immigration appeals. From October 2000 (when the appeal right for such applications was reintroduced) to 31 May 2002 there were 93 successful family visit visa appeals from the nationals of member states of the Arab League. The breakdown by country is as follows:

Algeria—23
Djibouti—1
Egypt—9
Iraq—8
Jordan—1
Lebanon—0
Libya—4
Mauritania—7
Morocco—6
Oman—0
Somalia—5
Sudan—9
Syria—2
Tunisia—5
Yemen—13.

No appeals were received from nationals of Bahrain, Comoros, Kuwait, Qatar. Saudi Arabia or the United Arab Emirates.

Solicitors

Dr. Cable: To ask the Parliamentary Secretary, Lord Chancellor's Department what support she is providing to the Law Society to facilitate the prompt reform of those solicitors practice rules identified as anti-competitive by the Director General of Fair Trading; and if she will make a statement. [66476]

Ms Rosie Winterton: Reform of the solicitors practice rules and removal of anti-competitive restrictions therein are matters for the Law Society to take forward. Where there are restrictions in legislation relating to the regulation of solicitors, they fall to Government to consider. As has already been announced, the Government are planning to consult before the summer break on those issues which fall to it arising from the DGFT's report.

Dr. Cable: To ask the Parliamentary Secretary, Lord Chancellor's Department what discussions her Department has had with the Law Society in the past 12 months on employed solicitors advising the public, fee-sharing and referral fees; and if she will make a statement. [66474]

Ms Rosie Winterton: Officials from both the Lord Chancellor's Department and from the Department of Trade and Industry have separately held meetings with the Law Society. The DTI has discussed competition issues generally. The LCD has discussed progress relating to those matters highlighted in the Director General of Fair Trading's report, "Competition in Professions". The issue of employed solicitors advising the public is one of the matters to be considered in the Government's consultation paper planned for release before the summer break.

Written Answers to Questions

Friday 5 July 2002

TRANSPORT

Paddington Survivors Group

Mrs. May: To ask the Secretary of State for Transport, Local Government and the Regions if he will place in the Library a copy of the note of his meeting with the Paddington Survivors Group on 12 September 2001. [59820]

Mr. Andrew Turner: To ask the Secretary of State for Transport if he will place in the Library a copy of the official note of his meeting on 12 September 2001 with the Paddington Survivors Group what matters were discussed at the meeting; and if he will make a statement. [60541]

Mr. Darling: I have been asked to reply.

My predecessor met the Paddington Survivors Group on 12 September and 24 October 2001. I met the Group on 13 June 2002. It is not the normal practice to place notes of Ministerial meetings in the Library. I agreed with the Group when we met in June that I would not publish minutes of our meeting.

TRADE AND INDUSTRY

Arms Exports

Mr. Laurence Robertson: To ask the Secretary of state for Trade and Industry what vetting procedures she employs to consider the suitability for export of *(a)*defensive and *(b)* offensive weapons; and if she will make a statement. [64219]

Nigel Griffiths *[holding answer 24 June 2002]:* The Government rigorously assesses export licence application to determine the risk of the proposed export being misused in contravention of the consolidated EU and national arms export licensing criteria. I refer the hon Member to the reply from my right hon. Friend, the Member for Neath, the Minister of State, Foreign and Commonwealth Office, to my hon. Friend, the Member for Crawley on 26 October 2000, *Official Report*, columns 199-203W.

The Government have taken a number of steps to strengthen the process of risk assessment at the licensing stage and continue to consider ways of further improving procedures in this area.

Massey Ferguson

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what impact studies *(a)* have been and *(b)* will be undertaken by the Government on the effect of the closure of Massey Ferguson on dependent companies in Coventry; and what measures the Government have taken to encourage new manufacturing companies in (i) Coventry and (ii) the West Midlands. [65661]

Ms Hewitt *[holding answer 3 July 2002]:* Work is now underway to consider the impact of the Massey Ferguson reduction on its supplier chain. This will be conducted under the management of the "Massey Ferguson Regional Support Team", which was set up on Friday 28 June 2002. It will be chaired by Councillor Nick Nolan, Leader of Coventry City Council and members include AGCO managers, Advantage West Midlands (the Regional Development Agency), the Local Authorities, Coventry and Warwickshire Chamber or Commerce, Warwick Manufacturing Centre, Coventry, Solihull and Warwickshire Partnership, Jobcentre Plus (formerly the Employment Service), Trade Unions represented at the plant, local Members of Parliament, and the DTI through the Government Office for the West Midlands.

The Government have a number of measures to support and help new businesses—including new manufacturing companies—such as Regional Selective Assistance Enterprise Grants and SMART Grants which are administered by Advantage West Midlands or the Small Business Service. In addition, the "Accelerate" scheme has helped numerous manufacturers in the motor vehicle sector, and the recommendations of the Rover Task Force has enabled funding from the UK Government and European Structural Funds to be focussed on the diversification and modernisation of West Midlands manufacturing companies.

Manufacturing matters to the Government. A National Manufacturing Summit took place in Birmingham on 5 December 2001, with a specific West Midlands follow-up event on 7 March 2002. These have helped to initiate the Government's Manufacturing Strategy, which was published in April 2002. Additionally, the Manufacturing Advisory Service, administered by the Small Business Service, will be officially launched on 8 July 2002.

Employment Relations Act

Mr. Lloyd: To ask the Secretary of State for Trade and Industry if she will make a statement on the powers he has under section 23 of the Employment Relations Act 1999; and on which occasions she has used them and under which circumstances, with special reference to when she would use them in future. [66080]

Ms Hewitt *[holding answer 3 July 2002]:* The power in Section 23 of the Employment Relations Act 1999 enables the Government to confer statutory employment rights under or by virtue of specified primary legislation. Before deciding whether and how to use this power, we are undertaking a review of employment status issues in relation to statutory employment rights and intend to publish a discussion document before the end of July.

INTERNATIONAL DEVELOPMENT

World Bank Loans

Mrs. Spelman: To ask the Secretary of State for International Development if she will make a statement on the proportion of World Bank loans to be converted to grants; and what the criteria are for deciding which World Bank loans are to be converted into grants. [66186]

Clare Short: Negotiations have recently concluded on the 13th Relenishment of the International Development Association (IDA), the concessional finance arm of the World Bank. 18–21 per cent. of overall IDA-13 resources, projected to be around $23 billion, will be provided in the form of grants. During the last IDA replenishment (IDA-12), less than 5 per cent. of resources were available as grants.

The British Government has worked hard to ensure that these grants will be targeted on those countries who will benefit from them most. The categories against which grants will be allocable are in the table below.

Categories for grants in IDA-13

Per cent.

Category	*Detail*	*Proportion of IDA-13*
Debt-vulnerable countries	Up to 40% grants for IDA-only countries with per capita income of less than $360 p.a. with debt vulnerability problems	8
Other very poor countries	Up to 23% grants for other IDA-only countries with per capita income of less than $360 p.a.	3.5
Post-conflict countries	Up to 40% grants for all IDA post-conflict countries for the first three years	1.5–4
Natural disaster assistance	100% grants for reconstruction efforts for all IDA countries facing exceptional natural disasters	1
HIV/AIDS programmes for IDA only countries	100% grants for HIV/AIDS programmes	4
for IDA/IBRD blend countries	25% grants for HIV/AIDS programmes	0.5
Total		18–21

Notes:

'IDA-only' countries refers to countries who can only access World Bank loans through IDA. *'IDA/IBRD blend'* countries refers to countries who can access a combination of IDA concessional loans and IBRD non-concessional loans.

Workers' Group Development Scheme

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 on the Workers' Group Development Scheme. [67516]

Clare Short: The information is in the following table:

DFID Workers Group Development Scheme funding 1998–2001

Title	*Country*	*Agency*	*Budget (£s)*
1998–99			
Organisational development programme	Philippines	Christian Aid	23,624
Technical support project	Peru	ITDG	24,135
Developing an equal opportunities strategy	Namibia	TUC	1,587
Farmworkers' literacy and legal rights campaign	Bangladesh	War on Want	20,939
1999–2000			
Negotiating skills for women	Africa regional	TUC	24,995
Training on asbestos related disease	South Africa	TUC	22,378
Health and safety education	Non-specific	TUC	20,054
Implementation of core labour standards	Uganda	CTUC	19,250
2000–01			
Negotiating skills for women	Africa regional	TUC	24,995
Training on asbestos related disease	South Africa	TUC	22,378
Health and safety education	Non-specific	TUC	20,054
Implementation of core labour standards	Uganda	CTUC	19,250

The Civil Society Challenge Fund opened in October 1999 and provided new funding opportunities for trades union organisations. The Workers Group Development Scheme was therefore closed for new applications from 1 April 2000. All projects funded by the WGDS have now ended.

Regulatory Impact Unit

Dr. Cable: To ask the Secretary of State for International Development how many members of her Department have been employed in its regulatory impact unit in the past five years; and if she will make a statement. [65970]

Clare Short: The Department for International Development is not involved in regulatory activity, and does not therefore have a regulatory impact unit. The Department does, however, systematically seek to assess the impact of its policies and programmes on the reduction of poverty in developing countries.

Departmental Waste

Sue Doughty: To ask the Secretary of State for International Development what proportion of waste produced in her Department was *(a)* recycled, *(b)* composted and *(c)* re-used, broken down into (i) paper, (ii) plastics, (iii) aluminium cans and (iv) other, in each year since 1997; what plans there are to increase the proportions; and if she will make a statement. [65695]

Clare Short: Figures prior to 2000 are not available, as precise volumes were not being measured. Some measuring systems were initiated in 2000 but were not sufficiently comprehensive to enable proportions to be quoted in the format requested.

In April 2000, recording of paper sent for recycling commenced at our main London office and averaged 300kg/wk in the initial months. This increased by 30 per cent following an office awareness-raising campaign in September 2000. Other recycling streams initiated during 2000 included plastic cups, aluminium cans, glass, newspaper, toner cartridges and used fluorescent tubes. Since December 2001, our main London office has been using a Government-approved waste contractor (John W Hannay) who collect all mixed office waste daily and sort it on receipt into 12 recycling streams. They state that they recycle over 90 per cent and send under ten per cent to landfill. This system also obviates the need for time-consuming sorting and recording of individual waste streams at source. We are currently exploring the possibility of extending this system to our other main office in East Kilbride, and will also be conducting environmental audits of our overseas offices with a view to expanding recycling, composting and re-use where local circumstances permit.

When we relocated to a new London office towards the end of 2001; eight giant walk-in skips were filled with waste paper for recycling. Obsolete computer equipment was sent to the charity Computer Aid for reuse (including in developing countries) and surplus obsolete office furniture was donated to local schools and other charities. For the final office clearance we used a Government-approved company (Azcom, via a call-down contract with the Disposal Sales Agency) who reuse and recycle as much cleared material as possible as an alternative to landfill.

DFID is wholly committed to the Green agenda and targets, and is in the process of finalising an Environmental Management System covering all aspects of operational activities. Improved recording and monitoring procedures will form an integral part of that system when it is up and running.

Sexual and Reproductive Health

Mrs. Spelman: To ask the Secretary of State for International Development which NGOs her Department has supported to promote sexual and reproductive health in developing countries in each of the last five years; and how much money each organisation has received. [66182]

Clare Short: My Department (headquarters and overseas offices) funds many sexual and reproductive health NGOs in the UK, US and across the developing world. Information on this is not held centrally and to collate it would incur disproportionate costs. DFID expenditure through UK NGOs (including sexual and reproductive health NGOs) is listed in Statistics on International Development (table 14). A copy is available in the Library of the House.

Poverty Analysis

Mr. Bercow: To ask the Secretary of State for International Development what financial contribution her Department has made as part of its work with the World Bank, the UN Development Programme and the European Commission on a joint analysis of the linkages between environment and poverty. [67490]

Clare Short: My Department has contributed to a joint paper with the World Bank, the United Nations Development Programme and the European Commission on the linkages between poverty reduction and environmental management. We made no financial contribution as part of this work and no new research or analysis was commissioned. Publishing and editing costs were covered by the World Bank. Our contribution was in staff time.

UN Taskforce

Mr. Bercow: To ask the Secretary of State for International Development how many staff in her Department are working with the United Nations Information and Communications Technologies Task Force. [67004]

Clare Short: The Department is represented on the Task Force by its Director-General, Resources, who calls on appropriate specialist support as necessary.

Mr. Bercow: To ask the Secretary of State for International Development what financial support her Department is giving in 2002-03 to the United Nations Information and Communications Technologies Task Force. [67003]

Clare Short: The Department devotes human resources to attending and supporting Task Force meetings. No direct financial support is provided.

Tanzania

Mrs. Humble: To ask the Secretary of State for International Development if she will make a statement on her recent visit to Tanzania. [68176]

Clare Short: I visited Dodoma on 2–3 July for discussions with President Mkapa and Government Ministers about the UK's development partnership with Tanzania. I was warmly received, and had some open and constructive discussions with the Government of Tanzania about their impressive progress on social and economic reform, as well as about the government's response to the International Civil Aviation Organisation's (ICAO) report on the air traffic control system. Given that the contract with BAE Systems is legally binding, President Mkapa is inviting ICAO and BAE Systems to visit Tanzania to help advise his government on the best and most effective way of using the system. President Mkapa also made clear that there would be no second phase of the project. The President and Finance Minister outlined measures the government had put in place to ensure proper scrutiny and transparency of contracts to avoid any similar problems in the future. Improved systems and legislation, which DFID has helped to support, are now in place for public expenditure management and procurement.

In view of these assurances and the measures taken by the government of Tanzania, and given the impressive achievements Tanzania has made in economic growth and social reform, I agreed to establish a six year partnership based on mutual commitments to drive forward Tanzania's poverty reduction and economic reform efforts. The Memorandum of Understanding will provide a commitment to at least £45 million per annum of support to the Tanzanian budget, the first year of which will be disbursed between 1 July 2002 and 30 June 2003. In the current financial year we expect to spend a total of £80 million through our bilateral development programme.

EDUCATION AND SKILLS

Pets In Schools

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what her policy is on the *(a)* keeping of pets in schools and *(b)* development of school farms; how those activities are compatible with her Department's guidelines on health and safety; and if she will make a statement. [67198]

Mr. Stephen Twigg: Keeping pets in schools and encountering farming activities can be useful educational experiences for pupils. The Department has issued guidelines on health and safety in science education, and also endorsed guidance from educational organisations, covering good keeping and handling of living organisms in schools. The Growing Schools initiative, launched last September, and supported by £500,000 funding, includes the development of school grounds for growing, for example, food "crops", and may also support farm units which contain animals.

HEALTH

Vaccines

Norman Baker: To ask the Secretary of State for Health what rules apply to the use of animal material in the production of vaccines. [56021]

Ms Blears *[holding answer 14 May 2002]:* There have been guidelines for the pharmaceutical industry to follow on the use of certain animal materials in the production of vaccines and other medicines since 1989. The latest version of the guidelines was drawn up by the European scientific committee, the committee for proprietary medicinal products (CPMP), and adopted in May 2001. The latest version of the guidelines became legally binding from 1 July 2000 for new applications for a licence for a medicinal product and from 1 March 2001 for products that were already licensed.

The scope of guidance at any one time, and its implications for pharmaceutical companies, have often been unclear. Following a thorough review of the information supplied to Parliament on bovine spongiform encephalopathy-related issues in vaccines, the Government have established that, regrettably, incorrect and misleading information was given to Ministers by the medicines control agency and thus has been given in response to a number of Parliamentary Questions. An account of the questions incorrectly answered and the correct information has now been placed in the Library and letters sent to right hon. and hon. Members who asked those questions.

We have also placed in the Library:

a copy of the Government's chief medical officer's report on the withdrawal of the oral polio vaccine;

a copy of the committee for safety of medicine's (CSM) consolidated review of transmissible spongiform encephalopathy (TSE) agents and the safety of United Kingdom authorised human medicines;

a report by the MCA that explains in detail the development of the guidance for the pharmaceutical industry to follow on the use of certain animal derived materials in the manufacture of medicines, and the approach taken by the agency to its implementation.

For all practical purposes, nothing in the reports that have been published changes the safety profile of any vaccine licensed for use in the UK. In particular, the CSM's review is reassuring in concluding that there are no TSE-related issues arising from the use of animal materials in the manufacture of UK licensed vaccines.

Children Act

Mr. Prosser: To ask the Secretary of State for Health when the Government will report on the operation of the Children Act 1989. [67829]

Jacqui Smith: We have today published a report on the operation of the Children Act 1989, pursuant to our duties under section 83 of the Act. Copies are available in the Library and Vote Office. A copy of the document can also be found at the following website address: www.doh.gov.uk/qualityprotects/index.htm and www.doh.gov.uk/scg/childrenactreport2001.htm

Pregnancies

Mr. Brady: To ask the Secretary of State for Health how many crisis pregnancy centres are funded *(a)* directly and *(b)* indirectly by his Department; and which organisations they are operated by. [66712]

Jacqui Smith: There are a number of places within the National Health Service and independent and voluntary sectors that offer advice and counselling for pregnant women. The Department does not directly fund any pregnancy advice bureaux or centres but some will have contracts with primary care trusts to provide services. The Department does not centrally collect data on these services.

Outside of the NHS, only pregnancy advice bureaux registered by the Department can refer women to an approved independent sector place for a termination of pregnancy. These bureaux are operated by the British Pregnancy Advisory Service, Marie Stopes International, Fraterdrive Limited and two individuals.

Paediatric Rheumatoid Care

Mr. McNamara: To ask the Secretary of State for Health what provision is made for paediatric rheumatoid care by hospital trusts; and how many full time consultants work in this area. [62314]

Jacqui Smith *[holding answer 25 June 2002]:* The children's national service framework, which is currently being developed, will set standards to improve the healthcare of children and young people. As with other specialities of paediatrics, access to the necessary care and arrangements for improved local delivery will be addressed by NSF hospital module. The Royal College of Paediatric and Child Health reports that there are currently 10 full time consultants who work in paediatric rheumatoid care.

Blind People

Mr. Wray: To ask the Secretary of State for Health what measures the Government have taken since 1997 to increase facilities and services for blind people; and if he will make a statement. [61147]

Jacqui Smith: A number of initiatives have begun and legislative changes taken place since 1997 that benefit people with visual impairments as well as other disabled people. Part III of the Disability Discrimination Act 1995, deals with discrimination in the provision of goods, services and facilities. Since 1999, for example, service providers have had to take reasonable steps to change practices, policies or procedures, which make it impossible, or unreasonably difficult for disabled people including those with visual impairments to use a service.

The community equipment services strategy, which was published in March 2001, calls for increases in the number of people benefiting from equipment. It highlights the importance of equipment and adaptations for visually impaired people. "Doubly Disabled", published in 1999, provided essential background and guidance for senior National Health Service managers with specific responsibility for advising on access for blind and other disabled persons to services and employment. Last month the Department issued fair access to care services, which provides guidance to councils with social services responsibilities on how they may achieve fair access to care services through reviewing and revising their eligibility criteria for all adult service users. Additionally, we have recently awarded the Royal National Institute of the Blind (RNIB) and the Guide Dogs for the Blind Association (GDBA) jointly a project grant to develop visual care standards.

Continence Products

Mr. Burstow: To ask the Secretary of State for Health what representations he has received regarding *(a)* the NHS and *(b)* social services unnecessarily charging people for continence products. [64520]

Jacqui Smith: No representations have been received on these issues.

Mental Health Services

Mr. Chaytor: To ask the Secretary of State for Health if he will list the expenditure per head of population on adult mental health services for each NHS health care trust in north-west England, together with the average per capita spent in *(a)* the north-west region and *(b)* England in each of the last three years. [62776]

Jacqui Smith *[holding answer 26 June 2002]:* Expenditure per head of population is not collected at regional or trust level, however the table below contains the expenditure per head of population for all mental health services for England:

£

Year	*Expenditure per head of population (cash terms)*
1997–98	2,891
1998–99	3,244
1999–2000	3,541

Note:

Figures for 1990–2000 are not directly comparable with earlier years due to changes in collection methods.

Podiatry and Chiropody Services

Bob Spink: To ask the Secretary of State for Health what action he proposes to take to remove regional variations in the availability of podiatry and chiropody services; and if he will make a statement. [66341]

Jacqui Smith: We acknowledge there are regional variations in National Health Service chiropody/podiatry services. NHS organisations such as primary care trusts (PCTs) have to prioritise services they provide to meet local demand including chiropody/podiatry services. The criteria used to clinically prioritise will be determined locally by PCTs.

To assist PCTs in meeting this demand, we are committed to recruiting more allied health professionals (AHPs), which include chiropodists/podiatrists, through the NHS Plan target of over 6,500 extra AHPs, and as extended and stated in the "Delivery Plan", there will be 30,000 extra therapists and scientists over the September 2001 baseline by 2008.

Bob Spink: To ask the Secretary of State for Health if he will resume the collation of statistics for chiropody and podiatry care. [66339]

Jacqui Smith: We continue to collect and publish information annually on initial contacts and first contacts by region with the chiropody services. The only change in the statistics collection was the discontinuation of all face to face contact data from 2000–01.

Bob Spink: To ask the Secretary of State for Health what assessment he has made of the extent to which chiropody and podiatry services are cost effective in preventing the need for more serious intervention. [66695]

Jacqui Smith: The national service framework programmes are wherever possible based on research evidence. Where this is not possible it is based on expert consensus of best practice. Research gaps brought to our notice from the NSF programmes are priority areas for research in the future.

Chiropody and podiatry services are known to be cost effective in preventing the need for more serious intervention. In diabetes, podiatrists have an essential role in the prevention and management of foot conditions especially in helping to prevent and treat foot ulcerations which may result in amputation. Foot care can reduce complications in people with diabetes by two thirds.[1]

The role of the podiatrist in falls prevention is acknowledged in the NSF for older people, and chiropodists and podiatrists have been involved in developing both NSFs for older people and diabetes.

[1] Audit Commission Report—Testing Times April 2000.

Care Home Beds

Mr. Wilshire: To ask the Secretary of State for Health how many care home beds have been closed in Surrey in each of the last five years. [67466]

Jacqui Smith: Information on care home bed closure is not centrally collected. Information provided in the table shows the number of registered residential and nursing care beds in Surrey from 1997 to 2001 at 31 March each year.

Table: Residential and nursing care beds from 1997 to 2001 in Surrey

At 31 March *Numbers*

Year	*Total number of care beds*	*Residential care places*[1]	*Nursing care beds*[2]
1997[3]	12,088	7,305	4,783
1998	12,681	7,538	5,143
1999	12,321	7,406	4,915
2000	12,599	7,261	5,338
2001	11,440	6,628	4,812

[1] Includes residential care beds in small homes (less than four places)

[2] Includes nursing beds in private hospitals and clinics

[3] Information on nursing beds relates to registered beds during the period 1 October 1996 to 31 March 1997

Source:

Department of Health's annual returns

Milk

Gillian Merron: To ask the Secretary of State for Health (1) what assessment he has made of the provision of subsidised break time milk for *(a)* nursery school children and *(b)* primary school children in (i) Lincolnshire and (ii) England; [65032]

(2) how many schools in *(a)* Lincolnshire and *(b)* each other county are benefiting from the EU School Milk Subsidy Scheme. [65034]

Mr. Morley: I have been asked to reply.

It is not possible to provide a breakdown of uptake between primary and nursery school children, or details of the number of schools participating in the scheme, as this information is known only to the local education authorities which make claims for subsidy to the Rural Payments Agency (RPA). On the basis of the amount of milk on which subsidy is claimed, the RPA estimate that around one in 10 eligible pupils in Lincolnshire is a beneficiary of the scheme. This compares with around one in five for England as a whole. Given the basis on which claims are made, comparable county-by-county figures could only be provided at disproportionate cost.

CABINET OFFICE

Green Minister

Sue Doughty: To ask the Minister for the Cabinet Office who his Department's green minister is; when they *(a)* have attended and *(b)* plan to attend meetings of the Green Ministers' Committee; what the outcomes of meetings were for his Department's activities; and if he will make a statement. [65986]

Mr. Alexander: The Cabinet Office's Green Minister is Douglas Alexander who was appointed to the ENV (G) Committee in June 2002. Having only recently been appointed he has yet to attend any of the Committee's meetings, but intends to do so in the future.

It is the established practice under exemption two of Part II of the Code of Practice on Access to Government Information not to disclose information relating to the proceedings of Cabinet Committees.

Ministerial Responsibilities

Mr. Tom Harris: To ask the Minister for the Cabinet Office if he will publish a revised list of ministerial responsibilities. [68177]

Mr. Alexander: The Cabinet Office has today published a revised List of Ministerial Responsibilities. Copiers have been placed in the Libraries of both House and in the Vote Office. The list is also available on the Cabinet Office website: www.cabinetoffice.gov.uk.

Female Staff

Mr. Bercow: To ask the Minister for the Cabinet Office what percentage of the staff of his Department are women; and what the percentage was in June 1997. [66918]

Mr. Alexander: Data on staffing levels is not available for June 1997 as it is only collected twice a year, as at 1 April and 1 October. We are currently in the process of collecting the data for 1 April 2002.

For current figures I would refer the hon. Member to the document on staffing that was released on 21 February 2002. For figures as at 1 April 1997 I would refer the hon. Member to Table 1D of Civil Service Statistics 1997, which was published on 29 January 1998. Copies of both the documents were placed in the Libraries of the House at the time of publication.

The Civil Service Reform programme is aiming to achieve a dramatic increase in diversity, whereby all individuals are valued and encouraged to maximise their potential. As part of this, targets have been set for 2005 to tackle under-representation in the Senior Civil Service, and departments have set targets across all grades. The Head of the Civil Service reports to the Prime Minister annually on diversity.

SOLICITOR-GENERAL

Judge-directed Acquittals

Mrs. Curtis-Thomas: To ask the Solicitor-General what action has been taken to reduce the number of *(a)* judge-ordered and *(b)* judge-directed acquittals since 1999. [60203]

The Solicitor-General: In 1999, the Crown Prosecution Service (CPS) introduced an adverse outcome analysis system. This provided CPS areas with a consistent means to identify reasons for adverse outcomes and also to allocate responsibility of any failure. This information is collated centrally.

For the last seven years, many areas of the CPS have had in place, with the police, a system of joint performance management that involves an appraisal of Crown Court acquittals, including those ordered and directed by the judge. This process has provided areas with information showing particular trends and a means by which improvements can be made.

The Crown Prosecution Service produces quarterly summaries of unsuccessful case outcomes from information drawn from its various case tracking systems. This year the CPS and the police have begun to develop a joint case outcome analysis which builds on these two processes and will focus on avoidable case failure. Under this system, the reasons for judge-ordered and judge-directed acquittals in individual cases will be jointly assessed for individual training needs and other joint strategies for performance improvement.

The process will be supported by more sophisticated management information following the introduction of the CPS' Compass Case Management System due to roll out between April and December 2003.

The figures in the following table show a fall in judge-directed acquittals from 1,777 in 1999 to 1,471 last year, a reduction of 17.2 per cent. Over the same period judge-ordered acquittals rose from 9,616 to 11,825, an increase of 23 per cent. Much of this increase can be attributed to recent changes in procedures. Since January 2001, the prosecution, unlike before, have been able to discontinue cases in the Crown Court. Although this is a prosecution decision, the current system records these as judge-ordered acquittals.

Judge-ordered and judge-directed acquittals, 1999–2002

	1999–2000		*2000–01*		*2001–02*	
		as % of completed cases		*as % of completed cases*		*as % of completed cases*
Judge-ordered acquittals	9,616	11.1	10,145	12.3	11,825	14.0
Judge-directed acquittals	1,777	2.0	1,755	2.1	1,471	1.7

Abandoned Prosecutions

Dr. Ladyman: To ask the Solicitor-General how many prosecutions were abandoned before trial in the last year for which figures are available. [64433]

The Solicitor-General: During the year ending March 2002, the Crown Prosecution Service discontinued proceedings in respect of 171,381 defendants in the magistrates courts, and 26,418 were bound over without trial. Proceedings were written off in respect of 73,084 defendants, usually because the police could not trace the defendant.

In the Crown Court, the Crown Prosecution Service decided to offer no evidence in cases involving 11,825 defendants, while a further 1,461 were bound over without trial. In addition, proceedings were written off in respect of 1,590 defendants.

Crown Prosecution Service

Mr. Jenkins: To ask the Solicitor-General what plans she has *(a)* to give the CPS a greater role in the investigatory stage of cases and *(b)* to encourage it to assess the evidence earlier. [64436]

The Solicitor-General: The reforms of the CPS since this Government came into office in 1997 mean that the CPS now works more closely with the police. But there is more to do. Since February this year, pilot studies have been conducted to assess the practicability of Lord Justice Auld's recommendation that the Crown Prosecution Service should determine the charge in all but minor, routine offences or where, because of circumstances, there is a need for a holding charge.

The pilots are due to be completed next month, but preliminary results reinforce our belief in the need to involve the CPS form the outset I cases to ensure that they are in the best state that they can be before a trial begins. We will provide details of our response to the Lord Justice Auld's recommendation when the white paper on reform of the criminal justice system is published shortly.

Crime Victims

Dr. Julian Lewis: To ask the Solicitor-General what progress has been made in granting access by the victims of crime to prosecution barristers. [64432]

The Solicitor-General: In England and Wales victims will not normally have any contact with prosecuting counsel until the case is listed for trial.

The exception to this rule is cases involving vulnerable or intimidated victims, where a meeting should take place between the Crown Prosecutor and the victim at some time prior to the trial. Prosecuting counsel should wherever possible attend that meeting.

The practice is different in Northern Ireland. There, there is no restriction on the prosecution, or on counsel, from meeting with prosecution witnesses and talking to them about their evidence. The purpose of this is to help the prosecution assess the weight of the evidence available to them.

Rape Trials

Ms Drown: To ask the Solicitor-General what steps she is taking to ensure CPS lawyers have the skills to prosecute successfully in rape trials. [64434]

The Solicitor-General: Rape cases are acknowledged to be among the most difficult to prosecute to conviction, and the expertise of prosecutors and prosecuting counsel is especially important. The recent joint inspection into the investigation and prosecution of cases involving allegations of rape found that prosecution decision-making is generally sound and handled by experienced prosecutors. But it made a number of recommendations to spread best practice across the CPS, including the need for specialist prosecutors. The CPS is currently working out how best to implement these recommendations to improve the chances that those guilty of rape will be convicted.

An inter-departmental working group expects to respond to the recommendations in the Report as a whole later this month.

Information Technology

Dr. Cable: To ask the Solicitor-General if she will make a statement on the use of IT in the Crown Prosecution Service. [64435]

The Solicitor-General: The first stage of the CPS IT modernisation programme (the Connect 42 project) was completed successfully at the end of 2001, and has provided all Crown Prosecution Service staff with computers and e-mail. This enables prosecutors and caseworkers to access the Internet for legal reference material as well as providing secure e-mail to police forces and other Government Departments.

The second stage of the modernisation programme (the Compass project) is a PFI project and was awarded to Logica, on time and budget, in December 2001. Logica, in partnership with the CPS, are providing maintenance, support and replacement of the IT infrastructure over 10 years. In addition, Logica have been contracted to provide a case management system compatible and linked with other IT systems in the CJS to replace the four case tracking systems currently used by CPS.

Police Custody (Deaths)

Tony Cunningham: To ask the Solicitor-General what her policy is on taking the views of the family of victims into account when deciding whether to prosecute following a death in police custody. [64438]

The Solicitor-General: The Crown Prosecution Service reviews all cases, including those involving death in police custody, in accordance with the Code for Crown Prosecutors. This provides that before considering whether it is the public interest to prosecute, there must be sufficient evidence to provide a realistic prospect of a conviction. If the evidential test is satisfied, the Crown Prosecutor will take into account the consequences for the family and any views expressed by the victim's family when considering if it is in the public interest to prosecute.

The Attorney General, with the support of the Director of Public Prosecutions, is currently reviewing the prosecution process in cases arising from a death in custody and has issued a consultation paper on which he has taken steps to consult widely. The paper can be found on our website. On 23 May in this House, I invited hon. Members to respond to the paper and placed a copy in the Library of the House.

DEFENCE

Homeless Ex-servicemen

Mr. Wray: To ask the Secretary of State for Defence what measures the Government have in place to care for ex-soldiers and servicemen who are homeless and suffering financial and emotional problems. [66361]

Dr. Moonie *[holding answer 3 July 2002]*: The Social Exclusion Unit's 1998 Report identified that between one quarter and one fifth of rough sleepers had been in the Armed Forces at some stage, predominantly some years before as National Servicemen. Since then, the Ministry of Defence (MOD) has been working in partnership with the Office of the Deputy Prime Minister's Homelessness Directorate, (previously known as the Rough Sleepers Unit) and the charitable sector to improve care and support for acute cases of homelessness, and notably those already sleeping rough on the streets or at high risk of doing so.

The MOD has put in place new preventive mechanisms at pre-discharge, point of discharge and post-discharge to help vulnerable leavers make a more successful transition to civilian life. These and other measures taken by the Government and its partners have reduced levels of rough sleeping by some two-thirds, in line with the Prime Minister's target. Furthermore, the Office of the Deputy Prime Minister has confirmed that an interim analysis of rough sleeping data gathered in November 2001 shows that the percentage of rough sleepers with an Armed Forced background has decreased markedly since the 1998 SEU Report.

Medical care of ex-Service personnel with substantial emotional problems is the responsibility of the National Health Service (NHS) and the full range of treatments and psychiatric services is available. Those requiring psychiatric treatment may be treated as NHS patients at the Duchess of Kent's Psychiatric Hospital, subject to the nature of their medical condition and capacity though, if they reside outside the catchment area, their local Health Authority would have to meet the cost of treatment in accordance with NHS budgetary procedures.

The MOD has recently placed a research contract with Kings College London to help advise policy decisions to improve the delivery of cross-departmental support to veterans and to identify any areas of unmet need. This research will include interviews with key stakeholder organisations, such as Combat Stress.

The Veterans Agency already makes payments to allow qualifying war pensioners suffering from psychological injury or illness to receive remedial treatment at Combat Stress centres.

Defence Estate Disposals

Mr. Laws: To ask the Secretary of State for Defence what his estimate is of the value of disposals from the Defence Estate for each year from 1993–94 to 2002–03; and if he will make a statement. [66292]

Dr. Moonie *[holding answer 4 July 2002]:*

Cash receipts

The receipts on a cash basis received for land/property disposals are provided in the following table:

Disposal programme

£ million

Year	*Actual cash received*
1993–94	76
1994–95	75
1975–96	74
1996–97	180
1997–98	143
1998–99	158
1999–2000	287
2000–01	206
2001–02	159

Accrual basis

The Department moved to Resource Accounting and Budgeting and therefore the DE Agency now reports, within its Annual Report and Accounts, disposals on an accrual basis. See the following table:

£ million

	Accrual basis
Year	*Accrual*
2000–01	225
2001–02	184

Oral Questions

Mr. Simon Thomas: To ask the Secretary of State for Defence how many oral questions he has transferred to other Departments in each of the last 18 months. [67049]

Dr. Moonie: The information requested is not held centrally and could be provided only at disproportionate cost. Questions are transferred only when it is more appropriate for another Department to answer.

TREASURY

VAT

Mr. Soames: To ask the Chancellor of the Exchequer what the reason is for the delay in introducing the Extra Statutory Concession to reduce VAT on home care services supplied by private businesses; and when he expects to introduce the regulation. [66147]

Mr. John Healey *[holding answer 2 July 2002]* : We will introduce the Extra Statutory Concession as soon as revised regulations governing the conduct of the private recruitment industry are laid before Parliament by the Secretary of State for Trade and Industry.

Departmental Waste

Sue Doughty: To ask the Chancellor of the Exchequer what proportion of waste produced in his Department was *(a)* recycled, *(b)* composted and *(c)* reused, broken down into (i) paper, (ii) plastics, (iii) aluminium cans and (iv) other in each year since 1997; what plans there are to increase these proportions; and if he will make a statement. [65698]

John Healey: The following table shows the percentage of waste recycled by HM Treasury since 1997 broken down into waste streams:

Per cent.

Waste streams	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Paper	0.01	0.6	0.07	25	34
Glass/cans	0.02	0.02	0.02	0.02	0.4
Mixed other	0.04	0.1	0.05	0.73	0.04
Totals	0.07	0.07	0.14	26	34

The Treasury are moving into newly refurbished accommodation (1 Horse Guards Road) later this month and are implementing an environmental management system that will be certified to ISO 14001 by the end of the year. As a result of improved waste monitoring and recycling initiatives, we expect to be able to increase the amount of waste we recover.

Overseas Development

Dr. Tonge: To ask the Chancellor of the Exchequer what volume of correspondence his Department has received since October 2001 regarding *(a)* the United Nations target of spending 0.7 per cent. of gross domestic income on overseas development assistance and *(b)* debt relief for developing countries. [64603]

Mr. John Healey: Including letters, campaign postcards and e-mails there have been approximately (a) 3,000 and (b) 38,000 related items of correspondence received by the Treasury, both supporting the Government's recent actions to increase overseas development assistance and relieve the debt of the world's poorest countries, and encouraging us to further action in the future.

Regulatory Impact Unit

Dr. Cable: To ask the Chancellor of the Exchequer how many members of his Department have been employed in its regulatory impact unit in the past five years; and if he will make a statement. [65976]

Dawn Primarolo: The Treasury, Inland Revenue and HM Customs and Excise each have separate departmental regulatory impact units in which two, five and three people respectively co-ordinate work on regulatory impact. The number of people in these units has remained broadly constant.

The staff in each unit work closely with the officials responsible for developing policies within their department and the regulatory impact unit within the Cabinet Office. They focus on those regulations which impact on business, charities, and the voluntary sector.

WORK AND PENSIONS

Advertising

Mr. Willetts: To ask the Secretary of State for Work and Pensions what the total cost was of advertising and promoting benefits in 2000–01. [46467]

Mr. Nicholas Brown: The total cost of advertising social security benefits (excluding pensions) in 2000–01 was £4.4 million. Production, distribution and other costs totalled a further £3 million.

New Deal

Mr. Vaz: To ask the Secretary of State for Work and Pensions how many civil servants are employed on New Deal related work in *(a)* Leicester and *(b)* the UK. [63448]

Mr. Nicholas Brown: Information on the number of people employed on New Deal work nationally is not collected centrally and could be provided only at disproportionate cost. The New Deals are a key element of our welfare to work strategy and are an integral part of the work of many people in the Department.

In the Leicestershire Jobcentre Plus District around 70 civil servants work directly on the New Deals.

Bereavement Benefits

Mr. Beith: To ask the Secretary of State for Work and Pensions if he will make arrangements for the payment of bereavement benefits to widows who were otherwise qualified to receive them but were excluded on grounds of gender prior to the coming into force of the Welfare and Pensions Act 1999. [61370]

Malcolm Wicks *[holding answer 24 June 2002]*: I refer the hon. Member to the answer I gave to the hon. Member for Northavon (Steve Webb) on 27 June, *Official Report*, column 1061W.

Doctors

Mr. Simon Thomas: To ask the Secretary of State for Work and Pensions how many *(a)* complaints and *(b)* comments have been received concerning each doctor working for the Medical Services since 1997. [65192]

Mr. Nicholas Brown: There are over 2,000 doctors carrying out examinations for Medical Services. Information relating to individual doctors is held on personal files and could be disclosed only with the consent of the individual doctor. This could be obtained only at disproportionate cost. All complaints are investigated individually by Medical Services, and appropriate remedial action taken.

Universal Banking Services

Mr. Webb: To ask the Secretary of State for Work and Pensions, pursuant to his answer to the hon. Member for Isle of Wight (Mr. Turner) of 18 June 2002, *Official Report*, column 289W, what assessment he has made of the implications of a delay in the provision of universal banking services for the extension of automated credit transfer from 2003. [66558]

Malcolm Wicks: The Post Office tell us they are on schedule for the introduction of universal banking services in April 2003. In line with the recommendations of OGC reviews, contingency arrangements are part of the planning for this project as they are for all projects.

CULTURE, MEDIA AND SPORT

Statutory Instruments

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport how many statutory instruments have been *(a)* introduced, *(b)* removed and *(c)* amended by her Department since 1 January; and what the (i) cost and (ii) saving has been in each case. [64630]

Mr. Caborn: DCMS have introduced 15 Statutory Instruments since 1 January 2002 including one Instrument which was originated in this Department but eventually made by the Privy Council. Endorsed on each is an Explanatory Note, which identifies the legislation revoked or amended by the instrument.

An assessment of the costs and savings attributable to each could only be provided at disproportionate cost.

Oral Questions

Mr. Simon Thomas: To ask the Secretary of State for Culture, Media and Sport how many oral questions she transferred to other Departments in each of the last 18 months. [67031]

Mr. Caborn: Between 1 January 2001 and 30 June 2002 the Department for Culture, Media and Sport transferred five oral questions to other Departments as follows:

October 2001—1;
January 2002—1;
February 2002—1; and
March 2002—2.

Questions are transferred to another Department only when it is clear that DCMS are not responsible for that area of policy and only when the other Department has agreed to answer it.

New Opportunities Fund for Children's Play

Mr. Dawson: To ask the Secretary of State for Culture, Media and Sport who will lead the review of the New Opportunities Fund for Children's Play; what the review process will be; how she proposes to involve children and young people in the review; and when it will conclude. [66776]

Mr. Caborn *[holding answer 4 July 2002]*: These issues are still under discussion. We hope to make an announcement shortly.

Football and Hockey

Mr. Heald: To ask the Secretary of State for Culture, Media and Sport how much funding Sport England gives to *(a)* football, *(b)* hockey, *(c)* men's football, *(d)* women's football, *(d)* men's hockey and *(f)* women's hockey. [66771]

Mr. Caborn *[holding answer 4 July 2002]*: The following figures show the amount of funding Sport England has given to football and hockey since the inception of the Lottery.

There have been 429 community capital awards to football up to March 2002, totalling £187,106,898 (of which £120,000,000 went to Wembley National Stadium) and 1,504 Awards for All totalling £4,468,471. There have been 137 community capital awards to hockey up to March 2002, totalling £57,638,283, and 360 Awards for All totalling £1,144,680.

No further breakdown is available.

Mr. Heald: To ask the Secretary of State for Culture, Media and Sport when she last met television executives to discuss the broadcasting of *(a)* football and *(b)* hockey. [66768]

Mr. Caborn *[holding answer 4 July 2002]*: I met executives from ITV Digital on 16 March, and the Director-General of the BBC on 18 March, to discuss the broadcasting of football. I have not discussed the broadcasting of hockey with television executives.

Mr. Heald: To ask the Secretary of State for Culture, Media and Sport how much funding per participant Sport England gives to *(a)* football, *(b)* hockey, *(c)* men's football and *(d)* women's football, *(e)* men's hockey and *(f)* women's hockey. [66772]

Mr. Caborn *[holding answer 4 July 2002]*: According to the Football Association, there are a total of 1.2 million football players.

Funding from Sport England to Association Football in 2001–02 totals £6,951,295.

From these figures funding per participant is therefore £5.79.

According to the English Hockey Association there are approximately 68,000 regular national, regional and local league players, in addition to an estimated 165,000 active club members.

Funding from Sport England to the English Hockey Association in 2001–02 totals £3,827,861.

From these figures funding per participant is therefore £16.42.

No further breakdown is available.

Mr. Heald: To ask the Secretary of State for Culture, Media and Sport how many people participate in *(a)* football, *(b)* hockey, *(c)* men's football, *(d)* women's football, *(e)* men's hockey and *(f)* women's hockey. [66770]

Mr. Caborn *[holding answer 4 July 2002]*: According to the Football Association, there are 36,000 affiliated football clubs and a total of £1.2 million football players. Of this total 60,000 are women and girls who participate in the sport.

According to the English Hockey Association there are approximately 68,000 regular national, regional and local league players, in addition an estimated 165,00 active club members. No figures by gender exist.

Sport Activities

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport if she will list those activities which her Department recognises as sport. [67018]

Mr. Caborn: The Sports Councils currently recognises 112 activities. Recognition is based on a number of criteria used by the Councils within a framework agreed with Government . The main criteria used by the Councils are "physical" effort and "skills". I am arranging for a full list of activities recognised by the Sports Councils and recognised Government bodies with English or GB/UK remit (which is publicly available) to be placed in the Libraries of both Houses.

FOREIGN AND COMMONWEALTH AFFAIRS

Sub-continent

Mr. Davidson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Governments of *(a)* India and *(b)* Pakistan about the deployment of landmines along their shared border. [66172]

Mr. Mike O'Brien: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Ealing North (Mr. Pound) on 25 June 2002, *Official Report*, column 791W.

Mr. Davidson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the current situation with respect to cross-border terrorist incursions into India. [66176]

Mr. Mike O'Brien: There are welcome reports that infiltration across the Line of Control has reduced in recent weeks. This has helped to reduce tensions in the region. But the situation still remains fragile. Pakistan must continue taking steps to bring about a permanent end to cross-border infiltration and militancy. And, in parallel, India must respond with further de-escalatory steps. As I said in the House on 25 June, *Official Report*, column 736, we want support for cross-border terrorism to stop and a verifiable end to infiltration as the first step towards reducing the current tensions. We want both Governments to talk through the issues that divide them and to talk to the people of Kashmir about how they want to go forward.

Mr. Davidson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his assessment of the sequence of activities required to decrease tensions in the South Asian region. [66175]

Mr. Mike O'Brien: We have welcomed recent moves by India and Pakistan to reduce tensions in the region, but the situation there still remains fragile. Pakistan must continue taking steps to bring about a permanent end to cross-border infiltration and militancy. And, in parallel, India must respond with further de-escalatory steps. We have also made clear our concerns about the human rights situation in Jammu and Kashmir and the importance of holding free, fair and inclusive elections there in the autumn. Although India and Pakistan can only resolve their differences by direct bilateral dialogue, the international community can help by remaining fully engaged.

India

Mr. Davidson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact of the Delhi Declaration. [66171]

Mr. Mike O'Brien: As my hon. Friend, the Member for Exeter (Mr. Bradshaw), stated in his reply to my hon. Friend the Member for Stockton South (Dari Taylor) on 16 April 2002, *Official Report,* column 829W, the New Delhi Declaration of 6 January 2002 represents a new high-water mark in the strong and vibrant relationship between the United Kingdom and India. This relationship has been marked in recent months by better co-operation in a variety of areas of common interest.

We remain committed to increasing co-operation with India under the provisions set out in the Declaration, and are confident it will help to further strengthen UK/Indian relations.

Mr. Davidson: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of India about combating terrorism. [66174]

Mr. Mike O'Brien: We discuss terrorism with the Indian government on a regular basis. My right hon. Friend, the Secretary of State for Foreign and Commonwealth Affairs, has a regular dialogue on terrorism with his counterparts in the Indian Ministries for External and Home Affairs. The Foreign Secretary has spoken with Indian Ministers on the telephone on a number of occasions recently about the tension between India and Pakistan and terrorism. Terrorism was also high on the agenda when he visited New Delhi in May. The Foreign Secretary will continue this dialogue with the in coming Indian Foreign Minister, Yashwant Sinha. My right hon. Friend the Prime Minister also discussed terrorism with Indian Prime Minister Vajpayee during his visit to India in January. During this visit the two Prime Ministers agreed to enhance significantly our co-operation on combating terrorism. In addition to these contracts, the UK-India Joint Working Group on Terrorism meets every six months at official level to discuss international terrorism and opportunities for co-operation and training. The last meeting of the Group was in April in London.

Recycling

Sue Doughty: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of *(a)* paper and *(b)* other goods purchased by his Department was recycled paper in each year since 1997; what the annual total cost of these purchases was; what plans there are to increase these proportions; and if he will make a statement. [65771]

Mr. MacShane: The information requested could be provided only at disproportionate cost as detailed records were not kept for the full period in question. Since October 2001 the FCO has bought only 100 per cent. recycled printer and photocopier paper for use by its UK Departments. We are looking at ways to increase procurement of other recycled stationery products.

Departmental Waste

Sue Doughty: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of waste produced in his Department was *(a)* recycled, *(b)* composted and *(c)* re-used, broken down into (i) paper, (ii) plastics, (iii) aluminium cans and (iv) other in each year since 1997; what plans there are to increase these proportions; and if he will make a statement. [65700]

Mr. MacShane: This information could only be provided at disproportionate cost since we do not keep records in the requested format. The breakdowns below represent the information supplied for Green Minister's reports for 2000–01 and 2001–02.

tonnes

	2002–01	*2001–02*
Total waste	3,389.88	1,343.21
Total waste recovered	824.28	415.16
	(24.32%)	(30.91%)
Details of waste recycled		
Paper	180.00	162.52
Toner cartridges	2.29	1.38
Fluorescent tubes	0.59	1.94
Metal and wood	n/a	16.2
Batteries recycled	n/a	1.24
Special waste (oils)	n/a	2.26

The FCO will be re-tendering its waste contracts later this year. We aim to increase the amount of waste recycled in line with Green Minister's targets.

Democratic Republic of the Congo

Ms Oona King: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received in respect of conflict between the Rwandan Army and dissident Banyamulenge forces in South Kivu Province, Democratic Republic of the Congo; and if he will make a statement. [66323]

Mr. MacShane: The South Kivu area of DRC is relatively inaccessible. Reliable information is scarce. But there are worrying NGO reports that the fighting between dissident Banyamulenge forces and the RCD-Goma/Rwandan Army is causing a humanitarian crisis for the people of the Hauts Plateaux. We have raised this matter with the Government of Rwanda and in the UN Security Council.

Ms Oona King: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the security and humanitarian situation in the East of the Democratic Republic of the Congo. [66322]

Mr. MacShane: We continue to monitor closely the situation in eastern DRC. In particular, we have been concerned over fighting in Kisangani, Ituri province and the Hauts Plateaux in south Kivu, the associated abuses of human rights and the negative impact on the humanitarian situation. Where the security situation permits we have encouraged the United Nations Mission (MONUC) to investigate and to take appropriate action. We have raised our concerns with the governments of the region. We have supported UN resolutions and EU statements calling on the de facto authorities of the region to ensure the protection of civilians, respect human rights and uphold the rule of law.

Staff (Health and Safety)

Dr. Murrison: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what his responsibility is for the health and safety of his Department's staff deployed abroad; [66108]

(2) what his policy is on health and safety in British embassies. [66110]

Mr. Mike O'Brien: The FCO's policy on the Health and Safety of its staff is the same both at home and overseas that is to keep staff safe at work, so far as is reasonably practicable. Statutory duties under UK law (eg the Health and Safety at Work Act 1974 and the Construction (Design and Management) Regulations 1994) do not apply overseas. However, as a good employer, the FCO accepts its responsibility to try to provide the same duty of care to all its employees.

Zimbabwe

Mr. Andrew Turner: To ask the Secretary of State for Foreign and Commonwealth Affairs which overseas Governments have notified him *(a)* that they accept and *(b)* that they do not accept (i) the result and (ii) the legitimacy of the Zimbabwean presidential elections. [65998]

Mr. MacShane *[holding answer 1 July 2002]*: The European Union, the United States, Norway, Switzerland, New Zealand, Australia, Canada and others, have gone on record as saying that they do not accept that the election result reflected the will of the Zimbabwean people.

The Commonwealth, SADC Parliamentary Forum, and Japanese election observer teams reported that the election was not free and fair.

The Ghanaian election observer team reported that the election process fell short of the internationally accepted electoral standards and norms. President Wade of Senegal has said that

> "Mr Mugabe did not respect the rules. We can't call that an election."

Several countries in Africa and elsewhere have gone on record as accepting the outcome of the election, though a number have qualified their assessments.

US Peacekeeping

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations the UK Government, in its capacity as a United Nations Security Council member, is making to the USA in respect of the resolution proposed by the latter exempting UN peacekeepers from each jurisdiction of any international tribunal including the International Criminal Court and what steps the UK Government are taking to ensure that UN peacekeepers will not be exempt form the jurisdiction of the International Criminal Court; [66228]

(2) what representations the UK Government are making to the USA about the latter's continued commitment to its global peacekeeping and enforcement activities and the basis upon which such commitments are carried out. [66229]

Mr. MacShane: My right hon. Friend the Foreign Secretary has been in close touch with his US counterpart on the draft Security Council resolution renewing the mandate for UNMIBH/SFOR peacekeeping forces in Bosnia.

The Government are committed to an effective International Criminal Court. We understand US concerns for their peacekeepers but do not share them. We are working with the US and other UN Security Council Members to achieve a solution acceptable to Security Council Members which will enable the US to continue to participate in international peacekeeping.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Entertainment Costs

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the cost was of the Department's 2001 staff Christmas Party; and how many people attended. [61651]

Mr. Morley: The Department did not hold a party for staff at Christmas 2001.

EU Management Committee

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee on the supply of agricultural products to the population of the former Soviet Union is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64901]

Mr. Morley: The Department has no record of such a committee.

Environment Council

Mr. Hood: To ask the Secretary of State for Environment, Food and Rural Affairs what the outcome was of the Environment Council on 25 June;

what the Government's stance was on each issue discussed, including its voting record; and if she will make a statement. [65276]

Margaret Beckett: I represented the UK at Environment Council on 25 June, accompanied by my right hon. Friend the Minister of State for the Environment. The Council made real progress on a range of important issues.

The Council approved a Decision, on behalf of the European Community, to ratify the Cartagena Protocol on Biosafety. The UK supported Community ratification of this important instrument. The Protocol establishes clear and specific international rules on the import and export of genetically modified organisms (GMOs): prompt ratification by the EU will help secure its entry into force.

Council Conclusions were adopted paving the way for a thematic strategy on the sustainable use of soil. The UK supported the Conclusions, which invite the Commission to produce a Community Strategy and, where appropriate, general principles for assessing and managing threats to soil but, with France, Austria and Denmark, made a written declaration on the importance of respecting and subsidiarity principle.

Conclusions were also adopted emphasising the need to take measures to halt biodiversity loss by 2010, and welcoming the outcome of the Sixth Conference of the Parties to the Convention on Biological Diversity and the Ministerial Declaration made there. The Conclusions also suggested next steps in the implementation of the Habitats Directive and management of the Natura 2000 network.

Brief Council Conclusions were adopted on progress on ratification of the Kyoto Protocol. These expressed disappointment at Australia's recent withdrawal from the Protocol and urged other parties who have not yet done so to ratify as soon as possible.

Ministers held general orientation debates on three subjects: the proposed amendments to the Packaging and Packaging Waste Directive recovery and recycling targets, the proposed revision of the Seveso II Directive, and a proposed Environmental Liability Directive.

On packaging and packaging waste, the UK intervened in support of a compromise Presidency text and registered a Parliamentary Scrutiny reserve. The compromise text maintains the Commission's minimum overall targets, and broadly maintains their proposed material specific targets (plastic recycling target increased to 22.5 per cent), but extends the deadline for Member States to meet those targets from 2006 and 2008 and removes the maximum target for recovery. The European Parliament first reading is expected to be in September, and so Council is likely to agree a Common Position in October.

Member States, including the UK, supported the Presidency compromise text on proposed amendments to the Seveso II Directive. The Directive aims to prevent major accidents involving dangerous substances. The proposed amendments would alter the classification system for explosives, change threshold quantities for substances dangerous to the environment, and for carcinogens, and add new named carcinogens to those already listed in the Directive. France proposed lower thresholds for reject ammonium nitrate, following an accident at Toulouse in September 2001 when a quantity of ammonium nitrate exploded. This change was agreed with UK support. Again following the European Parliament first reading in early July, the Council is likely to agree a Common Position in October.

During the debate on environmental liability, Ministers focused on the issues of financial security and subsidiary responsibility. The UK intervened arguing that subsidiary responsibility was not consistent with the polluter pays principle and that the Council should not make a decision on the appropriate system of financial security until the precise scope of the Directive was clear. The Presidency concluded that Member States were divided on these issues but that a majority favoured both some form of compulsory financial security and some form of subsidiary responsibility for Member States.

The Council took note of COREPER's conclusions in support for Environment Council in its contributions on follow-up to the EU Sustainable Development Strategy, including if necessary the establishment of a group of high-level officials, and on co-ordination between the sectors concerned by sustainable development.

The Presidency gave a progress report on the proposed emissions trading Directive and invited views. The UK expressed support for a Community emissions trading scheme. The Presidency also updated Council on a proposal for a Regulation concerning traceability and labelling of genetically modified organisms (GMOs), and on the Decision to ratify the Rotterdam Convention on the Prior Informed Consent Procedure (PIC) for Certain Hazardous Chemicals and Pesticides in International Trade, and its associated implementing Regulation.

Under Any Other Business, Sweden drew the Council's attention to the progress made by industry in developing technology to reduce emissions from diesel cars and suggested that community rules needed revising to reflect this. Portugal presented its national strategy for Sustainable Development. The Netherlands called for a proposal accelerating the phase out of Chlorofluorocarbons (CFCs). Germany raised the issue of co-existence of GMO and conventional crops. Belgium asked the Commission for an update on the forthcoming white Paper in Integrated Product Policy. The UK asked whether the Commission has decided on its intended legislative approach for Fluorinated gases. The Commission replied that it was still considering various options for legislation, and would make a proposal by the end of 2002.

Bovine TB

Mr. Wiggin: To ask the Secretary for Environment, Food and Rural Affairs what the cost has been so far to her Department of compensating farmers for losses due to the deaths of bovine TB infected cattle. [65689]

Mr. Morley: From the beginning of 1997 until the end of 2001, a total of £26,144,176 has been paid out to farmers for cattle slaughtered under TB control measures.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what interim measures are being undertaken to provide farmers with financial and other support whilst awaiting bovine TB trial results. [65688]

Mr. Morley: The Government recognise the economic difficulties that farmers face from the disclosure of bovine tuberculosis in their herds, and from the imposition of movement restrictions by the State Veterinary Service. In accordance with the recommendation of the Agriculture Select Committee, officials are currently considering potential future strategy options, including measures to alleviate economic difficulties faced by those under movement restrictions. Consultation with stakeholders (including farmers' union) have started.

CAP Underspend

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what the total CAP underspend was in each of the last 10 years for which figures are available; and if she will make a statement. [66513]

Mr. Morley *[holding answer 2 July 2002]:* Expenditure on the Common Agricultural Policy (CAP) is made in accordance with the EU regulations. Actual CAP expenditure may be higher or lower than forecast at the beginning of each budgetary year, due to the market situation, exchange rate fluctuations, or exceptional items. Surplus from one year's EC Budget is returned to Member States in the following year's Budget by means of a reduction of the amount to be financed from own resources. This has the effect of reducing the amount each Member State is required to pay from the GNP-based resource. The budget process requires the Commission to estimate the level of expenditure necessary in a particular year. It would be misleading to describe a difference between the estimate and outturn expenditure as an "underspend". Information on the implementation of the budget is available from the House of Commons Library in the Annual Reports of the Court of Auditors.

Farms

Mr. Laws: To ask the Secretary of State for Environment, Food and Rural Affairs how many farms there were in England in each reporting period from 1979–80 to 2002; and if she will make a statement. [66278]

Mr. Morley *[holding answer 4 July 2002]:* The number of main holdings included in the overall Agricultural and Horticultural Census results (following the periodic reclassification between main and minor holdings) were:

Number of Holdings

Year	*Number*
1980	155,688
1985	153,766
1990	150,652
1995	146,112
2000	146,347
2001	159,417

Notes:

1. Holdings in the census have been classified as main and minor. Main holdings are included for selection in the annual census (since 1995 this has been on a sample basis). Minor holdings are only surveyed once every five years following which a review of the classification between main and minor takes place. New holdings are counted as main holdings until the next reclassification exercise.
2. Additional holdings from a significant register updating exercise were identified in 2000 and first included in 2001.
3. The figures for June 2002 Census are still being processed. From this year the distinction between main and minor is being dropped.
4. Holdings may not relate to individual farms. A single business may consist of several holdings.

Source:

June Agricultural and Horticultural Census

Grasslands

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the reasons why the conditions of (*a*) lowland and upland calcareous grassland, (*b*) upland acid grassland, (*c*) upland heathland and (*d*) bogs in England are generally unfavourable; and what measures she is taking to improve them. [66779]

Alun Michael: The information sought is not available.

Foot and Mouth

Mr. Martlew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish figures on the number of appeals against slaughter during the 2001 foot-and-mouth outbreak, including how many were upheld and how many of the total appeals were against contiguous culls. [68297]

Mr. Morley: In total there were 584 appeals against slaughter, all but four were dealt with by the local DEFRA Divisional Veterinary Manager. Of the 584 cases where animal owners challenged decisions to slaughter livestock, 534 were appealing against contiguous culls. In total, 376 appeals were upheld, 336 of which were appeals against contiguous culls.

The above figures include the four appeals heard in court of which three were against contiguous culls. Two of the four were upheld; one was an appeal against a dangerous contact cull and the other was against a contiguous cull. The successful appeal against a contiguous cull subsequently became an infected premises.

Agriculture Council

Mr. Hood: To ask the Secretary of State for Environment, Food and Rural Affairs what the outcome was of the Agriculture Council held on 27 June; what the Government's stance was on each issue discussed, including its voting record; and if she will make a statement. [67730]

Margaret Beckett: I represented the United Kingdom at the Agriculture Council meeting in Luxembourg on 27 June 2002.

The Council received progress reports on Commission proposals concerning the control of zoonoses and a common market organisation for ethyl alcohol, and reached provisional political agreement on a proposed framework regulation laying down general food hygiene rules. It noted there was no qualified majority support for or against a proposal to register "feta" as a protected legislation of origin. Under the relevant procedures, this means the Commission will be able to adopt the measure under its own powers in due course.

During a brief discussion of BSE, Commissioner Byrne called on the French Government to comply with the ECJ's ruling on its illegal ban on British beef exports. The French Minister announced their intention to defer implementation of their national rules banning spinal cord from sheep over six months old until January 2003. I subsequently followed up both these points bilaterally with my French counterpart.

The Council discussed Presidency papers on the future of the EU's Veterinary Fund, the CAP fruit and vegetables regime and the use of agricultural insurance as a risk management tool. It also received a presentation from Commissioner Fischler on the medium term prospects for the main EU agricultural markets, in advance of his proposals for CAP Reform, which are expected on 10 July.

LORD CHANCELLOR'S DEPARTMENT

"Making Decisions"

Mr. Drew: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the response of organisations to the Consultation Paper, "Making Decisions"; and if he will list those that (*a*) supported the principle of doctors being able to withhold food and fluid from patients and (*b*) those that did not. [67249]

Ms Rosie Winterton: The Consultation Paper "Making Decisions: Helping People who have Difficulty Deciding for Themselves" seeks responses by 9 July 2002. Following the closure of the consultation period, all responses received will be thoroughly considered and will inform the final published version of the guidance leaflets. I will make a statement on responses to the Consultation in due course.

Edward VIII

Mrs. Ellman: To ask the Parliamentary Secretary, Lord Chancellor's Department what recent guidance she has given to individual departments concerning the public release of documents relating to Edward VIII; and if he will make a statement. [66720]

Ms Rosie Winterton: Individual Government Departments are responsible for re-reviewing remaining closed records relating to King Edward VIII in line with the standard criteria for extended closure from the Open Government White Paper (1993). General guidance on access to records relating to the Royal Family was issued jointly by the Cabinet Office and Public Record Office in September 2001 and is available on the PRO website at: www.pro.gov.uk/recordsmanagement/access.

Norwich Airport

Dr. Gibson: To ask the Deputy Prime Minister what assessment he has made of the planning process being undertaken on land development around Norwich Airport. [61769]

Mr. McNulty: Development opportunities at and around Norwich Airport are identified in the City of Norwich Local Plan. The City Council has made proposals to replace this plan. The Secretary of State for Transport, Local Government and the Regions assessed this replacement plan against Government policy in the summer of 2001 and submitted various representations. The replacement local plan proposes to allow Norwich Airport to continue to develop as a regional airport of significant importance to the local economy. The Secretary of State did not submit any representations on the proposals for Norwich Airport in the initial deposit version of the local plan. When the revised version of the local plan is published later this year I will carefully assess any changes made to the plan.

DEPUTY PRIME MINISTER

Building Regulations

Mr. Anthony D. Wright: To ask the Deputy Prime Minister when he expects to publish the revisions to Part E of the Building Regulations; and if he will make a statement. [68178]

Mr. Leslie: Part E of the Building Regulations sets standards for the sound insulation between new homes. I propose to publish amendments to part E of the Regulations and the supporting documents in the autumn of this year. There will be a requirement in the regulations for testing the sound insulation of a sample of new homes on each site.

The requirement for sound insulation testing will apply to houses, flats, hostel and hotel accommodation, whether purpose built or formed by conversion of other types of building. For new hostel and hotel types of accommodation, and houses, flats, hostel and hotel accommodation formed by conversion of other types of building, I anticipate that the requirement will come into force on 1 July 2003. For new houses and flats only, I anticipate that it will come into force on 1 January 2004.

The reason for this later date is that I have asked the House Builders Federation to develop Robust Standard Details for the sound insulation of separating walls and floors for use in new houses and flats. These Robust Standard Details must provide consistently good performance, and so will not need routine testing.

Officials and the Building Regulations Advisory Committee will assess whether the House Builders Federation has achieved this objective. If satisfied that this scheme might work successfully, then I will put the proposals out to public consultation. If this does not raise any unforeseen issues, I would intend to amend the Regulations to allow Robust Standard Details to be used as an alternative to testing. Otherwise, I anticipate that testing will be introduced on 1 January 2004.

Mindful of the need not to overburden business with unnecessary administration, we want to give the construction industry a chance to prove that their preferred system will work. However, we are not prepared to compromise on consumer issues. If Robust Standard Details do not prove effective, testing will be introduced.

The consultation on Part E also included a proposal to transfer the protection of new housing from external noise from the Town and Country Planning System to the Building Regulations system. We have decided not to proceed with the proposal as part of this amendment. However, we are continuing to explore whether we should pursue this at a later date.

Firefighters

Mr. Edwards: To ask the Deputy Prime Minister if he will make a statement on pay negotiations for firefighters. [67531]

Mr. Leslie: The Government have no statutory role in determining firefighters' pay. Representatives from local government, representing the employers, and from the Fire Brigades Union, representing employees, are responsible for negotiating firefighters' pay and conditions of service. These groups meet in the National Joint Council for Local Authorities' Fire Brigades. We understand that the two sides are currently in discussion on the Fire Brigades Union pay claim, which was formally tabled on 28 May.

Rate Support Grant

Chris Grayling: To ask the Deputy Prime Minister what his policy is on the future of NDR and rate support grant. [65673]

Mr. Raynsford: In the draft local government Bill, we have set out our proposals to provide general grant support to local authorities through a single grant stream, to be known as Formula Grant, instead separate support streams comprising redistributed national non-domestic rates (NNDR) and Revenue Support Grant (RSG).

We believe that this will simplify the grant distribution system, so making it more intelligent and transparent.

The proposed merger would have no effect on the collection of business rates or on the total amount being redistributed. Neither would it reduce accountability, as we would continue to publish details of the total amount of business rates being redistributed and to maintain the existing formal accounts covering receipts and payments.

Local Government Finance

Mr. Pickles: To ask the Deputy Prime Minister what plans he has to review the Barnett Formula for local authority finance; and if he will make a statement. [67441]

Mr. Raynsford: Mechanisms for the allocations of public expenditure are a matter for my right hon. Friend the Chancellor of the Exchequer. He has made it clear on several occasions that the Government have no plans to review the Barnett Formula, which in any case applies to allocations to the devolved administrations, not to English local authorities.

Empty Homes

Mr. Pickles: To ask the Deputy Prime Minister (1) what estimate he has made of the amount of empty social housing in England in each of the last five years; and if he will make a statement; [65851]

(2) what estimate he has made of how many homes were lying empty in England in each of the last five years; and if he will make a statement. [65854]

Mr. Raynsford: The total number of vacant dwellings in England on 1 April in each of the last five years is presented in the table, along with the number that were owned by social landlords.

Number of vacant dwellings in England at 1 April

Year	Total vacant housing	of which: Social Housing
2001	755,100	121,600
2000	760,500	124,700
1999	767,000	116,600
1998	753,300	110,900
1997	767,200	107,900

Notes:

Figures presented to the nearest 100

Sources:

ODPM annual Housing Investment Programme return (HIP).

Housing Corporation annual Regulatory and Statistical return (RSR).

New Housing

Mr. Pickles: To ask the Deputy Prime Minister what progress has been made on achieving the Government's target for constructing new housing on previously used land; and if he will make a statement. [65858]

Mr. McNulty: In 2001 an estimated 61 per cent. of new dwellings were provided on previously-developed land. This includes new dwellings provided from the conversion of existing buildings, which account for three percentage points. The Government's target is that by 2008, 60 per cent of additional housing should be provided on previously-developed land and through conversions of existing buildings.

Regional Assemblies

Mr. Pickles: To ask the Deputy Prime Minister what plans the Government have to review regional boundaries in areas which reject a directly elected regional assembly based on the regions set out in the Governments Regional Government White Paper; and if he will make a statement. [67453]

Mr. Raynsford: Our proposals for the boundaries of elected regional assemblies are set out in chapter 6 of the Regional Governance White Paper, *Your Region, Your Choice.*

Local Government White Paper

Mr. Pickles: To ask the Deputy Prime Minister when he expects that the provisions contained in the Local Government White Paper will be implemented; and if he will make a statement. [65862]

Mr. Raynsford: We published an implementation plan in April which sets out the planned dates for delivering the key proposals in the White Paper and which is updated monthly. It is available on the Department's web site. We continue to make good progress, with a draft Local Government Bill published for consultation on 12 June which takes forward a number of the proposals included in the White Paper.

Local Authority Public Services

Mr. Pickles: To ask the Deputy Prime Minister what progress has been made on achieving the Government's objective of putting all local authority public services online by 2005; and if he will make a statement. [65865]

Mr. Raynsford: All local authorities (bar one) in England responded in July 2001 to the invitation to prepare and submit Implementing e-Government Statements. These are corporate plans focus how each authority approaching the task of e-enabling their services.

Local government's self-assessment, as reported in their statements, of the average availability of electronic services as at July 2001 was at 29 per cent against the National Target (all services e-enabled by end of 2005). On the basis of these statements we expect local authorities to reach 45 per cent by March 2003, 73 per cent by March 2004 and 100 per cent by 2005.

In April we published for consultation a draft National Strategy (e-gov@local: towards a national strategy for local e-government) that seeks to clarify a common and ambitious vision of local e-government and promote its delivery. We are also providing £350 million (over three years from 2001–02) of investment to promote its e-delivery in local government, which includes:

£160 million over the next two years to local authorities (ie £400k each) to support the implementation of their local strategies.

A further £75 million over the same period will be made available to partnerships of councils working together and with other local public service bodies. This will encourage local economies of scale and joined-up local services.

Up to £80 million over the next two years will be spent in creating generic e-government solutions—based on best practice—around key technologies (such as smartcards and websites) and priority services (such as online school admissions, planning applications) which can be made available to all authorities. Thereby helping to speed up the introduction of e-government and reducing the gross investment costs to the public purse.

NORTHERN IRELAND

Fireworks

David Burnside: To ask the Secretary of state for Northern Ireland if he will consult (*a*) the Northern Ireland Fireworks Association and (*b*) other interested parties before proceeding with the Explosives (Fireworks) Regulations (Northern Ireland) 2002. [54118]

Jane Kennedy: The Explosives (Fireworks) Regulations (Northern Ireland) 2002 came into effect on 6 May.

Representatives for the fireworks industry in Northern Ireland were afforded an opportunity to put forward their views on the problem of fireworks misuse in February when they met with officials from my Department. In addition I received written representations from, among others, MLAs, local councils and members of the public and I considered carefully every representation before deciding that prohibiting the purchase, possession, sale and use of garden fireworks except under licence would be the most effective first step in addressing the problems of fireworks misuse.

Weston Park Talks

Mr. McGrady: To ask the Secretary of State for Northern Ireland when he will appoint the international judge to address the six issues of concern identified in the July 2001 Weston Park talks. [56651]

Jane Kennedy: On 29 May 2002 the British and Irish Governments announced the appointment of the Honourable Mr Justice Peter deCarteret Cory, a retired member of the Supreme Court in Canada, to conduct the investigation of allegations of collusion. This follows the commitment made by two Governments following the Weston Park talks last summer to appoint a judge of international standing from outside both jurisdictions to undertake a thorough investigation of allegations of collusion in the cases, of the murders of Chief Superintendent Harry Breen and Superintendent Bob Buchanan, Pat Finucane, Lord Justice and Lady Gibson, Robert Hamill, Rosemary Nelson and Billy Wright.

Devolution

Mr. McNamara: To ask the Secretary of State for Northern Ireland what (*a*) units and (*b*) programmes he has established to develop the work of his Department since devolution; what units and programmes (i) ceased and (ii) began to be run down after devolution; and what functional units and programmes continue. [60851]

Jane Kennedy: Devolution did not significantly change the functions of the Northern Ireland Office, since the responsibilities transferred on 2 December 1999 were already managed by the separate Northern Ireland departments. The duties of the Secretary of State and his ministerial colleagues were, however, substantially reduced and private offices have been streamlined accordingly. In addition teams established to provide support for the Talks process and for the enactment of the Northern Ireland Act 1998 have been wound up. New teams have been established to take forward work on policing, criminal justice and prisons issues. A full description of the ongoing work of the Northern Ireland Office is given in the Department Report, published on 14 June (CM 5432).

Statutory Instruments

Mr. Bercow: To ask the Secretary of State for Northern Ireland how many statutory instruments have been (*a*) introduced, (*b*) removed and (*c*) amended by his Department since 1 January; and what the (i) cost and (ii) saving has been in each case. [64628]

Jane Kennedy: The Northern Ireland Office has introduced one Statutory Instrument since January 2001; the Criminal Injuries Compensation (NI) Order was introduced on 1 May 2002.

The approximate spend to March 2002 is £1,700,000, the forecast cost is expected to be around £1,900,000. This figure includes approximately £900,000 for the computer system for Compensation Agency to support the Tariff scheme. It must be note that a part of this system was to be introduced in the Compensation Agency anyway.

As the Order has only recently been introduced, it is too early to provide any figure relating to savings on the compensation budget.

EU Directives

Mr. Bercow: To ask the Secretary of State for Northern Ireland if he will list the EU directives relating to his Department which have been (*a*) amended and (*b*) repealed in 2002. [64947]

Jane Kennedy: There have been no EU directives amended or repealed in 2002 relating to the Northern Ireland Office.

Policing Board

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland (1) pursuant to his answer of 17 June 2002, *Official Report*, column 66W, how many meetings of the *(a)* Policing Board, *(b)* Policing Board committees and *(c)* Policing Board sub-committees each member attended (i) for the full duration and (ii) for part of the meeting; [64551]

(2) pursuant to his answer of 17 June 2002, *Official Report*, column 66W, if he will list the attendance records for *(a)* elected and *(b)* non-elected members of the Police Board of Northern Ireland at Policing Board sub-committee meetings since the Board went live. [64552]

Jane Kennedy: As the Policing Board is a non-departmental public body, I would invite the hon. Member to write to the Chairman of the Policing Board seeking the information that she requires.

Performance Targets

Mr. Bercow: To ask the Secretary of State for Northern Ireland (1) what has been the *(a)* cost and *(b)* saving from the pursuit of the Department's Public Service Agreement targets in each year since they were introduced; [61044]

(2) what the *(a)* cost and *(b)* saving has been from the Department's pursuit of Service Delivery Agreement targets in each year since they were introduced. [61640]

Jane Kennedy: The Northern Ireland Office's Public Service Agreement (PSA) was first published in October 2000 to cover the three-year period 2001–02 to 2003–04. As the PSA targets effectively embrace virtually all of our departmental activities the cost of seeking to meet our PSA objectives is essentially the same as our total departmental expenditure. For 2001–02 (the first year of our PSA) this is currently estimated at £1,052 billion.

The efficiency elements within our current PSA are already reflected in the profiling of the budget set for the Department whereby anticipated reductions in spending in one area are redirected to offset emerging pressures in other areas.

Departmental Expenditure Limit

Mr. Bercow: To ask the Secretary of State for Northern Ireland (1) how much and what proportion of the Departmental Expenditure Limit for 2002–03 had been spent by 31 May; what the figures were for 2001–02; and if he will make a statement; [61003]

(2) how much and what proportion of his 2002–03 Departmental Expenditure Limit has been spent by 31 May; what the figures were for 2001–02; and if he will make statement. [61744]

Jane Kennedy: The details of the Departmental Expenditure Limit for 2001–02 and 2002–03, and the proportion of spend to 31 May is as follows:

2001–02	
DEL (Resource)	£1,056,836,000
Spend at 31 May	£217,655,000
Proportion	20.5%
2002–03	
DEL (Resource)	£1,092,309,000
Spend at 31 May	This information is not yet available

Mr. Bercow: To ask the Secretary of State for Northern Ireland how much and what proportion of the departmental expenditure limit for 2002–03 will be accounted for by staff costs; what the figures were for 2001–02; and if he will make a statement. [61033]

Jane Kennedy: Details of staff costs as a percentage of Departmental Expenditure Limit:

2001–02	
Total DEL	£1,056,836,000 (Resource DEL, excluding Capital)
Staff costs	£115,483,000*
Proportion	10.9%
2002–03	
Total DEL	£1,092,309,000 (Resource DEL, excluding Capital)
Staff costs	£120,295,000
Proportion	11%

* (Please note that this figure is provisional only, at this stage. Final outturn figures for the 2001–02 financial year are not yet available.)

Written Answers to Questions

Monday 8 July 2002

FOREIGN AND COMMONWEALTH AFFAIRS

Military Training Budgets

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the budgets for the training of military and security personnel from overseas *(a)* in the UK and *(b)* overseas for (i) each of the past two years, (ii) the current year and (iii) future years for which estimates are available. [65261]

Mr. Mike O'Brien: Funding for the training of military and security personnel (including police forces, customs and border guards) from overseas comes from a variety of FCO departmental budgets. It supports FCO objectives such as promoting international peace and stability, and improved quality of life world-wide through good governance and crime reduction. A breakdown of approximate expenditure as requested by financial year (f/y) is:

£

	F/y 2000–01	*F/y 2001–02*	*F/y 2002–03*
UK training	2,964,040	671,829	157,431
Overseas training	5,676,188	4,690,909	4,890,181

Future estimates are not yet available.

The reduction of FCO expenditure in f/ys 2001–02 and 2002–03 does not reflect a reduction in activity. It is because the FCO contributed a large part of its military and security training funding to the two cross-departmental Conflict Prevention Pools (involving FCO, MOD, DfID and HMT) established in April 2001 for Africa and the rest of the world. Each of the four Government Departments made a contribution to the pools. Many of the training activities continue to be supported by the pools because they achieve HMG's conflict prevention objectives overseas. In f/y 2001–02, the Africa Pool had a budget of £50 million and this will remain the same through to f/y 2003–04. The Global Pool was allocated £60 million for f/y 2001–02, £66 million for this financial year and will have £76 million to spend in f/y 2003–04.

Information on the FCO's ASSIST training budget f/y 2000–01, which was the principle contribution to the pools is available from an earlier answer given by the then Parliamentary Under-Secretary, my hon. Friend the Member for Exeter (Mr. Bradshaw) to my hon. Friend the Member for Dundee, West (Mr. Ross) on 10 January 2002, *Official Report*, column 957W.

Regulatory Impact Unit

Dr. Cable: To ask the Secretary of State for Foreign and Commonwealth Affairs how many members of his Department have been employed in its regulatory impact unit in the past five years; and if he will make a statement. [65968]

Mr. Straw: As a non-regulatory Department, the FCO does not have a dedicated regulatory impact unit. Since 1997 issues relating to regulatory impact have been dealt with by a member of FCO staff as part of his overall duties.

Visa Applications

Mr. Simon Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Egyptian students seeking to enter the UK on medical grounds have been refused visas in the past year; and if he will make a statement. [65234]

Mr. Mike O'Brien *[holding answer 3 July 2002]:* We do not maintain statistics on the number of entry clearance applications received, granted or refused on the basis of seeking to enter the UK on medical grounds. Nor do we at present maintain statistics on the nationality of applicants, although we are currently looking at ways of improving our information technology to enable us to do so.

Export Licences

Paddy Tipping: To ask the Secretary of State for Foreign and Commonwealth Affairs how the Government consider applications for export licences for the supply of military equipment for incorporation into final products for possible onward export; and if he will make a statement. [67534]

Mr. Straw: In recent years there have been far reaching changes in the defence industry in the United Kingdom, the rest of Europe and the United States. Against the background of the end of the Cold War and the resulting reduction in defence budgets world wide, the defence industry has been subject to massive rationalisation. One consequence of this change is that increasingly defence goods are manufactured from components sourced in several different countries.

This restructuring of the defence industry presents new challenges for the Government's approach to export licensing. Many export licence applications are for goods which are to be incorporated in defence equipment in a second country, which thereafter may be exported to a third country.

The Consolidated EU and National Arms Export Licensing Criteria set out in a statement by my right hon. Friend the Member for Neath (Mr. Hain), *Official Report*, column 199–203W on 26 October 2000, make clear that they "will not be applied mechanistically" to decisions on export licence applications, but rather "on a case-by-case basis, using judgment and common sense". The criteria do not provide specific guidance on what approach should be adopted in these "incorporation" cases.

Other EU and NATO member states face the same rapidly changing environment for their defence industries as the UK. Enquiries by Her Majesty's Government suggest, however, that while as yet there is no common policy in such cases, many of our European partners recognise the need to adopt a special approach towards cases involving incorporation for onward export.

After very careful consideration, Her Majesty's Government have, therefore, decided that it is necessary to set out how it will in future approach licence applications for goods where it is understood that the goods are to be incorporated into products for onward export. The Government will continue to assess such applications on a case by case basis against the Consolidated Criteria, while at the same time having regard to, inter alia, the following factors:

(a) the export control policies and effectiveness of the export control system of the incorporating country;

(b) the importance of the UK's defence and security relationship with the incorporating country;

(c) the materiality and significance of the UK-origin goods in relation to the goods into which they are to be incorporated, and in relation to any end-use of the finished products which might give rise to concern;

(d) the ease with which the UK-origin goods, or significant parts of them, could be removed from the goods into which they are to be incorporated; and

(e) the standing of the entity to which the goods are to be exported.

Against this background the Government have considered its response to a number of applications for the export of parts, subsystems and components to the USA for incorporation into equipment eventually destined for other countries. These include Head Up Display units (HUDs) for incorporation in F-16 aircraft scheduled for delivery to Israel in 2003. The UK content in F-16s is less than 1 per cent. in value, but the supply of HUDs is part of a long-standing collaboration in this US programme. Any interruption to the supply of these components would have serious implications for the UK's defence relations with the United States.

The Government continue to be seriously concerned about the situation in Israel and the Occupied Territories. There has to be a break to the cycle of violence, which has brought so much misery to both peoples, and a resumption of the peace process. We are working closely with partners including the US to reduce the level of tension and to bring about a sustainable and peaceful settlement through negotiation.

The United States Government maintains a strong and effective export licensing system. The Quadripartite Committee has noted that the United States' conventional arms transfer policy

> "does not appear to differ in any important way from the EU Code or the UK national criteria. In some respects . . . it is an improvement"

(HC 467 xxix 73 (25 July 2000)). Appropriate use of arms exported to Israel by the US is the subject of regular dialogue between the two countries, and when the US have concerns they make these known to the Israelis (as required by Congressional legislation). The State Department has been monitoring Israeli actions carefully and will continue to do so.

At the same time the Government carefully take into account the importance of maintaining a strong and dynamic defence relationship with the US. This relationship is fundamental to the UK's national security as well as to our ability to play a strong and effective role in the world. The importance of this role has been demonstrated repeatedly in recent months. There are also wider benefits to the UK's national security of maintaining a strong indigenous defence industrial capability.

Taking account of all these considerations, the Government considered that the applications should be approved, and my right hon. Friend the Secretary of State for Trade and Industry has today granted licences for the export of the HUDs, and other equipment to the USA. The Government will apply similar considerations to similar applications in future.

European Foreign Ministers

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what issues will be discussed at the forthcoming meeting of European Foreign Ministers; and when it is. [67124]

Peter Hain: The General Affairs Council meets on 22–23 July.

The provisional agenda proposed by the presidency includes, under Horizontal Affairs: the work programme for the presidency and for the Commission; progress of work in other council configurations; enlargement; follow-up to the European Council in Seville: and follow-up to the EU Action Plan on terrorism. Under External Affairs the Council is expected to discuss: the EU's priorities in the area of conflict prevention; the middle east; western Balkans; Zimbabwe; EU-US trade (steel); preparation of the World Summit on Sustainable Development; Afghanistan and ESDP.

Gibraltar

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs on what grounds it was decided not to hand out leaflets on Gibraltar during the overseas territories exhibition organised by his Office on Britain's overseas territories; and who took the decision. [67218]

Mr. Mike O'Brien *[holding answer 5 July 2002]:* No such decision was taken. An updated information leaflet on Gibraltar was prepared specially for the event, and was inserted into all the packs prepared before the event. These packs ran out on the day, due to high demand. Additional packs were prepared but, due to an oversight, these were given out for a short period without Gibraltar leaflets. This situation was quickly corrected.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the status of joint proposals agreed by the United Kingdom and Spain on the future of Gibraltar, should they be rejected by the people of Gibraltar in a referendum; if such proposals would form the basis of future negotiations; and if he will make a statement. [67559]

Peter Hain *[holding answer 5 July 2002]:* I refer the hon. Member to the answer I gave him on 2 July 2002, *Official Report*, column 276W. As I said in Westminster Hall on 18 June 2002, *Official Report*, column 38WH, no deal will be implemented unless the people of Gibraltar agree in a referendum.

Bermuda Boundaries Commission

Mr. Gale: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the report of the Bermuda Boundaries Commission and related supporting written submissions. [67254]

Mr. Mike O'Brien: The Boundaries Commission has not yet produced its report. When it does appear, a copy will be placed in Libraries of both Houses.

International Criminal Court

Mr. Jenkin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries that *(a)* have signed the accession treaty to the International Criminal Court, *(b)* are expected to sign and *(c)* have deposited the instruments of ratification, giving the date of ratification in each case; and which of the non-ratificants have indicated that they may withhold their ratification. [67475]

Mr. Straw: Following is a table of countries which have signed, ratified or acceded to the Rome statute, containing relevant dates. I have no specific information about countries expected to sign up to the statute; however, there have been eight ratifications in the last month, bringing the total to 75.

We are not systematically informed of countries' intentions to withhold ratification. However, on 6 May 2002, the United States declared its intention not to become a party. On 30 June the Israeli cabinet announced that it too would withhold ratification.

Participants

Participant	*Signature*	*Ratification, Acceptance (A), Approval (AA), Accession (a)*
Albania	18 July 1998	
Algeria	28 December 2000	
Andorra	18 July 1998	30 April 2001
Angola	7 October 1998	
Antigua and Barbuda	23 October 1998	18 June 2001
Argentina	8 January 1999	8 February 2001
Armenia	1 October 1999	
Australia	9 December 1998	1 July 2002
Austria	7 October 1998	28 December 2000
Bahamas	29 December 2000	
Bahrain	11 December 2000	
Bangladesh	16 September 1999	
Barbados	8 September 2000	
Belgium	10 September 1998	28 June 2000
Belize	5 April 2000	5 April 2000
Benin	24 September 1999	22 January 2002
Bolivia	17 July 1998	27 June 2002
Bosnia and Herzegovina	17 July 2000	11 April 2002
Botswana	8 September 2000	8 September 2000
Brazil	7 February 2000	20 June 2002
Bulgaria	11 February 1999	11 April 2002
Burkina Faso	30 November 1998	
Burundi	13 January 1999	
Cambodia	23 October 2000	11 April 2002
Cameroon	17 July 1998	
Canada	18 December 1998	7 July 2000
Cape Verde	28 December 2000	
Central African Republic	7 December 1999	3 October 2001
Chad	20 October 1999	
Chile	11 September 1998	
Colombia	10 December 1999	
Comoros	22 September 2000	
Congo	17 July 1998	
Costa Rica	7 October 1998	7 June 2001
Côte d'Ivoire	30 November 1998	
Croatia	12 October 1998	21 May 2001
Cyprus	15 October 1998	7 March 2002
Czech Republic	13 April 1999	
Democratic Republic of the Congo	8 September 2000	11 April 2002
Denmark[2]	25 September 1998	21 June 2001
Djibouti	7 October 1998	
Dominica		12 February 2001 a
Dominican Republic	8 September 2000	
Ecuador	7 October 1998	5 February 2002
Egypt	26 December 2000	
Eritrea	7 October 1998	
Estonia	27 December 1999	30 January 2002
Fiji	29 November 1999	29 November 1999
Finland	7 October 1998	29 December 2000
France	18 July 1998	9 June 2000
Gabon	22 December 1998	20 September 2000
Gambia	4 December 1998	28 June 2002
Georgia	18 July 1998	
Germany	10 December 1998	11 December 2000
Ghana	18 July 1998	20 December 1999
Greece	18 July 1998	15 May 2002
Guinea	7 September 2000	
Guinea-Bissau	12 September 2000	
Guyana	28 December 2000	
Haiti	26 February 1999	
Honduras	7 October 1998	1 July 2002
Hungary	15 January 1999	30 November 2001
Iceland	26 August 1998	25 May 2000
Iran (Islamic Republic of)	31 December 2000	
Ireland	7 October 1998	11 April 2002
Israel	31 December 2000	
Italy	18 July 1998	26 July 1999
Jamaica	8 September 2000	
Jordan	7 October 1998	11 April 2002
Kenya	11 August 1999	
Kuwait	8 September 2000	
Kyrgyzstan	8 December 1998	
Latvia	22 April 1999	28 June 2002
Lesotho	30 November 1998	6 September 2000
Liberia	17 July 1998	
Liechtenstein	18 July 1998	2 October 2001
Lithuania	10 December 1998	
Luxembourg	13 October 1998	8 September 2000
Madagascar	18 July 1998	
Malawi	2 March 1999	
Mali	17 July 1998	16 August 2000
Malta	17 July 1998	
Marshall Islands	6 September 2000	7 December 2000
Mauritius	11 November 1998	5 March 2002
Mexico	7 September 2000	
Monaco	18 July 1998	
Mongolia	29 December 2000	11 April 2002
Morocco	8 September 2000	
Mozambique	28 December 2000	
Namibia	27 October 1998	25 June 2002
Nauru	13 December 2000	12 November 2001
Netherlands[1]	18 July 1998	17 July 2001 A
New Zealand[4]	7 October 1998	7 September 2000
Niger	17 July 1998	11 April 2002
Nigeria	1 June 2000	27 September 2001
Norway	28 August 1998	16 February 2000
Oman	20 December 2000	
Panama	18 July 1998	21 March 2002
Paraguay	7 October 1998	14 May 2001
Peru	7 December 2000	10 November 2001
Philippines	28 December 2000	
Poland	9 April 1999	12 November 2001
Portugal	7 October 1998	5 February 2002
Republic of Korea	8 March 2000	
Republic of Moldova	8 September 2000	
Romania	7 July 1999	11 April 2002
Russian Federation	13 September 2000	
Saint Lucia	27 August 1999	
Samoa	17 July 1998	
San Marino	18 July 1998	13 May 1999
Sao Tome and Principe	28 December 2000	
Senegal	18 July 1998	2 February 1999
Seychelles	28 December 2000	
Sierra Leone	17 October 1998	15 September 2000

Participants

Participant	*Signature*	*Ratification, Acceptance (A), Approval (AA), Accession (a)*
Slovakia	23 December 1998	11 April 2002
Slovenia	7 October 1998	31 December 2001
Solomon Islands	3 December 1998	
South Africa	17 July 1998	27 November 2000
Spain	18 July 1998	24 October 2000
Sudan	8 September 2000	
Sweden	7 October 1998	28 June 2001
Switzerland	18 July 1998	12 October 2001
Syrian Arab Republic	29 November 2000	
Tajikistan	30 November 1998	5 May 2000
Thailand	2 October 2000	
The Former Yugoslav Republic of Macedonia	7 October 1998	6 March 2002
Trinidad and Tobago	23 March 1999	6 April 1999
Uganda	17 March 1999	14 June 2002
Ukraine	20 January 2000	
United Arab Emirates	27 November 2000	
United Kingdom of Great Britain and Northern Ireland	30 November 1998	4 October 2001
United Republic of Tanzania	29 December 2000	
United States of America[1]	31 December 2000	
Uruguay	19 December 2000	28 June 2002
Uzbekistan	29 December 2000	
Venezuela	14 October 1998	7 June 2002
Yemen	28 December 2000	
Yugoslavia	19 December 2000	6 September 2001
Zambia	17 July 1998	
Zimbabwe	17 July 1998	

Mr. Jenkin: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects Afghanistan to ratify the International Criminal Court treaty. [67474]

Mr. Straw: This issue of when Afghanistan might ratify the Statute establishing the International Criminal Court is a matter for the Government of Afghanistan. I have no specific information on their approach/timetable, but I will make inquiries and write to the hon. Member.

HOUSE OF COMMONS

HM Queen Elizabeth the Queen Mother

Mr. Gordon Prentice: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what costs were borne by the House in respect of the funeral of HM Queen Elizabeth the Queen Mother. [65256]

Mr. Kirkwood: The costs for the lying in state of HM the Queen Mother will be shared between the House of Commons and the House of Lords. The Commons share is estimated at £495,000. I understand that the Department of Culture, Media and Sport have agreed to bear at least part of this cost, and discussions about payment are under way.

WALES

Postal Services

Mr. Evans: To ask the Secretary of State for Wales when he will next meet representatives from Consignia to discuss postal services in Wales. [63497]

Mr. Paul Murphy: I am due to meet with a senior representative of Consignia in Wales later this month.

Air Transport

Mr. Evans: To ask the Secretary of State for Wales what discussions he has had with *(a)* the National Assembly for Wales and *(b)* airlines about increasing the number of chartered flights in Wales. [64542]

Mr. Paul Murphy: I have regular discussions with Assembly Ministers about issues affecting Wales including a wide range of transport matters.

Assembly officials have been closely involved in the Regional Air Service studies the reports of which are to be published soon. These regional consultation documents will set out options for the development of air services and airports in the UK over the next 30 years.

The Regional Air Service studies include consideration of all forms of air traffic including charter flights. I understand that Welsh airports are actively marketing the facilities they are able to offer to charter operators.

Regulatory Impact Unit

Dr. Cable: To ask the Secretary of State for Wales how many members of his Department have been employed in its regulatory impact unit in the past five years; and if he will make a statement. [65977]

Mr. Paul Murphy: My Department was created in July 1999. It does not have a regulatory impact unit.

Buildings Insurance

Mr. Bercow: To ask the Secretary of State for Wales what the cost of buildings insurance to his Department was *(a)* before and *(b)* after 11 September 2001. [66928]

Mr. Paul Murphy: Consistent with Government accounting, my Department does not insure its building.

Female Staff

Mr. Bercow: To ask the Secretary of State for Wales what percentage of the staff of his Department are women; and what the percentage was in June 1997. [66917]

Mr. Paul Murphy: My Department came into existence on 1 July 1999. At page 23 of the Departmental Report 2002 (Cm 5431) is a table showing the number of women at each grade. The overall percentage is 59 per cent.

Elan Valley SSSI

Mr. Llwyd: To ask the Secretary of State for Wales what measures the Government are taking to protect the Elan Valley site of special scientific interest from development. [64707]

Mr. Paul Murphy: In Wales, planning and nature conservation are responsibilities of the National Assembly.

Bird Habitats

Mr. Llwyd: To ask the Secretary of State for Wales what plans he has to safeguard the natural habitat of red kites and golden plovers in Wales; and if he will make a statement. [64706]

Mr. Paul Murphy: This is primarily a matter for the National Assembly for Wales.

In line with EC Directive (79/409/EEC) on the Conservation of Wild Birds, the Assembly is taking appropriate steps to preserve, maintain or re-establish a sufficient diversity and area of habitats for all species of naturally occurring birds.

CULTURE, MEDIA AND SPORT

Public Building Design

Ms Shipley: To ask the Secretary of State for Culture, Media and Sport (1) what the timetable is for the publication of each of the departmental design action plans to deliver the Prime Minister's Better Public Building Initiative; [65068]

(2) if she will list the Ministerial Design Champions. [65041]

Dr. Howells: The Ministerial Design Champions group has been chaired by Lord Falconer of Thoroton since October 2000. The group consists of the following:

Department for Culture, Media and Sport—Baroness Blackstone

Home Office—Lord Filkin

Department for Environment, Food and Rural Affairs—Elliot Morley

Department of Trade and Industry—Brian Wilson

Treasury—Paul Boateng

Ministry of Defence—Dr. Lewis Moonie

Department for Work and Pensions—Malcolm Wicks

Department for Education and Skills—Baroness Ashton

Lord Chancellor's Department—Minister to be appointed

Department of Health—Lord Hunt

Foreign and Commonwealth Office—Denis MacShane

Office of the Deputy Prime Minister—Lord Rooker

Department for Transport—Minister to be appointed.

A Better Public Buildings website will be launched on 5 July. The following Departments will publish their action plans either on this website or in hard copy by that date:

Department for Culture, Media and Sport

Department for Work and Pensions

Foreign and Commonwealth Office

Department of Trade and Industry

Lord Chancellor's Department

Home Office.

The following Departments have already published action plans:

Ministry of Defence

Department of Health

Department for Environment, Food and Rural Affairs.

The former Department for Transport, Local Government and the Regions was preparing an action plan for publication both in hard copy and on the new website in time for the launch on 5 July. Due to the recent departmental changes, new action plans will now need to be prepared for the Office of the Deputy Prime Minister and the Department for Transport. The Department for Education and Skills plan to publish an Action Plan later this autumn.

Building Values

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport if she will list the buildings owned by her Department and estimate the market value of each of them. [66949]

Dr. Howells: The Department for Culture Media and Sport does not own the buildings on its estate.

The majority of properties managed by the Royal Parks Agency are owned by the Sovereign in right of the Crown, and are therefore inalienable.

The Secretary of State has the following property interests in the Royal Parks Agency.

1. Pembroke Lodge in Richmond Park is owned by the Crown Estate Commissioners and is leased to the Secretary of State for a term of 99 years and five days from 31 March 1992. Its market value was assessed at £375,000 in March 2000.
2. The Secretary of State owns the freehold to Watermill House, 213 Uxbridge Road, Hampton. It borders the Longford River (which is managed by the Royal Parks Agency) and its market value was assessed at £67,000 in March 1999.

Buildings Insurance

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport what the cost of buildings insurance to her Department was *(a)* before and *(b)* after 11 September 2001. [66931]

Dr. Howells: The Department for Culture Media and Sport and the Royal Parks Agency do not purchase insurance to cover buildings on their estates.

Clarence House

Mr. Pickthall: To ask the Secretary of State for Culture, Media and Sport who will meet the bill for the refurbishment of Clarence House; and what the total cost will be to public funds. [66690]

Dr. Howells: Detailed surveys are currently taking place to ascertain the extent of the Clarence House refurbishment works, which include work on fire compartmentation, automatic fire detection, upgrade of electrical and mechanical services and some redecoration. It is not possible to provide a firm estimate of the cost of the refurbishment until the completion of these surveys. The refurbishment will be funded from the current level of grant in aid for the maintenance of the Occupied Royal Palaces.

Statistics

Mr. Laws: To ask the Secretary of State for Culture, Media and Sport if she will list the statistics that are collected by her Department by English parliamentary constituency; and if she will make a statement. [67098]

Dr. Howells: My Department collects statistics by Parliamentary Constituency on one topic, namely Lottery Awards, and these are based upon information provided by Lottery distributors.

A database, which is available on my Department's website at www.lottery.culture.gov.uk, provides details of individual awards along with the total number and value. This can be analysed further by type of good cause, area details and distributing body.

Timber

Ms Walley: To ask the Secretary of State for Culture, Media and Sport whether grants for construction, restoration and refurbishment issued by the Lottery are covered by Government requirements regarding timber procurement; and if she will make a statement. [67033]

Mr. Caborn: This information is not readily available. I will, however, write to the hon. Member as soon as it becomes available, placing copies of my letter in the Libraries of both Houses.

Charitable Status

Lembit Öpik: To ask the Secretary of State for Culture, Media and Sport (1) if she will make a statement on the proposals of the Charity Commissioners to restrict eligibility for charitable status to those sports that in the opinion of the Charity Commissioners are beneficial to physical health; and what discussions her Department has had with the Charity Commissioners over the criteria they are using to determine the eligibility of different sports for charitable status; [67081]

(2) whether her Department has discussed with the Charity Commissioners the recognition for the purposes of charitable status of those sports already recognised by the Government through Sport England and Sport UK as eligible for Lottery and Exchequer funding; and if she will make a statement. [67082]

Mr. Caborn: The Charity Commission has confirmed that no sports are excluded in principle from applying for charitable status. If a sport does not meet the criterion for healthy recreation then the Commission will consider an application on other grounds such as social inclusion or education. Full discussion on the revised guidance for charitable status and sport was carried out with the Charity Commission and representatives from sports bodies.

Annual Leave

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport what the average annual leave entitlement is for staff in her Department in 2002. [64652]

Dr. Howells: The Department does not maintain central records of annual leave entitlement for staff so this information could be provided only at disproportionate costs.

Staff outside the senior civil service within the Department are entitled to 25 days annual leave per year on joining the civil service and after 10 years service this is then increased to 30 days per year. Members of the senior civil service are entitled to 30 days per year.

Female Staff

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport what percentage of the staff of her Department are women; and what the percentage was in June 1997. [66914]

Dr. Howells: The current percentage of women within the Department is 48 per cent. compared to 43 per cent. in June 1997.

National Insurance

Mr. Yeo: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the cost to the tourist industry of the changes in the national insurance regime in the last budget. [67017]

Dr. Howells: I refer the hon. Member to the reply I gave the hon. Member for Ryedale (Mr. Greenway) on 10 May 2002, *Official Report,* column 385W.

"All Our Futures: Creativity, Culture and Education"

Helen Jones: To ask the Secretary of State for Culture, Media and Sport what steps she is taking to implement the recommendations of the report, "All Our Futures: Creativity, Culture and Education"; and if she will make a statement. [67156]

Dr. Howells: The National Advisory Committee on Creative and Cultural Education reported jointly to the Secretaries of State for Culture, Media and Sport and Education and Employment in 1999 via the report "All Our Futures". The report contained 59 detailed recommendations for action by a range of bodies including Government, schools and higher education institutions. My Department has worked closely with the Department for Education and Skills, and external partners, to implement the recommendations.

Some of the main steps taken so far include funding of £270 million for the introduction of the Music Standards Fund to protect and expand LEA music services; the establishment of Artsmark, a national awards scheme now in its second year which recognises schools which offer a wide range of arts provision; and the recent joint announcement of £130 million for the Space for Sport and Arts programme which will fund almost 300 primary schools nationwide to modernise or build new multi-use halls and sports facilities and new music and arts studios.

Other major initiatives in progress include the development of 16 Creative Partnerships pilots, with the aim of building long-term, sustainable relationships between creative professionals and schools. The Qualifications and Curriculum Authority is undertaking a project focusing on pupils' creativity across the curriculum which will produce guidance for schools on ways to promote pupils' creativity.

Our Green Paper "Culture and Creativity—the Next Ten Years", published in March 2001, set out our overall vision for culture and creativity, and further underlined the importance we place on creativity and culture in education.

Broadband

Mr. Connarty: To ask the Secretary of State for Culture, Media and Sport if she will publish her assessment of the benefits of access to broadband services for industries within her remit; and if she will make a statement. [61803]

Dr. Howells: The Government believe that the rapid roll-out and adoption of broadband across the UK is important to both their social and economic objectives. The Government and other organisations have conducted studies of the application of information and communication technology and e-commerce to business and small and medium enterprises which suggest that broadband has a range of benefits and that industries stand to gain from productivity improvements. However, an assessment of the specific benefits to each industry within DCMS' remit could be undertaken only at disproportionate cost.

Regional Television

Mr. Salmond: To ask the Secretary of State for Culture, Media and Sport what plans she has to take action to require the ITC to ensure that ITV companies in Scotland do not decrease the number of hours of regional programmes which they broadcast annually. [67089]

Dr. Howells *[holding answer 5 July 2002]:* On 27 May the Independent Television Commission (ITC) published the Charter for Broadcasting in the Nations and Regions, an agreement with the ITV companies to secure a sustainable future for regional programming. The charter includes commitments to guarantee out of London investment, improve scheduling of regional programming and strengthen local accountability. It also involves a greater standardisation of regional programme hours, and therefore some reduction in output that is less well funded and shown at the least accessible times. The ITC considers that the emphasis should be on quality rather than quantity and that the public interest is best served by better funded, more accessible programming. The Department has no plans to intervene.

Television Cricket

Mr. Hendry: To ask the Secretary of State for Culture, Media and Sport if she will take measures to require future Ashes cricket series in Australia to be available on terrestrial television. [67247]

Dr. Howells *[holding answer 5 July 2002]:* The Government only intervene in the sports broadcasting market to ensure that all television licence holders have free-to-air access (on the BBC, the ITV Network or Channel 4) to those sporting occasions which are considered to have true national resonance. These events are listed under Part IV of the Broadcasting Act 1996. The list was revised and extended in 1998 and is kept under review.

Cricket test matches played in England and the final, semi-finals and matches involving Home Nations teams in the Cricket World cup are listed. Test matches played overseas are not listed because, while of great interest to cricket fans, they do not strike a chord with the general viewer in the same way as events which are listed.

Hockey

Mr. Heald: To ask the Secretary of State for Culture, Media and Sport when she last attended a hockey match in her official capacity. [67938]

Tessa Jowell: I have not yet attended a hockey match in an official capacity, although I did attend an elite training session for hockey goalkeepers at the Summer Performance Camp at Loughborough University on 10 July 2001.

Mr. Heald: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the levels of participation in hockey by persons from ethnic minority backgrounds; and if she will make a statement. [68004]

Mr. Caborn: The following figures show participation in hockey by ethnic breakdown.

Figures only cover affiliated clubs and are taken from an audit by the English Hockey Association.

Further breakdown by age would be available on request.

	Men	*Women*
White	29,701	22,412
Mixed	742	285
Asian/Asian British	1,414	149
Black/Black British	136	205
Chinese/Other	132	76
Total	32,125	23,127

Mr. Heald: To ask the Secretary of State for Culture, Media and Sport what plans she has to encourage the provision of astroturf hockey pitches. [67936]

Mr. Caborn: The Government recognise the value that synthetic turf pitches have in improving the opportunities to take part in a variety of outdoor sports, including hockey.

The Government support the provision of sport and leisure facilities, including astroturf hockey pitches, through various means including funding from the Sports Lottery Fund, administered by Sport England. The provision of astroturf hockey pitches is a matter for local authorities to consider, in the light of local needs and the appropriate mixture of public and private provision.

Sport England has worked with the English Hockey Association in the preparation of a facilities strategy. This strategy deals with the provision of new artificial pitches with particular reference to water-based pitches for performance hockey. The strategy makes recommendations for the number of artificial turf pitches by population base and identifies three categories of artificial pitch provision: regional academies; satellite centres; and premier club centres.

TRANSPORT

Trackside Debris

Alistair Burt: To ask the Secretary of State for Transport (1) what action he has taken in respect of reports of sleepers and other debris being left by contractors beside the main east coast railway line in Arlesey, Bedfordshire; and if he will make a statement; [58329]

(2) if he will raise with the Chief Executive of Railtrack at a meeting in the near future the issue of contractors' debris beside railway lines; and if he will make a statement; [58327]

(3) what information he has received from the Chief Executive of Railtrack about an initiative designed to ensure contractors clear debris from areas surrounding railway tracks whilst work is in progress; and if he will make a statement. [58328]

Mr. Jamieson *[holding answer 21 May 2002]:* I understand that Railtrack have in hand a national programme to ensure that the lineside is clear from surplus engineering material by October 2002; and that systems are in place by the following month to prevent future build-up of such material.

Home Zones

Mr. Don Foster: To ask the Secretary of State for Transport which local authorities included proposals for home zones in their annual progress reports 2001 finance forms; how many were proposed in each case; what the total length of these roads is; and if he will make a statement. [66002]

Mr. Jamieson: The table shows the information provided within the local transport plan Annual Progress Reports submitted in August 2001 of those English authorities outside London which included proposals for the designation of areas as home zones. Length of road within each proposal is not recorded centrally.

Authority	*2001–02*	*2002–03*	*2003–04*	*2004–05*	*2005–06*
Bath and North East Somerset	2	3	3	3	3
Birmingham	0	2	2	1	2
Blackburn	1	1	1	1	1
Blackpool	0	1	0	0	1
Bolton	0	0	1	1	1
Bournemouth	2	2	2	2	2
Brighton	0	0	1	1	1
Bristol	1	1	1	1	1
Darlington	0	0	1	1	1
Derby	0	0	1	2	3
Devon	1	4	5	3	4
Dorset	0	0	1	1	1
Durham	30	30	30	30	30
Gateshead	0	1	0	0	0
Gloucestershire	0	0	0	0	1
Hampshire	1	1	1	1	1
Hull	0	1	2	2	2
Isle of Wight	1	2	2	2	2
Kent	0	1	1	1	1
Knowsley	0	1	1	1	1
Leeds	1	0	1	1	1
Leicestershire	3	3	3	3	3
Lincolnshire	0	1	2	1	1
Liverpool	1	2	2	3	3
Luton	1	1	1	1	1
Manchester	1	4	4	4	5
Medway	0	0	1	1	1
North Lincolnshire	0	1	1	1	1
North Tyneside	1	1	1	1	1
Newcastle	0	0	1	1	1
Northumberland	0	2	1	1	1
Nottingham	2	2	2	2	2
Nottinghamshire	2	0	3	4	4
Oldham	2	1	1	1	1
Oxfordshire	1	1	1	1	1
Peterborough	1	0	0	0	0
Plymouth	0	1	0	0	0
Poole	0	0	0	0	1
Portsmouth	1	1	1	1	1
Rutland	1	1	1	1	1
South Tyneside	0	1	1	1	2
Salford	0	0	1	1	1
Sefton	0	1	1	1	1
Sheffield	1	0	0	0	0
Shropshire	2	2	2	2	2
Solihull	0	0	2	3	4
St Helens	1	1	1	0	1
Stockport	3	3	3	3	3
Stoke on Trent	0	0	1	0	1
Suffolk	0	1	2	1	1
Surrey	1	3	5	5	5
Telford and Wrekin	0	0	1	1	1
Thurrock	0	1	1	2	2
Trafford	0	0	1	1	1
West Sussex	0	0	0	0	1

Authority	*2001–02*	*2002–03*	*2003–04*	*2004–05*	*2005–06*
Warrington	0	0	1	1	1
Warwickshire	1	2	3	4	5
Windsor and Maidenheaad	1	0	0	0	0
Wolverhampton	1	2	2	3	3
York	1	3	3	3	3

Source:

LTP Annual Progress Report 2001

10-Year Plan

Chris Grayling: To ask the Secretary of State for Transport when he plans to publish revisions to the 10 year plan for transport. [66061]

Mr. Jamieson: I refer the hon. Member to the Secretary of State for Transport' oral answer to the hon. Member for Christchurch (Mr. Chope) on Tuesday 2 July 2002, *Official Report,* columns 77–78.

Train Punctuality

Mr. Don Foster: To ask the Secretary of State for Transport how many trains of each train operating company arrived late by *(a)* more than five minutes and *(b)* more than 10 minutes in each month from November 2001 to June 2002; and how many trains in each train operating company were cancelled in each month from November 2001 to June 2002. [66673]

Mr. Jamieson: I refer the hon. Member to the Strategic Rail Authority Publication 'On Track' which contains the rail performance information he seeks. The document is published every six months, the last one on 6 June and was placed in the Libraries of the House.

Funding Guarantees

Mrs. May: To ask the Secretary of State for Transport what funding guarantees have been given to the SRA by his Department. [66496]

Mr. Jamieson *[holding answer 2 July 2002]:* I refer the hon. Member to the statement about Network Rail made by my right hon. Friend the Secretary of State for Transport on 27 June 2002 *Official Report,* columns 971–973.

Halcrow

Mr. Gray: To ask the Secretary of State for Transport what strategic transport reports he intends to commission from Halcrow; and what fees they will be paid. [66756]

Mr. Jamieson: The Department may wish to engage consultants for a wide variety of purposes, including policy development (and implementation), administration, research and development, and the provision of specialist services. I would not want to prejudge who are appointed to undertake such work.

York-Penzance Rail Service

Miss McIntosh: To ask the Secretary of State for Transport what recent assessment he has made of the *(a)* reliability and *(b)* punctuality of rail services between York and Penzance. [67212]

Mr. Jamieson: Performance figures for each of the train operating companies are published by the Strategic Rail Authority in their quarterly publication "National Rail Trends", and in more detail in their six monthly publication "On Track". Copies of these publications are placed in the library of the House. The most recent editions of both documents were published on 6 June.

Modes of Transport Statistics

Miss McIntosh: To ask the Secretary of State for Transport how many *(a)* car, *(b)* bus and *(c)* rail journeys were made in the last 12 months. [67213]

Mr. Jamieson: Data from the National Travel Survey on main mode of trip show that, over the period 1998–2000, residents in Great Britain made on average:

(a) 640 car trips per person per year (411 as a driver and 228 as a passenger)

(b) 58 local bus trips per person per year and

(c) 19 rail trips per person per year (12 by surface rail and 7 by LT Underground).

Data are not available for single years.

Seat Belts

Mr. Steinberg: To ask the Secretary of State for Transport, pursuant to his answer of 1 July 2002, ref 65787, on seat belts, what plans he has to ensure they are used by pupils. [67225]

Mr. Jamieson: The law does not require passengers to wear seat belts in the rear seats of coaches but advice in the Highway Code is that they should be worn where available. Unlike the case of drivers of cars, goods vehicles and the smaller minibuses, it would be unreasonable and potentially unsafe for drivers of these larger vehicles also to be responsible for seat belt wearing by passengers under 14 years.

Oral Questions

Mr. Simon Thomas: To ask the Secretary of State for Transport how many oral questions he has transferred to other Departments in each of the last 18 months. [67050]

Mr. Jamieson: Since the Department for Transport was formed on 29 May 2002, no oral questions have been transferred to other Departments.

Five oral questions were transferred by the former Department for Transport, Local Government and the Regions, as follows:

Month	*Number of oral questions transferred*
June 2001	1
December 2001	1
January 2002	1
March 2002	2

Questions are only transferred when it is more appropriate for another Department to answer, and they accept the question.

National Air Traffic Services

Mr. Hoban: To ask the Secretary of State for Transport, pursuant to his answer of 25 June to the hon. Member for Orkney and Shetland (Mr. Carmichael), *Official Report*, column 768W, on national air traffic services, what actions with regard to software and equipment have been taken to prevent a recurrence of the problems experienced on 27 March, 10 April and 17 May. [67174]

Mr. Jamieson *[holding answer 5 July 2002]:* Details of the actions taken in response to earlier software and equipment problems at West Drayton and Swanwick are operational matters for NATS.

Bus Services

Andy Burnham: To ask the Secretary of State for Transport how many bus services in each metropolitan transport authority area for which his Department pays subsidy have been *(a)* temporarily and *(b)* permanently suspended in the last 12 months. [66880]

Mr. Jamieson: My Department does not collect information in the form requested.

All local bus services following a registered route and timetable are eligible to receive grant from the Department in the form of fuel duty rebate. However, in the vast majority of cases (nearly 90 per cent. of total bus provision in the areas of passenger transport authorities) decisions on service provision are for commercial operators.

In the remaining cases, the service is provided under contract from the passenger transport authority and subsidised by that authority from its own resources. The resources available to authorities are augmented by payments from the Department's rural bus subsidy grant scheme. I understand that only one service supported by a passenger transport authority with funding form this scheme has been withdrawn in the last 12 months.

Mr. Breed: To ask the Secretary of State for Transport what measures he is taking to increase the take-up of concessionary fares on rural bus services. [66781]

Mr. Jamieson *[holding answer 4 July 2002]:* Our minimum requirement for concessionary fares schemes has, since June 2001, guaranteed at least half-fares for pensioners and disabled people on local buses to the benefit of seven million people overall, some of whom will be travelling in rural areas. This is an improvement on the previous position where 16 mostly rural areas had no concessionary travel scheme at all. From April 2003 the Travel Concessions (Eligibility) Act 2002 will ensure that men aged 60–65 will also receive the benefit of concessionary travel. Further, our Rural Bus Subsidy Grant has provided an additional 1,800 services upon which concessionary travel is possible. Many of the innovative schemes supported by our Rural Bus Challenge competition also provide further scope for take-up of concessionary travel.

Baldock Bypass

Mr. Heald: To ask the Secretary of State for Transport if he will make a statement on the funding of the Baldock bypass and progress on the project. [67952]

Mr. Jamieson: Hertford county council originally proposed that the Baldock bypass should be funded through the Private Finance Initiative. However, following a re-evaluation of the scheme, Hertfordshire concluded that the Baldock bypass should be procured through conventional funding. They agreed to provide revised cost estimates in support of this view.

We have been in discussions with Hertfordshire to determine what procurement would represent value for money for this scheme and are currently awaiting information from Hertfordshire. When this information is received I hope to be in a position to make a decision about how the Baldock bypass will be funded.

John Cordle

Mr. Key: To ask the Secretary of State for Transport whether *(a)* he and *(b)* his Ministers spoke to a constituent, Mr. John Cordle of Salisbury, on 18 June. [67202]

Mr. Jamieson: No.

Northern Line

Mrs. May: To ask the Secretary of State for Transport how many people on average *(a)* entered and *(b)* left the Northern Line in each 15 minute period of a working day for each station on the Northern Line in the most recent period for which figures are available. [67713]

Mr. Jamieson: Detailed in-year operational information of this nature is a matter for London Underground.

Mrs. May: To ask the Secretary of State for Transport what assessment he has made of the percentage of people, taking the Northern line *(a)* south from Euston and *(b)* north from Kennington, who travelled on the (i) Charing Cross branch and (ii) Bank branch in the most recent period for which figures are available. [67714]

Mr. Jamieson: None, detailed operational information of this nature is a matter for London Underground.

London Underground

Mrs. May: To ask the Secretary of State for Transport if he will list the length of train, in numbers of carriages, that each station on the London Underground Network *(a)* can accommodate and *(b)* is most frequently served by. [67718]

Mr. Jamieson: I refer to the answer which my right hon. Friend the Minister for Transport (Mr. Spellar) gave to the hon. Member for Carshalton and Wallington (Mr. Brake) on 15 January 2002, *Official Report*, column 196W.

Mrs. May: To ask the Secretary of State for Transport if he will list the *(a)* crowded and *(b)* very crowded links, as defined by London Underground, as at 1 July of each of the last eight years, on the London Underground network. [67721]

Mr. Jamieson: Detailed operational information of this nature is a matter for London Underground who inform me, furthermore, that it could be provided only at disproportionate cost.

Mrs. May: To ask the Secretary of State for Transport how many times each day *(a)* a station and *(b)* a platform, on the London Underground network has been temporarily closed owing to overcrowding in the most recent period for which figures are available. [67716]

Mr. Jamieson: Detailed operational information of this nature is a matter for London Underground.

Network Rail

Mr. Don Foster: To ask the Secretary of State for Transport, pursuant to his answer of 25 June 2002, *Official Report*, column 774W, on Network Rail, if he will list the *(a)* funders and *(b)* customers to whom he refers; and if he will provide details of the obligations in each case. [66067]

Mr. Jamieson: The Strategic Rail Authority would fund Network Rail by means of future grants and will provide back-stop credit facilities as set out in the statement made to the House by my right hon. Friend the Secretary of State on 27 June 2002, *Official Report*, columns 971–989, and in the minutes mentioned in the statement, which have been laid before the House. In addition to the SRA, Network Rail would have a number of commercial funders. Network Rail's customers would be the train and freight operating companies. Their obligations would be in accordance with the track and station access agreements for each operating company. These agreements are available from the office of the rail regulator.

Mrs. May: To ask the Secretary of State for Transport, under the Network Rail proposal, what call there is on Railtrack Group PLC under the outstanding guarantees in respect of *(a)* the European Investment Bank facilities made available to Railtrack PLC and *(b)* the bank facilities which have been made available to London and Continental Railways Limited in connection with the CTRL. [66531]

Mr. Jamieson *[holding answer 2 July 2002]:* None.

Mrs. May: To ask the Secretary of State for Transport if he will list the incentive arrangements with regard to Network Rail and possible enhancement projects; and if he will make a statement. [66602]

Mr. Jamieson *[holding answer 2 July 2002]:* Network Rail will prepare and publish an incentive plan annually. The plan will cover both the short and the long run delivery of the business and be focused on delivery of the business plan, including enhancement projects, and on meeting licence and contractual obligations.

Mrs. May: To ask the Secretary of State for Transport if he will make a statement on the mechanism by which members of Network Rail will be held accountable by *(a)* customers, *(b)* the general public, *(c)* the Executive and *(d)* Parliament. [66543]

Mr. Jamieson *[holding answer 2 July 2002]:* Network Rail would be accountable via its network licence and contractual obligations. Its customers could ensure that the company meets its contractual obligations to them; the Rail Regulator would continue to monitor and enforce delivery against the network licence; and the Strategic Rail Authority's strategic plan will set the framework within which the company would deliver and particularly within which enhancements will be taken forward.

The strategic plan is laid before Parliament. The SRA would also appoint a non-executive director to the Network Rail board.

Mrs. May: To ask the Secretary of State for Transport (1) if he will make a statement on the mechanism for selecting the members of the nominating committee for Network Rail members; [66542]

(2) by what mechanism people and groups will be appointed to be members of Network Rail; how many will be appointed; and on what date. [66540]

Mr. Jamieson *[holding answer 2 July 2002]:* Network Rail would have three categories of members: "industry members"—railway licence holders; "public interest members"—drawn from the community at large, with a clear interest in the railway and the ability to make a genuine contribution; and the "SRA member"—nominated by the Strategic Rail Authority. Network Rail expects there to be around 100 members in total.

Network Rail intends to recruit public interest members by invitation and through advertisement and will appoint a membership selection panel (MSP), with an independent majority, to consider applications against a membership policy. The board would appoint public interest members on the recommendation of the MSP. The detail and timing of these arrangements are matters for Network Rail to determine.

Railtrack

Mrs. May: To ask the Secretary of State for Transport on what date he expects to make an application to the court for the discharge of the Railtrack administration order; and if he will make a statement. [66539]

Mr. Jamieson *[holding answer 2 July 2002]:* I refer the hon. Member the statement about Network Rail made by my right hon. Friend the Secretary of State for Transport on 27 June 2002, *Official Report*, columns 971–73.

Mrs. May: To ask the Secretary of State for Transport on what basis Railtrack Group will waive its claims for compensation against Her Majesty's Government, the Secretary of State, his Department and others in respect of the making of the administration order; if he will place copies of related documentation in the Library; and if he will make a statement. [66499]

Mr. Jamieson *[holding answer 2 July 2002]:* This is a matter for Railtrack Group plc. Their reasoning is explained in the press release they issued on 27 June 2002.

Mrs. May: To ask the Secretary of State for Transport under the administration order, whether Railtrack Group will be permitted to carry out the planned rollover of chargeable gains arising in the year, in connection with certain contingent tax liabilities arising from transactions entered into before 7 October 2001, for which no provision has been made; and if he will make a statement. [66532]

Mr. Jamieson *[holding answer 2 July 2002]:* This is a matter for Network Rail, Railtrack Group and the administrators of Railtrack plc.

TRADE AND INDUSTRY

Industrial Support

Mr. Colman: To ask the Secretary of State for Trade and Industry what industrial support resources, including staff and direct financial investment, are invested in the *(a)* automotive, *(b)* environmental industry, *(c)* construction, *(d)* metals, *(e)* aerospace, *(f)* chemicals and *(g)* water industrial sectors. [63806]

Ms Hewitt: The DTI's role is to work with business, employees and consumers to drive up UK productivity and competitiveness. Our planned expenditure on resources for the promotion of enterprise, innovation and increased productivity is £1.23 billion for 2002–03, as set out in Table 2, Annex A, of the Trade and Industry Expenditure Plans Report 2002, Cm 5416. This will include advice and support for the sectors in question and the development of policy to promote the success of those sectors. The detailed information requested cannot be provided without incurring a disproportionate cost.

Departmental Waste

Sue Doughty: To ask the Secretary of State for Trade and Industry what proportion of waste produced in her Department was *(a)* recycled, *(b)* composted and *(c)* re-used, broken down into (i) paper, (ii) plastics, (iii) aluminium cans and (iv) other, in each year since 1997; what plans there are to increase the proportions; and if she will make a statement. [65693]

Ms Hewitt: Up to June 2002 the DTI used a variety of waste contractors, who operated their own waste minimisation techniques, including minimisation at source, re-use, recycling and energy recovery. An accurate figure for the proportion of waste recycled, composted, reused and segregated from 1997 to date could be obtained only at disproportionate expense. However, I attach a high importance to monitoring and improving on current waste outputs, and a total waste management tender has been developed and has taken effect from July 1 2002. The successful contractor will be required to report on the percentage of waste streams that are recovered, while ensuring that the following targets are achieved:

	Recovery target (As a percentage of waste handled)	*Recycling/ composting target (As a percentage of waste recovered)*
2002–03	60	45
2003–04	70	55
2004–05	80	65

Initially the targets will be achieved through paper and card recycling but the tender specification requires the contractor to investigate innovative techniques for recovering other waste streams, including metals, plastics and glass.

General Agreement on Trade in Services

Ms Drown: To ask the Secretary of State for Trade and Industry if she will make a statement on the European Union's negotiating demands for the General Agreement on Trade in Services, indicating which ones her Department *(a)* supports and *(b)* does not support. [64719]

Ms Hewitt: In line with the end-June benchmark date set in the WTO Doha ministerial declaration for the exchange of initial requests between WTO members for liberalisation under the current General Agreement on Trade in Services negotiations, the European Community's requests were finalised on 28 June following consultation between the Commission and member states. They are being transmitted this week to individual WTO members to whom they are addressed.

In the case of the EC's major trading partners, both developed and developing countries, requests are made in most services sectors. The main exceptions are health, education (with the exception of the US, to whom requests are made in the area of privately funded higher education services) and audio-visual services.

As regards developing countries, requests are made in line with their levels of development. In the case of the least developed countries, requests are in the main limited to three to five sectors, with the sectors identified being those where liberalisation is most likely to contribute to development—primarily business, financial, telecommunications and transport services.

Throughout the requests, the EC emphasises that it is not seeking the dismantling of public services or the privatisation of state owned companies. The requests also make clear that the EC recognises the importance of liberalisation being underpinned by domestic regulatory frameworks designed to ensure the achievement of public policy objectives.

The requests are not demands. They are an opening basis for negotiations. Nor, as WTO Director-General Mike Moore has confirmed last week, do requests constitute agreements by WTO members to include such sectors as part of their commitments.

Regional Development Agencies

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry if she will list the members of each of the regional development agencies, together with any declared party political affiliation. [64454]

Ms Hewitt: The names of the board members of each of the eight English regional development agencies outside London, together with any political affiliations declared in response to the political activity questionnaire required by the Office of the Commissioner for Public Appointments (OCPA) are as follows:

Surname	*First name*	*Declared political activity*
Advantage West Midlands		
Stephenson	Alex	None
Barnes	Richard	None
Bhattacharyya	Kumar	None
Bore	Albert	Labour
Davis	Sue	Labour
Harris	Anthony	None
Holmes	Bill	Labour
Kaur Stubbs	Sukhvinder	None
King	Christine	None
Moore	Isabella	None
Price	Norman	None
Sealey	Tony	None

Surname	First name	Declared political activity
Sparks	David	Labour
Tilsley	Paul	Liberal Democrat
Woods-Scawen	Brian	None
East of England Development Agency		
Watts	Vincent	None
Ali	Roger	None
Bagnall	Ruth	Labour
Brinton	Sal	Liberal Democrat
Cereste	Marco	None
Cherry	Alan	None
Grant	Greg	Labour
Martin	Peter	Conservative
Murray	Leo	None
Paveley	Chris	None
Powell	Richard	None
Reyner	Neville	None
Shariff	Yasmin	None
Skinner	Marie	None
East Midlands Development Agency		
Mapp	Derek	None
Bilgan	Kashmir	Labour
Bradford	Jane	None
Carr	Bryan	None
Chapman	Graham	Labour
Gadsby	Peter	None
Gardner	Gill	Liberal Democrat
Gemmell	Samantha	None
McLeod	Jonathan	Labour
Morgan-Webb	Patricia	None
Patel	Rita	Labour
Ramsden	Peter	Labour
Scarborough	Andrew	Labour
Whittaker	Ron	None
Wood	Christine	None
North West Development Agency		
Gray	Bryan	None
Chamberlain	Neville	None
Doyle	Michael	Labour
Dunning	John	None
Goodey	Felicity	None
Harris	Martin	None
Jeanes	Clive	None
Lane	Pauleen	Labour
Leese	Richard	Labour
Manning	Alan	Labour
Mendoros	Dennis	None
Reade	Kath	Labour
Ruia	Anil	Conservative
Smith	Brenda	None
Storey	Michael	Liberal Democrat
One Northeast		
Bridge	John	None
Arkley	Alistair	None
Cantle-Jones	Timothy	None
Curran	Kevin	Labour
Dennis	Barbara	None
Edwards	Christopher	None
Fisher	Jackie	None
Hodgson	Geoff	None
Hughes	Philip	Independent
Maudslay	Richard	None
Nolan	Jane	None
Stringfellow	Rita	Labour
Walsh	David	Labour
Williams	John	Labour
Wilson	Susan	None
South East of England Development Agency		
Willett	Allan	None
Bodfish	Ken	Labour
Brighouse	Elizabeth	Labour
Booth	Clive	Labour
Brathwaite	James	Labour
Camfield	Barry	Labour
Douglas	Robert	None
Kong	Janis	None
McAnally	Mary	None
Oliver	Kit	Conservative
Read	Peter	None
Thornber	Thomas (Kenneth)	Conservative
Ward	Sarah	Liberal Democrat
Williams	Caroline	None
Wilson	Kevin	Labour
South West of England Regional Development Agency		
Lickiss	Michael	None
Ansari	Doris	Liberal Democrat
Buckland	Nicholas	None
Chalke	Peter	Conservative
Costley	Nigel	Labour
Holland	Helen	Labour
Kemp	Brian	None
Leece	Michael	None
Morris	Alfred	None
Nicholl	Robin	Labour
Pope	Jeremy	None
Porritt	Jonathan	Green Party
Skellett	Colin	None
Yorkshire Forward		
Hall	Graham	None
Ashcroft	John	None
Barker	Muriel	Labour
Bosomworth	Eileen	Conservative
Coburn	Jeanne	None
Cummins	Julian	Liberal Democrat
Gregory	Richard	None
Greenwood	Brian	None
Haskins	Christopher	Labour
Houghton	Stephen	Labour
Jagger	Paul	Labour
King	Christopher	None
Malik	Adeeba	None
Pinnock	Kathryn	Liberal Democrat
Warhurst	Pamela	Labour

The OCPA declaration covers political activities undertaken during the previous five years, including the name of the party or body for which the board member has been active. Political activities are defined by OCPA as follows:

obtained office as a local councillor, MP, MEP etc;

stood as a candidate for one of the above offices;

spoken on behalf of a party or candidate;

acted as a political agent;

held office such as chair, treasurer or secretary of a local branch of a party;

canvassed on behalf of a party or helped at elections;

undertaken any other political activity which the applicant considers relevant;

made a recordable donation to a political party (the requirement for publishing a register of recordable donations, as defined under the Political Parties, Elections and Referendums Act 2000, became effective from 16 February 2001).

No other records are kept of political activities by board members.

Military Export Licences

Mr. Menzies Campbell: To ask the Secretary of State for Trade and Industry what deliveries of equipment on the military and dual-use lists have been made to *(a)* India, *(b)* Pakistan and *(c)* Israel in each month since September 2001; and if she will make a statement. [65099]

Ms Hewitt: I refer the right hon. and learned Member to the reply given to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) on 18 March 2002, *Official Report*, column 54W.

Mr. Menzies Campbell: To ask the Secretary of State for Trade and Industry what factors the Government take into account when deciding whether to issue *(a)* a Standard Individual Export Licence and *(b)* an Open Individual Export Licence; and if she will make a statement. [65100]

Nigel Griffiths: All relevant export licence applications, whether for Standard Individual Export Licences (SIEL) or Open Individual Export Licences (OIEL), are considered on a case by case basis against the consolidated EU and national arms export licensing criteria. I refer the right hon. and learned Member to the reply from the Minister for Europe, my right hon. Friend the Member for Neath (Peter Hain), to right hon. Friend the Member for Neath (Peter Hain), to my hon. Friend the Member for Crawley (Laura Moffatt) on 26 October 2000, *Official Report*, columns 199–203W.

In assessing applications for OIELs, the Government considers whether an OIEL would provide for sufficient control in relation to the goods and countries or end users concerned. If not, SIEL applications will be invited instead. Furthermore, OIELs will normally only be granted to exporters with a proven track record of applications for SIELs, and where the particular nature of their business makes the use of SIELs inappropriate or inefficient.

Waste Disposal

Ms Shipley: To ask the Secretary of State for Trade and Industry if she will make a statement on the disposal of *(a)* high level, *(b)* intermediate level and *(c)* liquid form waste. [66098]

Mr. Meacher: I have been asked to reply.

There is currently no long-term management policy for either high level or intermediate level radioactive waste. Both high and intermediate level wastes are currently stored safely on licensed sites and are subject to strict regulatory control by the Health and Safety Executive's nuclear installations inspectorate. Any discharges relating to the storage of waste are similarly regulated by the Environment Agency. Wastes in liquid form may be high, intermediate or low level. Low level liquid wastes are discharged from a number of sites throughout the country under authorisations granted by the Environment Agency under the Radioactive Substances Act 1993.

The Department and the devolved Administrations are working towards finding suitable management solutions for long-lived radioactive waste which have full public support. We recently held a public consultation on the matter, and will be announcing both the results and the next stages of the policy making process very shortly.

Arms Exports

Gregory Barker: To ask the Secretary of State for Trade and Industry what steps her Department has taken to minimise the risk of UK arms exports being diverted from the stated end-use or end-user in Pakistan. [65433]

Mr. Mike O'Brien: I have been asked to reply.

The Government focus their efforts on assessment of potential end-use at the export licensing stage, including where needed through checks made by our posts overseas. Carrying out effective risk assessment on end-users before making the export licensing decision is the surest way of preventing arms from falling into the wrong hands. Nevertheless, the Government remain committed to carrying out end-use monitoring in those circumstances where this will genuinely add value to our efforts to minimise the risk of misuse and diversion and where such monitoring is practicable. Our overseas posts have standing instructions to report on allegations of misuse of any UK-origin defence equipment.

DEPUTY PRIME MINISTER

Health and Safety Standards

Mr. Don Foster: To ask the Deputy Prime Minister what statutory obligations are in force for inspection of health and safety standards in *(a)* residential homes, *(b)* boarding schools and *(c)* university halls of residence; and if he will make a statement. [66653]

Mr. Jamieson: I have been asked to reply.

The Health and Safety at Work etc Act 1974 (HSWA) applies to residential homes, boarding schools and university halls of residence. HSWA sets out general health and safety duties which employers, the self-employed and people in control of premises have towards their employees, and others who could be affected by the work activities. It is the 'umbrella' legislation under which other, more specific, health and safety regulations are made. The Health and Safety (Enforcing Authority) Regulations 1998 allocate inspection responsibility for different types of undertakings to either the Health and Safety Executive or to the Local Authority. Inspectors are appointed under Section 19 of HSWA to carry out inspection and enforcement in relation to health and safety.

Nuclear Power

Mr. Dalyell: To ask the Deputy Prime Minister, pursuant to his oral answer of 22 May 2002, *Official Report*, column 282, what progress has been made with his consultations about the future of nuclear power. [64221]

The Deputy Prime Minister and First Secretary of State: Responsibility for the consultation on nuclear energy lies with my right hon. Friend the Secretary of State for Trade and Industry. The consultation covers the key issues for Energy Policy including the role of nuclear. The Government published a consultation document on

14 May, arranged a debate on 20 June in the House of Commons and workshops have been arranged to discuss key issues with energy stakeholders.

Out-of-town Shopping Centres

Keith Vaz: To ask the Deputy Prime Minister how many out of town shopping centres he has visited in an official capacity since 1 January. [66327]

Mr. Leslie: None in an official capacity.

Local Authority Performance

Mr. Pickles: To ask the Deputy Prime Minister (1) if he will make a statement on the future of Best Value as a means of assessing the performance of local authorities; [67446]

(2) if he will make a statement on the relationship between the role of Best Value assessments in local authorities and the new comprehensive performance assessment; and if he will make a statement. [67438]

Mr. Raynsford: Comprehensive Performance Assessments bring together different judgments about a local authority's performance, many of which arise from audits and inspections carried out under the best value powers in the Local Government Act 1999. Such assessments will be used to determine, in consultation with individual councils, the timing and content of subsequent audit and inspection activity. In the case of good performing authorities, we anticipate reduced levels of inspection from next year. All authorities can expect a more proportionate risk based programme of both audit and inspection, and better co-ordination across the range of their functions.

Mr. Pickles: To ask the Deputy Prime Minister what estimate he has made of the cost to local authorities of complying with the comprehensive performance assessment system; and if he will make a statement. [67437]

Mr. Raynsford: Comprehensive Performance Assessments make significant use of existing performance information from the following sources:

inspections;

audit reports;

performance indicator data;

other central Government assessment data;

together with a corporate governance assessment of the authority as a whole, which includes an element of self assessment.

Additional inspection fieldwork is kept to the minimum necessary to provide fair and robust judgments. The Audit Commission will undertake the majority of this fieldwork by redirecting their scheduled inspection activities. Because the fieldwork will replace some, or all, of the planned inspection activity for the period up to December 2002, it will be achieved within the existing fee envelope for local councils.

Social Exclusion Unit

Mr. Heald: To ask the Deputy Prime Minister, pursuant to his answer of 14 February 2002, *Official Report*, column 555W, on the Social Exclusion Unit, what progress has been made in respect of the Social Exclusion Unit's work on *(a)* mental health issues and prisoners, *(b)* mental health provision for cared for children and *(c)* elderly persons' mental health needs to get out of the house; and if he will publish reports in respect of the work. [68005]

The Deputy Prime Minister and First Secretary of State: *(a)* The Social Exclusion Unit's report on reducing re-offending by ex-prisoners was published on 1 July 2002 and copies of the report are in the Libraries of both the House of Commons and the House of Lords.

The report contains a detailed analysis of the mental health issues facing prisoners. It recommends that the Government develop and implement a national rehabilitation strategy, which should pull together the contributions of all relevant Government Departments. As part of this strategy, the report recommends improvements to key reception and release procedures in prison, and a 'Going Straight Contract', which would deliver improvements in mental health outcomes, particularly in how they join up with many of the other factors affecting prisoners. An action plan setting out the Government's response to the report will be published later this year.

(b) The Social Exclusion Unit has consulted widely on all the factors impacting on the educational attainment of children in care. Mental health has been raised as an important issue, especially with regard to child and adolescent mental health services (CAMHS). The project will be published later this year.

(c) In May 2002 the Social Exclusion Unit published its interim report on transport and social exclusion entitled "Making the Connections". The report is available on the Unit's website and in the Libraries of both the House of Commons and the House of Lords.

The interim report highlights that one third of older people say that there are one or more activities that they would like to be able to do more often; and that half of these involved family and other social visits. This suggests a significant degree of social isolation, which may have an impact on mental health.

The Social Exclusion Unit will publish its final report on transport and social exclusion later this year.

Regulatory Impact Unit

Dr. Cable: To ask the Deputy Prime Minister how many members of his Department have been employed in its regulatory impact unit in the past five years; and if he will make a statement. [65965]

Mr. Leslie: The new Departmental Regulatory Impact Unit was established in October 2001 and it works for both the Office of the Deputy Prime Minister and the Department for Transport.

Figures for earlier years are not comparable with the current baseline due to the different policy responsibilities. The resource position for 1997–2001 were parts of a Grade 7, SEO, EO and AO.

1997–98 (1 April 1997 to 31 March 1998) = 4

1998–99 (1 April 199 to 31 March 1999) = 4

1999–2000 (1 April 1999 to 31 March 2000) = 4

2000–01 (1 April 2000 to 31 March 2001) = 4

2001–02 (1 April 2001 to 31 March 2002) = 4 staff, 2 full time, 2 job share.

It is the job of Departmental Regulatory Impact Units to establish and promote the principles of good regulation in their Departments. The staff in each unit work closely with the officials responsible for developing policies within their Department and the Regulatory Impact Unit within the Cabinet Office. They focus on those regulations that impact on business, charities, the voluntary sector and public sector front line service deliverers.

Local Strategic Partnership, Walsall

David Winnick: To ask the Deputy Prime Minister if he will make a statement on accreditation of the local strategic partnership in Walsall. [68194]

Mr. Leslie: Following the decision last February that Walsall's LSP had made insufficient progress to warrant accreditation the partnership's development has been closely monitored. The role of stakeholders in the health, education, police, voluntary and private sectors has been crucial in driving development towards a viable structure and constitution for the partnership. The LSP is now ready to fulfil an important leadership role in the borough, and has now received its accreditation.

Departmental Energy Use

Mr. Stunell: To ask the Deputy Prime Minister what the estimated *(a)* level and *(b)* cost of energy use in his Department and associated agencies was in each year since 1997; what proportion of energy was generated from renewable sources; and if he will make a statement. [65960]

Mr. Leslie: My Department was formed on 29 May. For details of energy consumption and cost for the former Department of Transport, Local Government and the Regions, I refer the hon. Member to the answer given by the Minister for Rural Affairs, my right hon. Friend the Member for Cardiff, South and Penarth (Alun Michael), to the hon. Member for Hazel Grove on 3 July 2002, *Official Report,* column 384W.

Procurement of electricity from renewable sources in my Department began in October 2000 and from April 2002 some 40 per cent. of the Departments' total electricity usage was from a renewable source.

Ministerial Visits

Mr. Collins: To ask the Deputy Prime Minister on how many occasions during the last 12 months an official photographer has accompanied him on official visits *(a)* overseas and *(b)* within the UK; what (i) travel expenses, (ii) costs of equipment and processing, (iii) staff payment and (iv) other costs were incurred on each occasion; what publications official photographs have appeared in during the last 12 months and what terms and conditions were attached to the publication of such photographs; and whether photographs taken on official visits are available for use in non-governmental literature. [62834]

The Deputy Prime Minister and First Secretary of State: In the last 12 months the Deputy Prime Minister has not been accompanied by an official photographer on any visit, whether in the UK or overseas.

Homelessness

Mr. Breed: To ask the Deputy Prime Minister (1) what proportion of rural local authorities have used bed and breakfast accommodation to house young people for each of the last 10 years, broken down by region; [66783]

(2) what proportion of rural districts had emergency accommodation for young people in each of the last 10 years, broken down by region; [66784]

(3) what measures he is taking to improve the recording of homelessness in rural areas. [66782]

Mr. McNulty: Detailed information on emergency accommodation and use of bed and breakfast accommodation for young people in rural districts is not collected centrally, and could be provided only at disproportionate cost.

The new Homelessness Act 2002 will bring about radical change in the way that central and local government, and all other partners, work together to tackle homelessness in all parts of the country including rural areas. For the first time ever, local authorities will be required to carry out a review and develop a strategy for their area that prevents homelessness and provides solutions for people who are, or who may become, homeless. More specifically, the reviews required by the Homelessness Act will require authorities to estimate current and likely future levels of homelessness and audit provision for all forms of homelessness among young people.

In addition, the quarterly P1E return on which local authorities report activity under the homelessness legislation has been expanded to collect information about the average length of time spent by households in B and B hotels, and hostel style accommodation.

With effect from April 2002, the form has been further revised, both to seek finer detail about instances of harassment and violence leading to home loss and in anticipation of additional priority need categories proposed in the Homelessness (Priority Need for Accommodation) Order 2002 which, subject to parliamentary approval, should come into effect at the end of July.

Grant Distribution

Paul Clark: To ask the Deputy Prime Minister when he will consult on reform of the system used to distribute grant to English local authorities; and if he will make a statement. [68477]

Mr. Raynsford: I am pleased to announce that we are today issuing a consultation document covering reform of the system we use to distribute grant to English local authorities. The consultation will run for 12 weeks over the summer. I have placed copies of the document in the Library of the House. It is being sent to all local authorities, as well as other stakeholders, and is available via the internet.

The system covers key services including education, personal social services, police, fire and a wider range of other responsibilities. It accounts for distribution of over 85 per cent. of the resources government provides for those services, currently about £36 billion per year. Its importance to local government, other stakeholders and public service delivery across the country means that we want a full and open public consultation on the new system.

The consultation document sets out the Government's broad objectives for the reform. Responses to the 2000 Local Government Finance Green Paper showed that a big majority of the local government respondents wanted the new system to continue to be based on formulae. The Government announced in the 2001 Local Government White Paper "Strong Local Leadership—Quality Public Services" that we agreed. We want new formulae that are fairer, simpler; more intelligible and more stable.

We are concerned to make sure that the new system is more easily understood that the old one. It is important to improve transparency and accountability. Clearly, it will never be possible to achieve a very simple system; the complexity of the issues it seeks to address see to that. The extremely technical nature of the issues means that there is frequently no clear-cut optimum solution. But we believe it is possible to make improvements.

In considering how to reflect local authorities' relative needs and circumstances, a range of factors have to be taken into account. Three elements seem fundamental:

1. a basic amount per head of population (or other relevant unit cost);
2. an appropriate emphasis on the need to tackle deprivation; and
3. the variation in pay costs between different areas of the country.

Because deprivation and pay components are core drivers of the costs authorities face in most areas and the problems the system will need to address, we are particularly keen to see them separately identified in formulae. However, that is not to say that other components (for example sparsity) are unimportant. Indeed, they may be a key consideration in particular instances. They will be clearly identified where they form part of a formula.

The document sets out options for the various components. These options are detailed to the level of showing the effects on each relevant local authority, comparing against the baseline of 2002–03. This will enable authorities and other interested parties to form views about the desirability of each option.

However, these figures are not those that will appear in the 2003–04 local government finance settlement later this year. They will differ both because of changes in the overall funding totals (as a result of the spending review) and as a result of changes to data such as population that will not be available until the autumn. Waiting until that information is available would severely restrict the time available for consultation and in any case would not improve the consultation because we want responses to be about the system and the formulae, rather than on the basis of yearly variations in data. So the options are presented in terms of changes from the 2002–03 local government finance settlement.

We will not necessarily limit ourselves to building the new system from the choices specifically consulted upon here. It is likely that other options will be put forward in response to this consultation, and we will not exclude those before taking decisions. Our conclusions arising from the consultation and further consideration of options will be incorporated in the provisional settlement for 2003–04 that will be published at the usual time, towards the end of the year. Following a further period of consultation, final decisions will be announced in early 2003 in time to take effect in the 2003–04 financial year.

This is a difficult and important issue. The Government recognise that pragmatic decisions will be needed to produce a workable system, and the complexity and variety of the pressures that are put upon the system from all sides means that it will not be possible for all authorities to get what they want from this process. So no authority should feel that it is guaranteed to get a bigger share of the fixed amount of resources the system can distribute. But the Government are seeking a fairer distribution of resources which takes account of today's pressures on local government and the particular needs of areas of deprivation. We will consider all of the views that are put forward, and weigh them up carefully before decisions are taken.

Balfour Beatty

Malcolm Bruce: To ask the Deputy Prime Minister if he will place in the Library a copy of the contract between the Government and Balfour Beatty for the refurbishment of 22 Whitehall. [55259]

Mr. Alexander: I have been asked to reply.

As my right hon. Friend the Deputy Prime Minister stated to my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) on 14 May 2002, *Official Report*, column 567W, an initial report on timber procurement for 22 Whitehall has been received and there will be a report to the House when the report is finalised.

Urban Green Spaces Taskforce

Mr. Hepburn: To ask the Deputy Prime Minister when he will respond to the final report of the urban green spaces taskforce; and if he will make a statement. [67846]

Mr. McNulty: We welcome the proposals of the final report, which provide a good basis for preparing our policy on provision and management of urban parks and green spaces as proposed in the urban White Paper [Cm 4911].

Our responses to a majority of the 52 recommendations of the final report rely on other initiatives which have yet to conclude. These include the current spending review, the cross cutting review on improving the public space, and the revision of planning policy guidance on open space, recreation and sports. We also wish to take advice from the Steering Committee set up by the OPDM to consider specific recommendations from the report.

We plan to integrate our policy on urban parks and green spaces with our strategy and action plan for improving public spaces. The resulting document will address all the recommendations of the final report and deliver our urban White Paper commitments for long-term improvements to urban green spaces. The strategy will be published in the autumn.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Computers

Dr. Kumar: To ask the Secretary of State for Environment, Food and Rural Affairs what measures are *(a)* in place and *(b)* under discussion in her Department in order to ensure compliance with the WEE Directive. [60757]

Mr. Meacher: I refer the hon. Member to the answer given by my hon. Friend the Minister for Energy and Construction on 13 June 2002, *Official Report,* column 1266W.

Packaging Waste

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate her Department has made of the increase in domestic recycling required in order to achieve new packaging and packing waste recycling and recovery targets under discussion in the EU; and what discussions she has had with local authorities in relation to increasing domestic and curbside collection of packaging waste to meet recovery and recycling targets by 2006. [62363]

Mr. Meacher: The Department worked with the task force of the Advisory Committee on Packaging (ACP) in the production of a report, published in November 2001, which looked at packaging material flows from raw material manufacturer to seller, and at packaging waste flows from point of discard to ultimate disposal or recovery. This report, which is publicly available, also looked at the likely level of packaging waste arising in the household stream and which would increasingly have to be recovered if likely higher targets are to be met.

New packaging waste recovery targets have not yet been finalised but for the purposes of the estimates in the task force report an overall recycling target of 60 per cent. is assumed to have to be met in 2006. The tonnage needed to meet such a target would be in the region of 5.7 million tonnes and the task force report concludes that as much as 65 per cent. of the additional tonnage required may need to be recovered from the household waste stream.

A first meeting to discuss future packaging waste recovery from the household waste stream was held last year between officials in my Department, the ACP task force and local authorities. Further meetings are planned.

Holsworthy Biogas Project

Mr. Burnett: To ask the Secretary of State for Environment, Food and Rural Affairs how much public money has been spent on the Holsworthy Biogas project; what steps her Department took to ensure that all licensing requirements were in place before public money was spent; what steps her Department took to vet the business plan for this project and when the steps were taken; what assessment she has made of the *(a)* viability of the business plan and *(b)* profitability of the project; and if she will make a statement. [61770]

Mr. Meacher *[holding answer 17 June 2002]:* £1,870,315 of UK public expenditure and £1,924,985 of European funding has been committed to this project, the total project costs for which are £7,700,000. To date, some £1,515,014 of UK public expenditure has been made. The Department routinely assessed all applications for funding under the Objective 5b programme. Such assessment included consideration of the business plan, the environmental impact and the profitability of the project. At the time of assessment and approval of the Holsworthy Biogas project, it was not recognised that restrictions on disposal of waste food would prevent the plant being licensed. However, following the recent risk assessment commissioned by the Government we are reviewing the Animal By-Products legislation with a view to permitting the treatment of catering waste in composting and biogas processes.

Mobile Recycling Plants

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs how many mobile recycling plants there are in operation in the UK; and what their weekly capacity is. [62976]

Mr. Meacher *[holding answer 18 June 2002]:* Two mobile recycling plant licensed by the Environment Agency have been operating in the UK. The capacity of each is approximately 4,000 refrigerators per week. In addition one fixed plant was commissioned this week and will begin operating shortly and a further two are due to be operating within a month. All are for the removal of ozone depleting substances from refrigerator equipment, and the combined capacity of all plant will be 1.2 million units per year.

Kyoto Protocol

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs if the Government support the extension of the Kyoto Protocol to cover developing nations. [63519]

Mr. Meacher: The Government are committed to the principle that developed countries, as the biggest emitters, should take the lead in reducing emissions. We are therefore working to secure ratification and early entry into force of the Kyoto Protocol, under which developed countries take on legally binding emission reduction targets for the period 2008–12. Developing countries are covered by the Kyoto Protocol. Under its terms, they do not have legally binding greenhouse gas emission targets but must take steps to limit their emissions and to report on their efforts. A number of developing countries have already ratified the Protocol and we hope that as many developing countries as possible will follow that lead. The Government hope that the entry into force of the Protocol will provide the basis on which we can enter into an international dialogue with developed and developing countries (or "all countries") on future action to tackle climate change. In due course, all countries that emit significant quantities of greenhouse gases will need to take action if we are to meet the UN Climate Change Convention's objective of stabilising greenhouse gas concentrations in the atmosphere at a safe level.

Mr. Wray: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions the Government have had with *(a)* US representatives, *(b)* the IMF, *(c)* the World bank, *(d)* the WTO and *(e)* developing nations regarding emissions reductions and the transfer of clean technologies to developing countries. [66643]

Mr. Meacher *[holding answer 3 July 2002]:* The Prime Minister, the Deputy Prime Minister and the Secretary of State for Environment, Food and Rural Affairs have discussed a wide range of climate change issues with US representatives this year, including emissions reductions and technology transfer to developing countries. Most recently the importance of tackling climate change was discussed at the G8 Heads of Government meeting on 26–27 June in Kananaskis, attended by the Prime Minister and President Bush. Other Government Ministers and officials take every opportunity to engage constructively with the US on climate change.

While the Government have had no recent discussions with the IMF on these issues, we are actively encouraging a substantial and successful third replenishment of the Global Environment Facility, the focus of which includes climate change activities in developing countries.

The Department for International Development has been working closely with the World bank and a number of other agencies to assess the impact of climate change on poverty.

Climate change is rarely discussed in the forum of the WTO and the Government have had no discussions with it on the particular issues of emissions reductions and technology transfer.

Government Ministers and officials regularly discuss these and a range of other climate change related issues with representatives from developing countries. We will continue to work constructively on climate change with our international partners in the run up to the Eighth Conference of the Parties to the United Nations Framework Convention on Climate Change in October, in Delhi.

Foot and Mouth

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs how many veterinary surgeons who were *(a)* employed by the former Ministry for Agriculture, Fisheries and Food, *(b)* employed by other Government Departments and agencies and *(c)* in the private sector were used by the Government in their campaign to eradicate the outbreak of foot and mouth disease in 2001. [64118]

Margaret Beckett: The number of veterinary surgeons assisting with the eradication of foot and mouth disease was not static throughout the epidemic. The table identifies veterinary resources as at mid April 2001 during the peak period.

Veterinary resources as at mid April 2001

	Number
(a) MAFF veterinarians	344
(b) Veterinary surgeons employed by other Government Departments and agencies; including foreign Governments	122
(c) Private sector veterinarians[1]	1,169

[1] Relates to temporary veterinary inspectors

Local veterinary inspectors (LVIs) assisted in terms of licensing and some sero-surveillance work but remained working for their respective practices. These have not been included in the breakdown of figures.

Department-sponsored Organisations

Mr. Sayeed: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects to announce the budget allocation for the financial year 1 April 2002 to 31 March 2003 for organisations sponsored by her Department; and if she will make a statement. [64280]

Mr. Morley: The Department operates a system of delegated budgeting. Budgets for 2002–03 were issued to policy commands during April, for them to allocate as appropriate. Organisations who are sponsored by the Department are part of the delegation process. They are notified of the level of sponsorship once this has been determined.

Camelids

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what the target time is for processing an application for an import licence for camelids from non-EU countries; and if she will make a statement; [64359]

(2) what plans she has to change the licensing procedure for the import of camelids; and if she will make a statement. [64358]

Margaret Beckett: If the application for an import licence is complete and correct and we have up-to-date import conditions in place that have been agreed with the exporting country, we can dispatch a licence within three days. It is, however, more common for us to have to negotiate new or amended import conditions with the veterinary authorities of the exporting country. This can be a slow process and can take several months. For this reason we do not have a target date for such applications.

The existing licensing procedure will be retained until the European Commission introduces harmonised animal health rules for the importation of camelids into the Community.

Veterinary Surgeons

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is towards the recruitment of veterinary surgeons to replace those retiring from the State Veterinary Service. [64470]

Margaret Beckett: We currently have a temporary moratorium on the recruitment of veterinary staff to replace those retiring from the State Veterinary Service. This will be reviewed following further examination of the funding for consequential work arising from FMD, which is presently underway.

Due consideration will also be given to any relevant recommendations made by the Lessons Learned and Royal Society inquiries.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs how many veterinary surgeons are employed by the State Veterinary Service; how many such posts are vacant; and how many vets are due to retire from the SVS within the next 12 months. [64469]

Margaret Beckett: The total number of veterinary surgeons employed by the State Veterinary Service (SVS) as at 1 April 2002 is 336.8 (full-time equivalent basis).

The number of vacant veterinary permanent posts was 12.

It is anticipated that 10 vets will be retiring within the next 12 months.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs how many veterinary surgeons work for each regional office of her Department. [65471]

Margaret Beckett *[holding answer 1 July 2002]:* As at 1 April 2002, the State Veterinary Service (SVS) had five regions comprising of 23 divisional offices. Veterinary staff employed in each region is indicated in the table:

Region	*Number of staff employed*
East region	58
North region	84
West region	67
Scotland	57
Wales	30

Ungulates

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs how many ungulates, broken down by species, were imported from non-EU countries into the United Kingdom in each of the past three years; and if she will make a statement. [64360]

Margaret Beckett: The number of ungulates, broken down by species, imported from non-EU countries into Great Britain (but not including imports into Northern Ireland) for the period 1999–2001 is shown in the following table.

Species	*1999*	*2000*	*2001*
Equine	1,767	1,891	1,732
Alpacas (and other Ruminants)	468	1,194	29
Bovine	1,941	482	45
Caprine	13	0	0
Ovine	8	78	967
Porcine	2	0	0
Rhinocerotidae	1	0	1
Deer	0	3	0
Giraffes	0	3	0
Tapiridae	0	1	0

The figures are provisional and subject to change.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs (1) when she was advised by the European Commission that in the absence of an approved third country list under Directive 92/65/EC ungulates covered by this directive cannot be legally imported into a Community country; [64361]

(2) what representations she has made to *(a)* the European Commission and *(b)* her counterparts in other member states about the implementation of Directive 92/65/EC; [64467]

(3) what assessment she has made of the impact of the implementation of EC Directive 92/65/EC on breeders of alpacas and other camelids in the United Kingdom. [64466]

Margaret Beckett: The Commission gave a verbal summary of its views at a meeting of the Standing Committee on the Food Chain and Animal Health on 10 April this year. We have not yet received formal notification of any changes to the existing arrangements. We have written to the Commission seeking clarification of their position and have alerted them to the impact a suspension of such imports would have on the UK, not only for the well established trade in alpacas but also for breeding programmes of certain endangered species across the Community. There have been a number of formal and informal discussions in Brussels with the Commission and other member states and the Commission intends to introduce harmonised rules for certain species covered by Directive 92/65/EC.

Cattle (Artificial Insemination)

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what the average time taken over the last 12 months was to process an application for a bull to be licensed for artificial insemination. [64461]

Margaret Beckett: The average time taken over the last 12 months to carry out pre-approval health testing of bulls and issue a licence for artificial insemination was 28 days from receipt of a complete and correct application.

Red Kites and Golden Plovers

Mr. Llwyd: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* red kites and *(b)* golden plovers there were in (i) Scotland, (ii) England and (iii) Wales in each year since 1972. [64709]

Mr. Meacher: The information requested on red kites from 1972 to 2000 is shown in the table.

	Number of pairs of red kites		
Year	*Wales*	*England*	*Scotland*
1972	29	—	—
1973	31	—	—
1974	33	—	—
1975	33	—	—
1976	33	—	—
1977	35	—	—
1978	41	—	—
1979	44	—	—
1980	43	—	—
1981	47	—	—
1982	46	—	—
1983	47	—	—
1984	52	—	—
1985	56	—	—
1986	58	—	—
1987	59	—	—
1988	69	—	—
Reintroduction initiated			
1989	72	—	—
1990	85		
1991	92	2	0
1992	101	7	2
1993	115	12	8
1994	138	22	11
1995	146	26	17
1996	161	37	22
1997	180	61	27

Year	Number of pairs of red kites Wales	 England	 Scotland
1998	200	87	30
1999	228	[1]83	39
2000	[1]203	[1]131	[1]39

[1] Information available for Wales in 2000, for England in 1996, 1999 and 2000 and for Scotland in 2000 relates only to numbers of breeding pairs.

The following table gives information on the golden plover population. Numbers have been monitored only since 1995 and on a GB-wide basis.

Golden plover

Year	Population
1995–1996	13,0638
1996–1997	10,1255
1997–1998	18,1612
1998–1999	15,6020
1999–2000	17,8959

Illegal Waste

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what action *(a)* has recently been taken and *(b)* is planned by her Department to tackle problems from (i) litter, (ii) flytipping, (iii) abandoned vehicles and (iv) other waste disposed by illegal means; and if she will make a statement. [64731]

Mr. Meacher: Last year I launched three litter initiatives: the £1 million Pathfinder Programme, which calls upon local authorities to come up with innovative ways of tackling litter; the development of a voluntary code of best environmental practice for the fast food industry; and a review of the litter legislation to see what is, and what is not working. The results of Pathfinder will be available this time next year; the fast food code of practice is currently being drafted; and the litter legislative review has been subsumed into the Government's public space cross-cutting review, which will report this autumn.

The responsibility for enforcing the legislation on fly tipping rests with the Environment Agency and local authorities. The Department fully supports the work and actions taken by these bodies in order to tackle the problem, including prosecutions where appropriate. The Department is currently looking at the legislative framework on fly tipping to see if any changes can be made to help local authorities and the Environment Agency in their role. The Environment Agency are also working to establish an environmental crime unit that will bear down on problems such as fly tipping through, among other things, improved intelligence and surveillance systems.

In October 2001 we published a joint consultation document with DTLR on measures to remove abandoned and untaxed vehicles from the streets more quickly and, for the longer term, bring forward changes to vehicle registration and licensing procedures to ensure greater accuracy of DVLA's vehicle record. Regulations to reduce the statutory notice periods after which local authorities can remove abandoned vehicles were laid before the House on 19 March and came into force on 9 April.

The Environment Agency has strong existing powers available to take action against illegally deposited waste.

Human Behaviour and the Environment

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what research has been conducted *(a)* by and *(b)* for (i) her Department, (ii) the Environment Agency and (iii) other Government bodies in relation to human behaviour and the environment; and if she will make a statement. [64739]

Mr. Meacher: DEFRA undertakes and commissions a large volume of research every year, some of which deals with issues of human behaviour and the environment. At any one time the Department is funding around 1500 research projects supporting around forty individual policy subject areas. Details of all ongoing DEFRA research projects and research results can now be found on the Department's searchable website at: http://www.defra.gov.uk/research/default.htm. For example, the Domestic Noise Complaints Study published in 1999 can be found on the site. The results of the recent Noise Attitudes Survey (which was published by DEFRA on May 20 2002) will also be available on the site shortly.

In addition, the Department sponsors the Sustainable Development Research Network (website: http://www.sd-research.org.uk/), which aims to identify and promote research which integrates environmental, social and economic objectives.

The Environment Agency has completed numerous research projects on various aspects of human behaviour and the environment. A main focus of research to date has been to understand values and perceptions of the environmental business of the Agency, for example in relation to industry, nuclear waste management and water management. The specific themes covered by the research are:

public participation and involvement: a major project on Evaluating Methods for Public Participation has recently been completed; the Agency is also participating in a European research project on Enhancing Transparency and Public Participation in Nuclear Waste Management. A number of smaller projects have looked at issues such as information provision and public participation in specific decision-making contexts.

policy advocacy processes: a three-year project is being developed which looks at policy advocacy in different areas, such as waste.

partnership: as well as a number of local projects, a national project is being developed to equip staff to work better in partnerships with other stakeholders.

risk communication: research has explored public perceptions of environmental risks and approaches to risk communication, particularly in relation to risks related to industrial pollution and flooding; the Agency also participated in a major project with other government departments and agencies looking at the Social Amplification of Risk.

social impacts: a number of projects focusing on the impacts of flooding, including health impacts and impacts on vulnerable groups, are due to be completed this year;

understanding social perspectives on the environmental issues that concern the Agency: the perspectives of different stakeholders were explored in a recent project on Industrial Pollution Communication;

social aspects of sustainable development: two projects on integrated appraisal (one on Appraisal Methods and one looking at integrated appraisal in the context of the Water Framework Directive) have contributed to knowledge in this sphere.

More information on some of these findings are available at "www.webookshop.com/ea/rdreport"

Additionally, the Agency has recently carried out a research study into people's behaviours and attitudes to household waste. This research showed that people would recycle more of their rubbish if it were made easier to do so by local councils. [Almost 9 out of 10 people claim that they would be likely to separate rubbish for recycling if the council provided appropriate containers]. Results were published in May this year and are available at "www.environment-agency.gov.uk/subect/waste/232021/239537/296229"

DEFRA does not collect or hold data on research undertaken or commissioned by other Government Departments on this issue.

EAGA

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish the list of complaints that she has received from members on the performance of EAGA. [65019]

Mr. Meacher *[holding answer 27 June 2002]:* Between June 2001 and May 2002 I received 111 representations from members regarding the performance of the Warm Front scheme in areas where EAGA is Scheme Manager. These representations cover areas such as delays to installation, communication issues and standards of workmanship.

EU Committees

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Advisory Committee for the implementation of the directive on the reduction of the sulphur content of certain liquid fuels is next due to meet; whether any experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66436]

Mr. Meacher: Meetings of this Committee are held as and when required. The UK would usually be represented by an official from my Department but the precise representation would be decided in the light of the matters to be discussed. There have been no meetings of the Committee over the last 12 months, and we are not aware of any planned.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee for the implementation of legislation on ambient air quality assessment and management is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66451]

Mr. Meacher: Meetings of this Committee are held as and when required. The UK would usually be represented by an official from my Department but the precise representation would be decided in the light of the matters to be discussed. There have been no meetings of the Committee over the last 12 months, and we are not aware of any planned.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee for the adaptation to technical and scientific progress of the air quality values and guide values for sulphur dioxide and suspended particulates is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66442]

Mr. Meacher: This part of directive 80/779/EEC on air quality limit values and guide values for sulphur dioxide and suspended particles has been repealed.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee for the adaptation to technical progress of the Directive on air quality standards for nitrogen dioxide is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66443]

Mr. Meacher: This part of directive 85/203/EEC on air quality standards for nitrogen dioxide as been repealed.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee for the Adaptation to Technical Progress and the implementation of the directive on the control of volatile organic compound emissions resulting from the storage of petrol and its distribution from terminals to service stations is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66461]

Mr. Meacher: Meetings of this committee are held as and when required. The UK would usually be represented by an official from my Department, but the precise representation would be decided in the light of the matters to be discussed. There have been no meetings of the committee over the last 12 months, and we are not aware of any planned.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee for the Adaptation to Scientific and Technical Progress of the directive on the limit value for lead in the air is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66429]

Mr. Meacher: This part of directive 82/884/EEC on a limit value for lead in the air has been repealed.

Bovine TB

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what the conclusions were of the meeting on 12 June of the Independent Scientific Group on Bovine TB. [65468]

Margaret Beckett *[holding answer 1 July 2002]:* The Independent Scientific Group on Cattle TB (ISG) met on 12 June in London as part of its normal schedule of meetings. The group noted progress on the Krebs field trial, including recent proactive culling operations in Cornwall and Gloucestershire, and discussed future work programmes. There was discussion of arrangements to increase collections in the Road Traffic Accident survey of badger carcases for TB and for clearing the backlog of epidemiological questionnaires (TB99) following delays arising from the foot and mouth disease emergency. Consideration was given to additional measures to combat the spread of bovine TB and action outside trial areas. The group reviewed its programme for analysing and interpreting data from cattle TB 'hotspots' outside trial areas, data on inconclusive reactors and data on the gamma interferon test, and confirmed its intention to finalise a report by the autumn.

Various research activities were discussed including a report on post genomic research on M.bovis at the Veterinary Laboratories Agency (VLA) and recently published research by VLA on the pathology in cattle following M.bovis BCG vaccination against experimental bovine TB.

A summary of ISG agendas and notes of meetings is published on DEFRA's website at http://defraweb/animal/tb/tb/.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* total TB tests on herds, *(b)* herds under movement restriction, *(c)* tests on unrestricted herds, *(d)* new herd incidents and *(e)* new confirmed herd incidents there were in each county between 1 January and 30 March, and what percentage of tests on unrestricted herds in each county resulted in a confirmed herd incident. [65474]

Margaret Beckett *[holding answer 1 July 2002]:* The information is not available in the format requested. A statistical summary for Great Britain as a whole for the period 1 January to 30 March is given in table 1.

A more detailed breakdown of the information requested in sub-points *(a)*, *(b)*, *(d)* and *(e)* is given in table 2. This is broken down by State Veterinary Service region for the period 1 January to 31 May. Statistics for unrestricted herds (sub-point *(c)*) are not available in the same format.

All the statistics given are available on the DEFRA website at: http://defraweb/animalh/tb/default.htm.

Table 1—Tb incidents in Great Britain in 2002—herds

Date	*Total TB tests on herds*[1]	*Herds under movement restriction*[2]	*Tests on unrestricted herds*[3]	*Of which: New herd incidents*[4]	*Of which: New confirmed herd incidents*[5]	*Tests on unrestricted herds resulting in a confirmed new herd incident*[6] *(percentage)*
January 2002	3,280	1,107	2,952	196	115	3.9
February 2002	4,747	1,381	4,423	366	[7]222–238	[7]5.0–5.4
March 2002	5,012	1,617	4,670	316		[7]4.0–4.4

Note:

Figures are provisional and subject to revision.

[1] Herds for which tuberculin skin testing is carried out on at least one animal during the period shown.

[2] Herds restricted at any time during the period shown due to a TB incident.

[3] Any tests carried out during the period shown on a herd which was not already under restriction due to a TB incident. Also any cases found, during the period shown, by routine inspection at the slaughterhouse of animals from a herd not already under restriction.

[4] Herds which were previously TB free but either had cattle that reacted to a tuberculin test or had a tuberculous animal disclosed by routine inspection at slaughter, during the period shown.

[5] New herd incidents (column 4) for which at least one animal was subsequently confirmed to have TB.

[6] Column 5 as a percentage of column 3.

[7] Estimates for February and March 2002 are given as a range as a number of the test results are still awaited. It is expected that the final figure, when available, will fall within this range.

Source:

DEFRA's Animal Health Database

Table 2—Detailed Tb raw data: 1 January—31 May 2002 Great Britain

	West	*North*	*East*	*Total for England*	*Total for Wales*	*Total for Scotland*	*Total for GB*
(a) Total number of herd tests	8,140	4,271	1,576	13,987	3,903	2,309	20,199
(b) Herds under TB2 restrictions because of a TB incident at some time during the reporting period	1,454	171	32	1,657	421	57	2,135
(d) Total new herd TB incidents	820	129	17	966	226	32	1,224
(e) of which are considered confirmed new TB incidents (i.e. CNIs)	472	69	5	546	116	9	671

Notes:

In using and interpreting table 2 the following points should be noted:

A proportion of TB incidents remain unclassified, awaiting the results of culture tests which can take several months. Therefore the number of confirmed incidents, for 2002 in particular, will currently be under-recorded. For instance, 9 per cent. of new TB incidents in January to May 2002 were unclassified when the data were extracted.

The number of TB incidents depends on the number of tests carried out and on the nature of the testing regime at the time (as well as on the underlying prevalence of the disease). In 2002, testing resources are being concentrated on herds which are overdue their tests (because of the backlog following the foot and mouth disease outbreak) and which have therefore had a longer period than usual in which to contract the disease. Those currently being tested also contain a higher than usual proportion of high risk herds. During the FMD outbreak, TB testing was significantly reduced and necessarily targeted to higher risk herds e.g. those tested following routine inspection of animals at slaughterhouses. At any time, the more herds are tested, the more likely you are to find TB.

It is therefore very difficult to assess the underlying trends at this time.

Any reactors, inconclusive reactors and direct contacts still awaiting removal and slaughter on the date of the data download were not included in the tables. These only show the number of reactors, inconclusive reactors and direct contacts that had been slaughtered as at 11 June.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on progress with Krebs trials in triplets I and J. [65475]

Margaret Beckett *[holding answer 1 July 2002]:* The planning of work in triplets I and J of the Krebs trial is proceeding in accordance with the timetable agreed with the Independent Scientific Group on Cattle TB. Under procedures applicable to all triplets designed to safeguard the safety of staff, details of current and future operations are not disclosed until they have been completed. A summary of the completed work for each triplet is shown on DEFRA's website at http://defraweb/animal/tb/tb/

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what her target date is for eliminating the backlog of herd tests for Bovine TB. [65473]

Margaret Beckett *[holding answer 1 July 2002]:* The rolling nature of the backlog of herd testing for bovine TB makes it difficult for us to set a specific target for its elimination although we are working hard to address the backlog which currently stands at 20K. As overdue tests are cleared, more fall due and join the backlog. In addition as further incidents of TB are disclosed more testing is triggered.

Sheep

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of *(a)* the number of sheep and *(b)* the proportion of the national flock which were born before the imposition of the ban on feeding animal protein to ruminants and are still alive. [65467]

Margaret Beckett *[holding answer 1 July 2002]:* BSE-related feed controls relating to ruminants date back to 1988, but the feed ban in relation to mammalian protein is considered to have been effective from 1 August 1996, when mammalian meat and bonemeal was banned from all farmed livestock feed to prevent the possibility of cross-contamination of ruminant feed. It is estimated that the number of sheep still alive which were born before 1 August 1996, is less than 500, representing approximately 3 per cent. of the UK national flock.

GM Crops

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs when ACRE formed its sub-group to look into the impact of releasing genetically modified organisms on soil ecology; how many times the group has met; which *(a)* laboratories and *(b)* trial sites are being used for the monitored research; and when the research findings will be available. [54475]

Mr. Meacher: The current workplan of the Advisory Committee on Releases to the Environment (ACRE) as published in their 2000 Annual Report inc[illegible] provision for six workgroups to be established in two ph[illegible] Three were established last year. The second phase to sta[illegible] summer, will include a subgroup to review the impact of GMOs on soil ecology. The group will give consideration to potential hazards and how they might be realised, the current or future GM crops and traits that might give most concern to soil ecology and where the main gaps are in current scientific understanding. The group has not yet met and is not carrying out any research in laboratories or in the field. The outputs of this group including minutes of meetings will be published on the ACRE website at http://www.defra.gov.uk/environment/gm/acre/index.htm.

Mr. Key: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the scientific assessments peer reviews that data from the GM field scale evaluations will undergo; and in what order they will take place. [65517]

Mr. Meacher: The data from the farm-scale evaluations will be collated, analysed and presented in the form of a series of scientific papers written by the research consortium conducting the ecological studies. Their work is being overseen by the Scientific Steering Committee (SSC) to ensure that it is of the highest scientific standard.

Once complete and approved by the SSC, the papers will be submitted to a reputable scientific journal for peer review and publication at the discretion of the journal. We anticipate that the report of the spring-sown crops, maize, spring oil seed rape and beet, will be published in summer 2003 and the autumn-sown oil seed rape in 2004.

Benthic Fauna

Mr. Don Foster: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* guidance and *(b)* legislation is in place with regard to benthic fauna; and if she will make a statement. [65501]

Mr. Meacher: The UK Biodiversity Action Plan (UK BAP) provides a framework for the conservation of species and habitats, including benthic fauna, as well as the integration of biodiversity into all areas of policy. The UK BAP has some 40 individual action plans for important marine and coastal habitats and species, including mammals, fish, molluscs, sea anemones and algae.

The EC Habitats Directive requires member states to protect areas that support certain habitats and species, including examples of benthic fauna. My Department is working with the statutory conservation agencies to identify and select special areas of conservation in and beyond the UK's territorial waters.

Under the Food and Environment Protection Act 1985, a licence is required before any material can be deposited in the sea for either disposal or construction purposes. As part of the licensing process, a full environmental assessment is carried out taking account of all potential impacts on the marine environment, including benthic fauna.

Mr. Don Foster: To ask the Secretary of State for Environment, Food and Rural Affairs what changes there have been to benthic fauna since 1997; and if she will make a statement. [65502]

Mr. Meacher: Measurement of the diversity of benthic fauna is a key component in understanding the health of UK coastal waters. We have set in place a National Marine Monitoring Programme that, on an annual basis, assesses the benthic community at a network of sites in our coastal seas.

DEFRA's Centre for Environment, Fisheries and Aquaculture Science (CEFAS) has found that apart from some reduction in diversity in estuaries due to natural stressors and pollutants, the UK's coastal waters are generally healthy and support diverse benthic fauna showing no detrimental changes.

CEFAS is currently engaged in a repeat of a detailed 1986 survey of benthic communities across the North sea in association with European Marine Institutes under the auspices of the International Council for the Exploration of the sea. This survey will provide the most comprehensive study to date on changes in benthic communities in the North Sea.

Environmental Behaviour

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs how much her Department has spent on *(a)* programmes and *(b)* campaigns conducted by her Department related to changing individual behaviour in relation to the environment (i) in each year since 1997 and (ii) since 7 June 2001; and if she will make a statement. [65625]

Mr. Meacher: The Department supports several programmes to change individual behaviours in relation to the environment. They develop work undertaken before the General Election by the Department of the Environment, Transport and the Regions. These include work by the Energy Saving Trust, Environmental Campaigns Limited (incorporating the former Tidy Britain Group and Going for Green organisations), and the recipients of Environmental Action Fund grant. The "Are you doing your bit?" campaign was launched by the former Department of the Environment, Transport and the Regions in 1998 and covers both environmental and transport topics. We have also consistently taken advantage of opportunities to promote individual action in other projects and public engagements, notably in the build-up to the World Summit on Sustainable Development.

Expenditure by DEFRA and DETR on programmes and campaigns to change individual behaviour 1997–98 to 2001–02

Period	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001*[1]	*2002*[2]
Environmental Action Fund, most of which supports individual action	3,651	4,260	3,909	4,161	698	3,492
DETR/DEFRA support for ENCAMS for core costs and programmes to promote individual action	3,997	3,697	3,763	3,763	590	2,952
DETR/DEFRA support[3] for Energy Saving trust advertising to promote individual action	3,313	3,532	3,726	4,208	792	3,959
Programme total	10,961	11,489	11,398	12,132	2,080	10,403
Campaign total[4]	—	3,400	7,000	9,300	100	500[5]

[1] 1 April to 6 June 2001. Estimated by taking two-twelfths of annual spend.

[2] 7 June 2001 to 31 March 2002. Estimated by taking ten-twelfths of annual spend.

[3] It is not possible to disaggregate a small element of Scottish Executive support from this figure.

[4] Representing expenditure on the "are you doing your bit"? campaign launched in 1998.

[5] Most of the campaign's planned resource were allocated in 2001–02 to rural support during the foot and mouth disease outbreak.

Notes:

(All figures are out-turn, in £000. Figures before 7 June 2002 relate to expenditure by the former Department of the Environment, Transport and the Regions).

Vacant Posts

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs which posts in her Department *(a)* centrally and *(b)* regionally are vacant; and if she will make a statement. [65632]

Mr. Morley: The vacancy position in DEFRA's HQ Units (based in London, York and Guildford) as at 28 June 2002 was as follows (grades are as stated and include equivalent specialist grades):

Grade	
Administrative Assistants	12.5
Administrative Officers	39
Executive Officers	35
Higher Executive Officers	38
Senior Executive Officers	19
Grade 7	30
Grade 6	9
Senior Civil Service	2

Action is in hand to fill those posts for which funding has been confirmed.

The situation in core-DEFRA's regional offices (excluding its Agencies) is also subject to available funding. The regional organisations such as the Rural Development Service and State Veterinary Service are currently assessing vacancies in the light of budgets for this financial year.

Water Industry

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what powers Ofwat has to control monopolies in water and sewerage companies. [66627]

Mr. Meacher *[holding answer 3 July 2002]:* The Director General of Water Services' powers and duties are set out in the Water Industry Act 1991. He uses his powers to place conditions on companies that, among other things, set their annual price limits. The Director General also has powers to make enforcement orders to secure companies' compliance with their conditions of appointment or with other requirements.

The Director exercises his powers and duties in a manner which he believes facilitates competition and promotes economy and efficiency. In the absence of a fully competitive market for water and sewerage services, the Director uses proxies for market competition, primarily comparative competition.

Any mergers between existing water and sewerage companies would result in the loss of a comparator and are automatically referred to the Competition

Commission. In considering the effects of the proposed merger on the public interest, the Commission is required by the Water Industry Act 1991 to have regard to the principle of avoiding prejudice to Ofwat's ability to make comparisons between different water enterprises.

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what powers Ofwat has to control the level of charges for services provided by water and sewerage companies. [66628]

Mr. Meacher *[holding answer 3 July 2002]:* The Director General of Water Services has powers to set price limits. Within its price limit, each company is responsible for deciding individual charges. Under the Water Industry Act 1999, companies must publish these charges annually in a charges scheme, for which they must obtain the Director General's approval. Companies are prohibited from charging household customers other than in accordance with an approved charges scheme.

Game Excise Licences

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent *(a)* representations and *(b)* discussions she has had; what assessment she has made regarding game excise licences; and what plans she has to change them. [67250]

Mr. Meacher *[holding answer 5 July 2002]:* The Government have received a number of recent representations on game licences. This is a highly complex area, and we are considering these and their implications for the future of the game licensing regime.

Country Sports

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how much her Department and its predecessors have spent on country sports, broken down by category, in each of the last 10 years. [67252]

Alun Michael: The Department has no provision in its budgets for promoting country sports. Further, I am not aware of any such spending on country sports in respect of MAFF and the parts of the Home Office which came into DEFRA before June 2001.

With colleagues, I shall do what I can to promote sport in general in rural areas, including fishing and shooting as well as a variety of other sports.

Earth Summit

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs who will make up the United Kingdom's delegation to the Rio+10 Summit in Johannesburg. [66742]

Mr. Meacher: We are currently in the process of considering the delegation for the forthcoming World Summit on Sustainable Development but the final decision on the make up of the delegation will rest with the Prime Minister. However, both the Prime Minister and my right hon. Friend the Secretary of State will attend the summit.

We have been working closely with various stakeholder groups in our preparations for World Summit on Sustainable Development and representatives have been part of the UK delegation at previous preparatory meetings for WSSD. This will continue to be the case for the summit itself.

Common Land

Mr. Hendry: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what representations she has received regarding changes in the value of land registered as common land under the Countryside and Rights of Way Act 2000; [67940]

(2) what analysis she has made of changes in the value of land registered as common land under the Countryside and Rights of Way Act 2000; and if she will make a statement. [67939]

Alun Michael: The Department has not received any specific representations about changes in the value of registered common land which might be due to the provisions contained in the Countryside and Rights of Way Act 2000. This was an issue on which comments were invited during consultation on draft regulations under section 68 of the Act relating to vehicular access over common land, but no specific representations were received. As the published regulatory impact assessment makes clear, the Department cannot predict with confidence the detailed impact of the regulations.

Landfill

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs when her Department has advertised for the position of landfill directive manager in her Department since 1997; on what dates the post has been filled; and if she will make a statement. [65626]

Mr. Morley: The position of landfill directive manager (now known as 'Head of Landfill and Composting Team') has been advertised and filled as follows since 1997:

July 2000:

post advertised internally within DETR. Post filled on 20 October 2000.

December 2001:

post became vacant and was advertised internally in DEFRA. Post filled on 18 March 2002.

Animal Welfare

Mr. Bellingham: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to meet representatives of the livestock industry to discuss animal welfare. [63001]

Mr. Morley: We regularly meet representatives of the livestock industry to discuss animal welfare issues.

Wildlife Crime

Mrs. Betty Williams: To ask the Secretary of State for Environment, Food and Rural Affairs what action her Department is taking to tackle crime in relation to wildlife. [63015]

Mr. Meacher: My Department is determined to tackle wildlife crime and we have a number of relevant initiatives under way. For example, I launched the National Wildlife Crime Intelligence Unit at the end of April, and we have begun a review of Control of Trade in Endangered Species (Enforcement) Regulations 1997, which will include an assessment of the level of penalties and police powers of arrest for wildlife offences.

Grassland

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the reasons why the conditions of *(a)* lowland and upland calcareous grassland, *(b)* upland acid grassland, *(c)* upland heathland and *(d)* bogs in England are generally unfavourable; and what measures she is taking to improve them. [66779]

Mr. Meacher *[holding answer 4 July 2002]:* Assessment of the condition of these habitat types, or of specific features within them, is carried out in a number of contexts.

Countryside Survey 2000 has provided a national assessment of long-term changes in the extent and condition of habitats. The Department is funding further research to improve understanding of the underlying reasons for this and the results are expected in Spring 2003. The report and related material can be found at www.cs2000.org.uk.

As part of the UK Biodiversity Action Plan (UKBAP) individual action plans have been published for upland and lowland calcareous grassland, upland heathland and bogs. Each plan contains an assessment of the factors affecting the habitat, targets for maintenance or improvement of the habitat condition and actions aimed at achieving these targets. Implementation of the action plans is being led by the statutory conservation agencies in partnership with the relevant Government and voluntary sector bodies. Further information on the plans can be found at www.ukbap.org.uk.

English Nature also assess the condition of Sites of Special Scientific Interest (SSSIs). Where SSSIs are not in a favourable condition, a number of factors may contribute to this. Agriculture is a major factor, particularly grazing intensity. Overgrazing or undergrazing can adversely affect the condition of sites. We are addressing these problems on a number of fronts. For example, we continue to expand agri-environment schemes, which can assist many of these habitats. In addition, the sheep quota purchase scheme announced on 26 June is an example of the development of more direct and innovative measures to help alleviate grazing pressure.

Grazing regimes also affect these habitats on common land. We shall shortly announce our plans for improving the legislation to enable better management of common land.

In relation to SSSIs, English Nature are also able to enter into management agreements with land managers to prevent activities which can be damaging to these sites. Currently 201,000 hectares are subject to such agreements.

Air Pollution

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what research her Department has commissioned into *(a)* the acute, short-term and *(b)* the chronic, long-term effects on health of (i) nitrogen dioxide, (ii) carbon monoxide and (iii) particles in regard to air pollution. [64662]

Ms Blears *[holding answer 27 June 2002]:* I have been asked to reply.

The Department has been commissioning research into the effects of air pollutants on health since 1991. A range of projects dealing with both long-term and short-term effects of air pollutants on health has been funded. Many of these projects deal with more than one air pollutant.

Decisions regarding a new research programme were taken on 14 June. Nine projects will be funded to a total cost of about £1 million. Of the nine projects, three deal with long-term effects, four with short-term effects and one with both long and short-term effects. One project focuses specifically on nitrogen dioxide, the others deal with pollutants in general with a special focus on particles. No work on carbon monoxide has been agreed as yet though a project on long-term effects of exposure to carbon monoxide is being held as a "first reserve".

Details of the new programme will be placed in the Library.

A summary list of all work funded prior to the new programme will also be placed in the Library.

INTERNATIONAL DEVELOPMENT

Nepal

Dr. Tonge: To ask the Secretary of State for International Development what her Department's assessment is of the security situation in Nepal; and what effect it has had on her Department's ability to provide development and humanitarian aid. [67037]

Clare Short: The security situation has deteriorated sharply since the Maoists abandoned peace negotiations in November last year. Since then an estimated 3,000 people have died as a result of the conflict.

The Government holds all the district towns, but large parts of the countryside are under effective control of the Maoists. The intensity of the conflict varies, with the Maoist "heartland" areas of the mid-west and far-west most affected.

The war is generally regarded to be unwinnable by military means alone, as the country is ideally suited to guerrilla warfare. There are growing concerns about human rights violations on both sides. In recent weeks, there has been a noticeable decline in confrontations between the Security Forces and the Maoists, but this lull in the fighting is believed to be temporary.

While there is no direct threat against development workers, there are indirect risks of being caught in crossfire. Restrictions on movement, especially of people and supplies, and the withdrawal of Government counterparts in rural areas, means that Government development programmes in some remote areas has effectively stopped. None the less, Maoists are allowing continuation of development projects in some areas under their control, particularly where work is strongly supported by local communities.

UK funded development assistance is continuing, albeit more slowly. In addition to existing work on rural livelihoods, rural infrastructure, health and governance, my Department is implementing a programme of short-term support for people in conflict affected areas, and are working to re-orientate the entire DFID programme towards conflict resolution.

We have not yet reached a situation of acute humanitarian crisis except in a few isolated locations, and there are no plans as yet to provide humanitarian assistance although we are monitoring the situation very closely.

Dr. Cable: To ask the Secretary of State for International Development how much her Department allocated for *(a)* bi-lateral aid to Nepal and *(b)* non-Governmental organisations working in Nepal for (i) 2000–01 and (ii) 2001–02; and if she will make a statement. [67428]

Clare Short: UK development assistance to Nepal in 2000–01 totalled £17.165 million, of which approximately £2.9 million was channelled through NGOs working in Nepal. In 2001–02 the approximate figure for total expenditure was £20 million, and around £3 million was channelled through NGOs.

Montserrat

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 in Montserrat. [67503]

Clare Short: The figures requested are available in "Statistics on International Development", (SID), Table 7.2 which shows a breakdown of bilateral aid by country in the Americas for the last five financial years. A copy of this publication is available in the Library of the House.

St. Helena

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 in St. Helena. [67501]

Clare Short: The figures requested are available in "Statistics on International Development", (SID), Table 7.1 which shows a breakdown of bilateral aid for the last five financial years. A copy of this publication is available in the Library of the House.

Civil Society Challenge Fund

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 2000–01 on the Civil Society Challenge Fund. [67527]

Clare Short: The figures requested are available in "Statistics on International Development", (SID), Table 13 which shows a breakdown of bilateral grants and other aid in kind, including the Civil Society Challenge Fund, for the last five financial years. A copy of this publication is available in the Library of the House.

Oceana Regional

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 in Oceana Regional. [67502]

Clare Short: The figures requested are available in Statistics on International Development, (SID), Table 7.5 which shows a breakdown of bilateral aid to the Pacific region for the last five financial years. A copy of this publication is available in the Library of the House.

Overseas Aid

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 in *(a)* Anguilla, *(b)* Burma, *(c)* Jordan and *(d)* Vietnam. [67504]

Clare Short: The figures requested are available in Statistics on International Development, (SID), Tables 7.1 to 7.4 which show a breakdown of bilateral aid by country for the last five financial years. A copy of this publication is available in the Library of the House.

Urban Development Projects

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 on water and sanitation in infrastructure and urban development projects. [67521]

Clare Short: Annual figures are given in the table.

	£ million[1]	*Percentage*[2]
1997–98	617	9
1998–99	1,168	11
1999–2000	940	7
2000–01	1,388	7
2001–02[3]	1,306	1

[1] Bilateral commitments total. For projects with a commitment figure greater than £100,000.

[2] Proportion on water supply and sanitation.

[3] Provisional figures.

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 on engineering in infrastructure and urban development projects. [67524]

Clare Short: My Department's expenditure on engineering in Infrastructure and Urban Development since 1998–99 has been as set out.

£000

Financial year	Energy	Transport and Communications	Water and Sanitation	Urban and Industrial Development	Construction
1998–99	61,001	47,673	29,846	6,678	878
1999–2000	38,686	48,820	35,902	9,430	628
2000–01	32,279	40,615	34,204	11,241	479
Total	131,966	137,107	99,951	27,349	1,985

Joint Funding Scheme

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 2000–01 on the civil society bilateral programme entitled the Joint Funding Scheme. [67526]

Clare Short: The figures requested are available in "Statistics on International Development", (SID), Table 13 which shows a breakdown of bilateral grants and other aid in kind including the Joint Funding Scheme for the last five financial years. A copy of this publication is available in the Library of the House.

Developing Countries

Mrs. Spelman: To ask the Secretary of State for International Development what assessment she has made of the value of property rights for poor people in the economic development of developing countries; what her Department is doing to promote property rights of poor people in the developing world; which projects her Department supports that promote the establishment of property rights for poor people in developing countries; and what the value of each project was in each of the last five years. [66808]

Clare Short: Property rights are an important element in poor people's range of livelihood assets and can assist directly in processes that eliminate poverty. My Department has made a series of assessments of property rights, mainly concerning land ownership and housing, in both rural and urban contexts.

Research has been undertaken, for example, to establish the range of tenure arrangements available to poor people in developing countries that allow people degrees of security and freedom in where they live, from which they can build their livelihoods for the future. The results are published by Intermediate Technology Development Group Publishing under the title "Land, Rights and Innovation". This tenure framework is currently being used to observe how poor people manage to establish their property rights in 15 developing countries. The work is being shared with the UN and World bank.

My Department is promoting better awareness of the role of property rights in poverty reduction through core funding support to UN-Habitat who are running their Global Campaign for Secure Tenure in 11 developing countries, and core funding support to the Centre on Housing Rights and Evictions which is based in Geneva. Support is also provided to the Asian Coalition for Housing Rights.

Secure land and property rights for the poor are essential if they are to contribute to and benefit from economic development, and to unlock access to essential services and to finance for small-scale investment opportunities of all kinds. Many poor people have no or insecure property rights and can fall victim to forced evictions by landlords governments and commercial land development in both town and country.

Secure rights can be provided through various forms of tenure, and DFID is working actively throughout the world, especially in Africa and with global institutions to help developing countries establish effective policies and institutions to deliver secure property rights to the poor and prevent evictions. In those cases where we have a direct role to play, DFID projects have helped governments to deliver secure rights and land titles to the poor; I would highlight:

South Africa were we spent £5.9 million up to 2000—a further phase is now being prepared in addition to a project earmarked at £5 million to help the SADC countries strengthen property rights for the poor throughout the Southern African Region

Guyana where a £4.39 million project is due to end in 2003

Support to Kenya Land Reform £0.47 million

Uganda Land Laws (Tenure) £1.35 million

Asian Coalition for Housing Rights £2.19 million

Property Rights in Croatia £0.59 million

10 projects in the former Soviet Union totalling £3.53 million, and

£295,000 through NGO partners in Bangladesh, directly assisting the poor access land and secure their rights.

41 projects both small and large with a total value of £34.34 million have been contributing to our overall efforts over the last five years. In addition DFID supports research projects into how best to enable access to land and secure property rights for the poor in different contexts in various countries; in the same period there have been 19 research projects with a total value of £2.5 million.

Kenya

Mrs. Spelman: To ask the Secretary of State for International Development what discussions she has had with *(a)* the Government of Kenya and *(b)* the British high commission in Nairobi regarding political and ethnic violence and human rights abuses in Kenya; and what projects her Government support to promote justice for victims of ethnic and political violence in Kenya. [66812]

Clare Short: British officials and I raise these issues regularly in our frequent contacts with the Kenyan Government. Our programme in Kenya includes a project co-funded by the Foreign and Commonwealth Office and the Ministry of Defence to prevent and settle internal conflict. We also support organisations offering legal aid to disadvantaged people including those who may be affected by ethnic and political violence; and we are working with the Kenyan Government to develop a pilot legal aid scheme.

Mrs. Spelman: To ask the Secretary of State for International Development what her Department is doing to promote democratic reform in Kenya. [66810]

Clare Short: DFID's Political Empowerment Programme together with other donors' programmes, aim to strengthen Kenya's political system by enabling poor and marginalised groups to organise and influence government and strengthening democratic institutions including Parliament. In addition DFID and high commission officials have frequent contacts with the Kenyan Government and Opposition on democratic issues.

Mrs. Spelman: To ask the Secretary of State for International Development what assessment her Department has made of the level of *(a)* political violence and *(b)* human rights abuses in Kenya; and how her Department responds to such violence and human rights abuses. [66811]

Clare Short: My officials in Nairobi, working in close consultation with our British High Commission, carefully monitor all reports of political violence and human rights abuses in Kenya and raise any concerns with the relevant authorities.

Failed States

Mrs. Spelman: To ask the Secretary of State for International Development what her policy is towards failed states; and which countries her Department classifies as failed states. [66807]

Clare Short: Our policy is to help resolve the underlying economic, social and political problems by promoting change in government and its policies and to work, where we can, inside and outside government, to achieve our objectives, especially support to poor people.

Problems of policy, commitment and governance are found in varying degrees in a number of states.

Human Rights Commissions

Mr. McNamara: To ask the Secretary of State for International Development in which countries she contributes assistance to the work of a human rights commission; how much has been contributed in the past three years for which figures are available; and what proportion of the total budget of that body this sum represents. [66699]

Clare Short: My Department has directly supported the human rights commissions of Rwanda and Zambia. In the former, we financed a review, and in the latter the production of a strategy. This work cost £10,800 in 2000–01 and £27,200 in 1998–99 respectively. I shall write to the hon. Member on the final part of his question, which could not be researched in the time available.

The Office of the High Commissioner for Human Rights takes primary responsibility for assisting governments to establish such institutions. Planned funding by my Department of OHCHR amounts to £6 million over three years, under the terms of an Institutional Strategy Paper sighed in 1999. This support is for broad improvement in capacity. Under this arrangement we have provided in the calendar years:

	£ million
2000	1.247
2001	2.115

Information on its website, http:/www.unhchr.ch shows that total extra-budgetary expenditure in 2001 by OHCHR was US$48.8 million, of which 0.8 per cent. was allocated to national human rights institutions.

The Foreign and Commonwealth Office provided £100,000 to OHCHR in 2001 for support to national institutions, and plan £150,000 in 2002.

G8 Digital Opportunities Task Force

Mr. Bercow: To ask the Secretary of State for International Development how many staff from her Department are working with the G8 Digital Opportunities Task Force. [67002]

Clare Short: The G8 DOT Force was formally wound up in June 2002, but during its two years of existence, my Department was represented by its Director General Resources, who called on appropriate specialist support as necessary in carrying out this role. In practice, this specialist support drew in the additional expertise of at least five other key staff.

Mr. Bercow: To ask the Secretary of State for International Development what financial support her Department is giving in 2002–03 to the G8 Digital Opportunities Task Force. [67001]

Clare Short: The G8 DOT Force was formally wound up in June 2002, but we intend to continue our support for some of its key deliverables, especially those focused on Africa. During the DOT Force's two years of existence, my Department spent over £300,000 in direct support to encourage a strong developing country and civil society voice in the DOT Force.

Malawi

Mr. Bercow: To ask the Secretary of State for International Development what assessment she has made of the results of the initiative to improve safety, security and access to justice in Malawi. [67005]

Clare Short: A formal assessment of progress is not due until April 2003. The MASSAJ programme is working closely with key institutions in the Malawi justice sector—including the Ministries of Justice and Home Affairs, Malawi Police Service, the judiciary and the magistracy; it is supporting the redrafting of the anti-corruption legislation and the roll of pilot juvenile justice initiatives. The programme includes co-operation with (i) the EU on strengthening the independence of the judiciary; (ii) NORAD in reducing the incidence of small arms; and (iii) USAID on strengthening paralegal support which enables poor people to access justice.

Buildings Insurance

Mr. Bercow: To ask the Secretary of State for International Development what the cost of buildings insurance to her Department was *(a)* before and *(b)* after 11 September 2001. [66935]

Clare Short: Only one of our buildings was previously insured, namely our London headquarters at 94 Victoria Street. Under the terms of the lease, we were required to reimburse the landlord at an annual cost of £40,000. Since vacating these premises in December last year, our buildings insurance costs are nil, since our buildings are self-insured, ie the Crown carries the risk. The specific events of 11 September had no direct consequence on our insurance costs.

Building Values

Mr. Bercow: To ask the Secretary of State for International Development if she will list the buildings owned by her Department and estimate the market value of each of them. [66953]

Clare Short: The only UK property owned by DFID is our office in East Kilbride. It was last valued at £3.5 million, of which the building itself is £2.9 million and the surrounding land £0.6 million. In addition, we own three freehold properties in Zimbabwe, last valued at £276,000, one property in the Solomon Islands (value: £65,000) and one in Kiribati (value: £17,000).

International Development Finance

Mr. Bercow: To ask the Secretary of State for International Development (1) if she will provide a breakdown of her Department's expenditure since 1998–99 on the African Development Bank; [67511]

(2) if she will provide a breakdown of her Department's expenditure since 1998–99 on the European Development Fund VIII; [67512]

(3) if she will provide a breakdown of her Department's expenditure since 1998–99 on the Caribbean Development Bank; [67507]

(4) if she will provide a breakdown of her Department's expenditure since 1998–99 on the Asian Development Fund; [67508]

(5) if she will provide a breakdown of her Department's expenditure since 1998–99 on the Asian Development Bank; [67509]

(6) if she will provide a breakdown of her Department's expenditure since 1998–99 on the Inter-American Development Bank; [67505]

(7) if she will provide a breakdown of her Department's expenditure since 1998–99 on IMF funds. [67535]

Clare Short: The figures requested are available in "Statistics on International Development", (SID), Table 8 which shows a breakdown of gross public expenditure on multilateral contributions for the last five financial years. A copy of this publication is available in the Library of the House.

Anti-corruption Issues

Mr. Bercow: To ask the Secretary of State for International Development what the cost to her Department was of the establishment in January of a resource centre to advise on anti-corruption issues. [66999]

Clare Short: The cost of establishing and running the Utstein Anti-Corruption Resource Centre will be approximately £870,000 over three years. Support for the resource centre will be shared between the four Utstein partners of the Netherlands, Norway, Germany and the UK.

Anti-corruption Commission (Sierra Leone)

Mr. Bercow: To ask the Secretary of State for International Development what contribution has been made by her Department to the establishment of the Anti-Corruption Commission in Sierra Leone. [66998]

Clare Short: My Department has been involved since 1999 in establishing the Anti-Corruption Commission in Sierra Leone, from initial feasibility studies, detailed organisational design work, refurbishment of office accommodation, and the provision of equipment. We have allocated £1.45 million to the organisation since October 2000. Currently four British anti-corruption experts are attached to the commission providing technical support on prevention, and helping to investigate cases. Publicity and prevention campaigns have been launched in a number of key areas, helping to place corruption at the very top of the political agenda.

Cameroon

Mrs. Spelman: To ask the Secretary of State for International Development what international election observers were present at the recent parliamentary and municipal elections in Cameroon; and if she will make a statement on the outcome of the elections. [66809]

Mr. Straw: I have been asked to reply.

The Commonwealth, Francophonie, UN and OAU all had election observer teams in Cameroon at the time of the municipal and legislative elections.

We are concerned at early indications of procedural irregularities in the elections, and now await both the official results of the elections and the reports of the observer missions.

DEFENCE

Times Letter

Mr. Gerald Howarth: To ask the Secretary of State for Defence (1) when he was advised, and by whom, that the named authors of a letter to The Times published on 13 May were not serving officers; [58997]

(2) when his Department informed The Times that the names of the officers purporting to have signed the letter published on 13 May were bogus. [58998]

Mr. Ingram: My right hon. Friend the Secretary of State for Defence was advised on the day of publication by the Director News that the signed authors of the letter were not members of the Armed Forces.

I refer the hon. Member to the answer I gave on 10 June 2002, *Official Report*, column 757W to the hon. Member for Essex North (Mr. Jenkin).

Ro-Ro Ferries

Mr. Keetch: To ask the Secretary of State for Defence if he will make a statement on progress with procurement of roll-on, roll-off ferries requirement as listed in the strategic defence review. [51493]

Dr. Moonie *[holding answer 25 April 2002]:* Construction of the six ships to meet the Ministry of Defence's requirement is proceeding to schedule. I refer the hon. Member to the answer I gave on 27 June 2002, *Official Report*, column 1038W to my hon. Friend the Member for Derby North (Mr. Laxton).

HMS Boxer and HMS Brave

Mr. Gray: To ask the Secretary of State for Defence what his deployment plans are for HMS Boxer and HMS Brave. [66761]

Mr. Ingram: HMS Boxer and HMS Brave are currently moored at HM Naval Base, Portsmouth.

The ships have been de-equipped to an unclassified status and all stores have been removed. As part of the disposal process, significant quantities of material have been returned to Ministry of Defence stores to assist with fulfilling fleet shortage requirements.

The platforms are designated for CINCFLEET High Seas Firing (i.e. Hulk Targets) in 2003–05.

HMS Victoria

Mr. Hancock: To ask the Secretary of State for Defence what the cost is of repairs being made to HMS Victoria; how much of this cost the UK will bear; and if he will make a statement. [67422]

Mr. Ingram: My officials have not received any formal representations from the Canadian Government about the condition of the ex upholder class submarine HMS Unseen, now re-named HMCS Victoria, and as such have no information about the cost of repairs. My officials will of course assist with any Canadian inquiries.

HMS Monmouth

Mr. Hancock: To ask the Secretary of State for Defence when the refit of HMS Monmouth will be complete; what the total cost of the refit will be; when she will return to service; and if he will make a statement. [67143]

Mr. Ingram: HMS Monmouth's refit, including associated sea trials, is planned to complete in spring 2003, at which time the ship will be available for operational deployment. The final price of the refit is still in negotiation, and will be based upon the eventual work package that will emerge from ship surveys. However, it is expected to be in the region of £19 million.

Invincible Class Carriers

Mr. Jenkin: To ask the Secretary of State for Defence for how many days each of the Invincible class carriers were operational in each of the past five years. [67566]

Mr. Ingram: For the past five years the Invincible Class Carriers were operational for the following number of days:

	Invincible	*Illustrious*	*Ark Royal*
1997	333	244	0
1998	193	301	0
1999	225	201	0
2000	264	263	0
2001	346	103	53

During the period 1997 until late 2001, HMS ARK ROYAL was not available due firstly, to a period of extended readiness, followed by a major refit period.

84 Squadron

Mr. Jenkin: To ask the Secretary of State for Defence what the establishment of pilots on 84 Squadron is; and how many of these are civilians. [67560]

Mr. Ingram: Five pilots are established on 84 Squadron including the Commanding Officer. None of the pilots is a civilian.

Mr. Jenkin: To ask the Secretary of State for Defence how many ground crew support the operations of 84 Squadron; and how many of these are civilians. [67561]

Mr. Ingram: Forty-seven ground crew support the operations of 84 Squadron. None of the ground crew is a civilian.

Armilla Patrol

Mr. Jenkin: To ask the Secretary of State for Defence how many vessels have been searched by Armilla Patrol warships in each of the past five years. [67564]

Mr. Ingram: The Royal Navy continues to make a valuable contribution to the Multinational Interception Force deployed in the Gulf, in accordance with UN SCR 665, to verify Iraqi compliance with UN sanctions which focus controls on Iraq's attempts to export oil illegally and import defence equipment and weapons of mass destruction related goods.

MIF operations are a coalition effort and so are not recorded nationally. However, from ships logs, we believe that in the last three years RN vessels have participated in a total of 145 boardings: 36 in 2000; 57 in 2001; and 52 to date in 2002.

Literacy/Numeracy Rates

Mr. Laws: To ask the Secretary of State for Defence how many members of the UK armed forces he estimates have *(a)* literacy and *(b)* numeracy problems; and if he will make a statement. [67104]

Mr. Ingram: I will write to hon. Member and a copy of my letter will be placed in the Library of the House.

Territorial Army

Mr. Liddell-Grainger: To ask the Secretary of State for Defence what his policy is on the deployment of the TA *(a)* as battlefield replacements and *(b)* formed units. [52478]

Dr. Moonie: The Strategic Defence Review concluded that the main role of the Territorial Army should be to provide formed units and individuals as an essential reinforcement to their Regular Army counterparts when deployed on operations across all military tasks.

In keeping with this, both volunteer and regular reservists have contributed significantly to operations at home and overseas in recent times.

Munitions Depots

Mr. Key: To ask the Secretary of State for Defence in respect of the closure of the munitions depot at Dean Hill, Wiltshire, what will be *(a)* the expected annual savings to his Department, *(b)* the anticipated revenue from the sale of married quarters to (i) sitting tenants and (ii) the market, *(c)* the estimated cost of connection of the married quarters estate to civilian services for (A) electricity, (B) water and (C) gas, *(d)* the ongoing annual maintenance of the site broken down into (1) buildings, (2) ground maintenance and (3) security and *(e)* the estimated market value of the site at sale. [65705]

Mr. Ingram: The annual savings from the closure of the Dean Hill site are estimated to be £2.083 million once all one-off expenditure is taken into account.

We currently estimate the cost of separating as, electricity—£50,000; water—£40,000; sewerage—£90,000. Gas is already supplied from a separate Calor gas tank. All figures exclude VAT. The annual maintenance budget can be broken down as follows: buildings—£894,000; grounds maintenance—£25,000. So far as security is concerned the approximate cost of the Ministry of Defence police presence at DM Dean Hill was £800,000 for financial year 2001–02.

Although the Ministry of Defence has assessed the disposal value of the West Dean site and associated residential properties, these are likely to be sold on the open market. To release our estimates of value could influence the eventual receipt, and I am, therefore, withholding this information under Exemption 7 of the Code of Practice on Access to Government Information.

Departmental Report

Mr. Bercow: To ask the Secretary of State for Defence when the 2002 departmental report will be published. [49577]

Mr. Ingram: I refer the hon. Member to the answer given to him on 15 April 2002, *Official Report*, column 774W by the then Chief Secretary (Mr. Smith).

Armed Forces Pay

Mr. Laws: To ask the Secretary of State for Defence what his estimate is of the average annual rise in pay for individuals employed in the armed forces in each year from 1990–91 to 2000–02; what the increase in the defence budget was in each year; and if he will make a statement. [66267]

Mr. Ingram *[holding answer 4 July 2002]:* Information on increase in the pay of the armed forces is not available in the form requested. However, the annual pay awards for the armed forces as recommended by the Armed Forces Pay Review Body (AFPRB), for the years 1990–91 to 2000–01 are outlined in the table. Overall annual increases in the defence budget for these years are also shown.

Per cent.

Financial year	*Pay awards*	*Increase/decrease in defence budget*
1990–91	8.70	–0.85
1991–92	9.50	3.72
1992–93	5.90	–9.19
1993–94	1.50	–3.06
1994–95	3.00	–2.16
1995–96	2.30	–7.27
1996–97	3.20	0.67
1997–98	3.00	–6.18
1998–99	3.75	1.17
1999–2000	3.50	–2.00
2000–01	3.30	2.50

The figures for the pay awards reflect the AFPRB recommendations for the majority of service personnel in each year. Within these overall awards, however, some personnel have received higher increases where the review body has targeted specific ranks in a given year. The figures in the table exclude the effects of the staging of the implementation of the awards, increases in the level of X factor and increases due to adjustments to the pension abatement.

Staging of pay awards for the armed forces took place in 1990, 1994, 1996, 1997 and 1998.

The figures for the defence budget represent the cash outturn in each of the years including the additional costs of operations.

Colchester Garrison

Bob Russell: To ask the Secretary of State for Defence, pursuant to his answer of 1 July 2002, *Official Report*, column 36W, if he will re-evaluate the terms of the Private Finance Initiative of the new Colchester Garrison; and if he will make a statement. [67090]

Mr. Ingram *[holding answer 5 July 2002]:* I refer the hon. Member to the answer I gave the hon. Member for North Essex (Mr. Jenkin) on 2 July 2002, *Official Report*, column 232W.

Nuclear Missile Defence

Dr. Tonge: To ask the Secretary of State for Defence what expenditure is planned on nuclear missile defence. [66685]

Mr. Hoon *[holding answer 3 July 2002]:* We plan to spend about £4 million on missile defence-related activities, which consist solely of collaborative research and information exchange between the United Kingdom and the United States on ballistic missile defence technologies.

Narcotics

Mr. Jenkin: To ask the Secretary of State for Defence (1) if he will list the dedicated counter-narcotics activities of the British armed forces and the costs of these activities in each of the past five years; and if he will make a statement; [67562]

(2) what quantities of narcotics have been confiscated by HM forces in each of the past five years. [67563]

Mr. Ingram: There are no military assets dedicated to counter narcotics activities and consequently no cost directly attributable to the Ministry of Defence. Military forces are, however, made available upon request, when operational commitments and resources allow, to support the counter drugs activities of the law enforcement agencies. Any additional costs for this support are reimbursed by the agency concerned.

Counter narcotics operations requiring military support resulted in the seizure of drugs valued at £2.3 billion in 1999–2000 and £40 million in 2001–02. There were no seizures resulting from operations involving military support in 1997–98, 1998–99 or 2000–01.

Falklands Commemorations

Mr. Jenkin: To ask the Secretary of State for Defence what events he has attended this year in connection with Falklands conflict commemorations. [67570]

Mr. Ingram: My right hon. Friend the Secretary of State for Defence visited the Falklands Islands in March and attended a service of commemoration at the Liberation Memorial in Stanley.

Following his visit to the islands he also laid a wreath at the memorial in Buenos Aires to commemorate the Argentine service men who died during the conflict.

I visited the islands in June to represent Her Majesty's Government at commemorations to mark the 20th anniversary of the end of the conflict.

Former Yugoslav Republic of Macedonia

Mr. Randall: To ask the Secretary of State for Defence (1) what British military aid is being given to the FYR of Macedonia [illegible] [67182]

(2) what [illegible] policy is on future military aid to the FYR of Macedonia [illegible] [67183]

Mr. Ingram: There has been no significant change to British military aid being provided to Macedonia or future policy in that respect since the answer I gave to the hon. Member on 26 March 2002, *Official Report*, columns 854–[illegible]W.

Iraq

Mrs. Curtis-Thomas: To ask the Secretary of State for Defence if he will make a statement on his Department's compliance with UN decisions concerning Iraq. [63810]

Mr. Hoon: Government policy towards Iraq has been developed within the framework of UN Security Council Resolutions.

The British armed forces continue to play an important role in enforcing as far as possible, UNSCRs against Iraq. Royal Navy vessels continue to make a valuable contribution to the Multinational Interception Force deployed in the Gulf to verify Iraqi compliance with UN sanctions. Royal Air Force aircraft patrol the Iraqi No Fly Zones in support of UN SCR 688, which demanded an end to Saddam's brutal repression of his own people. We also contribute a small contingent of British armed forces personnel to the UN Iraq Kuwait Observer Mission established under UN SCR 687 to monitor the UN defined border and demilitarised zone between Iraq and Kuwait.

EDUCATION AND SKILLS

Academic Staff

Mr. Cousins: To ask the Secretary of State for Education and Skills if she will estimate the numbers of academic staff on short-term contracts in each university in England and Wales since 1997 *(a)* in total numbers and *(b)* as a percentage of total academic staff. [62031]

Margaret Hodge: The information requested has been placed in the Libraries.

EU Directives

Mr. Bercow: To ask the Secretary of State for Education and Skills if she will list the EU directives relating to her Department which have been *(a)* amended and *(b)* repealed in 2002. [64938]

Margaret Hodge: My Department is currently working on legislation to amend the implementing regulations for directive 92/51/EEC. This has arisen out of directive 2001/19/EC which makes various amendments to several European directives relating to recognition of qualifications. The implementation date of directive 2001/19/EC is 1 January 2003.

No other EU directives have been amended in 2002, and none has been repealed.

Mr. Bercow: To ask the Secretary of State for Education and Skills if she will list the EU directives and regulations that have been implemented through her Department in 2002; and what was the cost of each to public funds. [64988]

Margaret Hodge: I refer the hon. Member to the reply I gave on 10 April 2002.

No EU directives or regulations have been implemented through my Department in 2002. There has therefore been no cost to public funds.

Universities

Sir Nicholas Winterton: To ask the Secretary of State for Education and Skills what assessment she has made of the link between staffing levels and the quality of teaching and research in universities. [65205]

Margaret Hodge: The Department has carried out no specific assessment of links between staffing levels and the quality of teaching and research in universities. However, the recently completed QAA eight-year cycle of subject reviews in higher education, which included an assessment of teaching quality, has identified only 1 per cent. of unsatisfactory provision. In addition, the 2001 Research Assessment Exercise showed that 55 per cent. of research staff now work in departments which contain work of international excellence (rated five or five-star) compared with 31 per cent. in the previous exercise in 1996. Staffing levels in higher education have increased by 10 per cent. over the last five years and so have student numbers.

Sir Nicholas Winterton: To ask the Secretary of State for Education and Skills if she will make a statement on the level of funding provision for the university of Manchester Institute of Science and Technology; and what plans she has to increase funding for UMIST. [65206]

Margaret Hodge: The funding of individual institutions is determined by the Higher Education Funding Council for England, which allocated total resources of £36.7 million to the university of Manchester Institute of Science and Technology for the academic year 2001–02. For the year 2002–03, it plans to allocate £36.9 million.

Sir Nicholas Winterton: To ask the Secretary of State for Education and Skills what her policy is on amalgamation of universities to create centres of academic excellence; and if she will make a statement. [65208]

Margaret Hodge: The Government recognise the importance of having universities able to compete with the best in the world and support higher education institutions in their pursuit of excellence. We will encourage and support universities who wish to choose amalgamation to promote excellence within the constraints of both our powers and availabilities of resources.

Student Statistics

Mr. Willis: To ask the Secretary of State for Education and Skills how many *(a)* full-time and *(b)* part-time students were in (i) FE and (ii) HE in each of the years 1992–93 to 2001–02. [65398]

Margaret Hodge *[holding answer 1 July 2002]:* The information is shown in the table.

Number of students on higher and further education courses—England

	Higher education[1]			*Further education*[2]		
	Full-time	*Part-time*	*Total*	*Full-time*	*Part-time*	*Total*
1992–93	726,300	425,900	1,188,200	592,000	1,169,400	1,761,400
1993–94	848,800	453,100	1,301,900	646,300	1,282,800	1,929,100
1994–95	903,900	515,400	1,419,300	847,100	2,062,900	2,910,000
1995–96	927,100	567,200	1,494,200	967,900	2,431,800	3,399,700
1996–97	943,900	589,900	1,533,900	1,019,000	2,783,000	3,802,000
1997–98	976,800	591,400	1,568,200	979,100	2,788,200	3,767,300
1998–99	988,400	603,000	1,591,500	961,500	2,700,700	3,662,300
1999–2000	995,300	614,700	1,610,000	939,300	2,668,800	3,608,100
2000–01	1,010,200	641,400	1,651,600	922,700	2,748,700	3,671,400
2001/02[3]	1,040,800	650,700	1,691,400	[4]—	[4]—	[4]—

[1] Census count as at 31 December in years up to 1993–94, and as at 1 December in subsequent years. Covers all home and overseas students on postgraduate and undergraduate courses, including HE students in FE colleges and the Open University.

[2] Includes FE students in HE institutions in all years, and sixth form colleges as from 1993–94. Due to a change in data collection, the figures for FE sector colleges for the years 1994–95 to 2000–01 are not comparable with those for earlier years; as from 1994–95 the figures are based on a whole year count of students, whereas in previous years they are based on a snapshot count at 1 November. As from 1994–95, includes funded and non-funded students.

[3] HE figures are provisional.

[4] Not available—the whole year count of students in FE sector colleges is collected retrospectively at the end of the academic year.

Note:

Figures have been rounded to the nearest hundred; components may therefore not sum to totals.

Autistic Children

Chris Grayling: To ask the Secretary of State for Education and Skills (1) how many autistic children are statemented in England and Wales; [65674]

(2) what estimate she has made of changes in the number of autistic children in England and Wales in the past five years. [65677]

Margaret Hodge: The information requested is not available centrally.

Chris Grayling: To ask the Secretary of State for Education and Skills what representations she has received in the past year from parents who have had autistic children placed in mainstream schools against their wishes. [65676]

Margaret Hodge: Parents who object to local education authority proposals to place statemented pupils in mainstream schools may appeal to the Special Educational Needs Tribunal. In the current school year the tribunal has received 123 appeals from parents who did not wish their autistic children to be educated in mainstream schools.

Departmental Waste

Sue Doughty: To ask the Secretary of State for Education and Skills what proportion of waste produced in her Department was *(a)* recycled, *(b)* composted, *(c)* re-used, broken down into (i) paper, (ii) plastics, (iii) aluminium cans and (iv) other, in each year since 1997; what plans there are to increase the proportions; and if she will make a statement. [65681]

Mr. Stephen Twigg: The table shows the proportions of waste re-used or recycled by the Department in the last two years. No waste was composted. This information was not collected in the form requested prior to the periods shown.

Percentage

Waste type	*2000–01*[1]	*2001–02*[1]
Paper/cardboard	20.4	17.5
Plastics	0.1	.07
Cans/glass	1.5	.8
Other	3.1	16.2

[1] Percentage of waste re-used or recycled.

We will continue to monitor developments in waste management, and work with local authority partners and waste service providers to improve these levels.

Higher Education Statistics

Lynne Jones: To ask the Secretary of State for Education and Skills what proportion of people aged under 25 years from each socio-economic group participated in higher education in each of the last 12 years. [65793]

Margaret Hodge: Information is not available exactly as requested. The available information relates to the social class breakdown of the Age Participation Index (API) from 1990 to 2000, and is shown in the table. The API is defined as the number of UK domiciled under 21 initial entrants to full-time and sandwich courses expressed as a proportion of the averaged 18 to 19-year-old population. The sharp rise in participation rates in the early 1990s reflects the expansion of the higher education sector during these years. There was an increase in entrant numbers in 1997 related partly to the funding arrangements for higher education, with students choosing to enter HE rather than wait until 1998. There was a corresponding reduction in 1998 before the entry rates started to increase again in 1999.

The Government are committed to raising the participation rates for people from less affluent family backgrounds, and has introduced Excellence Challenge, including the AimHigher campaign, which is targeted at raising attainment and aspirations among young people who traditionally would not consider going to university.

Participation in higher education by social class

Percentage

	Academic year beginning:										
Social class	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*
I Professional	—[1]	55	71	73	78	80	82	79	72	73	76
II Intermediate	—[1]	36	39	42	45	46	47	48	45	45	48
IIIN Skilled non manual	—[1]	22	27	29	31	31	32	31	29	30	33
IIIM Skilled manual	—[1]	11	15	17	18	18	18	19	18	18	19
IV Partly skilled	—[1]	10	14	16	17	17	17	18	17	17	19
V Unskilled	—[1]	6	9	11	11	12	13	14	13	13	14
I to IIIN	37	35	40	43	46	47	48	48	45	45	48
IIIM to V	10	11	14	16	17	17	18	18	17	17	18
All classes	19	23	28	30	32	32	33	33	31	32	33

[1] Not available.

Teachers/Lecturers Pay

Mr. Caton: To ask the Secretary of State for Education and Skills when she estimates the Government's objective of broad convergence in pay and terms and conditions between school teachers and further education lecturers will be achieved. [66081]

Margaret Hodge: We have acknowledged the historic gap between funding in schools and further education (FE) colleges and we have pledged to bring up the levels of support for FE to ensure upward convergence of funding between the two sectors. We will do this over time and as resources allow. However, as independent corporations, it is for each FE college to agree annual pay rises and conditions of employment with its staff in the context of the overall resources available to it.

We are investing significant funding in the FE sector. An additional £314 million is available for FE this year compared with 2001–02 and by 2003–04, total funding for FE will be up by 26 per cent. in real terms since 1997, with total funding per full-time equivalent student up by 16 per cent. over the same period. Separate to any general pay rise a FE lecturer may receive, the Teaching Pay Initiative (TPI) provides £311 million over the period 2001–04 to reward excellent teaching. The substantial additional investment we are making in the sector should help the FE sector support the pay aspirations of their staff.

AS-Level Examinations

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills if she will make a statement on the AS-Level examinations; and what changes will be made in the structure of sixth form studies. [66155]

Mr. Stephen Twigg *[holding answer 4 July 2002]:* Last September, my right hon. Friend the Secretary of State announced a number of changes to AS-level examinations. The length of some AS examination papers was reduced with most lasting one hour, enabling a complete AS to be taken in half a day. The examination timetable was restructured to reduce clashes and ease the burden of administration of examinations on schools and colleges.

The Qualifications and Curriculum Authority (QCA) continue to review Curriculum 2000 reforms and are due to report to Ministers following the summer examination results. We shall carefully consider QCA's recommendations and take necessary actions.

Student Funding

Mr. Laws: To ask the Secretary of State for Education and Skills when she plans to announce the results of her Department's review of student funding; and if she will make a statement. [66268]

Margaret Hodge *[holding answer 4 July 2002]:* The review of higher education student funding is still underway. We will make an announcement later this year, when the review is complete.

Pre-schools

Mr. Laws: To ask the Secretary of State for Education and Skills what plans she has to increase capital expenditure on pre-schools; and if she will make a statement. [66270]

Margaret Hodge *[holding answer 4 July 2002]:* We are already making a significant amount of capital funding available for pre-school provision. Over the two financial years 2002–03 and 2003–04, the Government are making available £40 million of capital funding for the provision of free nursery education places in disadvantaged areas.

In addition, up to £100 million of capital funding is available via the New Opportunities Fund in 2001–04 to create 45,000 child care places in neighbourhood nurseries. Early years settings may qualify to receive this funding by providing wraparound care in addition to sessional care.

Similarly, £6 million capital grant is available over the financial years 2002–03 and 2003–04 to provide modest help to playgroups seeking to develop the services they offer from sessional to daycare.

EU Committees

Angus Robertson: To ask the Secretary of State for Education and Skills when the EU Committee on the second general system for the recognition of professional education and training is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66457]

Margaret Hodge: There has been just one meeting of the Committee in the last five years—in November 2001. No further meeting of the Committee is currently scheduled. Membership of the Committee is vested in the UK Co-ordinator for directive 92/51/EEC, who is an official of this Department. Representatives of the Scottish Executive did not attend the meeting in November 2001, but have the opportunity to attend meetings should they wish to do so.

Angus Robertson: To ask the Secretary of State for Education and Skills when the EU Leonardo da [illegible] Committee is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66463]

Margaret Hodge: The Leonardo da Vinci programme management committee is due to meet on 11 and 12 July 2002. Representatives of the Scottish Executive *(a)* have not been and *(b)* are not members of this Committee. The UK is represented by officials from the Joint International Unit of the Department for Education and Skills and the Department for Work and Pensions. Representatives of the Scottish Executive participate fully in the National Co-ordination Group which oversees the administration and implementation of the programme in the United Kingdom. These arrangements are in accordance with the Memorandum of Understanding between the UK Government and the devolved Administrations.

University Students (Low Income Families)

Mr. Hepburn: To ask the Secretary of State for Education and Skills (1) what proportion of university entrants from *(a)* Jarrow, *(b)* south-Tyneside, *(c)* the north-east and *(d)* the UK were from low income families in 2001; [66582]

(2) what the proportion of university entrants from low income families was in *(a)* Jarrow, *(b)* south Tyneside, *(c)* the north-east and *(d)* the UK in each year since 1997. [66583]

Margaret Hodge: The available information from the Universities and Colleges Admissions Service (UCAS) for students from south Tyneside, the north-east and the UK, is shown in the table. UCAS do not routinely identify students from areas such as Jarrow, which lie within local authorities. The information is based on the social class of the applicants, which will not necessarily equate directly to levels of family income.

The Government are committed to raising the participation rates for people from less affluent family backgrounds, and has introduced Excellence Challenge, including the AimHigher campaign, which is targeted at raising attainment and aspirations among young people who traditionally would not consider going to university.

Proportion of accepted applicants to full-time and sandwich undergraduate courses who come from skilled manual, partly skilled and unskilled social classes

Percentage

	Home domicile of student:		
Year of entry	*South Tyneside*	*North-east*[1]	*UK*
1997	39	33	28
1998	39	32	28
1999	41	32	28
2000	38	31	28
2001	36	32	28

[1] Covers the following LEAs: North Tyneside, South Tyneside, Newcastle, Sunderland, Gateshead, Durham, Northumberland, Hartlepool, Middlesborough, Stockton, Redcar and Cleveland.

Connexions

Mr. Brady: To ask the Secretary of State for Education and Skills what progress has been made in involving faith communities in the work of Connexions at *(a)* central and *(b)* local levels. [66705]

Mr. Stephen Twigg: One of the principles of the Connexions strategy is to take account of the views of young people both individually and collectively. This includes young people from faith communities and the organisations that represent them. Nationally, the Connexions Service National Unit has discussed and agreed with the Catholic Education Service the basis on which Connexions personal advisers work in Catholic schools and colleges. Locally, Connexions partnerships work with many different voluntary and community groups which support young people, including faith-based organisations. There are examples across the country of faith based organisations being involved in local Connexions management or advisory groups. Some local faith based organisations receive grants from Connexions Partnerships. Organisations with a faith basis also feature prominently among the National Voluntary Youth Organisations (NVYOs) who receive funds from the Department's NVYO Grant Scheme. This is administered by the Connexions Service National Unit to support personal development programmes for young people.

Mr. Brady: To ask the Secretary of State for Education and Skills how much Connexions *(a)* spent and *(b)* transferred to other bodies in the last financial year; and how many members of staff it employs. [66706]

Mr. Stephen Twigg: In the last financial year (2001–02) the Connexions Service spent approximately £320 million. Of that, £107 million was incurred by Connexions Partnerships—i.e. those fifteen that were operating during 2001–02; twelve of which were in place for the full 12 months and three for the last seven months. The remainder was used to support careers services in those areas where Connexions was not operational and to fund central costs such as the training of personal advisers.

We do not collect information centrally on the exact amount of funding transferred to other bodies, mainly because the variety of different ways in which Partnerships operate makes it impractical to do so. It is for each Connexions Partnership to determine, within broad guidelines, how best to use its funding to meet identified local needs. In some cases this involves sub-contracting work to other organisations such as voluntary and community bodies.

According to the latest available information (relating to the situation at the end of March 2002), the 15 Connexions Partnerships operational at that time employed 3,933 staff—this includes all staff involved in the delivery of Connexions i.e. delivery staff (mainly personal advisers), managerial and administrative staff, etc.

Mr. Brady: To ask the Secretary of State for Education and Skills how much funding Connexions receives from Government sources; what non-governmental sources of income Connexions has; how much Connexions disburses to other organisations; and by what mechanisms Connexions makes this money available. [66708]

Mr. Stephen Twigg: In the current financial year (2002–03), Connexions has been allocated £446 million from central Government funds. The majority of that funding (ie £359 million) is devolved to Connexions Partnerships through the main Connexions grant—this relates to the 27 partnerships operational at the start of 2002–03 and the remaining 20 due to become operational during the financial year. The remainder of the overall Connexions budget is used to support careers services in those areas where Connexions is not yet fully operational and to fund central costs such as the training of personal advisers.

We do not have an exhaustive list of other sources of income but they include the European Social Fund, the National Lottery, the private sector, the Learning and Skills Council and local partners such as local authorities, etc. The strength of Connexions is its ability to pull together the contributions of a range of local partners to eliminate any gaps and duplication in the provision of support for young people. Much of the contribution of local partners is, therefore, of an "in-kind" nature rather than simply financial.

We are not yet able to quantify how much funding Connexions partnerships expect to receive in 2002–03 from sources other than the main Connexions grant. However, in the last financial year (2001–02), operational Connexions Partnerships received approximately £1.4 million in cash plus an estimated £8 million in contributions "in-kind" from sources other than the main Connexions grant. Early data from partnerships' business plans show that those figures are expected to be substantially greater this year.

We do not collect information centrally on the exact amount of funding disbursed to other organisations, mainly because the variety of different ways in which partnerships operate makes it impractical to do so. Once their funding has been allocated to them by DfES, Connexions Partnerships have the flexibility to use it in whatever manner they judge to be the most effective in relation to their local circumstances. In some cases this involves delegating work to partner organisations such as voluntary and community bodies. In those cases, the Connexions Partnership raises a grant or sub-contract with the organisation concerned in order to control the flow of funding.

Mr. Heald: To ask the Secretary of State for Education and Skills what steps have been taken to train Connexions advisers in respect of mental health matters as recommended in the Bridging the Gap report published in July 1999. [67975]

Mr. Stephen Twigg: I refer the hon. Member to the answer given on 1 March 2002, *Official Report*, column 1600W.

Connexions Partnerships will provide a full service to all young people aged 13 to 19 and will co-ordinate the delivery of appropriate support and opportunities when needed. This includes liaison with key organisations who can provide specialist support in respect of mental health matters.

Oral Questions

Mr. Simon Thomas: To ask the Secretary of State for Education and Skills how many oral questions she has transferred to other Departments in each of the last 18 months. [67032]

Mr. Stephen Twigg: Since the election in June 2001 no oral questions were transferred for answer by another Government Department.

Educational Maintenance Allowance

Mr. Breed: To ask the Secretary of State for Education and Skills what proportion of young people who received an educational maintenance allowance in each year since 1999 were identified as rural. [67085]

Margaret Hodge *[holding answer 5 July 2002]:* We do not ask the local education authorities or schools and colleges who administer the EMA scheme to classify individual recipients as "urban" or "rural".

However, of the 56 LEA areas in which EMA is paid, six are identified as predominantly rural in character: Cornwall, East Lancashire, Northumberland, North East Lincolnshire, Suffolk and Worcestershire. Cornwall was the only LEA from this list to receive an EMA in 1999–2000, when there were only 15 pilot areas. The following figures show EMA recipients in these areas as a percentage of the total number of EMA recipients in each of the academic years during which we have run the pilots.

Academic year	*Percentage of EMA recipients in predominantly rural areas*
1999–2000	31.3
2000–01	15.3
2001–02	14.0

Medical Schools

Hugh Bayley: To ask the Secretary of State for Education and Skills what the expenditure was on *(a)* research and *(b)* teaching in each United Kingdom medical school in the latest year for which figures are available. [67148]

Margaret Hodge: Expenditure by higher education institutions, broken down by research and teaching, is not available centrally.

With the exception of St. George's medical school, medical schools in England form part of their parent university and are funded through the block grant provided by the relevant funding councils for England and the devolved administrations. Once the grant has been allocated, it is for each institution to decide how to spend it.

Hugh Bayley: To ask the Secretary of State for Education and Skills what the capital value was of the *(a)* laboratories, *(b)* equipment and *(c)* other assets used for research in each United Kingdom medical school in the latest year for which figures are available. [67149]

Margaret Hodge: This information is not available.

London Schools Strategy

Mr. Brady: To ask the Secretary of State for Education and Skills what additional resources will be provided under her Department's new strategy for London schools, broken down by *(a)* proposed end use and *(b)* financial year in which it will be spent. [67630]

Mr. Stephen Twigg: As Minister with responsibility for the London schools strategy, I am looking forward to discussions with key partners about what additional resources should be provided and to what purpose. Provisional plans are:

£7.5 million to expand the training of talented teachers needed to lead and manage the most challenging schools in London; aimed at existing heads, deputies and middle managers (£0.5 million in 2002–03, £3.5 million in 2003–04, £3.5 million in 2004–05).

£10.0 million to boost provision for gifted and talented pupils in London establishing centres in 13 LEAs to improve the teaching and learning of gifted pupils and establish a programme of recruiting pupils from disadvantaged backgrounds to the schemes (£2.0 million in 2002–03, £3.9 million in 2003–04, £4.1 million in 2004–05).

£5 million for an Innovation Fund to encourage and incentivise new forms of partnership working between successful and less successful schools and the development of new types of secondary school in London (£0.5 million in 2002–03, £2.0 million in 2003–04, £2.5 million in 2004–05).

Up to £2.5 million to fund the work of a London Schools Commissioner to implement the strategy for London schools (£0.5 million in 2002–03, £1.0 million in 2003–04, £1.0 million in 2004–05). This will be finalised once precise tasks are clearer.

These resources will be in addition to other spending on London through the Department's other programmes and funding streams that are subject to the outcome of the spending review.

CABINET OFFICE

Statistics

Mr. Laws: To ask the Minister for the Cabinet Office if he will list the statistics that are collected by his Department by English parliamentary constituency; and if he will make a statement. [67091]

Mr. Alexander: I refer the hon. Member to the answer given by my hon. Friend the Financial Secretary to the Treasury today at column 769W.

Energy Guidance

Mr. Stunell: To ask the Minister for the Cabinet Office what guidance his office has issued since May 1997 to Government Departments and agencies in relation to *(a)* energy conservation and energy efficiency and *(b)* the purchasing of energy from renewable sources; and when the guidance was issued. [65722]

Mr. Meacher: I have been asked to reply.

Guidance to the public sector on conserving energy and improving energy efficiency has been provided by the Energy Efficiency Best Practice Programme, and this work is now part of the Carbon Trust's Action Energy scheme. This programme has also provided a range of guidance specifically for the Government Estate and Departments have been supported by site specific visits and consultancy advice.

The guidance issued by Government on renewable energy purchase was published on 16 January 2001, in HTML format only, and was placed on the Greening Government website (http://www.defra.gov.uk/environment/greening/energy/elec/index.htm)

Guidance has also been issued to Government by the Office of Government Commerce Buying Solutions in January 2001 entitled 'A one stop shop for energy procurement'.

NORTHERN IRELAND

Consultations

Mr. Andrew Turner: To ask the Secretary of State for Northern Ireland if he will list the public consultations undertaken by his Department since June 2001, stating in each case the *(a)* number of respondents and *(b)* percentage of those specifically consulted who responded. [60144]

Jane Kennedy: The information is as follows.

Date	*Paper*	*(a) Number of respondents*	*(b) Percentage of those specifically consulted who responded*
28 June 2001	Consultation (under section 85 and section 75 and schedule 9 of the NI Act) on a proposal for a draft Criminal Injuries Compensation Order and Scheme	16	8
August 2001	Consultation paper on the review of Part 1 of the Sex Offenders Act 1997	22	18
20 September 2001	Consultation of Rehabilitation of Offenders (Exceptions) (Amendment) (No. 2) Order (Northern Ireland) 2001	12	3
20 September 2001	Police Trainee Regulations (Northern Ireland) 2001	6	26
March/April 2002	Police Service of Northern Ireland (Recruitment of Police Support Staff) Regulations 2002	3	23
13 March 2002	Draft code on appointment of independent members to the District [illegible]licing Partnerships	20	62
28 February 2002–31 May 2002	Consultation on the possible appeal of the Terrorism Act	24	28

Northern Ireland Prison Service Part Input

Unfortunately there are no centralised records kept at headquarters or at establishment level on consultations with organisations. This information could be obtained only at disproportionate cost.

Human Rights and Equality Unit

The Human Rights and Equality Unit have recently published for consultation, the Government's response to the Northern Ireland Human Rights Commission's review of powers recommendations. Responses are not required until 16 August 2002.

Criminal Justice Review Team

The draft Justice (Northern Ireland) Bill was published for public consultation on 12 November 2001. *(a)* There were approximately 40 responses from individuals and representatives groups. *(b)* No groups or individuals were specifically targeted in the consultation.

Departmental Operating Costs

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will break down the operating costs of his Department by relative spending on each specialist *(a)* unit and *(b)* programme in each of the last three years. [60852]

Jane Kennedy: The information is in the table.

£

	1999–2000	*2000–01*	*2001–02*
Policing	662,000,000	656,000,000	641,760,000
Police Reform	0	39,000,000	68,440,000
Security	17,000,000	22,000,000	23,800,000
Prison Service	138,000,000	235,000,000	110,672,000
Criminal Damage/ Compensation	87,000,000	77,000,000	69,106,000
Criminal Justice	13,000,000	13,835,000	17,024,000
Criminal Justice Reform	761,000	560,000	455,000
Probation Services	10,565,000	11,812,000	12,145,000
Information Services	2,219,000	1,796,000	2,034,000
Grants to voluntary bodies (crime prevention, etc.)	2,579,000	1,794,000	2,333,000
Elections	1,174,000	1,402,000	2,533,000
Legal/Forensics	11,000,000	13,000,000	13,962,000
EU Money	2,000,000	1,000,000	145,000
Bloody Sunday Inquiry	13,000,000	19,000,000	19,179,000
NI Human Rights Commission	572,000	924,000	1,304,000
Central Misc. Services	13,700,000	16,286,000	18,124,000
Political process	14,900,000	11,300,000	8,957,000
Totals	989,470,000	1,121,709,000	1,011,973,000

Castlereagh

Mr. Pollard: To ask the Secretary of State for Northern Ireland if he will make a statement on progress in Sir John Chilcott's investigation into the break-in at Castlereagh. [68298]

Dr. John Reid: I have received a work in progress report from Sir John Chilcott and Colin Smith. I look forward to receiving the full and final report, which is expected later this year.

HOME DEPARTMENT

Sex Offenders

10. **Caroline Flint:** To ask the Secretary of State for the Home Department if he will make a statement on the supervision of sex offenders living in the community. [64755]

Mr. Wills: Protecting the public from sexual and violent offenders is one of the Government's highest priorities. The Criminal Justice and Court Services Act 2000 required each police and probation area to make arrangements to assess and manage the risks posed by sexual and violent offenders in the community. This is built on a range of measures we had already undertaken to strengthen the supervision of sex offenders in the community.

Asylum Policy

11. **Sir Teddy Taylor:** To ask the Secretary of State for the Home Department what changes in the policy of his Department on asylum seekers will stem from the decisions made at the Seville EU summit. [64756]

Beverley Hughes: Seville showed that the United Kingdom continues to play a leading role in developing the asylum measures proposed by the Treaty of Amsterdam as a major step towards achieving a common European asylum system. The significant changes in policy envisaged in our Nationality Immigration Asylum (NIA) Bill anticipate the developments we want Seville to deliver.

23. **Ann McKechin:** To ask the Secretary of State for the Home Department what recent discussions his Department has had with the Scotland Office regarding asylum issues. [64769]

Beverley Hughes: Discussion is continuing with the Scotland Office and the Scottish Executive on the issue of Asylum Centres for asylum seekers. Asylum, as my hon. Friend is aware, is a reserved matter.

Police Morale

13. **Mr. Amess:** To ask the Secretary of State for the Home Department if he will make a statement on police morale. [64758]

Mr. Denham: We have turned around the decline in police numbers that started under the last Government. By 31 January this year there were 4,578 more police officers than in March 2000 and police strength was at a record number. We are on course for our target of 130,000 officers by spring 2003.

We are committed to reducing the burden of unnecessary bureaucracy. We are developing a new occupational health strategy for the police service and we have provided a one-third increase in capital investment this year, which will allow improvements in the conditions in which officers work and the technology that they use.

We have reached agreement on a package of reforms to police pay and conditions of service that is good for the service, for rank and file officers and for the public.

We will ensure that officers know and feel that they are valued.

17. **Mr. Francois:** To ask the Secretary of State for the Home Department if he will make a statement on police morale. [64763]

Mr. Denham: We have turned around the decline in police numbers that started under the last Government. By 31 January this year there were 4,578 more police officers than in March 2000 and police strength was at a record number. We are on course for our target of 130,000 officers by spring 2003.

We are committed to reducing the burden of unnecessary bureaucracy. We are developing a new occupational health strategy for the police service and we have provided a one-third increase in capital investment this year, which will allow improvements in the conditions in which officers work and the technology that they use.

We have reached agreement on a package of reforms to police pay and conditions of service that is good for the service, for rank and file officers and for the public.

We will ensure that officers know and feel that they are valued.

National Probation Service

14. **Lawrie Quinn:** To ask the Secretary of State for the Home Department if he will make a statement on the role of the National Probation Service in reducing crime. [64760]

Hilary Benn: The National Probation Service, together with the Prison Service and the Youth Justice Board are jointly responsible for the target of reducing the level of reconviction of offenders by 5 per cent. by 2004. The Probation Services is working towards this by:

Careful risk assessment of offenders

Providing help with accommodation and employment

Improving basic skills

Running offending behaviour programmes.

The Probation Service is also responsible for ensuring that community penalties are effectively enforced.

Prisoner Rehabilitation

15. **Tim Loughton:** To ask the Secretary of State for the Home Department what effect the number of prisoners in England and Wales is having on the provision of rehabilitation schemes in prisons. [64761]

Hilary Benn: From 1996 to 2001 the number of offending behaviour programmes successfully completed by prisoners has risen almost fivefold despite a 19 per cent. growth in the prison population over the same period. Last year 16,000 prisoners achieved basic skills certificates, there are no firm indications yet that the number of prisoners is significantly affecting the provision of rehabilitation programmes in prisons. However, it is inevitable that at times of high population pressure such provision may be disrupted. The Prison Service will continue to do everything possible to minimise this.

21. **Joyce Quin:** To ask the Secretary of State for the Home Department if he will make a statement on his policy on constructive regimes in prison to deter re-offending. [64767]

Hilary Benn: The Prison Service draws upon research, known as "What Works", to ensure an evidence based approach to providing regimes which are effective in tackling offending behaviour and the factors which contribute towards re-offending.

The Government has set the Prison Service challenging targets to improve its regimes and expand provision of basic skills training, drug treatment, offending behaviour programmes and resettlement activities. To achieve these targets, we are investing an additional £31 million in

2001–02, £50 million for 2002–03 and £71 million for 2003–04. In this way we are supporting the Prison Service in contributing to our target of reducing the rate of re-convictions by offenders punished by imprisonment or by community supervision by five per cent. by April 2004.

Active Community Unit

16. **Mr. McWilliam:** To ask the Secretary of State for the Home Department if he will make a statement on the work of his Department's Active Community Unit. [64762]

Mr. Wills: The Active Community Unit leads a cross Government effort to promote civil renewal, to encourage active citizenship, and to build constructive partnerships between Government and the voluntary and community sector. It has lead responsibility for the Government's target of making substantial progress towards one million more people being actively involved in their communities by 2004.

Travellers

18. **Hugh Robertson:** To ask the Secretary of State for the Home Department if he will bring forward legislation to increase police powers with regard to the rights of residency of travellers. [64764]

Mr. Denham: As we announced last week we intend to bring forward additional eviction powers for police, linked to site provision, to deal with unauthorised camping by Gypsies and Travellers. Proposals will be brought forward as soon as a legislative opportunity arises.

Vandalism

19. **Mr. Fallon:** To ask the Secretary of State for the Home Department what steps he is taking to assist the police in the fight against low-level crime and vandalism. [64765]

Mr. Denham: The Government is taking urgent action to tackle low level crime and vandalism across the country. Among the most important are the measures to enhance the effectiveness of Anti-Social Behaviour Orders in the Police Reform Bill and the introduction of Neighbourhood and Street Wardens to reinforce the capacity of the police and local communities to prevent disorderly behaviour.

Tackling anti-social behaviour and disorder is one of the Ministerial priorities for the police

28. **Mr. Bill O'Brien:** To ask the Secretary of State for the Home Department what additional assistance his Department gives to schools that suffer damage and vandalism; and if he will make a statement. [64774]

Mr. Denham: The Government are providing assistance to schools that suffer from vandalism through a range of initiatives including our Neighbourhood Wardens and Closed Circuit Television (CCTV) schemes. The police involvement in truancy sweeps and in the "Safer Schools Partnerships" scheme is expanding the role that they play in schools as part of the Government's wider initiative to help tackle local street crime and behaviour problems. The Department for Education and Skills has also made £10 million available to Local Education Authorities this year to support security improvements at school that help protect them from crime.

Youth Crime

20. **Mr. John Smith:** To ask the Secretary of State for the Home Department what the level of youth crime was in the Vale of Glamorgan in the last year for which figures are available; and if he will make a statement. [64766]

Mr. Denham: Information provided by the Vale of Glamorgan Youth Offending Team shows that, in the year 2001, there was a total of 519 recorded offences in its area involving young offenders. Where the age of the offender was known and the case resulted in a reprimand, final warning, referral order or conviction.

36. **Fiona Mactaggart:** To ask the Secretary of State for the Home Department what steps his Department is taking to prevent young children committing crimes. [64782]

Mr. Denham: The Government are supporting a wide programme to tackle youth offending, including action to prevent children being drawn into crime in the first place. This includes working with families through the Sure Start initiative, neighbourhoods through the Neighbourhood Renewal Fund, and education services through reducing exclusions and improving attendance, as well as implementation of the 10 year drugs strategy.

We also support a number of preventative programmes including Youth Inclusion Programmes, Splash Schemes and the Positive Futures programme, which help to steer young people, including those identified as being most at risk, away from crime.

In addition, improvements to the youth justice system, reduced delays, new sentences and programmes, and expanded powers available to the police and courts all help to ensure that we are tackling youth criminality head on.

CS Spray

22. **Mr. Llwyd:** To ask the Secretary of State for the Home Department how many reported incidents involving the use of CS spray by police officers in England and Wales there were in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 2000 and *(e)* 2001; and if he will make a statement. [64768]

Mr. Denham: I regret that this information is not available for the majority of police forces in England and Wales. The Association of Chief Police Officers is considering what arrangements should be made to ensure that national statistics are available in future.

Race Relations

24. **Mr. Hopkins:** To ask the Secretary of State for the Home Department what measures he proposes to improve race relations and community cohesion. [64770]

Beverley Hughes: The Government are committed to making race equality and community cohesion central to their aims.

We are committed to outlaw discrimination in employment by December 2003 as required by European Employment Directives.

The Race Relations (Amendment) Act 2000 came into force on 2 April. It places a general duty on specified public authorities to have due regard to the need to eliminate unlawful discrimination—and to promote equality of opportunity and good relations between persons of different racial groups.

Public bodies were required to have in place by 31 May this year, realistic and timely plans to show how they intend to comply with the general duty.

The Government are working right across Departments on a number of measures to promote community cohesion. Our aim is to build communities where:

there is a common vision and a sense of belonging for all people;

there is an appreciation of people's different backgrounds and circumstances;

where those from different backgrounds have similar life opportunities; and

strong and positive relationships are being developed between people from different backgrounds in the work place, in schools and within neighbourhoods.

Following the disturbances, we rapidly set up a programme of summer activities. This summer, we are running an enhanced programme of activities—both on community cohesion and to address issues of street crime. For example, a £16 million summer activities programme run by the Department for Education and Skills (DfES) also includes community cohesion criteria alongside other aims.

We are also engaging young people through other measures. For example, "Beyond Labels"—an international conference for young people, supported by the Home Office, will take place in Leicester in July.

We commissioned the Community Cohesion Review Team—chaired by Ted Cantle—to explore the causes of last summer's disturbances and the independent report made several, wide-ranging recommendations. The Government published its initial response to the Cantle Report in December last year.

The recommendations are being taken forward by the Ministerial Group on Community Cohesion, which I chair. The group is advised by a Community Cohesion Panel, chaired by Ted Cantle. The panel comprises people with expertise in relevant areas—including young people and the community. The Government announced membership of the panel on 22 May 2002.

A new Community Cohesion Unit has been established to support the Ministerial Group and Panel—and to work across Government to deliver community cohesion.

Community Facilitators are now in place in 34 towns across the country to bring together local people, foster dialogue and encourage the search for positive solutions to local problems. Community Support teams are also being provided to Bradford, Burnley and Oldham, to address community cohesion issues and each town has also produced an outline community cohesion action plan.

To assist local government address community cohesion issues. The Home Office has published—jointly with the Commission for Racial Equality, Local Government Association and the Office of the Deputy Prime Minister—draft guidance for local authorities. This sets out a series of practical steps that they (and other local agencies) can take to address community cohesion issues. A copy of this has been placed in the Library. We are seeking views on it by 14 August.

The Government believe that community cohesion is an issue that all local authorities need to urgently consider. Some local areas will conclude that their existing policies and community planning systems are satisfactory. But the Government believe that the majority will need to amend some of their policies in order to build effective community cohesion. A small number of areas may identify a wide range of issues which are best addressed by a specific and focused action plan. A number of areas other than Bradford, Oldham and Burnley have already indicated their commitment to developing such plans.

National Security

25. **Mr. Cousins:** To ask the Secretary of State for the Home Department what steps he is taking to improve the security of the United Kingdom from the intentional release of chemical, biological and radiological materials. [64771]

Mr. Blunkett: I keep these matters under close review through my chairmanship of the Ministerial Committees on Terrorism and Civil Contingencies.

Our crisis management machinery is based on a proven, co-ordinated response capability involving the relevant agencies.

Following the tragic events of 11 September last year, we have accessed the threat from the use by terrorists of chemical, biological and radiological materials and reviewed our arrangements for dealing with such events. A major cross-departmental programme of work is in hand to enhance the resilience of the UK and counter the threat. Following the Budget on 17 April, I announced additional resources to enable this work to be sustained and developed. This will be further reviewed in the Spending Review.

Anti-Social Behaviour Orders

26. **Laura Moffatt:** To ask the Secretary of State for the Home Department what progress has been made in reducing the paperwork required for Anti-Social Behaviour Orders; and if he will make a statement. [64772]

Mr. Denham: The recent Home Office review of Anti-Social Behaviour Orders (ASBOs) found that unnecessary bureaucracy was a problem in some areas. The review recommended that local agencies draw up simple, streamlined protocols designed with the local area in mind and made a number of practical suggestions for minimising bureaucracy and delays. Advice on how best to do this will be included in the new Home Office guidance on ASBOs.

Victim/Witness Protection

27. **Mr. Pike:** To ask the Secretary of State for the Home Department if he will make a statement on the protection of victims and witnesses pending court proceedings. [64773]

Hilary Benn: Chief officers of police assess whether a witness needs protection pending court proceedings and then put in place measures which are commensurate with the level of risk identified.

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Several communities have established safety schemes to support witnesses and we would like to see more of these. Witness intimidation is an offence and the police have been encouraged to prosecute whenever possible.

Violent Crime (Elderly Victims)

29. **Richard Ottaway:** To ask the Secretary of State for the Home Department if he will make a statement on the level of violent crime against elderly people. [64775]

Mr. Denham: The Government shares the profound revulsion which is caused by crimes against elderly people, and is determined to ensure that even the most vulnerable people can feel safe both in their homes or out in their neighbourhood. The latest British Crime Survey (BCS) published last year does not separately identify the level of violent crime against elderly people. However, the BCS did show that the risk of elderly men becoming victims of violence was less than 0.5 per cent. and that the corresponding risk for women was about 0.6 per cent.

Burglaries

30. **Mr. George Osborne:** To ask the Secretary of State for the Home Department what action is being taken to reduce the number of burglaries. [64776]

Mr. Denham: Reducing burglary is being tackled in a number of inter-connected ways. These include:

Ensuring police forces deliver their best value targets—progress is being monitored quarterly and, through the Police Standards Unit and Her Majesty's Inspectorate of Constabulary (HMIC), we will be working with those at most risk of not delivering their target to help them get back on track.

Funding local anti-burglary strategies, initially through the Reducing Burglary Initiative and subsequently through the Safer Communities Initiative.

Delivering our anti-drugs strategy

Tackling youth crime

Delivering our plans to improve the delivery of justice, including bringing more offenders to justice and reducing re-offending.

Piloting a repeat victimisation model and then rolling out the lessons learned to other areas.

Negotiating stretched burglary targets in Local Public Service Agreements.

Targeting crime prevention advice to those known to be at high risk of burglary, such as students.

Police Pay

31. **Mr. Goodman:** To ask the Secretary of State for the Home Department what representations he has recently received about police pay. [64777]

Mr. Denham: The Secretary of State is represented on the Police Negotiating Board (PNB), the statutory negotiating body for police pay and conditions. All the main police organisations are represented on the PNB, including the Association of Chief Police Officers (ACPO), the Association of Police Authorities (APA), the Superintendents' Association and the Police Federation.

On 9 May 2002, the PNB reached agreement on a recommendation to my right hon Friend the Secretary of State for a package of reforms to police pay and conditions. The Secretary of State has approved the PNB recommendation.

Under the PNB Agreement, all officers in the federated ranks will get an increase in basic salary of £402 from 1 April 2003, on top of the annual police pay award made in September each year.

In addition, from the same date federated ranks' officers who have spent a year at the top of their pay scales will be eligible for a competence-related payment of £1,002 a year. We expect at least 75 per cent. of those eligible to get the payment. There will also be a new special priority payment scheme, under which officers in qualifying posts will get a payment of between £500 and £3,000 normally, up to £5,000 exceptionally.

The PNB Agreement also delivers a number of significant improvements in the management and deployment of police officers, including more flexible rostering and use of part-time working as well as better management of ill health and poor attendance.

The Secretary of State has also received representations from a number of police officers, including the Chief Constable of Thames Valley about the pay and allowances which officers receive.

Special Constables

32. **Mr. Flook:** To ask the Secretary of State for the Home Department if he will make a statement on the number of special constables. [64778]

Mr. Denham: Special constables are a key element of our police reform agenda, and we are already working, with stakeholders, to increase the recruitment and retention of special constables as part of that process. Indeed, we announced a package of measures on 18 June that are designed to improve the way specials are recruited, managed, deployed and how their welfare is considered within forces.

We are particularly keen to improve liaison with employers and encourage them to support employees who are specials. Specials bring skills and experience back to their workplace which makes them of real value as an employee. Later this year the Chancellor of the Exchequer and the Home Secretary will publish a joint discussion paper on fiscal and other changes we can make to promote community service, including service as a special constable. A new headline role has also been published, focusing on intelligence-led patrolling and crime reduction initiatives. And a new national foundation training package for specials was issued last month. Revised Conditions of Service Regulations and new Conduct Regulations are in preparation.

Central to this whole process will be Home Office/Association of Chief Police Officers (ACPO) good practice guidance covering all aspects of the recruitment, management and deployment of specials, which will be issued by the end of the year. And we will be identifying a number of "Specials champions" to support this work and to take forward initiatives to help reverse the decline in specials numbers. We have set aside £300,000 to support these champions and we are working very closely with ACPO in this area.

Detainees (Immigration)

33. **Jeremy Corbyn:** To ask the Secretary of State for the Home Department what his latest estimate is of the number of persons detained under immigration powers over the past 12 months. [64779]

Beverley Hughes: The latest available information on the number of persons detained under Immigration Act powers relates to 30 March 2002. As at that date, 1,575 persons (to the nearest five) were being detained solely under Immigration Act powers.

I regret that statistics showing the total number of persons detained in the last 12 months could be obtained only at disproportionate cost by examination of individual case records, and no estimate of the total number has been made.

Information on Immigration Act detainees as at 29 June will be published on 30 August on the Home Office Research Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Accommodation Centres (Children's Education)

34. **Mr. Jim Cunningham:** To ask the Secretary of State for the Home Department what education provision is given to the children of asylum seekers in accommodation centres; and what improvements he plans to make. [64780]

Beverley Hughes: We expect the first trial accommodation centre to open during 2003. We will provide education facilities on site for the children of asylum seekers maintained there. On site education will mirror the provision in mainstream schools, tailored to the specific needs of the children. Education will be evaluated along with other aspects of accommodation centres at the end of the trial period.

Detoxification Centres

35. **Mr. Plaskitt:** To ask the Secretary of State for the Home Department if he will make a statement on the availability of places for drug addicts at residential detoxification centres. [64781]

Mr. Bob Ainsworth: Over 50 per cent. of Drug Action Teams have residential detoxification services located within their area. Figures on the numbers of places available for residential detoxification, however, are not collected centrally.

There are an estimated 130 residential treatment services in England and Wales (which may or may not include detoxification facilities), which have an estimated 2,169 available beds. This would suggest a possible 8,700 drug and alcohol users could be treated each year.

Figures from the National Drug Treatment Monitoring System (NDTMS) show that the average waiting times for residential treatment have significantly reduced. The average waiting times for priority cases has been reduced from 5.08 weeks in 2000–01 to 4.45 weeks in 2001–02. Non-priority cases waited an average of 9.34 weeks in 2000–01 improving to 6.44 weeks in 2001–02.

Clandestine Immigration

37. **Mr. Boswell:** To ask the Secretary of State for the Home Department what steps he is taking to deal with clandestine immigration. [64783]

Beverley Hughes: We are working closely with the French Government to deal with the problem of illegal immigration from France, and the trafficking networks which bring many of these illegal immigrants across Europe. We are committed to the efficient use of intelligence to target resources against organised immigration crimes, and we are investing in new technologies to combat those attempting to enter the United Kingdom clandestinely concealed in road freight vehicles.

Anti-Terrorism, Crime and Security Act

Mr. Paul Marsden: To ask the Secretary of State for the Home Department which individuals are being detained, where and for what reasons, under Part 4 of the Anti-Terrorism, Crime and Security Act 2001. [65065]

Mr. Blunkett: 11 people have been detained to date using powers in Part 4 of the Anti-terrorism, Crime and Security Act 2001. Of those detained, two have voluntarily left the United Kingdom; the other nine remain in detention. It is long standing practice not to discuss individual cases or the immigration status of individuals, including their place of detention, unless they themselves first choose to do so.

St. Charles Site, Brentwood

Mr. Pickles: To ask the Secretary of State for the Home Department what action his Department has taken to secure the land within its ownership in Brentwood, known as St. Charles site, from unauthorised entry. [65384]

Hilary Benn: The security arrangements in place include new 2.4 metre high fencing and 24 hour security guarding.

Following an incident of illegal trespass on 10 May 2002, immediate action was taken to install additional security measures on the Brentwood site. The additional measures, which were installed in consultation with Brentwood borough council and the Essex police, included trenches, earth mounding and other obstructions to entry.

Voluntary Sector

Mr. Streeter: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for West Dorset, (Mr. Letwin), *Official Report*, column 704W, on Government funding of the voluntary sector, how Government funding has been defined for the purpose of the estimates; what categories of financial transaction have been excluded from this definition; and on what basis each estimate was made. [65039]

Hilary Benn: The definition of Government funding used for the purposes of the estimates is the same as that published in the Report on Central Government Funding of Voluntary and Community Organisations 1982–83 to 1999–2000 (annexe B, page 20) ISBN 1 84082 636-3, copies of which are available in the Library. No categories of financial transaction were specifically excluded.

The estimates are based on surveys of Government Departments and other public funders of the voluntary sector conducted by the Charities Aid Foundation on behalf of the Home Office.

Prison Service

Phil Sawford: To ask the Secretary of State for the Home Department how many prison officers *(a)* joined and *(b)* left the Prison Service in each of the last five years for which figures are available in (i) actual figures and (ii) as a percentage of the total. [66434]

Hilary Benn: The information is contained in the table. Officer grades include prison officers, senior officers and principal officers. Joiners information excludes staff who have been re-graded to prison officer from another Prison Service grade.

	Prison officers in post at beginning of year	*Joiners*		*Leavers (including retirements)*	
		Number	*Percentage of total*	*Number*	*Percentage of total*
1997–98[1]	23,058	1,578	6.8	—	—
1998–99	23,444	1,185	5.1	723	3.1
1999–2000	23,875	918	3.8	847	3.5
2000–01	24,090	514	2.1	961	4.0
2001–02	23,777	363	1.5	1,342	5.6

[1] Reliable information on leavers during 1997–98 is not available.

Human Trafficking

Mr. Spring: To ask the Secretary of State for the Home Department what measures the Government are taking to prevent the trafficking of women in the Balkans and what evaluation he has made of their success; what measures the Government are taking in this regard in co-operation with fellow European Union member states, and what evaluation he has made of their success; what measures have been taken by European Union institutions to combat this trafficking and what evaluation he has made of their success; and if he will make a statement. [65708]

Beverley Hughes: Alongside effective enforcement in the United Kingdom (UK), we have recognised that there is the need to develop intelligence and undertake joint operations against trafficking networks in transit countries in the Balkans region. We have provided a total of £200,000 to fund various local anti-trafficking projects in the Western Balkans region implemented under the auspices of the Organisation for Security and Co-operation in Europe's democratisation arm, the Office for Democratic Institutions and Human Rights.

In 2000 we set up Reflex, our multi-agency task force on organised immigration crime, which co-operates with overseas law enforcement partners on the disruption of organised criminal groups intent on trafficking. Led by the National Crime Squad (NCS), Reflex brings together all the key agencies, including the Immigration Service, the National Criminal Intelligence Service (NCIS), the security and intelligence agencies and key police forces including the Metropolitan police, Kent and the British Transport police.

The UK has posted nine Immigration Liaison Officers to disrupt trafficking and organised immigration crime in and around the Balkans region. European Union (EU) partners have made similar deployments. We co-operate directly or through Europol with EU law enforcement agencies and those in EU accession states. Since April 2001 this has resulted in the disruption of 14 trafficking organisations and 67 arrests. 323 individual facilitators have been arrested.

Project Immpact, a UK led EU immigration initiative to assist the Bosnia State Border Service, has reduced the flow of illegal migrants through Sarejevo airport by 90 per cent. UK and EU experts assist the anti-trafficking EU STOP teams in Bosnia which have identified 185 victims of trafficking involved in prostitution over the past year.

We have also provided assistance to the recently established anti-trafficking task force at the South East Europe Co-operation Initiative (SECI) centre in Bucharest, which is focused on cross border co-operation and intelligence sharing between its 11 member states in the Balkan region.

Belgium and Spain have made organised immigration crime a theme of their EU presidencies. The Danish presidency will promote an EU-wide project against the trafficking of women co-ordinated by the European Police Chiefs Taskforce in the second half of this year.

Commission for Racial Equality

Keith Vaz: To ask the Secretary of State for the Home Department what the budget of the CRE was in 1990; and what it is in the present financial year. [66336]

Beverley Hughes: The grant in aid allocated to the Commission for Racial Equality (CRE) in the financial year 1990–91 was £13,500,000 and is £19,900,000 for the current financial year 2002–03 (both amounts rounded to the nearest £100,000).

The CRE budget was increased to £3 million from 2002–03 to enable the Commission to deliver its new responsibilities under the Race Relations (Amendment) Act 2000.

Communications (Interception)

Norman Baker: To ask the Secretary of State for the Home Department what plans he has to introduce legislation relating to the interception of communications and the use of computers which use selected keywords and numbers to determine which communications are intercepted. [65156]

Mr. Blunkett *[holding answer 2 July 2002]:* The Regulation of Investigatory Powers Act 2000 provides for the lawful interception of communications: there are no plans to amend this legislation.

Norman Baker: To ask the Secretary of State for the Home Department what controls govern the interception from within the UK of communications originating from outside the UK. [65164]

Mr. Blunkett *[holding answer 2 July 2002]:* The interception of communications is governed by the Regulation of Investigatory Powers Act 2000. "External" communications, which are defined by that Act as those sent or received outside the British islands, may be intercepted under a warrant: in particular, section 8(4) of the Act provides for a warrant for the interception of external communications only. The conditions for obtaining such a warrant are set out in sections 5–8 and 15 of the Act.

Mr. Wray: To ask the Secretary of State for the Home Department what *(a)* Departments and *(b)* organisations are allowed to intercept electronic mail. [66634]

Mr. Blunkett *[holding answer 3 July 2002]:* A warrant for the interception of communications of any kind can only be issued personally by the Secretary of State to those persons specified in section 6(2) of the Regulation of Investigatory Powers Act 2000. Those persons are:

the Director-General of the Security Service;

the Chief of the Secret Intelligence Service;

the Director of Government Communications Headquarters (GCHQ);

the Director-General of the National Criminal Intelligence Service;

the Commissioner of Police of the Metropolis;

the Chief Constable of the Royal Ulster Constabulary (now the Police Service of Northern Ireland);

the Chief Constable of any police force maintained under or by virtue of section 1 of the Police (Scotland) Act 1967;

the Commissioners of Customs and Excise;

the Chief of Defence Intelligence; and

a person who, for the purposes of any international mutual assistance agreement, is the competent authority of a country or territory outside the United Kingdom.

Juvenile Offenders

Simon Hughes: To ask the Secretary of State for the Home Department what extra resources have been made available since 16 April to fund the expected increase of remands into custody of juvenile offenders; and if he will make a statement. [66625]

Hilary Benn *[holding answer 2 July 2002]:* £53 million has been made available for this year to provide additional juvenile secure places, tagging of juveniles on bail and after release from custody and extension of intensive supervision and surveillance programmes.

Representation Packs

Simon Hughes: To ask the Secretary of State for the Home Department what average delay was incurred in the last year for which figures are available before prisoners receive representation packs after they are recalled to prison; and if he will make a statement. [66617]

Hilary Benn *[holding answer 2 July 2002]:* The Prison Service target for issuing representation packs to determinate sentence prisoners after they have been recalled to prison is five working days. During the 12 month period ending 31 May 2002, 76 per cent. of representation packs were issued within target. Information on the average delay in issuing these packs is not held centrally and to provide it would incur disproportionate cost.

Bail Information Schemes

Simon Hughes: To ask the Secretary of State for the Home Department how many probation areas in England and Wales operate bail information schemes; in how many cases by probation area information on bail was provided to the courts in the last year that figures are available; in how many of these cases the court ordered conditional bail; and if he will make a statement. [66621]

Hilary Benn *[holding answer 2 July 2002]:* 36 areas operated bail information schemes in 2001–02, covering some 60 per cent. of magistrates courts in England and Wales. In some areas schemes will have been focused in particular courts rather than delivered as an area-wide service.

The list of numbers of bail information reports prepared by each area in 2001 is in the table. Bail information reports are only one of the reports available to the court to assist in reaching a decision on whether to order conditional bail in any case and no statistics are collected for the number of such cases.

The National Probation Directorate is currently reviewing the coverage of bail information schemes to identify the scope for increasing the number of magistrates courts covered by such a scheme and developing performance measures to monitor and improve the quality of the information provided in reports.

Number of bail information reports prepared by the Probation Service during 2001

	Number
Avon	1
Cambridgeshire	2
Cheshire	1,014
Teesside	111
Cornwall	9
Cumbria	131
Derbyshire	40
Devon	91
Dorset	302
Durham	6
Essex	3
West Mercia	338
Hertfordshire	28
Humberside	634
Kent	181
Lancashire	198
Leicestershire	139
Lincolnshire	37
Greater Manchester	715
Merseyside	306
Norfolk	18
Northumbria	101
Thames Valley	401
Somerset	15
Staffordshire	346
Suffolk	76
Surrey	228
West Sussex	140
Warwickshire	230
West Midlands	1,302
Wiltshire	62
South Yorkshire	403
West Yorkshire	1,991

Number of bail information reports prepared by the Probation Service during 2001

	Number
Dyfed/Powys	191
West Glamorgan	9
Middlesex	71
England and Wales	9,870

Judicial System (Racism)

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what is being done to combat racism within the justice system in the United Kingdom. [65660]

Beverley Hughes *[holding answer 3 July 2002]:* The Race Relations (Amendment) Act 2000 is a direct response to the Stephen Lawrence Inquiry. The Government brought forward amendments to the Race Relations Act 1976 to strengthen the duties placed on public authorities. The Race Relations (Amendment) Act 2000 presents both a challenge and an opportunity to public authorities. So for the first time we have placed a statutory duty on Criminal Justice System organisations to eliminate racial discrimination and also to promote race equality and good race relations when carrying out their functions.

My right hon. Friend the Chancellor of the Exchequer, my right hon. and noble Friend the Attorney-General and my right hon. Friend the Home Secretary are responsible for the justice system in England and Wales. We have published Race Equality Schemes setting out how the new duties apply to our Departments and the action we will take to fulfil those duties.

Information relating to Scotland and Northern Ireland, is a matter for my right hon. Friends the Secretary of State for Scotland and the Secretary of State for Northern Ireland.

Security

Mr. Wray: To ask the Secretary of State for the Home Department what measures have been taken in conjunction with other European states to increase security after the events of 11 September 2001. [66635]

Mr. Blunkett *[holding answer 3 July 2002]:* Heads of State and Government of the European Union (EU) endorsed an Action Plan on 21 September, following the terrorist attacks in the United States. The Action Plan sets out agreed decisions on a range of measures to combat global terrorism and to improve practical co-operation among member states. The Action Plan includes:

Creation of fast-track extradition and an EU arrest warrant, which should significantly reduce obstacles to extradition within EU;

Agreement on common EU offences and penalties for terrorist activity;

Setting up a team of EU member states' anti-terrorist experts who can ensure timely collection and analysis of information and intelligence and draft threat assessments;

Rapid implementation of the United Nations Convention for the Suppression of the Financing of Terrorism by all EU member states;

Requirement that the potential impact on the fight against crime and terrorism is fully considered in drafting European Community legislation;

Measures on freezing of assets and evidence and

Review of the EU's relations with third countries in the light of their support for counter-terrorism.

Duplicate Passports

Mr. Hawkins: To ask the Secretary of State for the Home Department what steps he plans to take following recent convictions of offenders who had obtained duplicate passports; and if he will make a statement. [66738]

Beverley Hughes *[holding answer 4 July 2002]:* The United Kingdom Passport Service has a range of checks in place to prevent and detect passport fraud including a check on the death records of under 18-year-olds in England and Wales. This check is a significant step forward in our efforts to crack down on the fraudulent use of birth certificates. Enhancing its capability to prevent and detect fraud is a business priority for the Passport Service. It is implementing a comprehensive fraud action plan, and is working actively with other agencies to develop its identity validation techniques.

West Mercia Police

Mr. Michael Foster: To ask the Secretary of State for the Home Department what assessment he has made of police officer recruitment for West Mercia police. [64759]

Mr. Denham: Police strength in West Mercia increased by 125 between the end of March 2001 and the end of January this year, when it reached 2,012 officers. The force plans to have record police numbers in the course of 2002–03.

The Government's Crime Fighting Fund (CFF) has played a major part in driving up the number of officers. It is enabling forces to take on 9,000 recruits over and above previous plans in the three years to March 2003. In the first two years of this recruitment initiative West Mercia appointed 109 CFF recruits and they will be able to take on a further 43 CFF recruits in 2002–03.

Overall, I understand that West Mercia Police Authority's budget will support a planned increase in strength of 300 officers in 2002–03. I congratulate the police authority and the force in setting itself this goal, which will contribute to our target of 130,000 officers in England and Wales by spring 2003.

Drugs (Prisons)

Angela Watkinson: To ask the Secretary of State for the Home Department what recent steps he has taken to reduce the amount of illegal drugs in prisons. [29912]

Hilary Benn: A range of measures is in place to reduce the smuggling of illegal drugs into prisons. These include:

passive and active drug dogs;

low level furniture in visits areas to aid visibility;

closed circuit television in visits areas;

an initiative to ban visitors found smuggling drugs into prisons;

mandatory drug testing of prisoners.

Life Sentences

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many prisoners serving life sentences in England and Wales have served *(a)* up to five years more than their tariff sentence, *(b)* five to 10 years more than their tariff sentence, *(c)* 10 to 15 years more than their tariff sentence and *(d)* in excess of 15 years more than their tariff sentence. [34576]

Hilary Benn: The tariff is the minimum period a life sentence prisoner must serve to meet the requirements of retribution and deterrence before being considered for release. After this minimum period has been served release will only take place where the prisoner is judged no longer a risk of harm to the public.

The available information in respect of mandatory life sentence prisoners ie those aged over 21 who have been found guilty of murder is as follows:

(a) up to five years more than the minimum period—559,

(b) five to 10 years more than the minimum period—199,

(c) 10 to 15 years more than the minimum period—97 and

(d) in excess of 15 years more than the minimum period—20.

Such information in respect of non-mandatory life sentence prisoners—ie those aged under 21 found guilty of murder and those aged over and under 21 who have had a life sentence imposed for an offence other than murder—is not held centrally in the form requested and could be provided only at disproportionate cost by examining the individual records of the prisoners concerned.

Performance Targets

Mr. Bercow: To ask the Secretary of State for the Home Department what the *(a)* cost and *(b)* saving has been from the Department's pursuit of Service Delivery Agreement targets in each year since they were introduced. [61648]

Beverley Hughes: I refer the hon. Member to the reply I gave him on 26 June 2002, *Official Report*, column 1069W.

Mr. Mullin: To ask the Secretary of State for the Home Department how many performance targets he has set for his Department; and how many that were included last year have been dropped this year. [64272]

Beverley Hughes: The Home Office Public Service Agreement states the Department's key targets for this year. The Service Delivery Agreement targets underpin them. These targets are set over the period 2001–04 and therefore the targets set last year are still valid. New targets for the Home Office are currently being discussed as a result of the Spending Review 2002 process. These will commence from April 2003.

Additional targets are set out in the Home Office's Business Plan. This was published on 13 June as a combined document with the annual report. All our targets for the coming year are outlined in this document as are last year's targets and whether they have been achieved or are on-going.

Remploy

Dr. Murrison: To ask the Secretary of State for the Home Department what the value is of Remploy products purchased by his Department in each year since 1995. [63823]

Beverley Hughes: The value of Remploy products purchased by the Home Department since 1995 are as follows:

£

	Value of Remploy products purchased
1995	41,700
1996	16,979
1997	20,207
1998	17,044
1999	1,508
2000	2,168
2001	3,406

The number of purchases have declined because of a change of focus within Remploy's activities towards production associated with education. As a result, Remploy were not able to guarantee service requirements by our main purchaser centrex.

Criminal Records Checks

Mr. Andrew Turner: To ask the Secretary of State for the Home Department how many questions are asked by the Criminal Records Office of those for whom criminal records checks in connection with work with children are sought; and of those which are essential to the conduct of a check. [63881]

Hilary Benn *[holding answer 24 July 2002]:* The Criminal Records Bureau (CRB) Disclosure Application form has a total of 42 questions, 25 of which are considered essential to enable the CRB to undertake the necessary checks. The remaining questions are asked to enable the CRB to process applications more quickly, or relate to referee details that, in some circumstances, the CRB may need to contact for additional details.

Applicants can apply for a Disclosure either by completing and posting an application form, or over the phone. The telephone operator will ask a minimum of six questions, (to establish contact details), and applicants then have the option of supplying almost all of the information required for the form over the telephone.

Keith Vaz: To ask the Secretary of State for the Home Department what average length of time it takes for a check to be made at the Criminal Records Bureau. [64836]

Hilary Benn: The Criminal Records Bureau is not meeting its Disclosure Application processing service standards. At present these are taking five to six weeks and this applies to both 'standard' and enhanced Disclosures.

To address this, the bureau has introduced a performance improvement plan. This should ensure that, over the coming weeks, service levels will improve steadily until the full service standards are met.

Terrorism (Overseas Students)

Mr. Dismore: To ask the Secretary of State for the Home Department what arrangements are in place to monitor the activities of overseas students in the UK to ascertain whether they have become involved in organisations proscribed under the Terrorism Act 2001; and if he will make a statement. [64956]

Mr. Blunkett: The police and security services attach the highest priority to the monitoring of organisations proscribed under the Terrorism Act 2000.

Individuals, including overseas students, who are members or supporters of these organisations will be investigated and appropriate action taken.

Mr. Dismore: To ask the Secretary of State for the Home Department what arrangements he makes to screen individuals applying from overseas to study in the UK for connections to proscribed organisations under the Terrorism Act 2001; and if he will make a statement. [64957]

Mr. Blunkett: There are mechanisms in place to identify individuals seeking to enter the United Kingdom who are members or supporters of terrorist organisations. It is not in the public interest to publish details of these mechanisms.

Interior Minister for Greece

Keith Vaz: To ask the Secretary of State for the Home Department when he last met the Interior Minister for Greece. [64837]

Mr. Blunkett: I have not met the Interior Minister for Greece. I have, however, had a bilateral with Mr. Michalis Chrysohoides, Greek Public Order Minister, on 24 January this year in London. As we approach the Greek Presidency of the European Union, I intend to meet Greek Ministers responsible for Justice and Home Affairs.

Annual Leave

Mr. Bercow: To ask the Secretary of State for the Home Department what the average annual leave entitlement is for staff in his Department in 2002. [64610]

Beverley Hughes: Due to fluctuating numbers in each grade information on average annual leave entitlements could be provided only at disproportionate cost.

The current leave entitlement for staff in the Home Office and its Agencies is as follows:

	Leave entitlement
Non-agency Home Office i.e. excluding the Prison Service, Passport and Records Agency and Forensic Science Service	
Band A	Grades up to and including Higher Executive Officer and equivalents: 22 days on entry, 25 days after one year's service and 30 days after 13 years.
Band B	Grades above Higher Executive Officer, up to and including Grade 6 and equivalents: 25 days on entry and 30 days after 10 years' service.
Prison Service	
Band A	Prison Officers: 22 days on entry, 25 days annual leave after one year's service and 30 days after 18 years.
Band B	Generalist grades up to and including Manager 'E' and equivalents. 25 days on entry and 30 days after 16 years service (from 1 March 2002).
Band C	Generalist grades Senior Manager D—A and above or equivalents. 30 days on entry which does not increase.
Passport and Records Agency	
One band	All staff receive 25 days on entry and 30 days after 10 years' service.
Forensic Science Service	
Band A	Grades up to and including Higher Executive Officer and equivalents: 22 days on entry, 25 days after one year's service and 30 days after 10 years.
Band B	Grades above Higher Executive Officer, up to and including Grade 6 and equivalents: 25 days on entry and 30 days after 10 years' service.

There have been a number of changes over the last four years to the annual leave entitlements of staff in the above bands. These have all primarily been aimed at reducing the qualifying period for the maximum leave allowance of 30 days.

Senior Civil Service

The annual leave entitlement for staff in the Senior Civil Service is set centrally by the Cabinet Office and is currently 30 days.

Brixton Prison

John McDonnell: To ask the Secretary of State for the Home Department how many prison officers have been transferred out of Brixton compulsorily since 1996. [65437]

Hilary Benn: I will write to my hon. Friend shortly with a detailed answer.

John McDonnell: To ask the Secretary of State for the Home Department what the population is of HMP Brixton; and how many of those prisoners are Irish nationals. [65441]

Hilary Benn: On 27 June 2002 the population of Brixton prison was 752. Of those prisoners 30 are Irish nationals.

Prison Recalls

John McDonnell: To ask the Secretary of State for the Home Department how many individuals during the last

12 months had their licence revoked and were recalled to prisons in England and Wales. [65418]

Hilary Benn: During the 12-month period ending 31 May 2002, 4,773 determinate prisoners and 19 life sentence prisoners were recalled to prison using the Secretary of State's powers to revoke a prisoner's licence pursuant to sections 38(a)(1) and 39 of the Criminal Justice Act 1991.

Prisoners serving a sentence of less than four years and who committed their earliest offence prior to 1 January 1999 or who were released on a statutory notice of supervision can only be recalled by the courts.

John McDonnell: To ask the Secretary of State for the Home Department what the average delay incurred was before prisoners received representation packs after they were recalled to prison in the last 12 months. [65419]

Hilary Benn: The Prison Service target for issuing representation packs to determinate sentence prisoners after they have been recalled to prison is five working days. During the 12 month period ending 31 May 2002, 76 per cent. of representation packs were issued within target. Information on the average delay in issuing these packs is not held centrally and to provide it would incur disproportionate cost.

Prisons

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department how many new prisons have been built since 1997; and how many have had buildings modernised. [66644]

Hilary Benn *[holding answer 4 July 2002]:* Since 1997, eight new prisons have been built and opened which are:

Year	*New prisons*	
1997	Altcourse	Liverpool, Merseyside
1997	Parc	Bridgend, Mid Glamorgan
1998	Lowdham	Nottingham
1999	Weare[1]	Portland, Dorset
2000	Forest Bank	Manchester
2000	Ashfield	Bristol, Avon
2000	Dovergate	Uttoxeter, Staffordshire
2001	Rye Hill	Rugby, Warwickshire

[1] Floating facility

Since 1997, the Prison Service has built new accommodation blocks at: Acklington, Ashwell, Aylesbury, Bullingdon, Bullwood Hall, Castington, Deerbolt, Downview, Eastwood Park, Elmley, Erlestoke, Foston Hall, Frankland, Garth, Guys Marsh, Highpoint, Holme House, Huntercombe, Kirklevington, Littlehey, Long Lartin, Moorland, Mount, New Hall, Nottingham, Norwich, Onley, Ranby, Send, Spring Hill, Stocken, Stoke Heath, Styal, Swaleside, Swinfen Hall, Wayland, Wealstun, Wellingborough, Werrington and Wetherby. Projects in progress not included.

Since 1997, the Prison Service has modernised accommodation in the form of refurbishments or replacements at: Aylesbury, Brixton, Camp Hill, Canterbury, Cardiff, Castington, Feltham, Haverigg, Kingston, Kirkham, Leeds, Lewes, Lincoln, Parkhurst, Pentonville, Stoke Heath, Wakefield, Wandsworth and Wormwood Scrubs. Projects in progress not included.

PRIME MINISTER

The Dome

Mr. Yeo: To ask the Prime Minister if he will list the *(a)* Departments and *(b)* Ministers with responsibility for (i) the Millennium Dome and (ii) the Millennium Experience since 2 May 1997. [64579]

The Prime Minister: The Department of National Heritage, renamed the Department for Culture, Media and Sport in July 1997, was responsible for the Dome until the end of June 2001, when responsibility was passed to the Department for Transport, Local Government and the Regions. In May 2002, responsibility was transferred to the Office of the Deputy Prime Minister under machinery of Government changes.

The Department of National Heritage, renamed the Department for Culture Media and Sport in July 1997, has been the Department responsible for the New Millennium Experience Company, which built the Dome and operated the Millennium Experience, since 2 May 1997.

The Ministers with responsibility for the New Millennium Experience Company and the Dome since 2 May 1997 have been as follows. My right hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) was responsible, in a caretaker role, from May to July 1997, when responsibility was transferred to the right hon. Member for Hartlepool (Mr. Mandelson). Responsibility was transferred from Peter Mandelson back to Chris Smith, again in a caretaker role, in December 1998. In January 1999, responsibility was transferred to Lord Falconer of Thoroton QC. Pending final decisions on the allocation of ministerial portfolios in the Office of the Deputy Prime Minister, Lord Rooker is dealing with policy issues related to the Dome, while responsibility for the New Millennium Experience Company will also transfer to a Minister in the Office of the Deputy Prime Minister in accordance with the established procedures in due course.

Ministerial Design Champions Group

Ms Shipley: To ask the Prime Minister who the chairman is of the Ministerial Design Champions Group. [65083]

The Prime Minister: I refer the hon. Member to the answer given to her by my hon. Friend, the Parliamentary Under-Secretary of State at Culture, Media and Sport today.

Poppy Growing (Afghanistan)

Mrs. Spelman: To ask the Prime Minister, pursuant to his oral statement of 1 July on the G8 summit, what the detailed steps were that were discussed at the G8 summit to combat poppy growing in Afghanistan. [66836]

The Prime Minister: The G8 discussed the UK's Anti-narcotics Strategy Paper and Action Plans for Afghanistan which concentrates on four key areas to combat poppy growing: law enforcement, provision of alternative livelihoods, institution building and demand reduction. Agreement was reached that the G8 would step up efforts to assist the Afghan Government in combating this menace in order to eradicate opium production in Afghanistan.

A copy of the Strategy Paper and Action Plans will be placed in the House of Commons Library.

Heroin and Cocaine

Mrs. Spelman: To ask the Prime Minister, pursuant to his oral statement of 1 July on the G8 Summit, what measures are being taken in heroin and cocaine producing states to stop production of raw material and to prevent their products from leaving the country. [66838]

The Prime Minister: The UK is leading the co-ordination of international anti-narcotics assistance to Afghanistan (which is the source of 90 per cent. of the heroin consumed in the UK). This involves working with international partners and organisations to build law enforcement capacity in Afghanistan to interdict opiates and undermine those criminal organisations engaged in drug trafficking. The international effort is also directed towards eradicating opium poppy and creating alternative livelihoods for Afghan opium farmers.

The UK has also sought to assist drug interdiction efforts of Afghanistan's neighbours. The FCO's Drugs and Crime Fund provided anti-narcotics assistance of around £1.5 million in 2000–01 to Iran, Pakistan and the Central Asian Republics. We have also provided assistance to Balkan countries through which heroin is trafficked from Afghanistan.

Colombia, Peru and Bolivia together produce virtually all of the world's cocaine. The UK is working closely with the Governments of each of these states to tackle the problem by supporting projects to build local law enforcement capability. Current projects include the provision of training and equipment in all three countries.

The Queen Mother

Mr. Austin Mitchell: To ask the Prime Minister which Minister authorised the making of the complaint to the Press Complaints Commission concerning reports on the Lying in State of Her Majesty Queen Elizabeth the Queen Mother; and which Minister authorised its subsequent withdrawal. [67051]

The Prime Minister: I refer the hon. Member to the statement I made on 14 June, a copy of which was placed in the Library of the House.

Ministerial Travel

Mr. Andrew Turner: To ask the Prime Minister (1) how many times he has travelled on official business by air within Great Britain since June 2001; [67473]

(2) pursuant to his answer of 1 July 2002, *Official Report*, column 81W, on official visits, on how many occasions he has travelled by rail on official business since June 2001; [67472]

(3) what information and records, including mode of travel, he has kept on his official visits since June 2001. [67471]

The Prime Minister: I travel making the most efficient and cost-effective arrangements. My travel arrangements are in accordance with the arrangements for official travel set out in chapter 7 of the Ministerial Code, and the accompanying guidance document, Travel by Ministers.

My office keeps records of my home and overseas travel. Since June 2001, I have made 33 journeys by air and eight by train. A judgment is always made about what is the most appropriate form of travel in the time available.

Street Crime

Mr. Beith: To ask the Prime Minister whether he has given responsibilities to Ministers other than the Home Office Ministers to monitor and receive reports from chief constables on the subject of street crime. [68024]

The Prime Minister: The street crime initiative involves a wide range of Government Departments tackling street crime with a co-ordinated programme of action. Each of these Departments along with representatives from the Police Service, magistrates and local government is represented on the Street Crime Action Group which I chair.

The Street Crime Action Group agreed that it would be helpful for individual Ministers from each of these Departments to visit the 10 target areas to give encouragement to local agencies and promote a shared approach at local as well as national level. I have asked the following Ministers to act as sponsors for the street crime initiative:

The right hon. Baroness Blackstone—Avon and Somerset
Hazel Blears—Lancashire
Yvette Cooper—Merseyside
John Denham—London
The right hon. Lord Falconer—Greater Manchester
The right hon. Harriet Harman QC—West Yorkshire
Ruth Kelly—Nottinghamshire
Barbara Roche—Thames Valley
The right hon. Lord Rooker—West Midlands
Stephen Twigg—South Yorkshire.

Data which were already being collected from a range of local agencies including the police and other criminal justice organisations are being copied to them for information.

Meteor Missile Project

Mr. Jenkin: To ask the Prime Minister what representations he has received from the German Government concerning the future of the Meteor missile project; and if he will make a statement. [68026]

The Prime Minister: I refer the hon. Member to the reply he received from my hon. Friend the Under-Secretary of State for Defence (Dr. Moonie) on 3 July 2002, *Official Report*, columns 320–21W.

Falklands

Mr. Jenkin: To ask the Prime Minister what events he has attended this year to commemorate the 20th anniversary of the Falklands conflict. [67572]

The Prime Minister: My right hon. Friend, the Minister for the Armed Forces attended the ceremonies in Stanley to commemorate the 20th anniversary of the Falklands conflict on my behalf. I also sent a radio message to the people of the Falkland Islands on the anniversary of the end of the conflict, in which I made clear that the sovereignty, security and right of self-determination of the Falkland Islands and its people are not open to negotiation or compromise.

Statistics

Mr. Laws: To ask the Prime Minister if he will list the statistics that are collected by his Department by English parliamentary constituency; and if he will make a statement. [67101]

The Prime Minister: I refer the hon. Member to the answer given to him by my hon. Friend, the Financial Secretary today at column 769W.

No. 10 Downing Street

Mr. Laws: To ask the Prime Minister what refurbishment and repair work is planned for No. 10 Downing street in *(a)* 2002–03 and *(b)* 2003–04; what the estimated cost is; and if he will make a statement. [66882]

The Prime Minister: As my official spokesman has made clear, routine maintenance to the grade 1 listed building will be taking place and the precise costings have not yet been completed. Work will be carried out in numbers 10, 11 and 12. Invoices for the work will be paid in the normal way.

WORK AND PENSIONS

Benefits

Mr. Weir: To ask the Secretary of State for Work and Pensions how many successful appeals there have been against suspension of benefits in *(a)* Angus and *(b)* Scotland in each of the last five years. [67323]

Mr. Nicholas Brown: Decisions on suspending payment of benefit are discretionary. There is no formal procedure for revising such decisions and there is no right of appeal against them. However, they can be changed in the light of any relevant new evidence or information submitted to the Department.

Mr. Weir: To ask the Secretary of State for Work and Pensions (1) what criteria are used by officers at the local offices of the Department in deciding on suspension of benefits. [67259]

(2) how many people who have had benefits suspended in the last five years in *(a)* the Angus constituency and *(b)* Scotland have had them reinstated following investigation. [67255]

(3) if he will provide a breakdown of the reasons for suspension of benefits in *(a)* the Angus constituency and *(b)* Scotland in each of the last five years. [67256]

(4) how many suspensions of benefits were reversed following evidence of the medical condition of the applicant in *(a)* the Angus constituency and *(b)* Scotland in each of the last five years; [67257]

(5) how many claimants had their benefits suspended in *(a)* the Angus constituency and *(b)* Scotland in each of the last five years. [67258]

(6) what the average time taken to re-instate benefits following suspension was in *(a)* the Angus constituency and *(b)* Scotland in each of the last five years. [67260]

(7) if he will provide a breakdown of the type of benefit suspended in each of the last five years in *(a)* the Angus constituency and *(b)* Scotland. [67319]

Mr. Nicholas Brown: It is a long-standing principle that people receiving benefit have a responsibility to confirm their continuing entitlement on a periodic basis. Where a person may have failed to meet that obligation, it is right that payment of benefit should be suspended.

Benefit may be suspended in whole or in part and the suspension continues until the decision maker is able to make a substantive decision on entitlement. If the substantive decision results in no entitlement or a reduced entitlement, the fact that payments have been suspended means that an overpayment is avoided. If the doubt is resolved in a person's favour, payments are restored and arrears paid. Decisions on suspending payment of benefit are discretionary. There is no formal procedure for revising such decisions, but they can be changed in the light of any relevant new evidence or information submitted to the Department.

The Suspension and Termination Guide sets out the guidance for those who take decisions on suspending payment of benefit, and includes advice about the criteria to be applied. A copy has been placed in the Library.

No information is collected centrally on benefit suspensions.

Mr. Weir: To ask the Secretary of State for Work and Pensions (1) what assessment he has made of the effect on those whose benefit has been suspended in full for failing to keep an appointment at Jobcentres from the time of suspension to reinstatement of benefits; [67320]

(2) if he will introduce a sliding scale of penalties, short of immediate suspension of benefit, for those who have failed to adhere to provisions relating to appointments at Jobcentres; [67324]

(3) how many claimants, broken down by age group, have had benefits suspended in *(a)* the Angus constituency and *(b)* Scotland in each of the last five years for failing to keep an appointment at a Jobcentre; [67325]

(4) what guidance has been given to local Jobcentres on the suspension of benefits from those who fail to keep appointments. [67326]

Mr. Nicholas Brown: It is a long-standing principle that people claiming jobseeker's allowance have a responsibility to confirm their continuing entitlement to benefit by attending the Jobcentre fortnightly and also by keeping other appointments arranged to help with their job search. Where a person may have failed to meet those obligations, it is right that payment of benefit should be suspended.

When making a decision about suspending benefit, staff in Jobcentres have access to the "Suspension and Termination Guide for Decision Makers" and the "Labour Market Conditions Guide" which gives advice on procedures. This advises that where someone has failed to attend an appointment, benefit should be suspended at the end of that day. The person may then contact the office within five days to show good cause for failing to attend. Examples of good cause include domestic emergencies, attending a job interview or illness. If good cause is demonstrated, then the suspension is lifted and payment made. If not, then the claim is terminated from the day of non-attendance.

No departmental research has been undertaken on suspensions of benefit and no information is collected centrally on the number of people who have had their benefit suspended.

We keep all our policies under review. However, we have no plans to change the current arrangements under which benefit can be suspended.

Mr. Weir: To ask the Secretary of State for Work and Pensions how many persons in receipt of *(a)* disability living allowance, *(b)* incapacity benefit and *(c)* carer's allowance in (i) Angus and (ii) Scotland have also been in receipt of housing benefit in each of the last five years. [67322]

Malcolm Wicks: Information is not available in the format requested. The available information for Housing Benefit recipients in Scotland for each of the last five years is in the tables. The samples on which this information is based are too small to provide reliable figures for individual constituencies.

Housing benefit recipients in Scotland who also received either disability living allowance, incapacity benefit or invalid care allowance in May of each year from 1996 to 2000

May	Recipients with Disability living allowance	Recipients with Incapacity benefit	Recipients with Invalid care allowance
1996	62,000	74,000	15,000
1997	72,000	70,000	14,000
1998	78,000	72,000	15,000
1999	79,000	72,000	16,000
2000	82,000	66,000	17,000

Notes:

1. Figures are rounded to the nearest thousand and include cases where the partner of the recipient of housing benefit also receives the relevant other benefit.

2. Individuals can receive housing benefit, disability living allowance and incapacity benefit and such cases will be recorded twice in the table. The figures in the columns should accordingly not be added together.

Source:

Housing Benefit Management Information System, annual 1 per cent. sample.

Housing Benefit

Mr. Weir: To ask the Secretary of State for Work and Pensions what the average payment to a landlord in respect of housing benefit for a one-bedroom property was in *(a)* Angus, *(b)* Edinburgh, *(c)* Glasgow, *(d)* Aberdeen, *(e)* Dundee, *(f)* Newcastle, *(g)* Leeds and *(h)* London in each of the last five years. [67328]

Malcolm Wicks: The information is not available.

Mr. Weir: To ask the Secretary of State for Work and Pensions what the total cost was of housing benefit paid in *(a)* Angus and *(b)* Scotland in each of the last five years. [67321]

Malcolm Wicks: The available information is in the table.

Housing benefit expenditure

(£ millions)

	Angus	Scotland
1995–96	—[1]	907
1996–97	10	967
1997–98	12	1,014
1998–99	13	1,039
1999–2000	14	1,054

[1] Not available.

Notes:

1. Data for Angus relate to the Angus council area. This unitary authority was created on 1 April 1996 and comparable data are not available for the previous year.

2. Figures are rounded to the nearest £ million.

3. Figures are consistent with those published in the Chancellor's Budget Report, April 2002.

Source:

Final audit returns made by local authorities to DWP.

Benefit Payments

Mr. Weir: To ask the Secretary of State for Work and Pensions how many persons in receipt of retirement pension, in each parliamentary constituency in *(a)* Scotland and *(b)* Wales receive payment of their benefits (i) directly into their bank accounts and (ii) through local sub-post offices. [58125]

Mr. McCartney: The table sets out information on how retirement pensioners in parliamentary constituencies in Wales and Scotland are paid. It is not possible to say exactly how many people receive their payments at a post office because some people choose to pay a girocheque directly into a bank/building society account.

The information supplied is a snapshot during September 2001 and separates payments made by order book and girocheque, which are normally cashed at Post Offices, and payments made directly into bank/building society accounts by means of automated credit transfer (ACT).

RP cases by method of payment and parliamentary constituency

Thousands

September 2001	All	Can be cashed at the post office	Paid by ACT
Wales	564.0	396.9	167.0
Aberavon	13.3	10.7	2.6
Alyn and Deeside	13.1	8.1	4.9
Blaenau Gwent	12.9	10.5	2.4
Brecon and Radnorshire	14.7	9.4	5.3
Bridgend	15.3	10.5	4.8
Caernarfon	13.6	9.8	3.7
Caerphilly	13.7	10.5	3.1
Cardiff Central	14.8	9.2	5.6
Cardiff North	12.0	7.3	4.8
Cardiff South and Penarth	14.7	10.3	4.5
Cardiff West	13.2	9.0	4.2
Carmarthen East and Dinefwr	15.2	11.4	3.9
Carmarthen West and South	15.2	10.0	5.3
Pembrokeshire	—	—	—
Ceredigion	14.8	8.9	5.9
Clwyd South	12.4	9.2	3.3
Clwyd West	18.6	11.0	7.6
Conwy	15.9	10.0	5.9
Cynon Valley	11.8	9.8	1.9
Delyn	12.6	7.4	5.1
Gower	16.2	10.9	5.3
Islwyn	12.3	10.3	2.0
Llanelli	16.1	13.3	2.9
Meirionnydd Nant Conwy	10.9	7.3	3.6
Merthyr Tydfil and Rhymney	12.0	10.3	1.8
Monmouth	17.8	10.1	7.7
Montgomeryshire	11.5	7.8	3.8
Neath	13.8	11.3	2.5
Newport East	13.9	9.5	4.5
Newport West	14.0	9.5	4.5
Ogmore	11.3	9.3	2.1
Pontypridd	13.9	10.5	3.4
Preseli Pembrokeshire	14.9	9.4	5.5
Rhondda	14.8	12.9	1.9
Swansea East	14.0	11.4	2.6
Swansea West	15.9	11.2	4.7
Torfaen	13.6	10.3	3.3
Vale of Clwyd	15.8	10.4	5.4
Vale of Glamorgan	17.2	10.5	6.7
Wrexham	11.7	7.8	3.9
Ynys Mon	14.5	9.9	4.6
Scotland	911.9	570.3	340.8
Aberdeen Central	11.4	6.8	4.5
Aberdeen North	10.8	6.6	4.3
Aberdeen South	14.2	7.4	6.9
Airdrie and Shotts	11.9	9.0	2.8
Angus	15.5	8.9	6.6
Argyll and Bute	13.6	7.8	5.8
Ayr	15.4	8.9	6.5
Banff and Buchan	13.2	9.0	4.2
Caithness Sutherland and Easter Ross	10.4	6.4	3.9
Carrick Cumnock and Doon Valley	15.6	10.9	4.7
Central Fife	13.7	9.0	4.7
Clydebank and Milngavie	13.6	7.9	5.7
Clydesdale	14.8	9.8	5.1
Coatbridge and Chryston	11.3	8.9	2.4
Cumbernauld and Kilsyth	8.9	5.9	3.0
Cunninghame North	14.4	8.6	5.8
Cunninghame South	10.3	7.2	3.1

RP cases by method of payment and parliamentary constituency

Thousands

September 2001	*All*	*Can be cashed at the post office*	*Paid by ACT*
Dumbarton	12.4	7.7	4.8
Dumfries	15.8	9.1	6.7
Dundee East	15.5	10.1	5.4
Dundee West	12.7	8.4	4.3
Dunfermline East	11.4	8.2	3.2
Dunfermline West	11.3	7.5	3.8
East Kilbride	15.3	8.7	6.6
East Lothian	15.4	9.0	6.3
Eastwood	17.0	7.6	9.3
Edinburgh Central	11.3	6.6	4.7
Edinburgh East and Musselburgh	13.5	8.5	4.9
Edinburgh North and Leigh	10.9	6.3	4.6
Edinburgh Pentlands	12.7	5.8	6.9
Edinburgh South	13.5	7.6	5.8
Edinburgh West	15.7	6.7	9.0
Falkirk East	13.1	8.7	4.4
Falkirk West	12.4	7.9	4.4
Galloway and Upper Nithsdale	15.2	8.7	6.5
Glasgow Anniesland	13.8	9.5	4.3
Glasgow Baillieston	10.1	7.9	2.2
Glasgow Cathcart	11.4	7.3	4.1
Glasgow Govan	8.5	6.2	2.3
Glasgow Kelvin	9.4	6.7	2.7
Glasgow Maryhill	9.9	8.0	1.9
Glasgow Pollok	12.9	9.7	3.1
Glasgow Rutherglen	12.8	9.0	3.8
Glasgow Shettleston	10.4	9.2	1.2
Glasgow Springburn	11.7	9.7	2.0
Gordon	13.0	7.5	5.6
Greenock and Inverclyde	13.0	8.8	4.1
Hamilton North and Bellshill	9.5	7.3	2.2
Hamilton South	9.9	7.3	2.6
Inverness East Nairn and Lochaber	16.6	8.8	7.9
Kilmarnock and Loudoun	15.7	10.5	5.2
Kirkcaldy	12.9	8.6	4.3
Linlithgow	11.1	7.2	3.8
Livingston	10.3	6.6	3.7
Midlothian	11.1	7.1	4.0
Moray	13.9	8.1	5.8
Motherwell and Wishaw	13.2	10.2	3.0
North East Fife	14.8	7.9	6.9
North Tayside	17.3	9.4	7.9
Ochil	11.8	7.0	4.8
Orkney and Shetland	7.6	4.9	2.7
Paisley North	11.2	7.7	3.5
Paisley South	13.0	8.9	4.1
Perth	16.0	8.2	7.8
Ross Skye and Inverness West	13.4	7.9	5.5
Roxburgh and Berwickshire	13.3	7.8	5.5
Stirling	12.7	6.8	5.9
Strathkelvin and Bearsden	13.9	6.4	7.4
Tweeddale Ettrick and Lauderdale	12.6	6.4	6.3
West Aberdeenshire and Kincardine	12.5	6.5	6.0
West Renfrewshire	11.1	6.9	4.1
Western Isles	5.1	4.2	1.0

State Earnings-related Pension Scheme

Mr. Webb: To ask the Secretary of State for Work and Pensions how many letters have been issued to those people who will be affected by the reduction in SERPS on the sliding scale; and on what basis those people were identified. [60620]

Mr. McCartney: Up to and including 27 May 2002, 2,907,190 letters have been sent to people who will be affected by the reduction in SERPS on the sliding scale.

People were identified from their date of birth held on the National Insurance Recording System (NIRS2).

Older People

Mr. Webb: To ask the Secretary of State for Work and Pensions whether he will *(a)* assume the title of champion for older people and *(b)* chair the Cabinet Sub-Committee on Older People. [62000]

Mr. McCartney: My right hon. Friend, the Secretary of State for Work and Pensions looks forward to taking up the title of champion for older people. My right hon. Friend, the Prime Minister will publish a list of Cabinet Committees and their membership shortly.

Compensation Recovery Unit

Adam Price: To ask the Secretary of State for Work and Pensions what the administrative cost of the coal section of the Compensation Recovery Unit was in 2001. [62553]

Maria Eagle: The administrative cost to the Compensation Recovery Unit of processing miners' compensation cases during the financial year 2001–02 was £1,171,497. The total amount recovered in the same period was £15,424,590.

New Deal (Ambition)

Mr. Clappison: To ask the Secretary of State for Work and Pensions, pursuant to the answer of 12 November 2001, *Official Report*, column 570W, how many participants in the New Deal have received training through Ambition IT Initiative since January. [64355]

Mr. Nicholas Brown: The Ambition initiatives are demand-led, and are aimed at training disadvantaged people for good quality jobs. The availability of jobs is key to their success. In the latter part of 2001 there was a reduction in the global workforce in the IT sector as a number of key companies scaled down their operations. At the same time, a number of American companies which employ people in the UK froze recruitment as a result of the events of 11 September. The Ambition:IT initiative was consequently put on hold in December 2001 so that the Department could conduct a review of the skills requirements of the IT sector in the UK.

The review has concluded that the demand for people with IT skills is now most acute in the public sector. The programme has therefore been refocused on this sector and we now expect to start new deal participants in training from this autumn.

EU Directives

Mr. Bercow: To ask the Secretary of State for Work and Pensions if he will list the EU directives and regulations that have been implemented through his Department in 2002; and what was the cost of each to public funds. [64973]

Maria Eagle: None.

Mr. Bercow: To ask the Secretary of State for Scotland if she will list the EU directives relating to her Department which have been *(a)* amended and *(b)* repealed in 2002. [64942]

Maria Eagle: I have been asked to reply.

None.

Winter Fuel Payments

Mr. Cousins: To ask the Secretary of State for Work and Pensions what proportion of claim forms issued to men aged over 60 years who were potentially eligible for winter fuel payments were returned by 30 March; how many of those claims proved well founded; and what extra steps he is taking to advise men aged over 60 years of potential eligibility in winter 2002. [64720]

Mr. McCartney: The information is not held in the format requested, However in the 2001–02 winter, the total number of claim forms issued was 285,431. The number of claim forms returned, by 30 March, was 223,927. Of these, 172,281 were successful. A significant number of people who requested claim forms could have become entitled to the winter fuel payment without the need for them to submit a claim and would have been paid automatically.

This year, as in previous years, we will run an information campaign to inform everyone aged 60 and over about winter fuel payments. The campaign for winter 2002 will run until the end of March 2003.

Pensions

Mr. Alan Campbell: To ask the Secretary of State for Work and Pensions what plans he has to consult the National Pensioners Convention before submitting the national strategic report on pensions to the European Council. [65525]

Mr. McCartney: The National Pensioners Convention is one of a number of organisations invited to a meeting with the Department in July concerning the National Strategy Report, which will be the UK's contribution to the exchange of information between member states agreed by the European Council.

Mental Health

Lynne Jones: To ask the Secretary of State for Work and Pensions, pursuant to his answer of 18 January 2002, *Official Report*, column 507W, whether he has commissioned research on the impact on the health of mental health service users of the implementation of his Department's benefits policies; and if he will make a statement. [66043]

Maria Eagle: No research on this topic has been commissioned since 18 January 2002. DWP has an annual cycle for commissioning research, as set out in "The Forward Look 2001" Cm 5338, London: TSO, 2001. The DWP research programme for 2002–03 is currently being finalised and will be published in due course.

Basic State Pension

Mr. Kirkwood: To ask the Secretary of State for Work and Pensions if he will calculate the total cost of the basic state pension if it were increased to minimum income guarantee levels for *(a)* over 75s and *(b)* over 80s, and increased in line with earnings until (i) 2010, (ii) 2020, (iii) 2030, (iv) 2040 and (v) 2050 (A) in real terms and (B) expressed as a proportion of gross domestic product. [66219]

Mr. McCartney: The information requested is in the table.

	Real terms (£ billion)	*As percentage of GDP*
Cost of BSP assuming it is increased to MIG levels for over 75s and earnings uprated		
2010	51	4.3
2020	62	4.4
2030	85	5.0
2040	109	5.4
2050	127	5.3
Cost of BSP assuming it is increased to MIG levels for over 80s and earnings uprated		
2010	48	4.0
2020	56	3.9
2030	74	4.4
2040	89	4.4
2050	105	4.4

Notes:

1. Real term figures are in 2002–03 price terms.

2. It is assumed that the basic state pension will rise by 2.5 per cent. or inflation, whichever is the greater.

3. Long term earnings growth is assumed to be 1.75 per cent. and long term GDP growth is assumed to be 1.75 per cent. to be consistent with the earnings assumption.

Parliamentary Questions

Mr. Simon Thomas: To ask the Secretary of State for Work and Pensions how many oral questions he has transferred to other Departments in each of the last 18 months. [65507]

Maria Eagle: The available information is in the table.

Oral questions transferred to other Departments

Month questions tabled	*Number transferred*
June 2001	3
July 2001	1
October 2001	2
November 2001	1
January 2002	3
February 2002	0
March 2002	2
May 2002	1
June 2002	3

Child Poverty

Mr. Hancock: To ask the Secretary of State for Work and Pensions what the child poverty levels in the Portsmouth, South constituency were in *(a)* 1997 and *(b)* 2001; and if he will make a statement. [66470]

Malcolm Wicks: Poverty is a complex multi-dimensional issue, affecting many aspects of children's lives—including income, health, housing, the quality of their environment and opportunities to learn. There is therefore no single measure of 'child poverty levels' in the Portsmouth, South constituency.

Single Parents

Mr. Wray: To ask the Secretary of State for Work and Pensions (1) what *(a)* financial and *(b)* non-financial assistance is given to single parents; and what proposals the Government have to increase levels of support; [66356]

(2) what help is given to single parents to *(a)* re-enter work and *(b)* enter education. [66357]

Malcolm Wicks *[holding answer 3 July 2002]*: The Government believe that work is the best route out of poverty and research has shown that nine out of ten lone parents want to work, either now or in the future. Lone parents face problems on moving into work due to balancing their work life with their caring responsibilities. That is why we are providing extra help to reduce these inequalities and offer lone parents a range of choices to gain more independence by moving into work.

We have introduced measures to make work pay, including the working families' tax credit and the national minimum wage. From 2003 a lone parent working 16 hours a week will have a guaranteed minimum income of £179 a week. We have also provided help to make work possible for lone parents through the child care tax credit and the national child care strategy, which since 1997 has created new places for the benefit of more than 900,000 children.

The New Deal for Lone Parents is available to all lone parents and offers a personalised service of advice and guidance. Personal advisers help with identifying child care, give advice on work and training opportunities and continue to offer in-work support once the lone parent is in work. Nearly 300,000 lone parents so far have participated in the programme and over half have found work. The programme now offers greater training flexibility by funding work-focused courses in skills that will be of benefit in the labour market, such as basic IT skills. In addition, everyone who joins any of the New Deal programmes is now assessed for literacy and numeracy needs and offered high quality learning opportunities.

We are continuing to roll out compulsory personal adviser meetings for lone parents claiming income support to ensure that they are aware of the range of help and support we have introduced to enable them to move into work. Our new Jobcentre Plus offices are providing an integrated service to ensure that lone parents receive the benefits they are entitled to and the help they need to move into work.

The Government are encouraging everyone with the necessary qualifications, including lone parents, to enter further and higher education. For further education institutions in England[1] we have increased the ring-fenced budget for child care funds by 20 per cent. to £36 million in 2002–03. In higher education in England[1], lone parents have access to a range of support including child care grants, a grant for school meals and a grant towards travel, books and equipment.

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[1] Further and higher education arrangements in Scotland and Wales may differ from those in England.

TREASURY

Government Communications

Mr. Todd: To ask the Chancellor of the Exchequer what advice he has given to Government Departments on the disclosure of OGC Gateway reviews to hon. Members. [56531]

Mr. Boateng: Guidance has been issued and is available on the OGC website (www.ogc.gov.uk)

EU Directives

Mr. Bercow: To ask the Chancellor of the Exchequer if he will list the EU directives and regulations that have been implemented through his Department in 2002; and what was the cost of each to public funds. [64995]

Ruth Kelly: The following directives and regulations have been implemented to this date in 2002:

directive 2000/46/EC on the taking-up, pursuit of and prudential supervision of the business of electronic money institutions;

directive 2000/28/EC relating to the taking-up and pursuit of the business of credit institutions;

directive 44/2001 on mutual assistance recovery;

the Protection of the Euro against Counterfeiting Regulations 2001 (SI 2001/3948) specified criminal penalties for breach of Council Regulation (EC) No.1338/2001;

the provisions of the Customs Code Committee came into force on 1 January 2002, amending the preferential agreement with the Faroe Islands, by introducing legal provisions for proof of origin.

I am not aware of any further directives being implemented in 2002, but the Department does not keep a single record of this information and it could be assembled only at disproportionate cost. Similarly, calculating the cost to public funds of the directives' implementation would involve disproportionate cost.

Mr. Bercow: To ask the Chancellor of the Exchequer if he will list the EU directives relating to his Department which have been *(a)* amended and *(b)* repealed in 2002. [64945]

Ruth Kelly: The following directives have been amended to this date in 2002:

directive 2000/12/EC relating to the taking-up and pursuit of the business of credit institutions was amended in 2002, by directive 2000/28/EC;

directive 77/388 regarding value added tax arrangements applicable to electronically supplied services and broadcasting was amended by directive 2002/38/EC and regulation 792/2002, with effect from 1 July 2003;

directives 92/79/EEC, 92/80/EEC and 95/59/EC concerning the structure and rates of excise duty applied on manufactured tobacco were amended by directive 2002/10/EC;

directive 79/267/EEC as regards the solvency margin requirements for life assurance undertakings was amended by directive 2002/12/EC;

directive 73/239/EEC as regards the solvency margin requirements for non-life insurance undertakings was amended by directive 2002/13/EC.

No directive relating specifically to my Department was repealed in 2002.

I am not aware of any further directives being amended or repealed in 2002, but this Department does not keep a single record of this information and it could be assembled only at disproportionate cost.

Banking Licences

Keith Vaz: To ask the Chancellor of the Exchequer which banking licences have been *(a)* granted and *(b)* refused since 1 May 1997. [65387]

Ruth Kelly: The information is as follows:

(a) In the period between 1 May 1997 and 30 November 2001, a total of 42 institutions were granted banking licences under the Banking Act 1987. Since 1 December 2001, one firm has been authorised as a bank

under the Financial Services and Markets Act 2000, and it appears on the Financial Services Authority's public register. A detailed list of these 43 firms follows.

(b) In the period between 1 May 1997 and 30 November 2001, a total of three institutions applied for authorisation under the Banking Act 1987 but did not proceed through to authorisation. In the period from 1 December 2001, no applications for banks have been formally refused. The names of firms which apply for authorisation have at all times remained confidential between the firm and the relevant supervisor, until the firm has been authorised.

Additions to Banking Act list from 1 May 1997

Alliance and Leicester plc
Bank of Cyprus Ltd.
Halifax plc
Legal and General Bank Ltd.
Philippine National Bank (Europe) plc
Woolwich plc
The Korea Development Bank
Bristol and West plc
Northern Rock plc
Wachovia Bank NA
Housing and Commercial Bank, Korea
Standard Life Bank Ltd.
Tesco Personal Finance Ltd.
Ghana International Bank plc
State Street Bank Europe Limited
UBS AG
Hua Nan Commercial Bank Ltd.
Providian National Bank
Alliance Trust Savings Ltd.
Morgan Stanley Dean Witter Bank Ltd.
Bank Mandiri (Europe) Ltd.
Zurich Bank plc
Israel Discount Bank Ltd.
Bumiputra Commerce Bank Berhad
J P Morgan International Bank Ltd.
DLJ Bank
Multi Commercial Bank (UK) Ltd.
AMP Bank Ltd.
UBS Warburg Ltd.
Capital One Bank (Europe) plc
Schroder and Co. Ltd.
Bank One Capital Markets Ltd.
Bradford and Bingley plc
Dao Heng Bank Ltd.
Fleet Bank (Europe) Ltd.
Habib Allied International Bank plc
Bank Sepah International plc
Goldfish Bank Ltd.
Melli Bank plc
Pakistan International Bank (UK) Ltd.
Persia International Bank plc
Sonali Bank (UK) Ltd.

Additions under Financial Services and Markets Act 2000

The Charity Bank Ltd.: 30 April 2002

Economic Growth

Hywel Williams: To ask the Chancellor of the Exchequer what the most recent estimates are for GDP growth for *(a)* the UK, *(b)* England, *(c)* Scotland, *(d)* Northern Ireland, *(e)* Wales and *(f)* each EU Objective 1 area. [66165]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Karen Dunnell to Mr. Hywel Williams, dated 8 July 2002:

The National Statistician has been asked to reply to your recent question on estimates of GDP growth of the countries and EU Objective 1 areas of the United Kingdom. I am replying in his absence. (66165)

Growth rates are normally calculated on the basis of data at constant prices. However, regional GDP data are only available on a current price basis, in the absence of regional deflators. The growth rates shown in the table below will therefore include the effects of inflation.

The latest GDP estimates for the countries of the United Kingdom and the English regions are available up to 1999, and for the sub-regions (NUTS-2 areas) up to 1998. These data form the basis for the growth rates shown in table 1 below. The sub-regions Merseyside; South Yorkshire; Cornwall and the Isles of Scilly; and West Wales and the Valleys are the four UK areas that currently have full Objective 1 status. Northern Ireland and the Highlands and Islands did not qualify for Objective 1 funding in the current round but are in receipt of transitional funding and are included for completeness.

Data up to 2000 are expected to be published at the end of 2002.

The data referred to in this answer are available in the House of Commons Library and on the web at http://www.statistics.gov.uk/regionalaccounts.

Table 1: Gross domestic product, current basic prices, £ million Year-on-year percentage increase

			Provisional	
	1996	*1997*	*1998*	*1999*
United Kingdom[1]	5.7	6.5	6.1	3.8
Countries of the United Kingdom[1]				
England	6.1	7.1	6.2	3.9
Scotland	3.0	2.3	6.0	3.1
Wales	4.0	3.7	5.5	3.9
Northern Ireland[2]	4.5	6.8	3.4	3.0
Objective 1 areas				
Merseyside	4.4	4.6	5.0	[3]—
South Yorkshire	6.6	7.1	4.7	[3]—
Cornwall and the Isles of Scilly	8.0	7.6	5.7	[3]—
West Wales and the Valleys	5.0	4.0	4.6	[3]—
Transition areas				
Highlands and Islands	1.3	2.8	4.7	[3]—
Northern Ireland[2]	4.5	6.8	3.4	3.0

[1] Excluding Extra-Regio and the Statistical Discrepancy

[2] Northern Ireland is both a NUTS-1 and NUTS-2 area

[3] n/a

Departmental Energy Use

Mr. Stunell: To ask the Chancellor of the Exchequer what the estimated *(a)* level and *(b)* cost of energy use in his Department and associated agencies was in each year since 1997; what proportion of energy was generated from renewable sources; and if he will make a statement. [65956]

Ruth Kelly: I refer the hon. Member to the answer given on 3 July 2002 by my right hon. Friend the Minister of State, Department of Environment, Food and Rural Affairs.

Office for National Statistics

Matthew Taylor: To ask the Chancellor of the Exchequer on which projects the public sector classification committee of the Office of National Statistics has been asked to comment since 1 January. [66718]

Ruth Kelly: The answer requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Karen Dunnell to Mr. Taylor, dated 8 July 2002:

The National Statistician has been asked to reply to your recent question on which projects the Public Sector Classification Committee of the Office for National Statistics has been asked to comment since 1st January. I am replying in his absence. (66718)

The public sector classification committee (PSCC) considers a wide range of projects as the need arises. Four of these are currently confidential or market sensitive. The others are in the list below.

New Tax Credits—discussion complete in 2001, but announced since 1 January.

Network Rail

Support for insurance of terrorist risks to aviation industry

Sale and leaseback of buildings in Austria

Electricity Companies Renewables Obligation

Diamond Synchrotron Centre Ltd

Offshore Petroleum Licensing

Treatment of legacy European currencies

Guarantees for loans to Railtrack plc in Administration

Royal household departments

Imputed taxes and subsidies—developing general principles

NTL restructuring—treatment of debt for equity swap

Office of Communications (OFCOM)

Government support for Network Rail

Education Maintenance Allowance

Ms Buck: To ask the Chancellor of the Exchequer what evidence there is from the evaluation of the education maintenance allowance pilots of the effect on family income of replacing child benefit on participation in education by young people aged 16 to 19 years. [67528]

Mr. Boateng: The Government are piloting an educational maintenance allowance in 56 local education authorities. EMAs provide financial support for 16 to 19 year olds to continue in education through provision of weekly payments and bonuses for retention and achievement. The Department for Education and Skills published the latest evaluation of the pilots on 3 July. Copies of this are available in the House Library.

Individual Savings Account

Mr. Peter Duncan: To ask the Chancellor of the Exchequer how many *(a)* mini and *(b)* maxi ISAs were purchased in the last tax year. [67229]

Ruth Kelly: Estimates of the number of mini and maxi ISA accounts receiving subscriptions and the amount of these subscriptions for 2001–02 are contained in table 9.4 of Inland Revenue Statistics. The latest version is on the Inland Revenue's website: http://www.inlandrevenue.gov.uk/stats/isa/isa—t01–1.htm

Part-time Workers

Mr. Laxton: To ask the Chancellor of the Exchequer what the average weekly hours of work for part-time workers were in 2001 in the United Kingdom. [67219]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Karen Dunnell to Mr. Bob Laxton, dated 8 July 2002:

The National Statistician has been asked to reply to your Parliamentary Question about the average hours worked by part-time workers in the United Kingdom. I am replying in his absence. (67219)

The Labour Force Survey (LFS) estimate of the average actual hours of part-time workers for the twelve month period ending December 2001 is 15.6 hours.

PISA 2000 Survey

Mr. Gibb: To ask the Chancellor of the Exchequer how many and what proportion of pupils in the PISA 2000 Survey achieved the correct answer in the Reading Unit 1 section of the literacy test in *(a)* Question 1, *(b)* Question 2, *(c)* Question 3, *(d)* Question 4 and *(e)* Question 5. [67842]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Karen Dunnell to Mr. Nick Gibb, dated 8 July 2002:

The National Statistician has been asked to reply to your recent Parliamentary Question concerning how many and what proportion of pupils in the PISA 2000 Survey achieved the correct answer in the Reading Unit 1 section of the literacy test in *(a)* Question 1, *(b)* Question 2, *(c)* Question 3, *(d)* Question 4 and *(e)* Question 5. I am replying in his absence. (67842)

The proportion of students who answered individual questions correctly is available for all items for each country in the Test Item Compendia available at http://pisaweb.acer.edu.au/oecd_pisa_data_s1.html

Mr. Gibb: To ask the Chancellor of the Exchequer who in *(a)* the Department for Education and Skills, *(b)* the Office of National Statistics and *(c)* other Departments was responsible for (i) devising the sample selection, (ii) making the sample selection and (iii) compiling the list of schools used in the PISA 2000 survey. [67843]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Karen Dunnell to Mr. Nick Gibb, dated 8 July 2002:

The National Statistician has been asked to reply to your recent Parliamentary Question concerning who in *(a)* the Department for Education and Skills, *(b)* the Office of National Statistics and *(c)* other departments was responsible for (i) devising the sample selection, (ii) making the sample selection and (iii) compiling the list of schools used in the PISA 2000 survey. I am replying in his absence. (67843)

The sampling frame used in PISA and the sample design are described in Appendix A of Student Achievement in England—Results in reading, mathematical and scientific literacy among 15-year-olds from the OECD PISA 2000 study, published by ONS in May 2002.

A number of people were involved in devising the sample selection in consultation with the international sampling referees.

The report is available free at: http://www.statistics.gov.uk/statbase/Product.asp?vlnk=8169&Mo re=N

Mr. Gibb: To ask the Chancellor of the Exchequer, pursuant to his answer of 1 July 2002, *Official Report*, column 117W, whether schools were permitted to remove pupils from the selection made by PISA; and whether pupils were omitted from the list of students born in 1984 and on what basis. [67864]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Karen Dunnell to Mr. Gibb, dated 8 July 2002:

The National Statistician has been asked to reply to your recent Parliamentary Question pursuant to the answer given on 1st July, Official Report, column 117W, whether schools were permitted to remove pupils from the selection made by PISA; and whether any pupils were omitted from the list of students born in 1984 and, if so, on what basis. I am replying in his absence. (67864)

The protocols for selecting students within schools and for excluding students are described in Appendix A of Student Achievement in England—Results in reading, mathematical and scientific literacy among 15-year-olds from the OECD PISA 2000 study, published by ONS in May 2002.

The report is available free at: http://www.statistics.gov.uk/statbase/Product.asp?v1nk=8169&Mo re=N

Mr. Gibb: To ask the Chancellor of the Exchequer if the questions asked in the follow-up sessions that were held for pupils taking the PISA 2000 tests were the same as those in the original tests. [67844]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Karen Dunnell to Mr. Gibb, dated 8 July 2002:

The National Statistician has been asked to reply to your recent Parliamentary Question asking if the questions asked in the follow-up sessions that were held for pupils taking the PISA 2000 tests were the same as those in the original tests. I am replying in his absence. (67844)

The circumstances under which students were assessed in a follow-up session and the construction of the PISA test are described in Section A.3 and 1.6 of Student Achievement in England—Results in reading, mathematical and scientific literacy among 15-year-olds from the OECD PISA 2000 study, published by ONS in May 2002.

The tests used in the follow-up sessions were the same as those in the original testing session. The PISA test contained over 200 items in total, equivalent to 7 hours of testing time. Not all students were given the same questions. Each student was given one of nine different test booklets with different combinations of items. The tests were administered by test administrators who were independent of the school. Tests were brought to the school by the administrator on the day of testing and removed after testing. Only 3% of students were assessed in a follow-up session.

The report is available free at: http://www.statistics.gov.uk/statbase/Product.asp?v1nk=8169&More=N

Devolution

Angus Robertson: To ask the Chancellor of the Exchequer when the EU Insurance Committee is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68601]

Ruth Kelly: The EU Insurance Committee is due to next meet on 26 and 27 November 2002.

The UK is represented by an official from HM Treasury and a representative from the Financial Services Authority. As financial regulation is not a devolved matter, representatives of the Scottish Executive have not attended the committee.

Angus Robertson: To ask the Chancellor of the Exchequer when the EU Banking Advisory Committee is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68604]

Ruth Kelly: The EU Banking Advisory Committee is due to meet next on 9 October 2002.

The UK is represented by an official from HM Treasury and two from the Financial Services Authority. As financial regulation is not a devolved matter, representatives of the Scottish Executive have not attended the committee.

Adoptions

Mr. Burstow: To ask the Chancellor of the Exchequer how many adoptions have been completed in each of the last five years. [67161]

Ruth Kelly: The answer requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Karen Dunnell to Mr. Paul Burstow, dated 8 July 2002:

The Registrar General for England and Wales has been asked to reply to your recent question on the number of adoptions completed in each of the last five years. I am replying in his absence. (67161)

The information requested is given in the table.

Number of adoptions in England and Wales in each of the last five years

	Number of adoptions
1997	5,212
1998	4,617
1999	4,988
2000	5,036
2001	5,131

Statistics

Mr. Laws: To ask the Chancellor of the Exchequer if he will list the statistics that are collected by his Department by English parliamentary constituency; and if he will make a statement. [67099]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Karen Dunnell to Mr. David Laws, dated 8 July 2002:

The National Statistician has been asked to reply to your recent question on which statistics are collected by English Parliamentary Constituency. I am replying in his absence. (67099)

The Office for National Statistics (ONS) collects a wide range of statistics. However, they are not collected at Parliamentary Constituency level for a number of reasons. In particular, most of the statistics collected at a local level are based on administrative areas such as local authorities, and these do not always share boundaries with Parliamentary Constituencies.

Members of the Government Statistical Service (GSS) in all Government Departments provide a statistical service to the House of Commons Library.

The House of Commons Library provides a tailored service for MP's. Statistics that can often be provided at Parliamentary Constituency level include economic status (employment, unemployment and inactivity), claimant count, employee jobs, average earnings and Census data. Also, many statistics that are available at a lower level can generally be aggregated to Parliamentary Constituency level. This includes the increasing range of statistics at ward level becoming available through ONS's Neighbourhood Statistics Service (www.statistics.gov.uk/neighbourhood).

Excess Profits

Mr. Chope: To ask the Chancellor of the Exchequer if there is a standard definition of excess profits which is used by the Government; and if he will make a statement. [68001]

Dawn Primarolo: There is no standard definition of excess profit used by the Government.

Taxation

Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 26 June 2002, *Official Report*, column 945W, on taxation, for what reason the figures in the answer included benefit changes; and if he will make a statement. [66754]

Dawn Primarolo: The figures in the answer referred to included benefit changes in order to provide a comprehensive picture of the cumulative impact on households across the income distribution of Budget measures introduced over the last Parliament.

Lone Parents

Vera Baird: To ask the Chancellor of the Exchequer what plans he has to make provision to enable lone parents to maintain stable child care arrangements during a period of temporary unemployment once the new tax credits have come into force in April 2003. [67244]

Dawn Primarolo: The working tax credit, which includes support for the costs of eligible child care, is designed to encourage people to take up work and to make work pay for low-income households. So entitlement to it will depend on working the required number of hours. It will be based on the hours normally worked by the claimant and will be able, as a result, to continue providing support for short periods when the claimant is unable to work their usual hours. It will also be able to cover short gaps between jobs.

For longer breaks in employment, we will continue to provide help through other channels, especially for lone parents who need to use child care. Lone parents can receive financial assistance through the Adviser Discretion Fund, where up-front child care costs represent a barrier to moving into work. From April 2003 there will also be a dedicated child care co-ordinator in every Jobcentre Plus district to help jobseekers with children to access information on child care provision in their area.

Tax Credits (Scotland)

Mr. Willetts: To ask the Chancellor of the Exchequer how many families in Scotland are in receipt of *(a)* the working families tax credit and *(b)* the child tax credit. [68483]

Dawn Primarolo: For the number receiving the working families tax credit, I refer the hon. Member to my answer to my hon. Friend the Member for Jarrow (Mr. Hepburn) on 16 January 2002, *Official Report*, column 293W. The number of families who are eligible for the children's tax credit in Scotland is estimated to be 400,000.

LORD CHANCELLOR'S DEPARTMENT

Computers

Dr. Kumar: To ask the Parliamentary Secretary, Lord Chancellor's Department how many computers were replaced in his Department in each of the past three years; how the replaced units were disposed of and by which companies; and at what cost. [60750]

Yvette Cooper: It is the policy of the Lord Chancellor's Department to try to make surplus IT equipment available to schools and other non-profit making bodies at low cost. In disposing of its computers therefore, the Department uses Recycle-IT! the UK's largest computer re-use project. They supply second-user systems tailored to the needs of the voluntary, church, education and disabled organisations, embryonic businesses and Third World countries. As Recycle-IT! do not charge for this service, there is no cost to the Department for disposing of redundant equipment.

The following table relates to the limited number of PCs owned and managed directly by the Department. It shows the total number of computers disposed of in each of the last three financial years. It also shows the total number of those computers, which were replaced along with the cost of the replacement computers.

	Disposed	*Replaced*	*Cost of replacement*
1999–2000	302	151	103,000
2000–01	415	365	435,660
2001–02	84	0	0
Total	801	516	538,660

The Departments PFI partners own the majority of the IT equipment used. The contract stipulates that 70 per cent. of the equipment provided under the contract must be no more than three years old, and that none should be more than five years old. There are currently 2,800 PC's and laptop computers provided by our PFI supplier. The Department also encourages its PFI partners to use Recycle-IT!

Knutsford Crown Court

Mr. George Osborne: To ask the Parliamentary Secretary, Lord Chancellor's Department what repairs and maintenance is being carried out to Knutsford Crown court; and how much the programme costs. [67186]

Yvette Cooper: Following advice from our specialist conservation consultant, the Lord Chancellor's Department are currently taking forward a project to repair the damaged ceiling to courtroom one (including minor roof repairs), at an estimated cost of £29,000. The Department is also planning to repair the boilers at an estimated cost of £4,000.

Special Advisers

Mr. Andrew Turner: To ask the Parliamentary Secretary, Lord Chancellor's Department how many special advisers were employed by the Lord Chancellor's Department *(a)* between 1 May and 31 December 1997 and *(b)* in each year from 1998 to 2001 inclusive; and what the total amount spent on special advisers by the Department was in each of those years. [41253]

Yvette Cooper: The Department employed no special advisers between 1 May and 31 December 1997 and employed one special adviser in each of the financial years 1998–99, 1999–2000 and 2000–01. The salaries of special advisers are negotiated individually within the stated pay scale which, for each the years in question, was as follows:

1998–99:

up to £74,954 (from 1 April)

up to £76,056 (from 1 December)

1999–2000

up to £78,186

2000–01

up to £80,453.

Details of costs are not given in order to protect the privacy of the appointee concerned, in line with exemption 12 of the Code of Practice on Access to Government Information.

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the number and expected cost to the Lord Chancellor's Department of special advisers in *(a)* 2001–02 and *(b)* 2002–03. [43270]

Yvette Cooper: There was one special adviser in the department as at 13 March 2002. The salaries of special advisers are negotiated individually within the stated pay range (up to £125,000, although the Special Advisers Remuneration Committee may award salaries up to £90,000 only: salaries above that figure are set by the Prime Minister). Details of expected costs are not given in order to protect the privacy of the appointee concerned, in line with exemption 12 of the Code of Practice on Access to Government Information.

Libra Project

Mr. Evans: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate he has made of the cost to the Government of a failure of the Libra project to deliver on its core case management application. [55108]

Yvette Cooper: Delivery of a central part of the contract—the office infrastructure and network—is over 75 per cent. complete and office services are being delivered to over 8,500 magistrates court staff.

There have been delays in delivering the software application. We have been in discussion with Fujitsu Services (formerly ICL) on the impact of the delay and to determine the best way forward for the project. The resolution is expected shortly, and the House will be informed of the outcome.

We remain determined to provide magistrates courts with modern computer equipment and standardised IT software. If Fujitsu Systems failed to deliver the Libra software, it would be necessary to meet the requirement from elsewhere in the market. Costs would be dependent on the market conditions and on negotiations.

Chief Justice of Germany

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department when she last met the Chief Justice of Germany. [66331]

Ms Rosie Winterton: Neither my right hon. Friend the Lord Chancellor, nor my ministerial colleagues have met the Chief Justice of Germany.

Buildings Insurance

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost of buildings insurance to the Lord Chancellor's Department was *(a)* before and *(b)* after 11 September 2001. [66934]

Ms Rosie Winterton: Departments are required to comply with the Government's general policy on insurance which is set out in Government accounting, Chapter 30, para 30.2.5, which notes that Government do not need to purchase insurance to protect the viability of its business and should consider insurance only where the value of claims met would exceed the cost of the insurance premiums. Commercial insurance of a building is acceptable in cases where *(a)* insurance is a condition of a lease *(b)* the lessor will not accept a Government indemnity *(c)* incurring the total cost of the accommodation in question, including the cost of the insurance is more cost effective than other accommodation options [Government Accounting, para 30.2.11a]

The Lord Chancellor's Department incurs insurance costs as a condition of their lease on various leasehold properties they occupy through the landlord service charges levied. Details of the annual insurance premiums per property pre and post 11 September are not available and the Department would incur a disproportionate cost establishing this information.

Legal Aid Solicitors (Wales)

Ian Lucas: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate he has made of the shortfall of legal aid solicitors in Wales, broken down by *(a)* subject and *(b)* county. [65498]

Ms Rosie Winterton: The Legal Services Commission contracts with both quality assured solicitors' firms and not-for-profit organisations to provide legal services which meet the identified priority needs for those services. The Commission is confident that there is sufficient provision in Wales, in all categories of law and in all counties. However, it is developing and improving coverage.

For civil legal aid contracts with solicitors' firms, the Commission allocates a defined number of cases in specified categories of law. In its contracts with not-for-profit organisations, the Commission allocates a defined number of caseworker hours in specified categories of law. The allocation of cases and time throughout 2001–02 exceeded the number of cases actually started. There is no evidence at present of a shortfall of civil legal aid providers in any category of law in Wales.

The Wales Regional Legal Services Committee is preparing a report on how well the Commission's civil contracts are currently meeting legal need. The report, which will be issued this autumn, will also identify any remaining priorities for new contracts in the next financial year.

For criminal defence work, the Commission has no evidence at present of any shortfall in the number of contracted solicitors' firms undertaking criminal defence work in Wales.

Parliamentary Questions

Mr. Simon Thomas: To ask the Parliamentary Secretary, Lord Chancellor's Department how many oral questions she has transferred to other departments in each of the last 18 months. [65512]

Ms Rosie Winterton: The Lord Chancellor's Department only transfers Parliamentary Questions when it is more appropriate for another Government Department to answer. The information requested is set out in the following table.

Month	*2001* *Number of questions transferred and to which Department*	*2002* *Number of questions transferred and to which Department*
January	—	0
February	—	Three to Home Office
March	—	0
April	—	Three to Home Office
May	—	[1]n/a
June	[1]n/a	One to Home Office One to Prime Minister
July	One to FCO	One to Home Office
August	[1]n/a	
September	[1]n/a	
October	[1]n/a	
November	0	
December	One to Home Office	

[1] Months that the Lord Chancellor's Department had no oral question time

Civil Courts

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many court staff he estimates will be made redundant as a result of his proposals to modernise the civil courts. [65279]

Yvette Cooper: The timetable and extent of the courts Tribunals Modernisation Programme has not been finalised so it is not yet known what the subsequent effect on staffing levels will be. Initial business planning assumptions indicate that it may be possible to minimise redundancies through the effective management of retirement and recruitment policies, natural turnover of staff and by exploring opportunities for staff in other areas such as the Immigration Appeal Appellate. Redundancy options will be explored only as a last resort, and there will be full consultation with the relevant trade unions throughout.

Rape

Vera Baird: To ask the Parliamentary Secretary, Lord Chancellor's Department what role he intends his Department to take in the cross-departmental committee on the HMIC/CPSI thematic report on rape. [65212]

Yvette Cooper: The Director of the Crown court is representing the Department on the cross-departmental committee to take forward the comments made in the report in relation to the listing of cases with allegations of rape. He has asked that the comments about the listing of rape cases be considered in thematic review of listing which is currently being carried out by the joint Criminal Justice Inspectorates.

Census 1901 Website

Mr. Beith: To ask the Parliamentary Secretary, Lord Chancellor's Department when the 1901 census website will be available for access. [66048]

Ms Rosie Winterton: The PRO and QinetiQ Ltd. are working together to get the system back on line as soon as possible.

Patients (Fluids)

Dr. Iddon: To ask the Parliamentary Secretary, Lord Chancellor's Department whether the responses received from the consultation on 'Making Decisions' were analysed to determine how many respondents were *(a)* in favour and *(b)* against the withholding of food and fluids from incapacitated patients not actually dying; and whether such an analysis will be conducted following the consultation on 'Withholding and Withdrawing Life-Prolonging Treatments: Good Practice in Decision Making'. [67207]

Ms Rosie Winterton: 'Making Decisions' is a policy statement setting out the Government's proposals for making decisions on behalf of mentally incapacitated adults. It was issued in 1999 following on from a consultation paper: "Who Decides? Making Decisions on Behalf of Mentally Incapacitated Adults". The question posed by the hon. Member was not asked in that consultation paper. 'Withholding and Withdrawing Life-Prolonging Treatments: Good Practice in Decision Making' has recently been produced by the General Medical Council, not by my Department.

Ministerial Visits

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many visits to EU applicant countries she and her Ministers have made since 1 January 2001. [66330]

Ms Rosie Winterton: My right hon. Friend Baroness Scotland of Asthal QC and former LCD Minister Lord Bach have both visited a number of EU applicant countries since 1 January 2001. The dates are provided in the following table.

Minister	*Country*	*Date*
Lord Bach	Czech Republic	24 January 2001
Lord Bach	Slovak Republic	8 March 2001
Baroness Scotland	Slovak Republic	18–20 December 2001
Baroness Scotland	Poland	23–25 January 2002
Baroness Scotland	Bulgaria	29–31 January 2002

Building Values

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the buildings owned by the Lord Chancellor's Department and estimate the market value of each of them. [66952]

Yvette Cooper: The National Asset Register, published in July 2001 (Cm 5221), lists assets owned by each Department and their valuation.

Ministerial Salaries

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the annual cost was of ministerial salaries in her Department in *(a)* 1997–98 and *(b)* 2001–02. [60947]

Yvette Cooper: The levels of ministerial salaries are recommended by the senior salaries review body. From May 1997, in this Department there was one Cabinet Minister (the Lord Chancellor) at an annual salary of £140,665, and one parliamentary secretary at an annual salary of £23,623. From June 2001, there was one Cabinet Minister (again, the Lord Chancellor) at an annual salary of £173,875; one parliamentary secretary (House of Lords) at an annual salary of £60,961; and two parliamentary secretaries (House of Commons) at an annual salary of £26,835.

Community Service Orders

Mr. Gibb: To ask the Parliamentary Secretary, Lord Chancellor's Department how many community service orders were extinguished without being served in each year since 1995. [65126]

Hilary Benn: I have been asked to reply.

The number of community punishment orders (formerly community service orders) which terminated before completion of the order in each year since 1995 in England and Wales was as follows:

Year	*Number*
1995	14,700
1996	14,400
1997	13,400
1998	12,700
1999	12,300
2000[1]	13,500

[1] Latest year for which complete information is available

Mr. Gibb: To ask the Parliamentary Secretary, Lord Chancellor's Department how many community service punishments were handed down by magistrates' courts in each year since 1990; and what proportion of these sentences were served. [65125]

Hilary Benn: I have been asked to reply.

The number of persons sentenced by magistrates' courts to community punishment orders (CPOs) (formerly community service orders) and supervised by the probation service in England and Wales for each year since 1990 was as follows:

Year	*Number*
1990	26,500
1991	30,000
1992	31,600
1993	35,700
1994	38,900
1995	38,100
1996	37,200
1997	37,900
1998[2]	39,800
1999[2]	42,200
2000[2,3]	43,600

[1] Excludes (CPOs) given for breach.

[2] Includes (CPOs) for persistent petty offenders and for fine deaulters.

[3] Latest year for which complete information is available.

The proportion of community punishment orders (formerly community service orders) terminating each year since 1990 which were successfully completed was as follows:

Year	*Percentage*
1990	69
1991	70
1992	72
1993	71
1994	70
1995	71
1996	71
1997	71
1998	72
1999	72
2000[1]	71

[1] Latest year for which complete information is available.

HEALTH

Primary Care Trusts

Mr. Frank Field: To ask the Secretary of State for Health (1) how many primary care trusts had finance directors in post on 1 April; and what the total budget is for these organisations with finance directors in place; [54715]

(2) how many primary care trusts were in place on 1 April; and what the total budget is for these organisations. [54716]

Mr. Hutton: Three hundred and three primary care trusts (PCTs), including Northumberland which has been designated a care trust, were in operation on 1 April 2002.

We have allocated £41.5 billion in total to health authorities (HAs) for 2002–03. Of this, £40.9 billion has been shared by HAs between their constituent PCTs.

The number of PCTs that had directors of finance in place on 1 April 2002 was 208. Acting directors of finance are in place where a permanent appointment has not yet been made. Their share of HA allocations was £27.9 billion for 2002–03.

An element of the allocation shared between PCTs will be retained at HA level for HA level functions, collective commissioning and other items funded at HA level. Information on this is not collected centrally.

Nurses

Mr. Hancock: To ask the Secretary of State for Health what financial assistance is provided to those nurses wishing to return to the NHS for *(a)* tuition fees, *(b)* subsistence and *(c)* travel costs; and if he will make a statement. [56711]

Mr. Hutton: Health care professions (including nurses), returning to the national health service benefit from a returners' package which includes:

- free refresher training
- a minimum of £1,000 financial support while retaining (£1,500 for midwives)
- assistance with child care support of up to £135 per week for one child and £200 for two or more children
- assistance with travel and books.

Over £70 million has been allocated to build around 150 on-site subsidised nurseries. Around a further 7,500 places will be created by 2004.

The Government's starter home initiative launched on 6 September 2001 will help the NHS ease staffing shortages in parts of London and the south east.

Herbal Remedies

Alan Simpson: To ask the Secretary of State for Health what representations the UK has made in respect of the EU Traditional Herbal Medicinal Products Directive with specific reference to moves to bring herbal remedies into the regulatory regime dealing with pharmaceutical drugs; and what position the UK has taken on the proposal to extend this to cover combinations of herbs and nutrients. [57961]

Ms Blears: Many herbal remedies in the United Kingdom and elsewhere in the European Union already have a marketing authorisation under European medicines legislation.

Negotiations on the proposed directive on traditional herbal medicinal products are at an early stage. So far the Government have argued in particular that there should be greater flexibility to take account of non European herbal traditions and that an early date should be set for the review of the scope of the directive in relation to non herbal traditional medicines.

The medical control agency is holding a consultation exercise on the directive. This is showing that there are varied views on the proposed manufacturing and quality standards. Some respondents, including UK manufacturers of traditional herbal remedies, have argued that the standards are achievable and are necessary in the interests of consumer protection and of the long-term reputation of the herbal sector.

Others, particularly from the health food sector, have argued that the standards are inappropriate or unnecessary. We have extended the consultation until the end of July in order to allow those with concerns to identify the specific areas where they believe the standards to be over-regulatory. We will further develop the UK negotiating position on this issue once we have assessed the additional information provided during the extended period of consultation.

We are currently considering representations that have been received during the consultation about the regulatory position on herbal-nutrient combination products.

MMR Vaccine

David Hamilton: To ask the Secretary of State for Health how many children have been given the MMR vaccine; and what the Government's targets are. [58562]

Ms Blears: Current immunisation targets are for 95 per cent. of children to be immunised by age two against measles, mumps and rubella; there is no formal target for a reinforcing (booster) dose. The Department recommends that MMR, a combined vaccine against measles, mumps and rubella, is administered in a single dose at between 12 and 15 months of age.

Information about the percentage of children immunised against measles mumps and rubella by their 2nd birthday, and from 1999–2000 by their 5th birthday, is contained in the statistical bulletin "NHS Immunisation Statistics, England: 2000–01". A copy of the bulletin is in the Library and can also be found on the Department's website www.doh.gov.uk/public/sb0121.htm.

Radiotherapy

Mr. Barker: To ask the Secretary of State for Health if he will list the meetings he and his Ministers *(a)* have had and *(b)* propose to have with NHS trust and health authority chairmen and chief executives to discuss (i) reducing radiotherapy waiting lists and (ii) the associated financial implications of such action. [59286]

Ms Blears: Ministers have not met chairmen and chief executives specifically to discuss reducing radiotherapy waiting times. However, we are taking wide ranging action to improve radiotherapy waiting times including a number of initiatives aimed at tackling the shortage of professionals associated with radiotherapy delivery, major investment in radiotherapy equipment, streamlining radiotherapy delivery through the cancer services collaborative and increased the number of training places for radiographers.

Mental Health

Mr. Burstow: To ask the Secretary of State for Health which agencies are responsible for monitoring and caring for individuals who have been released from a mental hospital; and what arrangements ensure that agencies are co-ordinating these systems. [67160]

Jacqui Smith: The lead health service provider, usually the National Health Service Trust, and the local authority social service department have the responsibility for the care of individuals who have been discharged from hospital. The care programme approach provides the framework for the care of people with mental health problems wherever the user is in the system, including residential and community settings. This framework is also used by the probation service, the police, and housing agencies who will be involved in on-going review of care arrangements and risk assessments

Arrangements for monitoring the care programme approach are set out in the policy booklet: "Effective Care Co-ordination in Mental Health Services" (Department of Health, October 1999) and "An Audit Pack for Monitoring the Care Programme Approach" (Department of Health, June 2001).

Mr. Heald: To ask the Secretary of State for Health what action has been taken in respect of each of the recommendations for action of the key area group of the Workforce Action Team on recruitment and retention issues in the mental health field. [67973]

Mr. Hutton: The mental health care group workforce team (MHCGWT) is actively taking forward the recommendations of the workforce action team (WAT). The MHCGWT is currently:

working with Workforce Development Confederations as part of their recruitment and retention agenda;

ensuring that wider recruitment and retention issues across the NHS include the correct focus on mental health.

The MHCGWT have set up a recruitment and retention sub-group in order to develop initiatives on:

an advertisement campaign on mental health recruitment for later this year;

a community engagement programme to recruit local people into the mental health workforce;

producing recruitment videos;

disseminating good practice.

Mr. Heald: To ask the Secretary of State for Health what plans he has to legislate for the regulation of *(a)* psychologists, *(b)* psychotherapists and *(c)* counsellors. [67981]

Mr. Hutton: We have given a high priority to improving service quality in general in the national health service and social care services, as well as in the private sector. A number of initiatives testify to this, including the development of national service frameworks, the establishment of the National Institute for Clinical Excellence and the new framework of clinical governance. These modernised and more accountable professional regulatory arrangements will work alongside NHS quality assurance arrangements to offer much better protection for patients, wherever they are seen.

Proposals for the regulation of these groups are in the first instance a matter for the health professions council. The Department have indicated that we will be supporting moves to establish a scheme of statutory professional regulation of applied psychologists.

Mr. Heald: To ask the Secretary of State for Health what progress has been made on the women's mental health consultation process. [67955]

Jacqui Smith: Preparation of the consultation document for the national women's mental health strategy continues and publication will take place after completion of the current spending review.

Mr. Heald: To ask the Secretary of State for Health what recent estimate he has made of the proportion of those suffering from severe mental illness *(a)* who are capable of undertaking paid employment and *(b)* who undertake paid employment. [67949]

Jacqui Smith: This information is not available. However, the psychiatric morbidity survey carried out by the Office for National Statistics (ONS) and published in 2001 provided some information on the prevalence of psychiatric disorder by employment status. A copy of this report has been placed in the Library.

Mr. Heald: To ask the Secretary of State for Health what the estimated cost is of implementation of the draft Mental Health Bill; and whether such funds are available. [67964]

Jacqui Smith: The costs of the Mental Health Bill are being considered as part of the Department's spending review and the timescale for implementation will be determined by the availability of funding from the spending review settlement.

Mr. Heald: To ask the Secretary of State for Health what the reason was for his decision on the timing and length of the consultation on the draft Mental Health Bill. [67963]

Jacqui Smith: Consultation on the draft Mental Health Bill will run for 12 weeks from 25 June 2002 until 16 September 2002.

This period is in keeping with the Cabinet Office code of practice guidance on written consultation.

The Government are committed to introducing legislation as soon as parliamentary time allows and we are therefore consulting on the draft Mental Health Bill at the earliest possible opportunity.

Mr. Heald: To ask the Secretary of State for Health what recent assessment he has made of the benefits of early treatment for those with mental health problems. [67944]

Jacqui Smith: The Department's research, analysis and information directorate has commissioned a review of current evidence in the field of early intervention in psychosis. This is being undertaken by Professor Max Marshall and is due to be completed by the end of September 2002.

Mr. Heald: To ask the Secretary of State for Health what proportion of those people who suffer severe mental illness were first treated for it by compulsion under a section of the Mental Health Act 1983 in each of the last five years. [67969]

Jacqui Smith: The information requested is not available in this form.

Mr. Heald: To ask the Secretary of State for Health what recent reports he has received of people with a diagnosis of severe mental illness being turned away when they ask for treatment. [67958]

Jacqui Smith: There have been no reports of people with a diagnosis of severe mental illness being turned away from services.

The mental health national service framework explicitly states that everyone with severe mental illness should have access to the range of services they need.

Mr. Heald: To ask the Secretary of State for Health what the average period of untreated psychosis prior to a person receiving treatment was in the last 12 months. [67945]

Jacqui Smith: This information is not collected centrally.

Mr. Heald: To ask the Secretary of State for Health what recent progress has been made on the selection and implementation of instrumentation for the routine measurement of outcomes in mental health. [67960]

Jacqui Smith: The Department is developing an outcomes programme pilot for the implementation of instruments, which should be set up by September 2002. The plan to begin routine measurement of outcomes in mental health from April 2003 is currently on target.

Mr. Heald: To ask the Secretary of State for Health (1) what the cost is per prison of providing mental health in-reach services in the last year for which figures are available; [67997]

(2) how much is being spent in 2002–03 on providing mental health in-reach services in prisons; and how much will be spent in *(a)* 2003–04, *(b)* 2004–05 and *(c)* 2005–06. [67994]

Jacqui Smith: During 2001–02 mental health in-reach services were being established in 18 prisons in England. During 2002–03 it is planned that in-reach teams should be established in a further 26 prisons. Funding amounting to £3,850,000 has been allocated in 2002–03 to cover the costs of these developments. Specific allocations are made taking account of participating prisons' type, size and throughput.

Funding for 2003–04 and beyond has not yet been decided.

Mr. Heald: To ask the Secretary of State for Health what plans he has to increase the number of beds available for the treatment of those with mental ill-health [67948]

Jacqui Smith: We have already fulfilled our NHS Plan commitments to create 500 extra secure beds and 320 extra 24-hour staffed beds by April 2001, and are on track to deliver 200 additional long-term secure beds by 2004.

Crisis resolution teams are dramatically reducing pressure on in-patient beds by 2004 there will be 335 such teams treating 100,000 people a year who would otherwise need admission to hospital.

Mr. Burstow: To ask the Secretary of State for Health what systems are in place to notify *(a)* police and *(b)* local authorities about persons who have been placed in a mental hospital being released; and if he will make a statement. [67177]

Jacqui Smith: The Criminal Justice and Court Services Act 2000 required the police and probation services (the 'responsible authorities') in each of the 42 areas of England and Wales to establish arrangements for assessing and managing the risks posed by sexual and violent offenders. These arrangements include those who have been detained in respect of a conviction by a hospital or guardian ship order within the meaning of the Mental Health Act 1983. These arrangements were introduced in April 2001. Scope to disclose information to the responsible authorities only exists within current legislation, where there is a high risk of harm to self or others, consistent with the Human Rights Act. Responsibility for the arrangements rests with those in charge of care and treatment, bearing in mind the facts of each individual case. The Department will be issuing guidance to ensure that all mental health trusts are appropriately represented in the arrangements.

New proposals concerning the rights of victims to information are contained within the draft Mental Health Bill published last week, and in relation to information exchange in the accompanying consultation document. We look forward to hearing views on these proposals.

Looked-after Children

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer of 23 April 2002, *Official Report*, column 240W, on looked-after children, if he will set out the number of children in residential care broken down by *(a)* health authority and *(b)* region in each of the last five years. [67253]

Jacqui Smith: The information requested is not collected by health authority. The information available by region is shown in the table.

Number of children looked after in residential placements at 31 March 1997

	1997	*1998*	*1999*	*2000*	*2001*
England	7,900	8,500	8,300	8,900	8,500
North East	595	555	505	540	505
North West	1,090	1,100	1,115	1,145	1,045
Merseyside	415	455	445	490	410
Yorkshire and Humberside	1,000	970	1,005	1,025	940
East Midlands	420	520	540	535	485
West Midlands	800	880	860	950	865
South West	490	530	545	535	555
London	1,600	1,645	1,650	1,960	2,120
Eastern	570	690	665	685	710
South East	920	1,110	930	985	905

Notes:

1. Figures for children looked after in this table exclude agreed series of short term placements.
2. Numbers may not add up to totals due to rounding.
3. Residential placements include secure units, children's homes, hostels, residential schools and placements in other residential settings.

Source:

DH statistical return CLA 100

Psycho-surgery

Mr. Burstow: To ask the Secretary of State for Health how many people underwent psycho-surgery in each of the last five years, broken down by age. [67159]

Jacqui Smith: For the purpose of clarity, we refer to psycho-surgery as neuro-surgery for mental disorder.

While the Department does not collect information on neuro-surgery for mental disorder centrally, the ninth biennial report of the Mental Health Act Commission covering the years 1999–2001, indicates that nine applications for neuro-surgery for mental disorder were considered (seven in 1999–2000 and two in 2000–01). All nine operations were eventually certified to go ahead.

In the period covered by the previous biennial report of the Mental Health Act Commission (1997–99), 17 referrals were made to the Commission to consider certifying neuro-surgery for mental disorder. All the cases referred in this reporting period were certified but one patient withdrew consent before the operation took place.

We do not have the breakdown of the Commission's figures by age groups.

Working Minds

Mr. Heald: To ask the Secretary of State for Health whether Working Minds employers' tool kits are available. [67953]

Jacqui Smith: An additional 2,000 copies of the Working Minds employers' toolkit were printed in March 2002. Copies are available from 0870 4430930, fax 0870 4430931, e-mail mindout@codestorm.co.uk

Psychiatric Readmissions

Mr. Heald: To ask the Secretary of State for Health what assessment he has made of progress in meeting the Public Service Agreement Target of reducing the emergency psychiatric readmission rate. [67959]

Jacqui Smith: The emergency psychiatric readmission rate has been reduced from the baseline of 14.3 per cent. in 1997–98 to 12.7 per cent. at the last quarter of 2001–02.

Obesity

Mr. Heald: To ask the Secretary of State for Health what assessment he has made of the role of sport in tackling obesity. [67996]

Ms Blears: Increasing participation in sport has a role to play in raising the rates of physical activity. Low rates of physical activity together with an unhealthy diet contribute to increased rates of obesity. Major cross-Government work has been put in place to raise the level of physical activity, and participation in sport. This includes: £581 million from the new opportunities fund for a physical education and sports programme; the national active sports programme and the Department's recently announced £2.5 million programme of community physical activity pilots, which will test out different community approaches to increasing physical activity. All pilots will involve sport action zones.

Community Day Centres

Mr. Heald: To ask the Secretary of State for Health how many women-only community day centres and services are in place. [67956]

Ms Blears: The information requested is not available centrally.

Endometriosis

Mr. Hendry: To ask the Secretary of State for Health how much his Department has spent in each of the past five years into the causes and treatment of endometriosis. [67942]

Ms Blears: The main Government agency for medical research is the Medical Research Council (MRC), which is funded via the Department of Trade and Industry. The Department directly funds research into policy and the delivery of effective practice in health and social care, and provides national health service support funding for research commissioned by the research councils and charities in the NHS.

The MRC's expenditure on relevant research was £1.7 million in 1997–98; £1.8 million in 1998–99; £1.8 million in 1999–2000; £1.2 million in 2000–01 and £1.2 million in 2001–02. The Department's expenditure on directly funded relevant research was nil in 1997–98; £55,000 in 1998–99; £85,000 in 1999–2000; £70,000 in 2000–01 and £70,000 in 2001–02.

In addition, the Department provided NHS support funding for research councils and charities' research, details of which can be found on the national research register on www.doh.gov.uk/research/nrr.htm.

Child and Family Support Service

Mr. Wray: To ask the Secretary of State for Health how many people are employed in the Child and Family Support Service. [45486]

Jacqui Smith *[pursuant to her reply, 7 May 2002, c. 103W]:* I regret that my previous reply was incorrect. It should read:

Information on the whole-time equivalent number of staff employed by councils with social services responsibilities in England in relation to child and family support services at 30 September 2001 is shown in the following table. These figures exclude central and strategic staff and certain other categories of staff who provide more generic services across the range of council responsibilities. No information is available centrally on the numbers of people in the private and voluntary sectors who are providing services to children and families on behalf of councils with social services responsibilities.

Staff employed by councils with social services responsibilities in England on child and family support services (whole-time equivalent)

Type of staff	*Whole-time equivalent at 30 September 2001*
Area Office staff (including social work staff, excluding occupational therapists)	21,275
Day Care staff:	
Family centres	3,715
Nurseries and play groups	2,260
Residential Care staff:	
Children with learning disabilities	2,045
Community homes for children looked after	8,685
Specialist needs establishments	1,110
Occupational therapists	105

Source:

Form SSDS001, annual return of staff employed in social services departments made by local authorities to the Department of Health.

Iodine Tablets

Mr. Donaldson: To ask the Secretary of State for Health what preparations have been made to distribute iodine tablets to the population in the event of a nuclear emergency. [67871]

Mr. Hutton: The Government have established detailed plans for responding to major incidents. Cross-departmental contingency plans are in place and regular exercises test responses to a range of different threats, including those from radiation. Arrangements for distribution of potassium iodate tablets to the population are included in these exercises.

Health Professions Council

Mr. Heald: To ask the Secretary of State for Health (1) what representations he has received from professions wishing to be covered by the Health Professions Council; [67979]

(2) what programme of work his Department has in hand as to the regulation of professions other than those covered by the Health Professions Council; and if he will set out the timetable for such work; [67980]

(3) what plans he has to add to the professions covered by the Health Professions Council. [67982]

Mr. Hutton: It is for the health professions council to consider proposals for the extension of its remit to other professions, and the timing of any such extension would depend on the outcome. I received an approach from the British Psychological Society in March. The Government have also agreed with the general dental council that its powers to register professionals complementary to dentistry (such as dental technicians) should be widened.

Medical Schools

Dr. Fox: To ask the Secretary of State for Health how much funding each medical school received in each of the past five years. [61462]

Margaret Hodge: With the exception of St. George's Medical school, medical schools in England form part of their parent university and are funded through the block grant provided by the Higher Educating Funding Council for England. The HEFCE allocations of block grant for 2002–03 are published in the Funding Council's report 02/11.

The funding allocation for St. George's medical school for each of the past five years is as follows:

	Funding (£ million)	*Percentage increase year-on-year*
1998	12.134	1.8
1999	12.466	2.1
2000	13.268	4.2
2001	14.744	0.7
2002	16.006	7.4

Note:

The information is taken from the Higher Education Funding Council for England publication "Recurrent grant for 2001–02: final allocations" (report 01/57) which records allocations of recurrent grant to higher education institutions and to further education colleges delivering higher education. Information for previous years in published in equivalent reports, the data for 2002–03 are provisional. copies of the publication are available at http://www.hefce.ac.uk/Pubs/

Written Answers to Questions

Tuesday 9 July 2002

TRANSPORT

Nuclear Waste Shipments

Mr. Weir: To ask the Secretary of State for Transport what assessment he has made of the seaworthiness of ships that will carry cargoes of nuclear waste from Japan to Sellafield. [68090]

Mr. Jamieson: Ships are subject to mandatory survey by their flag administration in accordance with the requirements of the International Maritime Organisation. The ships that are transporting MOX fuel from Japan to Sellafield are flagged with the UK and so the survey and certification arrangements are the responsibility of the Maritime and Coastguard Agency acting on behalf of the Secretary of State for Transport.

The ships have been subjected to the proper survey regime and hold valid certificates of compliance with the IMO requirements, including the special requirements applicable to ships meeting the highest Class 3 of the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Waste on board Ships.

Mr. Weir: To ask the Secretary of State for Transport what assessment he has made of the risk to coastal areas from ships carrying cargoes of nuclear waste to Sellafield. [68089]

Mr. Jamieson: Between 1995 and 1999 the UK participated in an international research project, co-ordinated by the International Atomic Energy Agency (IAEA), which studied the risks associated with ships carrying radioactive material of all kinds, including nuclear waste. The results of that study were published in IAEA-TECDOC-1231, "Severity, probability and risk of accidents during maritime transport of radioactive material", in July 2001, which is available on the IAEA's website at http://www.iaea.org/ns/rasanet/programme/radiationsafety/transportsafety/Downloads/Files2001/t1231.pdf.

Fareham

Mr. Hoban: To ask the Secretary of State for Transport how many transport *(a)* surveys and *(b)* studies under way cover Fareham. [68095]

Mr. Jamieson: My Department is currently undertaking the South Coast Multi Modal Study, which includes consideration of strategic transport issues from Southampton to Margate, including Fareham. One of that study's eight strategy development plans centres on the south Hampshire area. The responsibility for local transport issues in Fareham is a matter for Hampshire County Council, who will periodically undertake surveys and consultation events in connection with the local transport plan and specific measures such as the development of the light rail line from Fareham to Portsmouth via Gosport.

EU Committees (Scottish Representation)

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee for the adaptation to technical progress of recording equipment in road transport (tachographs) is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68590]

Mr. Jamieson: The Committee for Adaptation to Technical Progress (CATP) last met in September 2001 and currently there are no plans for further meetings. Officials from my Department represent the UK on the Committee as policy responsibility for the tachographs is a reserved matter. However, my officials consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee for the establishment of conditions for the interoperability of the trans-European high-speed rail system is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68585]

Mr. Jamieson: The next meeting of this Committee is scheduled for 30 September 2002. Officials from the Strategic Rail Authority, assisted by HM Inspectorate of Railways, represent the UK on the Committee as policy responsibility for the transport trans-European network is a reserved matter. However, my officials would consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee on the reciprocal recognition of national boatmasters' certificates for the carriage of goods and passengers by inland waterway is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68581]

Mr. Jamieson: This Committee has not met for some time and it is not known when it will next meet. Officials from my Department would represent the UK on this Committee as responsibility for policy on national boatmasters' certificates is a reserved matter.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee on the System of Changing for the Use of Transport Infrastructure is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68575]

Mr. Jamieson: No date has yet been fixed for the next meeting of this Committee but we expect it to be held in the Autumn. Officials from my Department represent the UK on the Committee as policy responsibility for EU transport infrastructure charging issues is a reserved matter. However, my officials consult the Scottish

Executive on agenda items in which it might have an interest in accordance with our Concordat with the Devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee on unfair pricing in maritime transport is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68598]

Mr. Jamieson: It is not known when this Committee will next meet. Officials from the Office of Fair Trading, the Department of Trade and Industry and my Department, as appropriate, represent the UK on this Committee as competition policy is a reserved matter.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee on application of tonnage measurement of ballast spaces in segregated ballast of oil tankers is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68599]

Mr. Jamieson: The Committee has never met and there are no plans for it to do so.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee for the adaptation to technical progress of roadworthiness tests of vehicles is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68588]

Mr. Jamieson: No date has yet been fixed for the meeting of this Committee but we expect it to be held in the autumn. Officials from my Department represent the UK on the Committee as policy responsibility for the roadworthiness testing of vehicles is a reserved matter. However, my officials consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the Devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee on application of the legislation on the minimum level of training for seafarers and the recognition of certificates issued by training institutes or administration of third countries is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68597]

Mr. Jamieson: No date has yet been fixed for the next meeting of this committee. Officials from my Department represent the UK on the committee as policy responsibility is a reserved matter. My officials will consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee on the transfer for ships from one register to another within the Community is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68603]

Mr. Jamieson: This committee has never been known to meet and there are no plans for it to do so. Officials from my Department would represent the UK on this committee since policy on ship registration is a reserved matter.

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee on the Transportation of Radioactive Waste (Surveillance and Control) is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68565]

Mr. Jamieson: I refer the hon. Member to the answer I gave to the hon. Member for Buckingham (Mr. Bercow) on 10 June 2002, *Official Report,* column 917W.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee for granting Community financial aid in the field of trans-European networks on transport is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68584]

Mr. Jamieson: No date has yet been fixed for the next meeting of this committee but we expect it to be held in the autumn. Officials from my Department represent the UK on the committee as policy responsibility for the transport trans-European network is a reserved matter. However, my officials consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee on the Development of Trans-Europe Transport Networks is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68574]

Mr. Jamieson: No date has yet been fixed for the next meeting of this committee but we expect it to be held in the autumn. Officials from my Department represent the UK on the committee as policy responsibility for the transport trans-European network is a reserved matter. However, my officials consult the Scottish Executive on agenda items in which it might have an interest in accordance with our concordat with the devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee on the Adaptation to Scientific and Technical Progress of Legislation concerning the Transport of Dangerous Goods is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68592]

Mr. Jamieson: There is no date set for the next meeting of this committee, but it is expected to be in late 2002. Officials from the Department for Transport, and the Health and Safety Executive represent the UK on this committee, as responsibility for the transport of dangerous goods is a reserved matter, pertaining to transport safety.

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee on Transport is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68577]

Mr. Jamieson: This committee was established under Article 79 of the EC treaty. But, as far as we are aware, the committee has not met in recent times and there are no plans for it to do so. Representatives of the Scottish Executive have not been—and would not in the future be—members of the committee as EU transport policy is a reserved matter.

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee on aids to transport by rail, road and inland waterway is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68580]

Mr. Jamieson: This Committee was established under the provisions of Article 6 of the 1970 Regulation on the granting of aids for transport by rail, road and inland waterway (Regulation (EEC) No. 1107/70). As far as we are aware, the Committee has not met for several years and there are no plans for it so to do. Representatives of the Scottish Executive have not been—and would not in the future be—members of the Committee as policy on state aids is a reserved matter.

Angus Robertson: To ask the Secretary of State for Transport when the EU Implementation Committee on minimum requirements for vessels bound for and leaving Community ports and carrying dangerous or polluting goods is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68600]

Mr. Jamieson: No date has been fixed for the next meeting of this Committee. Officials from my Department represent the UK on the Committee as responsibility for maritime safety and pollution prevention is a reserved matter.

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee on the definition and use of compatible technical and operating standards and specifications for the procurement of air traffic management equipment and systems is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68602]

Mr. Jamieson: This Committee meets only on an ad-hoc basis, and no meetings are scheduled at present. Officials from my Department would represent the UK on the Committee as policy responsibility on air traffic management is a reserved matter. However, my officials would consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee on the harmonisation of technical requirements and administrative procedures in the field of civil aviation is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68595]

Mr. Jamieson: The Committee on the harmonisation of technical requirements and administrative procedures in the field of civil aviation is established under the provisions of Article 12 of Council Regulation (EEC) 3922–91. The Committee meets only on an ad-hoc basis and no future meeting is currently scheduled. It is composed of officials competent in the sphere of aviation safety regulation and each Member State may nominate one official to represent it. Since aviation safety regulation is a reserved matter, representatives from the Scottish Executive would not attend Committee meetings. However, the Government would consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the Devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee on the driving licence is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68594]

Mr. Jamieson: No date has yet been fixed for this Committee but we expect it to be held in the Autumn. Officials from my Department represent the UK on the Committee, supported as necessary by colleagues from the Driver and Vehicle Licensing Agency and the Driving Standards Agency. Policy responsibility for driving licences is a reserved matter.

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee on restrictive practices and dominant positions in air transport is next due to met; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [67737]

Mr. Jamieson: The Advisory Committee on restrictive practices and dominant positions in air transport is established under the provisions of Article 8 of Regulation (EEC) 3975/87. The Committee meets only on an ad-hoc basis and no future meeting is currently scheduled. It is composed of officials competent in the sphere of air transport and agreements and dominant positions and each Member State may nominate two officials to represent it.

Since regulation of aviation and air transport, and of anti-competitive practices and agreements and abuse of dominant position, are reserved matters, representatives from the Scottish Executive would not attend Committee meetings. However, the Government would consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the Devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Technical Adaptation Committee on the introduction of measures to encourage improvements in the safety and health of workers at work is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [67754]

Mr. Jamieson: The UK representatives at such meetings would be drawn from staff with the relevant technical and policy responsibilities within the Health and Safety Executive. During the last 12 months HSE have received no invitations to such technical meetings; nor are any currently scheduled.

Health and safety at work does not fall within the responsibilities of the devolved Governments of Scotland and Wales, and they do not have separate representation in the European Community. However, central Departments are under an obligation to consult them if matters negotiated at European level touch upon the responsibilities of the devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Technical Adaptation Committee on the minimum safety and health requirements for improved medical treatment on board vessels is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [67755]

Mr. Jamieson: This committee has never met, and there are no plans for it to do so.

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee on restrictive practices and dominant positions in the shipping industry is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [67757]

Mr. Jamieson: The Advisory Committee on restrictive practices and dominant positions meets on an ad hoc basis when there are decisions or legislative proposals to discuss. It is not known when it will next meet. Officials from the Office of Fair Trading, the Department of Trade and Industry and my Department represent the UK on the committee as competition policy is a reserved matter.

London-South Midlands Multi-Modal Study

Andrew Selous: To ask the Secretary of State for Transport whether the re-opening of the Luton-Dunstable-Leighton Buzzard railway line is to be assessed as part of the transport strategy being developed in the London-South Midlands Multi-Modal Study. [67144]

Mr. Jamieson: The Multi-Modal Study is a strategic study looking primarily at the needs of long distance traffic in the study area. The re-opening of the Luton-Dunstable-Leighton Buzzard railway line, which would primarily serve local needs, has therefore, not been considered in detail within the context of the study.

Travel Awareness Campaigns

Ms Buck: To ask the Secretary of State for Transport what plans he has to fund travel awareness campaigns *(a)* this year and *(b)* in future years. [67538]

Mr. Jamieson: This year we are supporting the "Walk to School", "Bike Week" and "In town, without my car" campaigns and are considering further promotion of "traveline", the public transport information service. We are also providing practical support for other sustainable travel initiatives including funding local authority school and work place travel plan co-ordinators, free consultancy advice for schools and organisations wanting to develop travel plans, regional cycling co-ordinators, and cycling projects through the Cycling Projects Fund. We shall shortly be inviting local authorities to bid for funding to run personalised travel planning demonstration projects. Some of these projects will stretch over several years, others are still under development.

London Transport Studies Model

Mrs. May: To ask the Secretary of State for Transport if he will place a copy of the London Transport Studies Model, as used for the 10 Year Plan, in the Library. [67722]

Mr. Jamieson *[holding answer 8 July 2002]:* I have arranged for the document pack "London Transportation Studies Model", published by the Government Office for London in 1999, which is referred to on page 13 of the Transport 2010 Background Analysis to be placed in the Libraries of the House. Transport for London is now responsible for maintaining and updating the model.

Airline Safety

Mr. Jim Cunningham: To ask the Secretary of State for Transport (1) what steps are taken to prevent airline pilots from operating an aircraft under the influence of alcohol; [67571]

(2) how many aircraft pilots and crew have been found under the influence of *(a)* alcohol and *(b)* drugs in the past year. [67574]

Mr. Jamieson: It is an offence under the Air Navigation Order 2000 for aircraft pilots to carry out their duties whilst under the influence of alcohol or drugs. As part of the process for obtaining an Air Operator Certificate from the Civil Aviation Authority, airlines are required to establish policies on alcohol and drugs to ensure compliance with this provision. The detailed implementation of such policies is a matter for the airlines. In addition, pilots have to undergo regular medical examinations which will pay attention to any evidence of excess alcohol intake or substance abuse. The Authority is not aware of any UK licensed professional pilots flying whilst under the influence of alcohol or drugs, in the past year.

We intend to enhance the statutory provisions by introducing a prescribed blood/alcohol limit for safety critical personnel in aviation, and powers to allow police to test suspected offenders, at an appropriate legislative opportunity.

Mr. Jim Cunningham: To ask the Secretary of State for Transport how many commercial aircraft have not met safety requirements in the past year. [67573]

Mr. Jamieson: The Civil Aviation Authority (CAA) is responsible for the implementation of safety standards for all UK registered aircraft and airlines. Its Safety Regulation Group audits and inspects aircraft and airlines on an on-going and systematic basis and takes appropriate regulatory action as and where necessary.

Operators of commercial aircraft must hold an Air Operator Certificate which places on them responsibilities to ensure that any aircraft is fit to make its intended flight. If an aircraft is not fit to make a particular flight the operator will correct the problem before allowing the aircraft to fly. As a result, UK registered aircraft should not fly commercial operations unless they meet safety requirements and the CAA is not aware of any that have done so in the past year.

Should an aircraft not be fit to make an intended flight as a consequence of one of the conditions which must be reported under the CAA's Mandatory Occurrence

Reporting Scheme, the operator will advise the Authority accordingly, thus meeting the safety requirements placed upon them.

Tom Brake: To ask the Secretary of State for Transport (1) what discussions he has had with and representations he has received from *(a)* the Health and Safety Executive, *(b)* National Air Traffic Services and *(c)* the CAA on safety breaches by low-cost airlines; and if he will make a statement; [63975]

(2) if he will list *(a)* published and *(b)* unpublished reports on safety of (i) airlines and (ii) National Air Traffic Services prepared by (1) the Health and Safety Executive and (2) the Civil Aviation Authority since 1 June 2001; and if he will make a statement; [63977]

(3) what recent assessments have been made of the safety of *(a)* airlines and *(b)* National Air Traffic Services by (i) the Health and Safety Executive and (ii) the Civil Aviation Authority since 1 June 2001; and if he will make a statement. [63976]

Mr. Jamieson: The Civil Aviation Authority (CAA) is responsible for the implementation of safety standards for National Air Traffic Services Limited (NATS) and all UK registered airlines. Its Safety Regulation Group audits and inspects these companies on an on-going and systematic basis and takes appropriate regulatory action as and where necessary. There are statutory prohibitions on disclosing information supplied to the CAA in its safety regulatory capacity and the authority does not publish the reports of its inspections of airlines or NATS. Public disclosure of such reports, related to specific companies, could have an adverse effect on the openness and effectiveness of the established auditing and reporting procedures. Evidence of any concerns regarding the safety of a UK registered airline should be reported to the CAA for further investigation.

The Health and Safety Executive (HSE) has made one recent assessment in connection with NATS which concerned the possible risks to health of those operating the air traffic control system at Swanwick. The ensuing report was sent to NATS and to representatives of the relevant employees. There are statutory restrictions on the disclosure of information obtained by the HSE in pursuance of its powers that apply to this report.

Air Travel (Security Surcharge)

John Barrett: To ask the Secretary of State for Transport (1) what impact the £7 security surcharge is having on the number of passengers travelling on United Kingdom flights; [68326]

(2) what steps he is taking to ensure money raised from the £7 security surcharge on United Kingdom flights is invested into security at United Kingdom airports; [68321]

(3) what extra security arrangements were required by the Government in UK airports following the events of 11 September 2001; [68610]

(4) what representations he has received calling for the £7 security surcharge on United Kingdom flights to be abolished. [68320]

Mr. Jamieson: The Government have not introduced a security surcharge on United Kingdom flights.

Following the attacks on 11 September, heightened aviation security measures were introduced at all UK airports and for all airlines operating from the UK, and security remains at an enhanced level. We do not discuss the details of our aviation security requirements, although I can say that the UK does have one of the most demanding aviation security regimes in the world.

It has long been central to UK aviation policy that users should pay the full costs of air travel, and this should include the costs of whatever level of security is deemed appropriate in the light of prevailing circumstances. Many United Kingdom and other European carriers have already imposed ticket surcharges to reflect increased insurance and security costs, and this is the pattern which we believe the industry should follow. This is a matter for them and I see no grounds for Government intervention in this area.

Different airlines have been affected differently in the aftermath of 11 September. Some airlines' passenger numbers are still well down on June 2001. On the other hand, no-frills carriers are reporting an increase in passengers. This does not suggest that having to pay additional security costs is having a major impact on people's decision on whether or not to fly.

Statistics

Mr. Laws: To ask the Secretary of State for Transport if he will list the statistics that are collected by his Department by English parliamentary constituency; and if he will make a statement. [67092]

Mr. Jamieson *[holding answer 8 July 2002]:* I refer the hon. Member to the answer given by my right hon. Friend, the Financial Secretary on Monday 8 July 2002.

Concessionary Travel Schemes

Ms Buck: To ask the Secretary of State for Transport what plans he has to extend the eligibility criteria for concessionary travel schemes in the next four years. [67492]

Mr. Jamieson: From 1 April 2003, men aged 60–65 will benefit from the concessionary travel arrangements available in their area. At present we have no other plans to extend eligibility for concessionary travel schemes.

Ms Buck: To ask the Secretary of State for Transport what plans he has to fund the full cost of concessionary travel schemes in *(a)* London and *(b)* all other local authority areas. [67493]

Mr. Jamieson: Government provision for existing concessionary travel schemes is included in the general grant for local authorities. This is distributed using standard spending assessments and it is not possible to provide a meaningful allocation for each authority. Future levels of spending are currently under consideration in the Spending Review. It is for local authorities to decide their spending priorities in the light of their responsibilities and the wishes of their electorate.

Departmental Energy Use

Mr. Stunell: To ask the Secretary of State for Transport what the estimated *(a)* level and *(b)* cost of energy use in his Department and associated agencies was in each year since 1997; what proportion of energy was generated from renewable sources; and if he will make a statement. [65959]

Mr. Jamieson: My Department was formed on 29 May.

I refer the hon. Member to the answer given by my hon. Friend, the Parliamentary Under-Secretary of State for the Office of the Deputy Prime Minister (Mr. Leslie) on 8 July 2002, *Official Report,* column 679W.

0870 Telephone Numbers

Mr. Randall: To ask the Secretary of State for Transport what his policy is on using 0870 telephone numbers for inquiries by the public to the Department and its agencies. [66194]

Mr. Jamieson: There is no overall departmental policy covering the use of national rate (0870) telephone numbers for inquiries by the public to the Department and its agencies. National rate numbers are not used anywhere in the centre of the Department. Usage in the various departmental agencies is as follows.

DVLA use national rate (0870) telephone numbers for the main inquiry lines that answer general queries about driver licensing and vehicle registration and licensing. This is to ensure that all callers receive a fair and equitable service in as much as they pay the same telephone charge no matter from what part of the country they call.

The vehicle inspectorate uses a national rate (0870) number as an additional service above and beyond the local contact numbers that are available to the trade and general public.

The Driving Standards Agency uses a national rate (0870) number for telephone bookings for driving tests at their two call centres, based in Newcastle and Cardiff. This ensures equity of payment for all customers using booking services without resulting in increased fee levels.

The Maritime and Coastguard Agency Rescue use a national rate (0870) number for their information line, which handles general inquiries about the MCA.

Highways Agency and Vehicle Certification Agency do not use national rate numbers.

Ministerial Speeches

Mr. Don Foster: To ask the Secretary of State for Transport (1) if he will place in the Library a copy of the speech made by the Minister to the international travel information seminar in London on 26 June; [66248]

(2) what speeches have been made by his Ministers to external organisations or events since the beginning of June; and if he will place copies in the Library; [66245]

(3) if he will list speeches which he has made to external organisations or events since the beginning of June; and if he will place copies in the Library. [66247]

Mr. Jamieson: My right hon. Friend the Secretary of State for Transport made a speech to the Railway Forum on 2 July. My right hon. Friend the Minister for Transport addressed the annual rail freight conference on 20 June, the 5th United Kingdom Transport conference on 25 June, the Passenger Transport Executive Group on 27 June and the aviation club on 3 July. I made two speeches on 26 June, one to the international travel information seminar and one to the Baltic Exchange Golden Jubilee reception. Where appropriate, ministerial speeches are placed on the Department's website.

Health and Safety Legislation

Tony Baldry: To ask the Secretary of State for Transport (1) what responsibility his Department has for workplace-related health and safety legislation; [65490]

(2) what responsibility his Department has for workplace-related health and safety legislation. [65489]

Mr. Jamieson: The Secretary of State for Transport currently answers to Parliament on all activities of the Health and Safety Commission and Executive, except when these come within the specific area of responsibility of another Secretary of State. Under section 11 (2) of the Health and Safety at Work etc Act 1974, the Secretary of State may approve proposals from the Commission for regulations, and under section 15 (1) of the Act may also introduce health and safety legislation, provided the Commission is consulted.

In tandem with the recent machinery of government changes, it was announced on 29 May that there will be a review of departmental responsibilities for health and safety issues. An announcement on this will be made in due course.

Joint Working

Tom Brake: To ask the Secretary of State for Transport if he will list *(a)* the protocols for joint working between his Department and other Departments and *(b)* the Government code of practice under which his Department operates when working with other Departments; and if he will make a statement. [66008]

Mr. Jamieson: With regard to protocols for joint working between my Department and other Departments, I refer my hon. Friend to the answer given by my right hon. Friend the Secretary of State for Transport in response to a question from my hon. Friend the Member for Bath (Mr. Foster) on 25 June 2002, *Official Report,* column 777W. When consulting other Departments on the development of policy, my Department follows the guidance in volume 1 of the Directory of Civil Service Guidance. hon. Friend the Member for Carshalton and Wallington (Tom Brake).

Staff Training

Mr. Bercow: To ask the Secretary of State for Transport how much the Department has spent on staff training and development in each of the last five years. [61065]

Mr. Jamieson: My Department is fully committed to the training and development of its staff. In the last five years it has spent the following amounts:

1997–98—£1.9 million—Department of Transport and Department of the Environment

1998–99—£2.9 million—DETR

1999–2000—£3.2 million—DETR

2000–01—£4.5 million—DETR

2001–02—£6.5 million—DTLR.

Public Consultations

Mr. Don Foster: To ask the Secretary of State for Transport if he will list the public consultations undertaken by his Department and its predecessors since 1997; if copies were available *(a)* online and *(b)* in print in each case; and on what date the period for responses (i) opened and (ii) closed. [66651]

Mr. Jamieson: A full list of the public consultations undertaken by the Department or its predecessors since 1997 has been placed in the Libraries of the House, including the dates for which the period for responses opened and closed. The list is based on central records and reflects the public consultations undertaken within the areas for which the Department is currently responsible. The Department does not, however, keep central historical records relating to the availability of consultation documents online or in printed form.

Bull Bars

Andrew George: To ask the Secretary of State for Transport (1) what recent assessment he has made of the likely impact of bull bars on pedestrians who are involved in collision with the front of vehicles at varying speeds; [68381]

(2) what recent assessment he has made of proposals to ban the fitting of bull bars to the front of vehicles in the United Kingdom; [68382]

(3) how many vehicles with bull bars were licensed for use on United Kingdom roads in each of the last five years for which records are available. [68380]

Mr. Jamieson: The Government funded a comprehensive TRL study that looked into the likely effects of bull bars on pedestrians and recommended test procedures to identify aggressive designs. The report "Assessment and Test Procedures for Bull Bars" by G. Lawrence, C. Rodmell and A. Osborne has been placed in the Libraries of the House.

We have concluded that the most effective way of controlling aggressive bull bars would be on a European basis, and welcome the commitment by the European Motor Industry to stop fitting rigid bull bars to new cars from this year.

We have also submitted a technical proposal to the Commission, based on the TRL work, setting out how after-market bull bars and bull bars fitted to larger vehicles could be dealt with through European legislation. We are pressing the Commission to take this forward.

The number of licensed vehicles fitted with bull bars is not officially recorded. However of the 23 million licensed vehicles on UK roads, we estimate that there are around 600,000 vehicles fitted with bull bars.

Andrew George: To ask the Secretary of State for Transport (1) what discussions he has had with the EU on plans to introduce legislation and directives to make the front of vehicles safer; [68373]

(2) what plans he has to introduce legislation to make the fronts of vehicles safer. [68375]

Mr. Jamieson: Legislation covering the design of new cars is dealt with at a European level. We welcome the proposal by the European Commission for an agreement with the motor industry to design car fronts to reduce the injury to pedestrians in the event of an impact. We are now awaiting a further proposal from the Commission to provide a legislative framework for this agreement.

Driver Competence

Mr. Boswell: To ask the Secretary of State for Transport if he will make a statement on the development of a national framework of assessment of continuing medical competence to drive of those who have experienced trauma, illness or infirmity. [67111]

Mr. Jamieson: In common with all drivers who may have a medical condition affecting their safety to drive, those who have experienced trauma, illness or infirmity are assessed against the standards of medical fitness contained in Directive 91/439/EEC, and against the requirements of the Road Traffic Act 1988 and its associated Regulations. A practical assessment of a driver's competence following head injury or other conditions, such as a stroke, is available at 15 mobility centres around the UK. This facility is used at the request of the medical advisers at DVLA, doctors and the drivers themselves. The Department is in the process of commissioning a research programme to assess the most appropriate means of evaluating drivers with residual deficit following trauma, illness or infirmity.

Tankers

Mr. Gordon Prentice: To ask the Secretary of State for Transport how many *(a)* United Kingdom registered bulk tankers and *(b)* tankers registered elsewhere have been lost in each of the past five years. [68327]

Mr. Jamieson: Lloyd's Register—Fairplay Ltd. World Casualty Statistics indicate the following number of losses in the world fleet for Tankers and Bulk Carriers. There have been no UK registered losses for these types of vessels in the past five years.

	Tankers	*Bulk carriers*
1997	24	16
1998	15	29
1999	15	19
2000	14	21
2001	12	9

Highway Construction Workers

Dr. Murrison: To ask the Secretary of State for Transport how many statutory notifications there have been of injuries among highway construction workers in each of the last 10 years. [68224]

Mr. Jamieson: The following is the available information.

Injuries to workers occurring in the processes of road repairs and surfacing, and in street cleaning and verge maintenance, 1996–97 to 2000–01

	Fatal injuries		*Major injuries*		*Over three day injuries*	
	Road repairs/ surfacing/ maintenance	*Road verge maintenance*	*Road repairs/ surfacing/ maintenance*	*Road verge maintenance*	*Road repairs/ surfacing/ maintenance*	*Road verge maintenance*
1996–97	5	—	107	16	614	79
1997–98	4	—	95	18	557	95
1998–99	3	—	91	17	526	109
1999–2000	2	—	75	11	444	80
2000–01	9	1	59	13	377	68

Notes:

1. Figures relate to employees and the self-employed.
2. Injuries reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995.
3. The table sets out data from 1996–97 onwards. Access to earlier data is available only at disproportionate cost
4. Statistics relate to the planning year from 1 April to 31 March.

Vehicle Emissions

Ms Walley: To ask the Secretary of State for Transport what his timetable is for the introduction of car emission labelling on new cars; and if he will make a statement. [67655]

Mr. Jamieson: Labelling for new cars showing fuel consumption information has been a legal requirement in the UK since 1983. Since 1999 the Society of Motor Manufacturers and Traders (SMMT) has had a voluntary system of labelling based on the requirements of the EU directive for labels to show CO_2 emissions as well as fuel consumption information. The EU directive was formally implemented in the UK in November 2001. The Government have recently consulted on proposals to pilot a possible new form of label to ensure that it is as meaningful and informative as possible. Responses to the consultation are now being considered.

Ms Walley: To ask the Secretary of State for Transport what assessment he has made of the contribution the vehicle labelling scheme on car emissions can make to the United Kingdom Kyoto targets. [67658]

Mr. Jamieson: The EU vehicle labelling scheme is part of the Community's wider strategy to reduce CO_2 emissions from new passenger cars. It is designed to support and complement other strands of this strategy including voluntary agreements with car manufacturers to reduce average CO_2 emissions, and fiscal measures. Provision of information on fuel consumption and CO_2 emissions under the labelling scheme is a tool with which to influence consumer demand towards more fuel-efficient vehicles. It could also provide an added incentive to manufacturers to produce vehicles with lower fuel consumption. As an integral part of the strategy to reduce CO_2 emissions it is difficult to isolate the contribution made by the labelling scheme from wider changes going on in the new car market. Nevertheless, fuel consumption and CO_2 emissions labelling is expected to have a smaller impact than for example voluntary agreements with manufacturers.

Ms Walley: To ask the Secretary of State for Transport what assessment he has made of the contributions made by other EU countries on the subject of the emission ratings on new cars in order to meet Kyoto targets. [67656]

Mr. Jamieson: The EU is keeping its requirements on labelling under review in the light of member state's experience with their different labelling systems introduced under the EU labelling directive. The directive requires member states to provide a report by the end of 2003, discussing the lessons learned from implementing the labelling scheme. That report may better enable an assessment to be made of the contributions made by other EU countries on emissions ratings for new cars and the contribution to meeting CO_2 emissions reduction targets.

Motoring Statistics

Mr. Key: To ask the Secretary of State for Transport what the average expenditure on motoring per car per week was in the last 12 months for people living in *(a)* Wiltshire, *(b)* Dorset, *(c)* Hampshire and *(d)* Somerset. [67834]

Mr. Jamieson: Information on motoring expenditure is not available at county level.

Car Use

Ms Buck: To ask the Secretary of State for Transport what plans he has to reduce air pollution caused by car use in London. [67578]

Mr. Jamieson: Central and local government both have a role to play in reducing air pollution caused by car use in London.

The Government has introduced a range of measures to encourage environmentally friendly transport. These include lower fuel duties for cleaner fuels and grants under the PowerShift and CleanUp programmes to help car owners, hauliers and transport operators to buy or convert vehicles to run on cleaner fuels such as LPG natural gas and electricity.

The Mayor of London has produced a Transport Strategy for London and is due to produce an Air Quality very shortly which will contain policies to reduce air pollution from vehicles.

London boroughs have a key role to play through the Local Air Quality Management regime. Most boroughs have drawn up, or are in the process of drawing up, air quality action plans under section 84 of the Environment Act 1995, setting out what they are doing to improve air quality in their areas. These action plans are likely to include measures targeted at reducing emissions from road transport.

Road Traffic Forecasts

Mr. Don Foster: To ask the Secretary of State for Transport when the next national road traffic forecasts are due to be published; and if he will make a statement. [66675]

Mr. Jamieson: No decision has been made on when new national road traffic forecasts will be published.

New Cars

Ms Walley: To ask the Secretary of State for Transport what prediction he has made of the numbers of new cars on the road in the United Kingdom in *(a)* 2002–03, *(b)* 2003–04, *(c)* 2004–05 and *(d)* 2005–06. [67657]

Mr. Jamieson: The Department does not forecast either the total stock of cars or the number of new cars purchased each year. Instead, forecasting work projects forward Census figures for car ownership by households. Current published figures show an increase from a projected 25.6 million cars in households in Great Britain in 2001 to 27.7 million in 2006, an increase of approximately 420,000 cars each year, equal to a growth rate of around 1.6 per cent. per annum. This increase is driven by population growth, income growth, and a trend towards higher rates of licence-holding, particularly among females. The figures will be reviewed when 2001 Census data becomes available.

Vehicle Excise Duty

Mr. Steen: To ask the Secretary of State for Transport what the cost in 2002–03 is of administering vehicle excise duty; how many officials are involved; where they are located; and what the annual salary bill has been in each of the last three years. [66701]

Mr. Jamieson *[holding answer 8 July 2002]:* The costs and staff involved in the collection and enforcement of vehicle excise duty (VED) in Great Britain are shown in the table.

	1999–2000	*2000–01*	*2001–02*
Cost of administering VED (£ million)	100.2	103.3	110.5
Number of officials (estimated)	2,100	2,200	2,300
Salary costs (£ million)	34.6	36.4	39.3

The number of officials shown (full-time equivalents) is an estimate, based on the apportionment of the total Driver and Vehicle Licensing Agency (DVLA) staff. The collection of VED is integrated with the registration of vehicles and the ongoing maintenance of the vehicle register. Staff involved are not dedicated wholly to registration or licensing activities. The number of officials figures do not include non-DVLA staff working at post offices involved in VED collection and vehicle registration.

The DVLA staff are located at the headquarters in Swansea and at 40 local offices spread throughout Great Britain.

Signage

Mr. Rosindell: To ask the Secretary of State for Transport if, in the final draft of the TSRGD, he will ban from the trunk road network local government boundary signs welcoming motorists to towns or cities that they are still some distance from. [68613]

Mr. Jamieson: We have no plans to do so. The Traffic Signs Regulations and General Directions (TSRGD) make no distinction between boundary signs on trunk roads and other all-purpose roads. We consulted last year on proposals to allow the signing of local authority administrative boundaries including district councils that take their name from a town within the district, and the responses have generally been in favour. Decisions on particular signs on the trunk road network will be taken in the light of local circumstances.

Mr. Rosindell: To ask the Secretary of State for Transport (1) if he will provide for the marking of the historic county boundaries in the United Kingdom within the final draft of the Traffic Signs Regulations and General Directions; [67726]

(2) if he will make regulations under section 64 of the Road Traffic Regulation Act 1984 for the erection and maintenance of suitable traffic signs to mark the boundaries of the historic counties of the United Kingdom where they cross motorways and class A and B roads; and if he will make a statement. [67728]

Mr. Jamieson: This would not [illegible] appropriate. Traffic signs are provided for safe and efficient traffic management and should inform road users about current road conditions.

Road Accidents

Dr. Murrison: To ask the Secretary of State for Transport what percentage of *(a)* road accidents and *(b)* fatal road accidents occurred on minor single-carriageway roads in each of the past 20 years. [68226]

Mr. Jamieson: The percentage of personal injury road accidents and of fatal road accidents on public roads in Great Britain which occurred on single-carriageway roads of B classification or below was as shown in the following table.

	All injury accidents	*Fatal accidents*
1981	42	34
1982	46	36
1983	47	36
1984	47	35
1985	46	34
1986	46	33
1987	46	34
1988	46	34
1989	45	34
1990	46	35
1991	46	35
1992	46	36
1993	45	35
1994	45	35
1995	45	36
1996	46	36
1997	45	35
1998	45	36
1999	45	35
2000	44	36
2001	45	35

Mr. Wiggin: To ask the Secretary of State for Transport what plans the Government have to reduce the number of road accidents. [68524]

Mr. Jamieson: The Government's wide-ranging road safety strategy is set out in "Tomorrow's roads—safer for everyone", published in March 2000. The strategy is aimed at delivering three road casualty reduction targets by 2010—each compared with the average for 1994 to 1998:

a 40 per cent. reduction in deaths and serious injuries;

a 50 per cent. reduction in child deaths and serious injuries; and

a 10 per cent. reduction in the rate (by vehicles kilometres) of serious injuries.

Mr. Wiggin: To ask the Secretary of State for Transport if the Government will commission a study to investigate ways of reducing the number of road accidents. [68474]

Mr. Jamieson: My Department continues to commission a substantial amount of road and vehicle safety research into the many and various causes of accidents to inform our road safety strategy. A synopsis of recently completed and on-going projects, as well as new research, may be found in its publications:

Road safety research: Compendium of projects 2001–02

Vehicle standards and engineering research: Compendium of projects 2001–02.

Copies of each publication have been placed in the Libraries of the House.

Mr. Marshall-Andrews: To ask the Secretary of State for Transport if he will make a statement on the trend of *(a)* fatalities and *(b)* child fatalities in traffic accidents in residential areas over the period 1997 to 2001. [67432]

Mr. Jamieson: The numbers of fatalities on residential roads are shown in the following table. For this purpose, residential roads are defined as those with a speed limit of 40 mph or less and where street lighting is present.

Fatalities from accidents on residential roads: Great Britain

	Child	*Adult*	*All*[1]
1997	137	1,190	1,327
1998	110	1,125	1,237
1999	115	1,162	1,285
2000	116	1,142	1,264
2001[2]	132	1,109	1,252

[1] Includes age not reported.

[2] Provisional.

Ms Buck: To ask the Secretary of State for Transport what assessment he has made of research by the IPPR showing that children from socially excluded backgrounds are more likely to be involved in road collisions than children from other socio-economic groups; and what plans he has to take action to reduce road collisions affecting these children. [67494]

Mr. Jamieson: We are aware of the work of the Institute of Public Policy Research in researching child pedestrian casualties and, while they have yet to report, know their preliminary findings.

Our own research had already drawn similar conclusions. When the Road Safety Strategy, "Tomorrow's Roads—Safer for Everyone", was published in March 2000, it included challenging targets to reduce killed and seriously injured road casualties by 40 per cent. by 2010. Recognising the particular issue of child casualties, there is a specific, more stretching target, to reduce child killed and seriously injured casualties by 50 per cent. in the same time period. The strategy acknowledged that children in the lowest socio-economic group (SEG) are five times more likely to be killed as pedestrians than their higher SEG counterparts.

Since child pedestrian casualties are a particular problem, we have begun a child pedestrian training project, making £10 million available to local authorities over five years, to improve practical roadside training. Deprivation is a significant factor in deciding which authorities are selected for this scheme. The results will be fully evaluated. The issues which suggest why children from the lowest SEG may be more vulnerable generally are complex and we are continuing to research them.

Wealden Line

Mr. Hendry: To ask the Secretary of State for Transport when he expects the electrification of the Wealden Line to be completed. [67943]

Mr. Jamieson *[holding answer 8 July 2002]:* My right hon. Friend has accepted advice from the Strategic Rail Authority that there is currently no case for electrifying the Wealden Line, as the costs far outweigh the benefits. Equivalent passenger and operational benefits will be secured, significantly earlier, by introducing modern diesel trains to replace the 40-year-old trains currently operating services on the line. However, it is recognised that circumstances may change over time and the SRA therefore intends to secure a full electrification study after the new South Central franchise has run for five years.

Strategic Rail Authority

Chris Grayling: To ask the Secretary of State for Transport (1) if the salary of the chairman of the SRA counts as public spending; [67058]

(2) if capital spending by the SRA counts as Government capital spending. [67059]

Mr. Jamieson: All SRA expenditure counts as public expenditure.

Chris Grayling: To ask the Secretary of State for Transport if the Strategic Rail Authority will remain a public sector body. [67246]

Mr. Jamieson: Yes.

Rail Infrastructure Investment

Chris Grayling: To ask the Secretary of State for Transport what assessment he has made of the cost of infrastructure investment in the railways *(a)* before and *(b)* since privatisation. [66055]

Mr. Jamieson: No direct comparison can be made between investment before and after privatisation due to the different nature of individual projects and the externalisation of costs (such as possessions and the cost of capital) that were previously internalised under British Rail.

The Rail Regulator sets out the expected cost of infrastructure investment through the periodic review process.

Transport 10-year Plan

Chris Grayling: To ask the Secretary of State for Transport whether he has revised his forecasts for the growth in *(a)* passenger and *(b)* freight rail usage during the 10-year plan period. [66056]

Mr. Jamieson: Forecasts for *(a)* rail passenger growth and *(b)* rail freight growth are set out in the 10-year plan for transport.

Railway Industry

Mr. Don Foster: To ask the Secretary of State for Transport (1) what progress has been made on the introduction of special purpose vehicles on Britain's railways; when the first is expected to begin; what timetable is proposed; and if he will make a statement; [64099]

(2) what changes have taken place to the *(a)* timetable and *(b)* levels of investment in connection with the special purpose vehicle being developed by Govia; and if he will make a statement. [64098]

Mr. Jamieson: Special purpose vehicles will be commercial entities aimed at securing third party investment in major infrastructure works on the railway. Several possible opportunities for the establishment of SPVs have been identified, but no SPVs are currently in place.

Rail Safety

Mr. Kevan Jones: To ask the Secretary of State for Transport if he will make a statement on his policy on debris on railway lines. [67729]

Mr. Jamieson: I refer my hon. Friend to the answer given to the hon. Member for North-East Bedfordshire (Alistair Burt) on 8 July 2002, *Official Report*, columns 662–63W.

Miss McIntosh: To ask the Secretary of State for Transport what assessment he has made of safe limits on the number of passengers travelling in an individual railway carriage. [67702]

Mr. Jamieson: There are no statutory limits on the numbers of passengers that can be carried on trains. The Health and Safety Executive, has advised that all rolling stock is designed to operate safely even when fully loaded.

London Underground

Mr. Austin Mitchell: To ask the Secretary of State for Transport (1) what success fees are to be paid to the sponsors and advisers of Tube Lines on the signing of the PPP contract; what services have been provided in return for these fees; and what effect these fees will have on the equity return of Tube Lines; [65488]

(2) how much is to be paid to sponsors and advisors in development costs on the closing date of the London Underground PPP contract; how much is to be paid to lenders and loan insurers on that date and what arrangements have been made for payments to Bakerloo Central Victoria (sub-surface lines) on the same date; and why these payments are being made before the commitment for improving underground performance is met. [65754]

Mr. Jamieson: I refer my hon. Friend to the answer given to the Member for Carshalton and Wallington (Tom Brake) on 4 July 2002, *Official Report*, columns 459–60W. Any success fees contained in the bids will only be recovered by bidders, as part of the ongoing, performance-related Infrastructure Service Charge, after they have first been verified by London Underground.

Mrs. May: To ask the Secretary of State for Transport if he will list the scheduled journey time for each month, and for the period from 1 April to the end of each month, for each of the last three years, for the London Underground. [66797]

Mr. Jamieson *[holding answer 4 July 2002]:* Detailed in-year operational information of this nature is a matter for London Underground (LU).

The scheduled journey times (using LU's weighted measure) for each of the last three full financial years were:

1999–2000—35.58 minutes

2000–01—35.38 minutes

2001–02—35.33 minutes.

I understand from LU that the figures for scheduled journey times may fluctuate during the course of the year as a consequence of closures for engineering works and revisions to timetables.

Mrs. May: To ask the Secretary of State for Transport what percentage of the London Underground network has a crowding ratio of actual passenger volumes to planned train capacity greater than 1 with regard to morning peak two way flows. [67720]

Mr. Jamieson *[holding answer 8 July 2002]:* I refer to the answer which my right hon. Friend the Minister for Transport (Mr. Spellar) gave to the hon. Member for Brentwood and Ongar (Mr. Pickles) on 5 December 2001 *Official Report*, column 378W.

Network Rail

Mr. Hoban: To ask the Secretary of State for Transport if the financial statement for Network Rail will be consolidated in those for the Strategic Rail Authority. [67791]

Mr. Jamieson *[holding answer 8 July 2002]:* The Comptroller and Auditor General, in his capacity as statutory auditor of the Strategic Rail Authority (SRA), has concluded that Network Rail should be accounted for as a subsidiary of the SRA. This means that the financial accounts of Network Rail will be consolidated on a transparent and open basis within the balance sheet of the SRA.

Chris Grayling: To ask the Secretary of State for Transport what the total liabilities on the balance sheet of the SRA will be if it underwrites the proposed finance for Network Rail; if he will list the liabilities on the SRA balance sheet; what the total value of assets held by the SRA is; and which SRA assets banks whose loans to Network Rail are underwritten by the SRA will hold charges against. [66054]

Mr. Jamieson: I refer the hon. Member to the statement made by my right hon. Friend the Secretary of State on 27 June 2002, *Official Report*, columns 971–973. The assets of the SRA were outlined in its 2000–01 annual report and will be updated in its 2001–02 annual report to be published shortly.

Chris Grayling: To ask the Secretary of State for Transport what the legal status will be of the operating subsidiary of Network Rail, as described in the Minute to Parliament. [67166]

Mr. Jamieson: This is a matter for Network Rail.

FOREIGN AND COMMONWEALTH AFFAIRS

Arms Sales

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* overseas visits by Ministers in his Department and *(b)* visits to Ministers in the UK by overseas Government Ministers and officials have taken place in each of the last three years in which UK arms sales have been discussed. [65262]

Mr. Mike O'Brien: Information about Cabinet Ministers' overseas travel including the destination and purpose of each trip is published annually by the Cabinet Office. Copies of the lists covering the period 2 May 1997 to March 2001 are in the Libraries of the House. The list for the period 1 April 2001 to 31 March 2002 is currently being assembled, and will be published in due course. Information about visits to Ministers in the UK by overseas Government Ministers and officials is not held centrally, and could be obtained only at disproportionate cost.

Russia

Dr. Murrison: To ask the Secretary of State for Foreign and Commonwealth Affairs what injuries were sustained by his Department's staff during the construction of the new Moscow embassy. [66109]

Mr. Mike O'Brien: As far as our records show, UK-based members of staff sustained a total of 17 injuries on the construction site of the new embassy in Moscow during the period August 1997 to December 1999. Injuries included cuts, sprains, bruises and one case of fracture. We do not have access to records of injuries caused to local construction workers, but there was one fatality.

Thailand

Albert Owen: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 26 March, *Official Report*, column 814W, on Thailand, when a report on the action taken by the Thai police into the case was received; whether it explains why Mr. Sinnott's body was moved to Bangkok; and for what reason the British Consular Agent in Bangkok was not informed. [65850]

Mr. Mike O'Brien: The final report by the Thai police, detailing their investigation into the death of Peter Sinnott, has not yet been received. Our embassy in Bangkok is continuing to press the authorities for the report which we hope will deal with some of these issues.

Parliamentary Questions

Mr. Simon Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs how many oral questions he has transferred to other Departments in each of the last 18 months. [65511]

Mr. Straw: According to our records, this Department has transferred out six oral questions to be answered by other Departments since June 2001.

Oral questions are only transferred out when it is more appropriate for another Government Department to answer the question, and when the other Government Department has accepted that they should answer. Also, we normally only transfer out questions that are unlikely to be reached on the day of oral questions and that would therefore be given a written answer. Of the six questions transferred out, only one would have been answered orally. This was a question from my hon. Friend the Member for Cardiff, West (Kevin Brennan) asking about the Ilisu Dam, which was transferred to the DTI for answer.

Macedonia

Mr. Randall: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with representatives of the Government of the FYR of Macedonia regarding membership of NATO. [67181]

Mr. Mike O'Brien: My right hon. Friend the Foreign Secretary, discussed NATO issues with the Macedonian Foreign Minister on 22 May.

We strongly support the enlargement of NATO to countries ready for the responsibilities of membership.

Zimbabwe

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what the commitments are of the G8 regarding the situation in Zimbabwe. [67128]

Mr. MacShane: At Kananaskis on 27 June the G8 agreed that they would focus their development efforts "on cultures that demonstrate a political and financial commitment to good governance and the rule of law, investing in their people and pursuing policies that spur economic growth and alleviate poverty".

Mr. Liddell-Grainger: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British passport holders in Zimbabwe have a right of entry into the UK. [67580]

Mr. Mike O'Brien: There are approximately 26,000 British nationals registered with the High Commission in Harare. The overall size of the British community is estimated to be up to 40,000. The majority of these are British citizens who have right of abode in the UK and therefore enjoy unrestricted entry into this country.

India

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Bolton, South-East (Dr. Iddon) of 10 June 2002, *Official Report*, column 814W, on India, if he will make a statement on the effect of the disturbances in

Gujarat on British citizens and their relatives; and what further assistance the High Commission has given them. [67762]

Mr. Mike O'Brien: The violence in Gujarat which began on 28 February 2002 has now largely stopped. There were two reported British deaths from communal violence in June. However the situation is still tense in some urban and rural areas. We are continually monitoring the situation and ensure that our travel advice is always up to date.

Consular staff in India and London will continue to offer all possible assistance that it properly can to relatives and to all British nationals affected by the disturbances, though the British Consulate in Bombay has not received any such requests in recent months.

We remain in close contact with the Indian authorities over the safety of British nationals in Gujurat.

General Affairs Council

Mr. Hood: To ask the Secretary of State for Foreign and Commonwealth Affairs what the outcome was of the General Affairs Council held on 17 and 18 June; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [67731]

Peter Hain: My right hon. Friend the Foreign Secretary attended the June meeting of the General Affairs Council.

The Council took note of the resolutions, decisions and opinions adopted by the European Parliament at its May part sessions in Strasbourg and Brussels (Documents 9076–02 and 9316–02).

The Council adopted the 'A' points listed in Document 9830–02.

Copies of these documents have been placed in the Library of the House.

Progress of work in other council configurations

The Council took note of work under way in other configurations of the Council on the basis of a presidency progress report, in particular noting the importance of the political agreement reached on the 'pension funds directive', as well as the final adoption of the Framework Decision on the European arrest warrant.

Preparation of the Seville European Council

The Council discussed measures to prepare the Council for enlargement, on the basis of a report by the presidency and the Council Secretary-General. This set out proposals for consideration by the Seville European Council on the preparation, organisation and conduct of the European Council, the structure of Council formations, improvements to the functioning of the presidency and greater transparency in the Council's legislative activity. The UK supported the broad direction of the Presidency's proposals.

The Council discussed the EU's strategy in preparation for the World summit on sustainable development in Johannesburg. The Council agreed on the need for the EU to continue to be proactive, to show leadership and to take initiatives to contribute to a successful outcome at the summit. The UK strongly agreed. The Council agreed Conclusions setting out the EU's position, to be forwarded to the Seville European Council.

The Council took note of the contributions submitted to the Seville European Council by the Justice and Home Affairs Council on 13 June and discussed several aspects of immigration policy, in preparation for discussion at Seville. The debate focused in particular on how to co-operate with third countries against illegal immigration.

In discussion of enlargement, the Council reached agreement on a framework for handling the issue of direct payments which will be incorporated in the EU common positions on agriculture. This noted that,

> "In accordance with the timeframe agreed in Göteborg and Laeken, this decision [on direct payments] will be taken in due time to comply with the steps and timetable to be agreed in the Seville European Council in relation with the final phase of the enlargement negotiations, and without prejudging the forthcoming internal discussions on Community policies."

Middle East

Over lunch, Ministers discussed recent developments in the Middle East and the way ahead, in preparation for further discussion at Seville.

India—Pakistan

Over lunch, Ministers discussed the tensions between India and Pakistan. While welcoming recent improvements, they noted that the situation nevertheless remained precarious.

EU Special Representatives—Afghanistan

The Council agreed on the nomination of Francesc Vendrell as the next EU Special Representative for Afghanistan to succeed Klaus-Peter Klaiber, whose mandate expires on 30 June 2002.

ESDP

The Council approved a general framework for the financing of EU operations having military or defence implications. This framework covers two types of costs:

> common costs, i.e. costs that cannot be allotted to individual states taking part in an operation. This covers a number of costs for headquarters for EU-led operations (e.g. transport costs, administration, communications, transportation/travel, barracks and lodging/infrastructure) and for supporting the operational force as a whole (such as infrastructure);
>
> all other costs, which will be considered individual and financed on a 'costs-lie where they fall' basis.

The Council agreed to decide on a case-by-case basis whether transportation of the forces, barracks and lodging for the forces would be funded in common.

A full review of this framework will take place after a first operation is concluded or by June 2004, or earlier if necessary, taking into account the lessons learnt from conduct of any operations and their administration.

Iran

The Council adopted Conclusions restating its support for the process of reform in Iran and its willingness to strengthen relations between the EU and Iran. The Council reached political agreement on negotiating directives for a trade and co-operation agreement with Iran, which would be linked to separate instruments on political dialogue and counter-terrorism. The Council stressed that the launching of negotiations and progress in matters of concern, such as human rights, non-proliferation and counter-terrorism, will contribute to strengthening dialogue and co-operation. The Union sees progress in all these areas as interdependent, indissociable and mutually reinforcing elements of the EU's overall approach to EU-Iran relations.

Western Balkans

The Council heard presentations from High Representative Solana on the implementation of the Serbia and Montenegro agreement and from EU Special Representative Le Roy on the situation in the former Yugoslav Republic of Macedonia. It adopted Conclusions: welcoming progress in implementing the Serbia and Montenegro agreement; recalling the importance of the FRY's international obligations, including to the ICTY; supporting UNMIK's work in Kosovo and its co-operation with Macedonia on the 2001 border agreement; underlining the importance of a free and fair election campaign in Macedonia. The Council thanked the departing Bosnia High Representative, Ambassador Wolfgang Petritsch, for his efforts and congratulated Lord Ashdown on taking up his functions as new High Representative and EU Special Representative in Bosnia and Herzegovina. The Council welcomed the fact that the work on the negotiating mandate for a stabilisation and association agreement with Albania had been concluded. The mandate will be adopted and negotiations opened after the summer, depending on further progress on the reform agenda and political stability.

Zimbabwe

The Council adopted Conclusions expressing deep concern at the deterioration of the situation. The European Union believes that the Southern African Development Community (SADC) has an important role to play and will seek to build an enhanced dialogue with the SADC and other relevant international actors.

International Criminal Court (ICC)

The Council adopted Conclusions, recalling its Common Position on the ICC and welcoming the forthcoming entry into force of the ICC statute on 1 July. The EU expressed its concern about the draft US legislation which would restrict US participation in UN peacekeeping operations, prohibit transfer of information to the ICC or prohibit US military assistance to parties to the ICC.

Afghanistan

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people were taken prisoners in Kunduz since November 2001; when these arrests took place; what the nationality of these people was; and if he will make a statement. [67759]

Mr. Mike O'Brien: We have asked about this but the relevant authorities in Kabul have told us that there is no accurate information available on the number of prisoners taken at Kunduz or of their nationalities.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many prisoners-of-war were transported from Kunduz to *(a)* Sheberghan and *(b)* Mazar-i-Sharif since November 2001; when these transports took place; what the nationality was of the transported people; and if he will make a statement [67758]

Mr. Mike O'Brien: We have made inquiries but the relevant authorities in Afghanistan have said to us that there is no accurate information available on the transfer of prisoners of war from Kunduz to Sheberghan and Mazar-i-Sharif.

Korea

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to improve diplomatic relations between North Korea and South Korea following recent incidents. [67536]

Mr. MacShane: The United Nations Command Military Armistice Commission, of which the UK is a member, is investigating the recent confrontation between the naval forces of the DPRK and the Republic of Korea.

We maintain links with the Governments of both countries through our embassies in Seoul and Pyongyang, and we strongly encourage the preservation of regional stability, and the promotion of inter-Korean relations through a process of dialogue.

Visas

Mike Gapes: To ask the Secretary of State for Foreign and Commonwealth Affairs when normal visa services will resume at posts in *(a)* New Delhi, *(b)* Mumbai, *(c)* Islamabad and *(d)* Karachi, and if he will make a statement. [68383]

Mr. Mike O'Brien: In India, we continue to operate a full service in Chennai and Kolkata and the service in Mumbai and New Delhi continues to expand. But it is too early to say when a full service there can resume.

Because of the continuing terrorist threat, an early resumption of a full service in Pakistan is unlikely, although every effort is being made to maximise the number of applicants who can use the courier-assisted service.

TRADE AND INDUSTRY

End-of-life Vehicles

Ms Buck: To ask the Secretary of State for Trade and Industry (1) what estimate she has made of the cost to *(a)* local authorities in London and *(b)* all other local authorities if the European End of Life Vehicle Directive is implemented with the cost of (i) de-pollution, (ii) recycling and (iii) scrapping of the vehicle being placed on the last owner; [67552]

(2) what plans she has to fund the costs of removing abandoned vehicles by local authorities. [67553]

Mr. Wilson: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Carlisle (Mr. Martlew) on 21 June 2002, *Official Report*, column 592W.

Fuel Companies

Dr. Cable: To ask the Secretary of State for Trade and Industry what steps Ofgem is taking to ensure that fuel companies offer fuel efficiency advice in line with their Social Action Plan at the point when salesmen contact customers with a view to transferring. [67312]

Mr. Wilson: Current supply licence conditions require suppliers to prepare, and seek Ofgem approval of, a code of practice setting out how they will make energy efficiency advice available to customers. It is not a formal licensing requirement to do this in discussions over transfer from one supplier to another.

Ofgem has recently published its "Report on the quality of energy efficiency advice provided by gas and electricity suppliers", which concluded that all the companies could do more to help customers. Ofgem will be discussing the report with suppliers and considering the need for further action to ensure that companies meet their licence obligations in this area.

As regards marketing by gas and electricity suppliers, Ofgem has recently consulted on proposals to make the regulation of this activity more effective. Ofgem is currently considering the next steps, including areas of possible research.

Dr. Cable: To ask the Secretary of State for Trade and Industry (1) how many times consumers have been compensated by fuel companies, following erroneous transfers, in line with licence condition 48; and if she will make a statement; [67314]

(2) what steps Ofgem has taken to ensure that fuel companies are training their marketing staff to ensure that they are not misleading customers, in line with licence condition 48. [67313]

Mr. Wilson: These are matters for the Office of Gas and Electricity Markets (Ofgem). I have, therefore, written to the chairman and chief executive of Ofgem, setting out the questions raised and asking him to reply direct to the hon. Member.

Small and Medium-sized Enterprises

Dr. Cable: To ask the Secretary of State for Trade and Industry if she will make a statement on the level of representation by members of small businesses on the boards of Government-funded organisations charged with supporting SMEs. [66749]

Nigel Griffiths: The Small Business Council advises my right hon. Friend the Secretary of State for Trade and Industry and Chief Executive of the Small Business Service on the needs and concerns of SMEs. As of 1 July it has 23 members, all but one are from small businesses.

The Ethnic Minority Business Forum advises DTI Ministers and the Chief Executive of the Small Business Service on the right help and advice ethnic minority businesses need for growth and success. All 20 members are small business owners.

The Business Link Operators have an average of 55 per cent. SME representation on their boards.

The Small Business Service's new Strategy Board will include up to six non-executive independent members. At least two members will have a small business background.

Used Tyres

Harry Cohen: To ask the Secretary of State for Trade and Industry if she will make a statement on the work of the joint Government/Industry Scrap Tyre Working Group since July 1999; and what the most recent figure is for the percentage of scrapped tyres from which the industry recovers value. [67680]

Mr. Wilson: The Used Tyre Working Group (UTWG) publishes a report each year which is distributed to interested parties and made available through its website at www.tyredisposal.co.uk. The latest report is dated July 2001 and copies have been placed in the Library of the House. The UTWG intends to publish its 2002 report later in the year in light of responses to the DTI's March 2002 discussion paper on used tyre issues. Copies of this paper can also be found in the Libraries of the House.

UTWG statistics for 2000 show that the industry recovered value from around 63 per cent. of the 450,000 tonnes of tyres disposed that year. This was less than in previous years due to the closure of the UK's single largest used tyre treatment facility in 2000. Since then, significant new processing capacity has been developed. The UTWG is currently compiling statistics for 2001 which are expected to show this processing capacity feeding through to an improved recovery rate.

Aggregates Industry

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry how many people are employed in the United Kingdom aggregates industry. [67455]

Mr. Wilson: The Quarrying/Aggregates industry directly employs around 20,000 people.

Bolda Biofuels Ltd.

Mr. Key: To ask the Secretary of State for Trade and Industry how much money has been granted by her Department to Bolda Biofuels Ltd. in the last three years, under what grant regime, on what date, for what purpose it was granted; and if she will make a statement. [64672]

Mr. Wilson: The following projects involving Border Biofuels have been supported under the Department's Sustainable Energy Programme in the last three years:

Project title	*Start date*	*Contract grant Value (£)*	*End date*	*Total cost of project (£)*	*Percentage of funding from DTI*	*DTI spend[1] (£)*
SRC Harvesting and Logistics—Phase 2	25 February 2002	133,519	24 February 2004	267,038	50	0
Integrated Biofuels, Pyrolysis and Energy Conversion Demonstration Plant	9 January 2001	1,161,300	8 July 2003	4,645,100	25	321,620
Investigation of Low-till Systems for the Establishment of Willow Coppice in Grassland	1 January 2001	76,500	28 February 2003	153,000	50	47,657
Investigation of Single Stem Tree Plantations for Bioenergy	1 April 2001	29,500	30 June 2002	59,000	50	11,458
Development of an Integrated Wood Fuel Supply System to Deliver SRC from Field to Power Station	15 March 2000	173,041	31 July 2002	346,082	50	154,671

		Contract grant				
Project title	*Start date*	*Value (£)*	*End date*	*Total cost of project (£)*	*Percentage of funding from DTI*	*DTI spend*[1] *(£)*
Overcoming Planning Barriers for Biomass Power Plants	6 August 1999	80,000	1 September 1999	80,000	100	80,000
The Effects of Pollution Abatement Techniques Applied to Biomass Pyrolysis Energy Plant	21 July 1999	42,654	31 August 2000	60,935	70	42,654
Provision of Site Services in Aid of Ecological Monitoring	15 February 1999	20,867	14 February 2004	20,867	100	20,387
Evaluation of Low-cost Establishment Systems for Short Rotation Coppice	1 January 1999	211,560	30 June 2003	391,120	50	170,856
The Export of UK Bio-Energy Expertise: A Study of the Feasibility of Working in Poland by a Consortium of UK Companies	1 January 1999	14,776	31 December 2000	36,940	40	14,776
Design Construction and Testing of a Continuous Flow Wood Fuel Dryer Using Low Grade Heat	1 March 1998	270,870	30 September 2000	816,365	33	270,870

[1] To date

Employment Agencies

Mr. Lloyd: To ask the Secretary of State for Trade and Industry when she expects consultations to begin on draft regulations to prohibit the compilation of worker blacklists by employment agencies for the purposes of discrimination in relation to recruitment and the treatment of workers already employed. [66051]

Alan Johnson *[holding answer 3 July 2002]:* No date has been set for the commencement of consultations on such draft regulations.

North-West Development Agency

Mr. Pike: To ask the Secretary of State for Trade and Industry how many jobs in *(a)* the north-west, *(b)* Lancashire and *(c)* Burnley have been (i) created and (ii) sustained in the last year as a direct result of the work of the north-west development agency. [65550]

Alan Johnson: During 2001–02, 14,655 jobs were created, and 14,868 jobs were safeguarded, across the north-west as a result of the work of the north-west development agency. Of these, 1,651 jobs were created, and 1,684 jobs safeguarded, in Lancashire; and 593 jobs were created, and 311 jobs safeguarded, in Burnley during the same period.

Construction Industry

Bob Russell: To ask the Secretary of State for Trade and Industry, pursuant to her answer of 17 April 2002, *Official Report*, column 936W, on the construction industry, which organisations have made representations; what progress has been made to resolve concerns raised about the operation of the Construction Skills Certification Scheme; and if she will make a statement. [66042]

Mr. Wilson: I have received correspondence from a number of MPs, who have written on behalf of companies, about the operation of the Construction Skills Certification Scheme (CSCS Ltd.). Representations to the Department, are generally held to have been received in confidence and I have no plans to disclose details of correspondence made to me about CSCS Ltd., an independent private company.

As regards the question on progress made to resolve concerns raised about the Construction Skills Certification Scheme (CSCS), I understand from CSCS that discussions are on-going with the various associations about affiliation and the Department is being kept informed of developments.

Regional Development Agencies

Ms Shipley: To ask the Secretary of State for Trade and Industry what level of her Department's funding of RDAs was spent on physical regeneration in financial years *(a)* 2000–01 and *(b)* 2001–02. [66241]

Alan Johnson: In 2000–01, the RDAs had a number of programmes that could contribute to physical regeneration. None of the DTI's funding for RDAs was for this purpose. The reported spending on "Land and Property", the RDAs' main programme that includes physical regeneration, by the RDAs was £171.98 million (gross spend).

For 2001–02, final figures on spending by the RDAs on physical regeneration are not yet available; figures for the "Land and Property" programme will be published in the RDAs annual report.

Ms Shipley: To ask the Secretary of State for Trade and Industry how many registered *(a)* architects and *(b)* chartered surveyors are working in each regional development agency. [66242]

Alan Johnson: There are two registered architects working for the Regional Development Agencies, both with Yorkshire Forward. A total of 131 chartered surveyors are employed by the Agencies and this figure is broken down as follows:

Area	
Advantage West Midlands	13
East of England Development Agency	6
East Midlands Development Agency	10
North West Development Agency	25
One NorthEast	23
South East of England Development Agency	14
South West of England Development Agency	24
Yorkshire Forward	16

Brownfield Development

Ms Shipley: To ask the Secretary of State for Trade and Industry what the projected amount of brownfield land to be redeveloped is, broken down by regional development agencies. [66211]

Alan Johnson: RDAs were required to set targets for the amount of brownfield land they will remediate in 2002–03 and 2003–04. These targets are set out in the following table:

Hectares

Agency	*2002–03*	*2003–04*
North-east	80	60
North-west	442	602
Yorkshire Forward	86	127
East Midlands	119	125
West Midlands	299	468
East	20	20
South-east	40	43
South-west	140	140
London	30	30

Waste Disposal

Ms Shipley: To ask the Secretary of State for Trade and Industry if she will make a statement on the vitrification process; and what studies the Department has undertaken of its validity as a form of disposal. [66099]

Mr. Wilson: Vitrification converts liquid high level radioactive waste into a solid and stable form. The Department has undertaken no studies of vitrification.

Industrial Training Construction Board

Dr. Cable: To ask the Secretary of State for Trade and Industry what plans she has to review the Industrial Training (Construction Board) Order 1964, amended by The Industrial Training (Construction Board) Order 1964 (Amendment) Order 1992 in respect of the Construction Industry Training Board levy; and if she will make a statement. [67429]

Mr. Ivan Lewis: I have been asked to reply.

The Industrial Training (Construction Board) Order 1964 (Amendment) Order 1992 defines the activities of the construction industry in relation to which the Construction Industry Training Board exercises its functions. The definition was decided in full consultation with the industry through its main employer organisations and would only be reviewed if it was felt necessary or desirable to remove an activity from the scope of the Board. I have not received any proposals from any part of the industry to amend the definition.

EDUCATION AND SKILLS

Performance Targets

Mr. Mullin: To ask the Secretary of State for Education and Skills how many performance targets she has set for her Department; and how many that were set for last year have been dropped this year. [64273]

Mr. Miliband: The Department's performance targets are set out in Public Service Agreements (PSA) agreed as part of Spending Reviews and are published in Spending Review White Papers, available from the House of Commons Library; or from the Treasury website at www.hm-treasury.gov.uk. The most recent targets were agreed as part of the Spending Review 2000; we have not dropped any of these. However, employment related targets transferred to the Department for Work and Pensions following machinery of government changes after the last general election.

Performance against our PSAs and other high level supporting targets is published in our departmental annual report, available from the House of Commons library or via our website, www.dfes.gov.uk.

Schools (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Education and Skills how many *(a)* pupils and *(b)* teachers there are in each school in Shrewsbury and Atcham; and if she will make a statement. [65064]

Mr. Miliband: The available information is shown in the following table. This relates to numbers of pupils published in the Primary and Secondary School Performance Tables for 2001. Otherwise, school level information is not routinely published.

Number of pupils on roll in schools[1] in Shrewsbury and Atcham

	Total pupils
Maintained primary schools	
Buildwas Primary School	84
Church Preen Primary School	73
Grafton Primary School	40
Minsterley Primary School	150
Coleham Primary School	393
Crowmoor Primary School	335
Mount Pleasant Junior School	158
Harlescott Junior School	374
St. George's Junior School	353
Meole Brace Junior School	193
The Wilfred Owen School	239
Oakland Community Primary School	117
Belvidere Primary School	228
Greenfields Primary School	328
The Martin Wilson School	217
Radbrook Primary School	272
Bicton Church of England Primary School	87
Christ Church Church of England Primary School	133
St. Andrew's Church of England Primary School	72
Hadnall Church of England Primary School	62
Longnor Church of England Primary School	87
Pontesbury Church of England Primary School	203
Bomere Heath Church of England Primary School	105
Oxon Church of England Primary School	349
St. Giles Church of England Primary School	300
St. Lucia's Church of England Primary School	129
St. Thomas and St. Anne Church of England Primary School	134
Long Meadow Church of England Primary School	336
Trinity Church of England Primary School	129
Condover Church of England Primary School	102
Dorrington Church of England (Aided) Primary School	58
Longden Church of England Primary School	97
Westbury St Mary's Church of England (Aided) School	99
St. Mary's Roman Catholic Primary School	141
Holy Cross Church of England Junior School	303
The Grange Junior School	212
Greenacres Primary School	260

Number of pupils on roll in schools[1] *in Shrewsbury and Atcham*

	Total pupils
Maintained secondary schools	
The Priory School	739
The Wakeman School	661
Sundorne School	446
Belvidere School	747
Meole Brace School	1144
The Mary Webb School	573
The Grange School	579
Special schools	
Severndale	201
RNIB Condover Hall School	63
Independent schools	
Adcote School for Girls	86
Concord College	292
Cruckton Hall School	55
Shewsbury High School	577
Shewsbury School	696
The Orchard School	7

[1] Only includes schools which have pupils eligible for Key Stage 2 tests or pupils aged 15 and for whom results are published in the Primary and Secondary Performance Tables. The Primary Performance Tables only include maintained primary schools with Key Stage 2 eligible pupils. Independent schools and infant schools are therefore excluded.

Source:

2001 Primary and Secondary Performance Tables.

Amraf Training plc

Mr. Todd: To ask the Secretary of State for Education and Skills what representations she has received concerning the closure of Amraf Training plc and payments to it by her Department. [65492]

Mr. Ivan Lewis: Administrative receivers were appointed to Amraf Training plc on 1 October 2001. To 28 June 2002, the Department has received 66 representations concerning the closure. Details of any payments made by the Department to Amraf Training plc are held as commercial in confidence.

Recycling

Sue Doughty: To ask the Secretary of State for Education and Skills what proportion of *(a)* paper and *(b)* other goods purchased by her Department was recycled paper in each year since 1997; what the annual total cost of these purchases was; what plans there are to increase these proportions; and if she will make a statement. [65767]

Mr. Stephen Twigg: My Department changed stationery supplier in December last year because our previously contracted supplier ceased trading. As a result, we have been unable to obtain accurate data concerning the annual total cost of purchases. Mechanisms are now in place to ensure that this information will be available in future.

Green Minister

Sue Doughty: To ask the Secretary of State for Education and Skills who her Department's Green Minister is; when they *(a)* have attended and *(b)* plan to attend meetings of the Green Ministers' Committee; what the outcomes of meetings were for her Department's activities; and if she will make a statement. [65985]

Mr. Stephen Twigg: Our Green Minister is Baroness Ashton of Upholland.

Following the general election in June 2001, the previously informal Green Ministers Committee was upgraded to a Cabinet Sub-Committee of ENV and it is established practice under exemption two of Part II of the Code of Practice on Access to Government Information not to disclose information relating to the proceedings of Cabinet Committees. Therefore I cannot relate progress or outcomes by my Department to anything that has been discussed.

However, I am happy to confirm my Department's commitment to promoting sustainable development, including green issues. Our departmental strategy to 2006 mentions sustainable development in relation to our investment strategy for schools, colleges and universities and in the modernisation of the Department's estate.

Rural Secondary Schools

Mr. Breed: To ask the Secretary of State for Education and Skills what *(a)* environmental assessment and *(b)* assessment of the traffic implications she has made with respect to the specialisation of secondary schools in rural areas. [66780]

Mr. Miliband *[holding answer 4 July 2002]:* No assessment has been made of environmental or traffic implications of specialisation for secondary schools in rural areas. We do not expect specialist school designation to have a significant impact on transport in rural areas. Specialist school designation is about raising standards of achievement across the whole school. Specialist schools enrich the learning opportunities and broaden the range of courses in their designated specialism, but they continue to teach a broad and balanced curriculum and meet the needs of all their pupils.

Mr. Breed: To ask the Secretary of State for Education and Skills what assessment she has made of the extent of specialisation of secondary schools in rural areas. [66785]

Mr. Miliband *[holding answer 4 July 2002]:* Of the 992 specialist schools to be operational from September this year, 21 (2.1 per cent.) are located in areas defined in the Register of Educational Establishments as mixed, predominantly rural or wholly rural areas. This compares with 2.8 per cent. of secondary schools nationally.

From October 2002, in order to assist small mainstream schools (many of them in rural areas) with their specialist school applications we have reduced the sponsorship requirement. Those with under 500 pupils on roll will have to raise sponsorship on the basis of £100 per pupil, subject to a minimum of £20,000.

Buildings Insurance

Mr. Bercow: To ask the Secretary of State for Education and Skills what the cost of buildings insurance to her Department was *(a)* before and *(b)* after 11 September 2001. [66938]

Mr. Stephen Twigg: Departments are required to comply with the Government's general policy on insurance, which is set out in "Government Accounting", chapter 30, para 30.2.5, which notes that Government do not need to purchase insurance to protect the viability of its business, and should consider insurance only where the value of claims met would exceed the cost of insurance premiums. Commercial insurance of a building is acceptable in cases where (a) insurance is a condition of a lease (b) the lessor will not accept a Government indemnity (c) incurring the total cost of the accommodation in question, including the cost of the insurance, is more cost-effective than other accommodation options ("Government Accounting", para 30.2.11a).

My Department building insurance, however, is paid on an annual basis, so any impact from September 11 has not been reflected as yet. The total insurance paid in 2001–02 was £121,171.

Building Values

Mr. Bercow: To ask the Secretary of State for Education and Skills if he will list the buildings owned by her Department and estimate the market value of each of them. [66956]

Mr. Stephen Twigg: A list of the buildings owned by my Department and their estimated market value are detailed within the National Asset Register, published in July 2001 (Cm5221). This register lists all assets owed by Departments and their valuation.

Private Finance Initiative

Mr. Caton: To ask the Secretary of State for Education and Skills if she will provide detailed information on PFI schemes, withheld on the grounds of commercial confidentiality, to bona fide research bodies to make objective assessments of their value for money. [67076]

Mr. Stephen Twigg: My Department has no PFI schemes, which have been withheld on the grounds of commercial confidentiality.

Connexions

Mr. Breed: To ask the Secretary of State for Education and Skills what assessment she has made of the piloting of Connexions in rural areas. [67087]

Mr. Stephen Twigg *[holding answer 5 July 2002]:* Tackling rural issues was one of the aspects which was tested in the piloting of the Connexions Service, the results of which were published by the Department for Education and Skills in the 'Lessons Learned from Connexions Pilots' report on 17 October 2001 (Research Brief ref: RB 308, Research Report ref: RR308). The document is available in the House of Commons Library.

We have also recently commissioned the University of Hull to conduct a study into the relative costs associated with delivering Connexions in rural and urban areas. This study will run from July to November 2002 with a report to be published by the Department for Education and Skills within three months of the completion of the field work. The findings of the study will help to inform a planned review of the Connexions funding arrangements due to be undertaken during 2003. All Connexions Partnerships have been informed of the study and are welcome to be involved where they feel that they have a particular contribution.

The Connexions Service is also involved with the Countryside Agency's study developing practice in rural Connexions Partnerships. This study is at the commissioning stage, but we will in due course be disseminating examples of innovative approaches to help Partnerships deliver a high quality multi-agency support service to young people living in rural areas.

Diversity Pathfinder Scheme

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills which local education authorities are taking part in the diversity pathfinder scheme. [67189]

Mr. Miliband *[holding answer 5 July 2002]:* There are six Local Education Authorities involved in the Diversity Pathfinders Project. They are;

1. Birmingham
2. Cornwall
3. Hertfordshire
4. Middlesbrough
5. Newham
6. Portsmouth.

Warwickshire and North Tyneside have been invited to join the project as they are implementing interesting plans to promote diversity in their regions. Their activities are not being funded by the DfES but they are involved in the associated research project.

LearnDirect Plus

Mr. McLoughlin: To ask the Secretary of State for Education and Skills how many people have enrolled on LearnDirect Plus in West Derbyshire constituency since it began. [67431]

Mr. Ivan Lewis: 660 people have enrolled on learndirect courses in the West Derbyshire constituency since Ufi/learndirect was rolled out nationally in October 2000.

Post-16 Education

Mr. Brady: To ask the Secretary of State for Education and Skills what assessment her Department has made of the percentages of pupils staying on in full-time education or training post-age 16 in *(a)* schools with sixth forms and *(b)* schools without sixth forms in the last period for which figures are available. [67629]

Mr. Miliband *[holding answer 8 July 2002]:* The primary source of information on the changes in the activities of young people after completing compulsory education is the Youth Cohort Study (YCS). The following table shows details in the figures requested.

	In full-time education or training post-age 16
Comprehensive schools—with sixth form	86%
Comprehensive schools—no sixth form	83%

These estimates are for England. Equivalent estimates for schools other than comprehensive schools are not available.

Formula Grant

Mr. Dismore: To ask the Secretary of State for Education and Skills (1) what plans she has to ensure that the costs associated with high pupil turnover in schools in London are compensated for *(a)* in the education service block in formula grant and *(b)* by specific grant. [67813]

(2) what plans she has to reflect the costs associated with educating children in areas of high ethnicity in *(a)* the education service block in formula grant and *(b)* by specific grant. [67814]

(3) what estimate she has made of the financial effect of changing the measure of ethnicity within the education formula grant from a country of birth indicator to an English as a second language indicator, broken down by local authority. [67815]

(4) what plans she has to redirect education funding to ensure that the Government's national child poverty targets are met. [67816]

(5) what plans she has to reflect problems associated with the recruitment and retention of teachers in London *(a)* in the education service block in formula grant and *(b)* by specific grant. [67817]

(6) what plans she has to reflect the costs of high population density in relation to school transport. [67818]

(7) what estimate she has made of the financial effect of changing the measure of ethnicity within the education formula grant from a country of birth indicator to school census data indicator, broken down by local authority. [67819]

(8) what plans she has to reflect the costs associated with educating children in areas of high social exclusion and deprivation *(a)* in the education service block in formula grant and *(b)* by specific grant. [67820]

(9) if she will make a statement concerning the impact of her proposed changes to the area cost adjustment on schools in London. [67825]

Mr. Miliband: My right hon. Friend the Minister for Local Government announced today the issue of a consultation paper on options for reform of the distribution of grant to local authorities: copies have been placed in the Libraries. Within the consultation paper there are four options for reform of the education SSA formula. All these options have a common structure consisting of an amount per pupil together with top ups for areas of significant deprivation and areas where it costs more to recruit and retain staff. The options exemplify different measures of deprivation including children in families on income support or working families credit, children with English as an Additional Language, and children from ethnic minorities. The options do not include factors for high population density or high pupil turnover. The paper contains exemplifications of the changes to total SSA for 2002–03 that would result from each of the four options. It does not separately identify the contribution to change of each element of the formula, because it would not be meaningful to do so: nor does it identify the contribution of each element of the formula to the total. We will be making the data underlying the options available to interested parties, so that they may make a full contribution to the consultation. Decisions on specific grants will be announced following the spending review outcome.

London Academies

Mr. Hancock: To ask the Secretary of State for Education and Skills what the estimated timetable is for the opening of the proposed London academies; and if she will make a statement. [67838]

Mr. Miliband: Academies will open this September in Haringey and Bexley. We expect more to open year on year with at least 25 London academies open by 2007. Academies are an important strand of the Government's drive to raise standards, improve behaviour and widen choice across London.

School Violence

Mr. Brady: To ask the Secretary of State for Education and Skills what information the Government have collated on the number of teachers in maintained schools who have been the victims of serious assaults by *(a)* pupils and *(b)* parents in each of the last five years. [68260]

Mr. Miliband: The Government do not collect statistics in the form requested. However, 135 serious injuries to teachers caused by violence were reported to the Health and Safety Executive in Great Britain in 2000–01, the same number as in 1999–2000. Statistics for earlier years are not available. The provisional figure for 2000–01 was 130. The figures, which relate to all schools and cannot be broken down further, cover major injuries and others resulting in more than three days' absence from work. Information is not available on whether the assaults were carried out by pupils, parents or others.

School Inspections

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills how many schools have been inspected or reinspected in each year since 1997 by Ofsted and of those how many *(a)* were found to have serious weaknesses; *(b)* were found to be failing, *(c)* were found to have moved from 'serious weakness' to 'failing', *(d)* were found to have moved from 'failing' to 'serious weakness', *(e)* were found no longer to have serious weaknesses and *(f)* were found no longer to be failing. [68650]

Mr. Miliband: This is a matter for Ofsted. I have asked HM Chief Inspector, David Bell, to write to the hon. Member and to place a copy of his letter in the Library.

Local Education Authority Inspection

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills how many local education authorities have been inspected or reinspected in each year by Ofsted since 1997; and of those how many *(a)* were found to be failing, *(b)* were found to be failing on reinspection and *(c)* were found no longer to be failing. [68651]

Mr. Miliband: This is a matter for Ofsted. I have asked HM Chief Inspector, David Bell, to write to the hon. Member and to place a copy of his letter in the Library.

PRIME MINISTER

Gibraltar

Andrew Mackinlay: To ask the Prime Minister for what reason he has declined to meet the Chief Minister of Gibraltar in the last three months; and if he will make a statement. [68046]

The Prime Minister: My diary commitments have meant a meeting has not been possible. I have encouraged the Chief Minister to continue his dialogue with my right hon. Friend's the Foreign Secretary and Minister for Europe. The Foreign Secretary met the Chief Minister on 3 May.

SCOTLAND

National Minimum Wage

8. **Mr. Russell Brown:** To ask the Secretary of State for Scotland what action is being taken against employers in Scotland who are failing to pay the national minimum wage. [65305]

Mrs. McGuire: Inland Revenue has specialist enforcement teams in Aberdeen and East Kilbride who are responsible for enforcing the national minimum wage in Scotland. The teams follow up complaints made by workers and third parties about non-compliance and use other Revenue risk based data to identify employers for inquiry. Since April 1999, the teams have issued 19 enforcement notices and 29 penalty notices, leading to recovery of over £600,000 in wage arrears for low paid workers.

11. **Ann McKechin:** To ask the Secretary of State for Scotland what steps are being taken to ensure the enforcement of the national minimum wage in Scotland. [65308]

Mrs. McGuire: Inland Revenue enforcement teams in Aberdeen and East Kilbride are responsible for enforcing the national minimum wage in Scotland. Since April 1999, they have completed over 1,700 investigations, discovered non-compliance in 27 per cent. of cases and recovered over £620,000 in wage arrears for low paid workers.

Defence Employment

9. **Mr. Sarwar:** To ask the Secretary of State for Scotland how many jobs in Scotland are *(a)* directly and *(b)* indirectly related to the defence industry. [65306]

Mrs. Liddell: Expenditure on defence equipment is estimated to support approximately 6,000 jobs in Scottish businesses directly and a further 3,000 jobs indirectly.

Aircraft Carriers (Employment Prospects)

10. **Mr. Joyce:** To ask the Secretary of State for Scotland if she will estimate the number of potential defence related jobs in Scotland in connection with the two planned UK aircraft carrier contracts. [65307]

Mrs. Liddell: My right hon. Friend the Secretary of State for Defence expects to announce decisions around the end of the year on the selection of the prime contractor for the new aircraft carriers. The carrier programme will provide work for thousands of employees in defence industries across the UK. Scottish shipyards have been involved in supplying support to both of the competing prime contractors and clearly have good opportunities to secure a share of the work.

Waverley Line

12. **Mr. Moore:** To ask the Secretary of State for Scotland what discussions she has held with the chairman of the Strategic Rail Authority about the future of the Waverley line from Edinburgh to Carlisle. [65309]

Mrs. McGuire: I understand that the Waverley Railway Partnership recently launched a consultation process, which will run until the end of August, in conjunction with detailed technical assessments of the route to give the people of Midlothian, the Borders and Edinburgh an opportunity to comment on the re-establishment of the line.

I hope to discuss a range of issues including the proposed reopening of the Waverley line when my right hon. Friend the Secretary of State and I meet senior management of Railtrack later this month.

Nuclear Energy

13. **Mr. John Taylor:** To ask the Secretary of State for Scotland if she will make a statement on the future of nuclear energy provision in Scotland. [65310]

Mrs. Liddell: The future role of nuclear energy in the UK is one of the issues included in the current consultation which follows the PIU review of energy policy to 2050 and which forms part of the preparation for a Government White Paper around the turn of the year.

Scottish Regiments

14. **Gregory Barker:** To ask the Secretary of State for Scotland what discussions she has had with the Secretary of State for Defence regarding the implications for Scotland of the future of Scottish regiments. [65311]

Mrs. McGuire: I refer the hon. Member to the answer I gave earlier today to the hon. Member for Newark (Patrick Mercer).

Enterprise

15. **Mr. Luke:** To ask the Secretary of State for Scotland when she last met CBI Scotland to discuss enterprise in Scotland. [65312]

Mrs. Liddell: I attended a dinner with CBI Scotland's Growing Business Forum on 24 June, together with the Scottish Executive Minister for Enterprise, Transport and Lifelong Learning, to discuss a range of issues relating to enterprise in Scotland.

Cross-border Road Links

16. **Mr. Hepburn:** To ask the Secretary of State for Scotland what recent discussions she has had with the Scottish Executive on cross-border road links, with special reference to the A1. [65313]

Mrs. McGuire: I have regular discussions with Scottish Ministers on a variety of transport issues including cross-border road links. The Scottish Executive plan to upgrade the A1 to dual carriageway standard between Howburn and Houndwood in the Scottish Borders at a cost of nearly £5 million. Construction is due to start on 15 July and should be completed in 2003.

Euro

17. **Mr. Tynan:** To ask the Secretary of State for Scotland what recent meetings she has had with business and industrial leaders regarding the impact on Scotland of the United Kingdom joining the euro. [65314]

Mrs. Liddell: I have regular meetings with businesses and industrial leaders to discuss a wide range of issues.

The Government's policy on membership of the single currency remains as set out by the Chancellor in October 1997, and restated by the Prime Minister in February 1999.

The five economic tests will define whether a clear and unambiguous case can be made.

Scottish Parliament

18. **Annabelle Ewing:** To ask the Secretary of State for Scotland when she plans to make a statement on the consultation process on the size of the Scottish Parliament. [65315]

Mrs. Liddell: I expect to be in a position to announce the outcome of the consultation on the size of the Scottish Parliament in the autumn.

Airports

19. **John Robertson:** To ask the Secretary of State for Scotland what assessment she has made of the ability of Scotland's airport infrastructure to keep up with projected growth in passenger numbers. [65316]

Mrs. Liddell: The Government will, jointly with the Scottish Executive, very shortly publish a consultation document on the future of Scotland's air services and airports for the next 30 years. We intend to undertake an extensive consultation process. I hope that this will result in a productive debate on all aspects of the matter.

Drug Crime (Asset Seizures)

20. **Mr. David Marshall:** To ask the Secretary of State for Scotland if she will make a statement on the action being taken to seize the assets of drug barons in Scotland. [65317]

Mrs. McGuire: Strengthening the powers to confiscate illegal gains, from drug dealing and also other serious crimes, is a priority for the Government. The Proceeds of Crime Bill will put in place an enhanced and effective system for seizing assets that have resulted from criminal activity.

Common Fisheries Policy

21. **Mr. Rosindell:** To ask the Secretary of State for Scotland if she will make a statement on the European common fisheries policy as it affects Scotland. [65318]

Mrs. McGuire: Responsibility for fisheries policy in Scotland rests with the Scottish Executive.

The European Commission has recognised that the Common Fisheries Policy is in need of reform. HM Government and the Scottish Executive are working together to ensure that the United Kingdom's and Scotland's interests are fully represented as member states discuss the Commission's reform proposals.

Asbestosis Compensation

22. **Jim Sheridan:** To ask the Secretary of State for Scotland what progress has been made in securing the payment of compensation to asbestosis victims in Scotland. [65319]

Mrs. Liddell: There continues to be good progress. In relation to Chester Street, over £3 million has now been paid out by the Association of British Insurers and the Financial Services Compensation Scheme in cases where the insurance policyholder is insolvent. In addition, the Government have welcomed the recent judicial decision by the House of Lords in relation to the Fairchild case.

Manufacturing

23. **Sir Nicholas Winterton:** To ask the Secretary of State for Scotland if she will make a statement on the recent performance of the manufacturing industry in Scotland. [65320]

Mrs. McGuire: The manufacturing sector continues to be very important to the economy of Scotland, employing around 281,000 in December 2001 and supporting a further 180,000 jobs in the Scottish economy.

Oil and Gas Taxation

24. **Mr. Dalyell:** To ask the Secretary of State for Scotland pursuant to the oral answer of 11 June 2002, *Official Report*, column 708, on oil and gas taxation, what action she has taken to investigate the procedures for subcontracting work in the oil industry. [65321]

Mrs. Liddell: I take every opportunity in discussions with the oil and gas companies to underline the strengths of the UK supply and contracting industries. Provided that the UK supply and contracting industries can remain competitive in the European and global context I am confident that they will continue to win work.

Financial Exclusion

25. **Mr. Tom Harris:** To ask the Secretary of State for Scotland when she next plans to meet representatives from credit unions in Scotland to discuss financial exclusion. [65322]

Mrs. McGuire: I am very aware of the importance of credit unions' role in tackling financial exclusion in Scotland and look forward to meetings with representatives. The Financial Services Authority commenced its new regulatory regime for credit unions at the beginning of July. This regime is in place to ensure that depositors are appropriately protected. The Scottish Executive have made available funding support which, among other aims, is designed to help unions adjust to the new arrangements.

ADVOCATE-GENERAL

European Law

30. **Mr. Connarty:** To ask the Advocate-General what role she has in relation to challenges which are alleged to be contraventions of European law. [65327]

The Advocate-General: Court actions against the Scottish Executive or challenges to legislation of the Scottish Parliament alleging failure to comply with European law must be intimated to me as devolution issues. I then decide whether it would be appropriate for me, as Advocate-General, to intervene. That will depend on the facts and circumstances of each case.

European Convention on Human Rights

31. **Mr. Dalyell:** To ask the Advocate-General what representations she has received in the previous month relating to possible breaches of rights within the scope of the European Convention on Human Rights. [65328]

The Advocate-General: In the past month 22 devolution issues, intimated to me in terms of the Scotland Act, have concerned matters under the European Convention on Human Rights. I have received no other representations about the ECHR.

Devolution

32. **Mr. Carmichael:** To ask the Advocate-General what devolution issues have been raised with her since 11 June. [65329]

The Advocate-General: I refer the hon. Member to the answer I gave earlier today to my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris).

33. **Mr. Alan Reid:** To ask the Advocate-General what devolution issues have been raised since 11 June under the Scotland Act 1998. [65330]

The Advocate-General: I refer the hon. Member to the answer I gave earlier today to my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris).

34. **Mr. Savidge:** To ask the Advocate-General what devolution issues have been raised since 11 June under the Scotland Act 1998. [65331]

The Advocate-General: I refer my hon. Friend to the answer I gave earlier today to my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris).

35. **Annabelle Ewing:** To ask the Advocate-General what devolution issues have been raised since 11 June under the Scotland Act 1998. [65332]

The Advocate-General: I refer the hon. Lady to the answer I gave earlier today to my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris).

LORD CHANCELLOR'S DEPARTMENT

Census 1901 Website

36. **Siobhain McDonagh:** To ask the Parliamentary Secretary, Lord Chancellor's Department when the 1901 online census service will be fully functional. [65333]

Ms Rosie Winterton: I cannot give a firm date when the 1901 Census will be fully functional. However I can state that QinetiQ Ltd., who are the contractors responsible for setting up the site and providing the online service, have been making technical improvements to it. QinetiQ Ltd. is currently testing the site and the Public Record Office is also carrying out its own independent test programme. Once the final results of these tests are available, it will be possible to decide whether the service is sufficiently robust for it to go live. The final testing is under way and we anticipate that it will be completed by the end of July.

Mr. Gerrard: To ask the Parliamentary Secretary, Lord Chancellor's Department when the 1901 Census Online is expected to be available at service centres; and at what date he expects that internet access will be restored to the Census. [67577]

Ms Rosie Winterton: I refer the hon. Member to the answer given on this day to the hon. Member for Mitcham and Morden (Siobhain McDonagh).

Mental Incapacity

41. **Mr. Burstow:** To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to implement the proposals in Making Decisions; and if he will make a statement. [65339]

Ms Rosie Winterton: The Government remain committed to reforming this important area of the law. When parliamentary time allows, it will legislate to improve and clarify the decision-making process for those who are unable to make decisions for themselves or who cannot communicate their decisions. In advance of securing parliamentary time, the Government are taking forward a number of initiatives that will benefit people, and enable legislation to be effective quickly. We are supported in this work by our recently established Consultative Forum on Mental Incapacity, involving a wide range of stakeholders, to develop a shared understanding of how we can best improve the lives of people with mental incapacity and their carers.

48. **Stephen Hesford:** To ask the Parliamentary Secretary, Lord Chancellor's Department what measures she is taking to protect people with mental incapacity in the courts system. [65346]

Ms Rosie Winterton: The Government are working with the Consultative Forum on Mental Incapacity to develop a shared understanding of how we can best improve the lives of people with mental incapacity and their carers, and we remain committed to reforming this area of law.

Also, in civil proceedings the Official Solicitor can act on behalf of parties with mental incapacity. Guidance has been issued to court staff in the Crown and county courts on the service they should provide under the Disability Discrimination Act.

Rape

42. **Vera Baird:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will take steps to draw the attention of the Judicial Studies Board to the

comments about rape trials made in the HMIC/CPSI Thematic report on rape; and if he will make a statement. [65340]

Yvette Cooper: Judicial training is the responsibility of the Judicial Studies Board (JSB) chaired by Lord Justice Waller.

The board provides specialist training to those judges authorised to hear cases of rape through its regular Serious Sexual Offences Seminars.

The Criminal Committee of the JSB will be considering the comments made in the joint inspectors report over the coming months.

Transsexuals

43. **Kali Mountford:** To ask the Parliamentary Secretary, Lord Chancellor's Department what progress has been made with the review of the law relating to transsexuals; and if he will make a statement. [65341]

45. **Mr. Ben Chapman:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the inter-departmental working group on transsexual people. [65343]

Ms Rosie Winterton: The Inter-departmental Working Group on Transsexual People's Report was presented to Parliament in 2000. The report has been under active consideration within Government since then. The working group has now been reconvened to look further into the implications of the possible changes in policy identified in the report. The group will report to Ministers later this year.

Electoral Register

44. **Mr. Bryant:** To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to make copies of the marked electoral register more widely available. [65342]

Yvette Cooper: We are reviewing the legislation relating to the current availability of the marked electoral registers in the light of the Representation of the People (Amendment) Regulations which the House has been asked to approve. In reaching any conclusion the Government will in addition wish to take account of the Electoral Commission's review of absent voting.

Sheriffs

46. **Mr. Swayne:** To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on her review of Under High Sheriffs, Under Sheriffs and Sheriffs' High Court enforcement functions. [65344]

Yvette Cooper: The review of High Court enforcement is part of the comprehensive review of the enforcement of civil court judgments which has been going on since 1998. On May 8, 2002, my noble Friend Baroness Scotland of Asthal, QC, announced the publication of the post-consultation report for the Green Paper "Towards Effective Enforcement—A single Piece of Bailiff Law and Regulatory Structure for Enforcement" (set out in her reply of 8 May 2002, *Official Report*, column 1242).

Court Dress

47. **Mr. Gordon Prentice:** To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to her answer of 24 June, *Official Report*, column 713W, on wigs, if she intends to canvass the views of all members of the legal profession in connection with her review of court dress. [65345]

Ms Rosie Winterton: The Lord Chancellor will publish a formal consultation document on court working dress, informed by the results of the public opinion survey, later this year. The views of all members of the legal professions will be welcomed, but the consultation will be public and we hope other interested parties, such as the general public, court users, judges and court staff, will also respond.

Fines

Mr. Gibb: To ask the Parliamentary Secretary, Lord Chancellor's Department what proportion of fine-defaulters were in full-time employment since 1990. [65123]

Yvette Cooper: This information is currently not collected centrally but we are examining whether it would be possible by research or sampling to estimate the data requested, as well as new ways to collect information on defendants' means.

Mr. Gibb: To ask the Parliamentary Secretary, Lord Chancellor's Department what proportion of fine-defaulters in full-time employment had attachment of earnings orders imposed in each year since 1990. [65122]

Yvette Cooper: This information is currently not collected centrally but we are examining whether it would be possible by research or sampling to estimate the data requested. This department has commissioned research into the can't pay/won't pay divide. The outcome of that research will inform future enforcement policy. In addition we are considering new ways to collect information on defendants' means.

Norman Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps he is taking to ensure fines handed out by magistrates are subsequently collected. [65654]

Yvette Cooper: Fines are imposed by both Magistrates' Courts and the Crown Court, but all are collected by Magistrates' Courts and their staff.

The Government is committed to improving the enforcement of financial penalties. We have transferred lead responsibility for warrant execution from the police to Magistrates' Courts Committees, on 1 April 2001. We have established an information-sharing scheme, which enables Magistrates' Courts to obtain basic information on defaulters from the Department for Work and Pensions. We have set performance targets for 2002–3 and Magistrates' Courts Committees have also been given nearly £10 million extra from April 2002, ring-fenced for enforcement purposes. Further measures are being developed as part of the Criminal Justice White Paper. We will monitor the position carefully to check that performance improves.

Mr. Gibb: To ask the Parliamentary Secretary, Lord Chancellor's Department what proportion of fine-defaulters had one or more county court judgments against them in each year since 1990. [65121]

Yvette Cooper: The information requested is not kept centrally.

Child Contact Centres

Mr. Burstow: To ask the Parliamentary Secretary, Lord Chancellor's Department when the mapping exercise of child contact centres *(a)* started and *(b)* is expected to be completed; how many whole-time equivalent staff are working on the mapping exercise; and what budget is provided for the mapping exercise. [67633]

Ms Rosie Winterton: The work is being carried out under the auspices of the Child Contact Working Group, which is facilitated by the Lord Chancellor's Department. The mapping exercise forms part of the working group's consultation on a new referral mechanism to ensure families are directed to the service that meets their needs. The consultation was launched on 11 May and concludes in October. The mapping exercise will initially be conducted in three areas—Inner London, Manchester and Norfolk. Currently, two LCD staff support the work on a part-time basis. There is no specific budget for the working group, but expenses are paid to members.

Statistics

Mr. Laws: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will list the statistics that are collected by her Department by English parliamentary constituency; and if she will make a statement. [67103]

Ms Rosie Winterton: I refer the hon. Member to the letter sent to him by the National Statistician dated 8 July 2002.

Solicitors

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans she has to meet the Independent Commissioner who will deal with complaints against solicitors. [67934]

Ms Rosie Winterton: Sir Stephen Lander's appointment as the Law Society's first Independent Commissioner has recently been announced. Ministers look forward to meeting him after he takes up his new post overseeing the Law Society's Consumer Redress Scheme in November 2002.

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department what the backlog of cases is at the Office of Supervision of Solicitors. [67933]

Ms Rosie Winterton: The most recent progress report from the Law Society shows that as at 31 May 2002, the total outstanding caseload at the Office for the Supervision of Solicitors was 8,255.

Judiciary (Northern Ireland)

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department how many complaints he has received since April 1998 concerning the conduct in Northern Ireland of individual *(a)* judges, *(b)* officers of tribunals and *(c)* resident magistrates. [38291]

Ms Rosie Winterton: I apologise for the delay in providing this reply which is due to an administrative oversight. There have been three complaints concerning the conduct of members of the judiciary in Northern Ireland since 1998.

(a) Judges—1 complaint was received concerning a High Court Master in 2001

(b) Tribunals—no complaints have been received

(c) Resident Magistrates—2 complaints have been received concerning Resident Magistrates in 1998 and 2000.

Queen's Counsel

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department when he plans to issue his consultation document in response to the OFT report on the reform of the QC system. [65347]

Ms Rosie Winterton: The Queen's Counsel system is one of a number of issues relating to the legal profession raised in the OFT report, which fall to my Noble and Learned Friend the Lord Chancellor to consider. The Government plans to consult on those issues before 30 July.

PRIVY COUNCIL

Parliamentary Questions

54. **Mr. Luff:** To ask the President of the Council what plans he has to implement the recommendations of the Procedure Committee on parliamentary questions. [65354]

Mr. Robin Cook: I broadly welcome the Report on Parliamentary Questions. The Procedure Committee is to be congratulated on their thorough study. The recommendations are far-reaching and justify careful study. It may be sensible for the House to debate this at the same time as the parallel report from the Modernisation Committee.

Scrutiny

55. **Mr. Gareth Thomas:** To ask the President of the Council what plans he has to ensure that more Bills in the next session are subject to pre-legislative scrutiny. [65355]

57. **Helen Jones:** To ask the President of the Council what plans he has to ensure more Bills in the next Queen's Speech are subject to pre-legislative scrutiny. [65357]

Mr. Bradshaw: I refer my hon. Friend's to the reply given earlier by my right hon. Friend the Leader of the House.

Privy Council

56. **Mr. Gordon Prentice:** To ask the President of the Council when the Privy Council last met; and if he will make a statement on arrangements for convening meetings of the Privy Council. [65356]

Mr. Bradshaw: The Privy Council last met on 26 June. The Queen normally holds a Council every month except January, August and September. Additional meetings are convened if urgent business requires it.

Lords Reform

58. **Fiona Mactaggart:** To ask the President of the Council what discussions he has had with representatives of peers about when they will confirm their membership of the Joint Committee on the Future of the House of Lords. [65358]

Mr. Bradshaw: The House of Lords agreed their membership of the Joint Committee on 4 July and the first meeting took place this morning.

Programming Motions

59. **Mr. Simon Thomas:** To ask the President of the Council what assessment he has made of the impact of programming motions on the number of amendments to Bills discussed. [65359]

Mr. Bradshaw: I understand that some groups of amendments on programmed bills have not been reached. If there is engagement on all sides, I hope the number of such groups can be minimised. We should also remember that in the past, many groups of amendments on guillotined bills were not discussed.

Modernisation

60. **Miss McIntosh:** To ask the President of the Council what further proposals he plans to put before the Select Committee on Modernisation of the House of Commons on working hours of the House. [65360]

Mr. Bradshaw: My right hon. Friend's proposals were set out in his memorandum to the Select Committee on Modernisation of the House of Commons which the Committee published last December.

Westminster Hall

62. **Sandra Osborne:** To ask the President of the Council what assessment he has made of the Westminster Hall experiment; and what plans he has to develop the experiment. [65362]

Mr. Bradshaw: Westminster Hall has offered backbenchers and select committees vastly increased opportunities for debate. The Select Committee on Modernisation of the House of Commons will need to review its operation before the end of the Session and I hope their recommendations will build on its success.

Statutory Instruments

Mr. Bercow: To ask the President of the Council how many statutory instruments have been *(a)* introduced, *(b)* removed and *(c)* amended by his Department since 1 January; and what the (i) cost and (ii) saving has been in each case. [64638]

Mr. Robin Cook: Eight statutory instruments have been introduced by my Department since 1 January, of which none removed others and one amended an earlier one. None of these instruments were introduced in my capacity as Leader of the House. A larger number of Orders in and of Council, introduced since the date mentioned, are also statutory instruments. These are included in the parliamentary answers given by the Departments from which they originated, so as to avoid double-counting.

The other information sought is not available centrally and could be obtained only at disproportionate cost.

HOUSE OF COMMONS

Visitors' Facilities

61. **Jim Knight:** To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what assessment he has made of the new visitors' facility in Westminster Hall; and what plans he has to extend the facilities further. [65361]

Mr. Kirkwood: Opening up Parliament to the public is one of the Commission's strategic aims, and the Jubilee Café, which was opened by Mr. Speaker in May, is a welcome development. It seats 100, serves modestly priced light refreshments and is fully wheelchair accessible. It also provides long-overdue toilet facilities for visitors. It is still too soon to make any formal assessment of the success of the new facilities, although early feedback from visitors indicates a high level of satisfaction with the range and quality of food provided. The Finance and Services Committee has asked for a full report from the Director of Catering Services in the autumn.

More generally, a feasibility study on visitor facilities for Parliament is currently under way and will shortly make recommendations. These will include options for an information and visitor centre.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Pathways

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs how her Department measures ease of use on country paths. [66764]

Alun Michael: A definition of "ease of use" was developed by the Countryside Agency in conjunction with our officials an the County Surveyors Society and the Audit Commission in order to provide an appropriate measure for performance indicators. This was refined last year when it became a Best Value performance indicator under the provisions of the Local Government Act 1999. The definition can be revised each year if necessary but there are advantages in avoiding change so that there is consistency in the data collection over a period of years.

Ease of use is measured according to the percentage of total length of footpaths and other rights of way which are easy to use by members of the public. This involves consideration of the extent to which a footpath or other right of way is signposted or waymarked; the extent of unlawful obstructions and other interference, including overhanging vegetation, to the public rights of passage; and consideration of the good repair of the surface and lawful barriers, such as stiles and gates, to a standard necessary to enable the public to use without undue inconvenience.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the reasons for which no English county council has met the national target of easy-to-find pathways. [66778]

Alun Michael: The Countryside Agency's Rights of Way Condition Survey 2000 was conducted to establish how easy it is to find, follow and use public rights of way. Whilst it found there had been a substantial improvement in "easy to find" category, I am concerned that no survey region met the national target of 95 per cent. of their paths signposted. No formal assessment has been made of the reasons for this, although lack of funding and low priority are generally seen to be the cause. It is because the Government wants to be able to establish where the performance of local highways authorities could be improved, that we introduced a provision in the Countryside and Rights of Way Act 2000, section 71, that will enable the Secretary of State to require local highway authorities to publish reports on the performance of their functions relating to rights of way.

Rights of Way

Vernon Coaker: To ask the Secretary of State for Environment, Food and Rural Affairs when the Government plans to implement powers in the Countryside and Rights of Way Act 2000 which will allow local authorities to divert or close rights of way for the purpose of crime prevention; which areas the provision will apply to; if she will make a statement. [66831]

Alun Michael: I have published proposals to implement the provisions in 'Crime Prevention on Rights of Way: Public Consultation paper on the Designation of Areas and Other Procedural Matters'. This was published on 19 June and a copy placed in the Library of the House. Once the arrangements are in place it will be for the appropriate authorities to apply for designation. Normally the application will be made by the highway authority for a ward area or areas, but I have proposed some flexibility in my proposals. I am arranging for a copy to be forwarded to my right hon. Friend.

Incinerators

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment has been conducted by *(a)* her Department and *(b)* the Environment Agency into the destination of waste from municipal waste incinerators; if she will place copies of this documentation in the Library; and if she will make a statement; [65624]

(2) which UK heat stations have supplied incinerator ash for construction; if she will list *(a)* the total amount of ash produced by each station and *(b)* the proportion of ash for each method of disposal or use; and if she will make a statement. [65622]

(3) if she will list those applications where incinerator ash, waste lime or dust was ultimately released to land by *(a)* site location, *(b)* year, *(c)* tonnage, *(d)* source and *(e)* end-use in 2001; and if she will make a statement. [65623]

Mr. Meacher: The Environment Agency has completed their investigation into the destination of ash from municipal solid waste incinerators (MSWIs). The Agency has accounted for all the solid residues produced between 1996 and 2000 by MSWIs in England and Wales, and has evaluated the environmental implications of the residues' use, including use in construction. It has also looked at what steps may be needed in the light of these findings.

Four municipal waste incinerators sent ash for processing with a view to its subsequent use in construction during the study period. Details of the total amounts of ash produced from each plant and the proportions sent for processing and landfill are in the table as follows (IBA—Incinerator Bottom Ash, ESP—Electrostatic Precipitator Ash):

Percentages

Incinerator	*Total ash (1996–2000) in tonnes*	*Proportion to landfill*	*Proportion to processors*
Teeside	212,000 IBA	67	33
Edmonton	717,000 IBA/ESP	70	30
Lewisham	577,000 IBA	59	41
Birmingham	343,000 IBA	79	21

The Agency's investigation, summarised in their report "Solid Residues from Municipal Waste Incinerators in England and Wales" has now been published and I will ensure that the hon. Member receives a copy of it. Copies will be placed in the Libraries of the House. It is also available on the Agency's website at *www.environment-agency.gov.uk.*

The Agency's investigation covered the period 1996 to 2000. The report itself lists annual tonnages of ash for the period covered by the investigation, and sites where MSWI residues were sent for disposal or reprocessing. Data on the end use of residues for 2001 are not available. Figures for 2001 for air pollution control residues will be available later in the year.

I have asked the Chief Executive of the Agency to contact the hon. Member in due course, to see whether she should require further information after having had the opportunity to consider the report.

Used Refrigerators

Mr. Lansley: To ask the Secretary of State for Environment, Food and Rural Affairs what financial help her Department is giving to county councils with the task of disposing of used refrigerators. [67687]

Mr. Meacher: In December 2001, we announced a payment of £6 million to go to local authorities to cover their costs up until March 2002 for the disposal of refrigerators. We realise local authorities are in need of further funding and intend to make an announcement as soon as possible.

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 2 July 2002, ref 64247, what financial aid is being made available to each local authority in 2001–02 to help with the storage and disposal of refrigerators. [67533]

Mr. Meacher: £6 million was allocated to local authorities for the extra costs they faced from 1 January to end March this year as a result of the disposal of refrigerators regulations. This money was added to local authorities' general grant for the current financial year and distributed using standard spending assessments. It is not possible to provide a meaningful allocation for each authority.

Crabs

Mr. Letwin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make it her policy to limit the landing of crab-claws to 75 kilos per trip. [64381]

Mr. Morley *[holding answer 27 June 2002]:* Yes.

Bovine TB

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what average number of hours per week is spent on veterinary surgeons in her Department in herd testing programme for Bovine TB; and if she will make a statement. [65469]

Margaret Beckett *[holding answer 1 July 2002]:* Veterinary Officers of the State Veterinary Service (SVS) are supported by approximately 100 Temporary Veterinary Inspectors (TVIs). During the six-month period December 2001 to May 2002 these veterinary surgeons spent approximately 15 per cent. of their time on TB-associated duties.

In addition over 4,000 Local Veterinary Inspectors (LVIs) are eligible to carry out TB testing.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs how many veterinary surgeons in each regional office of her Department work on the herd testing programme for Bovine TB. [65470]

Margaret Beckett *[holding answer 1 July 2002]:* The State Veterinary Service (SVS) comprises five regions and 23 divisions. Veterinary Officers of the SVS are supported by approximately 100 Temporary Veterinary Inspectors (TVIs). During the six-month period December 2001 to May 2002 these veterinary surgeons spent approximately 15 per cent. of their time on TB-associated duties.

In addition over 4,000 Local Veterinary Inspectors (LVIs) are eligible to carry out TB testing.

Provision of the number of veterinary surgeons who work on the bovine TB herd-testing programme, broken down by region, could only be obtained at disproportionate cost.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will list the pilot areas for the use of the gamma interferon test for bovine TB; [61606]

(2) when the use of the gamma interferon blood test for bovine TB commenced in pilot areas. [61607]

Margaret Beckett *[holding answers 19 June 2002]:* Pilot areas have not yet been identified. The matter is currently being considered by our veterinary and scientific advisers.

Molluscs

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to protect harvested molluscs from pollution. [67204]

Mr. Meacher: We are committed to protecting and improving the quality of water in which bivalve molluscs grow. Under the EC shellfish waters directive we have designated 93 waters in England, harvested for shellfish, and have agreed water company spending of over £50 million on improvements to coastal sewage treatment and storm overflows up to 2005 specifically to improve water quality at these sites. Our target is for all commercial harvested shellfish beds to achieve at least category B under the EC shellfish hygiene directive, which includes provisions to protect public health.

EU Committees (Scottish Representation)

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU committee for the adaptation to scientific and technical progress of the directive on protection of waters against pollution caused by nitrates from agricultural sources is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64883]

Mr. Meacher: The committee last met on 17 June 2002. No date has yet been set for the next meeting but the committee usually meets every six months. A representative from the Scottish Executive is invited to attend each meeting as part of the UK delegation.

Committee Mandates

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the mandate of the Scientific Committee on Food is; how many times it has met over the last 12 months; what the UK representation on it is; what the annual cost of its work is to public funds; if she will list the items currently under its consideration; if she will take steps to increase its accountability and transparency to Parliament; and if she will make a statement. [61697]

Ms Blears: I have been asked to reply.

The mandate for the scientific committee for food (SCF) is set out in European Commission (EC) Decision 1997/579/EC. The committee advises the Commission on any problem relating to the protection of the health and safety of persons arising or likely to arise from the consumption of food, in particular on nutritional, hygienic and toxicological issues.

The committee has met six times in the last 12 months and there have been numerous working group meetings. The SCF is composed of independent experts (with experience in related scientific fields) and does not represent the views of the member states in which they work. Three members with expertise in food toxicology and microbiology are based in the UK.

The committee is accountable solely to the EC which pays the travel and subsistence costs of members. There are no additional costs to UK public funds.

The committee is currently considering a number of issues relating to food additives, flavourings, constituents of packaging material, aspects of nutrition and genetically modified food. Minutes, current agendas of meetings and opinions of the committee can be found on the SCF website.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee for the Adaptation to Technical Progress and Application of the Community Award Scheme for an Eco-label is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [68547]

Mr. Meacher: The next meeting is scheduled for 25 September this year. The European Commission has not yet circulated a final agenda, but the Committee's normal business is to vote formally on new or revised technical criteria that manufacturers need to satisfy to obtain the eco-label award for their products.

The Committee—now called the Eco-label Regulatory Committee—consists of member states' nominated representatives. The UK is represented by an official from this Department. Representatives from the Scottish Executive have not attended, because the Executive has asked DEFRA to carry out all functions in relation to the EU eco-label on its behalf, as have the new Administrations in Wales and Northern Ireland. We liaise with the Administrations on relevant matters, and before each Regulatory Committee meeting DEFRA consults the new Administrations about the matters to be voted on.

We actively support the eco-label award scheme, whose aims are to promote products which can reduce negative environmental impacts, and to help provide consumers with accurate information about these aspects. The scheme was set up in 1992 by EU Regulation 880–92, which was revised in 2000 by Regulation 1980–2000. To obtain the award, companies must prove that their products meet the appropriate environmental criteria agreed by EU member states, which are published on the Commission's website at http://europa.eu.int/comm/environment/ecolabel/.

Sustainable Development

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs which Government Ministers will attend the World Summit on Sustainable Development. [67016]

Mr. Meacher: We are currently in the process of considering the delegation for the forthcoming World Summit on Sustainable Development but the final decision on the make up of the delegation will rest with the Prime Minister. However, both the Prime Minister, my right hon. Friend the Secretary of State and I will attend the summit. Ministerial representation at the summit will reflect the cross cutting nature of sustainable development.

Johannesburg Earth Summit

Mr. Wray: To ask the Secretary of State for Environment, Food and Rural Affairs what proposals her Department will take to the Johannesburg Earth Summit. [66641]

Mr. Meacher *[holding answer 3 July 2002]:* We hope that the summit will complement the Doha Development Agenda and the Monterrey Consensus by accelerating implementation of Agenda 21 and the Millennium Development Goals. We strongly support the priority areas of water, energy, health, agriculture and biodiversity identified by the UN Secretary-General.

DEFENCE

Expenditure Plans

Gillian Merron: To ask the Secretary of State for Defence when he plans to publish the 2002–03 to 2003–04 expenditure plans for his Department. [68864]

Mr. Hoon: The Government's expenditure plans 2002–03 to 2003–04 for the Ministry of Defence are published today. The document provides details of the Government's plans for defence expenditure for the two years 2002–03 to 2003–04. It complements the MOD's Performance Report 2000–01 (Cm 5290, November 2001) submitted to Parliament last year.

The document is part of a series of departmental reports which, along with the main estimates, and the document "Public Expenditure: Statistical Analyses 2002–03", present the Government's expenditure plans for 2002–04.

EU Directives

Mr. Bercow: To ask the Secretary of State for Defence if he will list the EU directives relating to his Department which have been *(a)* amended and *(b)* repealed in 2002. [64953]

Dr. Moonie: The Ministry of Defence is consulted by other Government Departments on the negotiation or implementation of various European directives (for example, those concerning employment and workers' rights). But EU directives do not generally relate specifically to the MOD and the MOD has not been the lead Department dealing with any amendment or repeal of the directives in 2002.

Mr. Bercow: To ask the Secretary of State for Defence if he will list the EU directives and regulations that have been implemented through his Department in 2002; and what was the cost of each to public funds. [64974]

Dr. Moonie: The Ministry of Defence is consulted by other Government Departments on the implementation of various European directives or regulations (for example, those concerning employment and workers' rights), but is not generally the lead Department dealing with implementation and has not been in relation to any directives or regulations in 2002.

As I stated in my answer on 10 April 2002, *Official Report,* column 32W, the information requested is not held centrally and could be provided only at disproportionate cost.

Macedonia

Mrs. Mahon: To ask the Secretary of State for Defence (1) how much unexploded ordnance was dumped into Lakes Prespa and Dolnolipkovsko in Macedonia in September 1999; and what other waste was dumped there; [64721]

(2) for what reason KFOR will not allow independent researchers to investigate what kind of waste was dumped into Lakes Prespa and Dolnolipkovsko and with what impact. [64722]

Mr. Ingram: I am not aware of the dumping of either unexploded ordnance or other waste into lakes Prespa or Dolnolipkovsko in Macedonia although I am aware of reports published on the internet. If the hon. Member would care to write with more details, I will investigate further.

Sub-continent (Weapons Capability)

Gregory Barker: To ask the Secretary of State for Defence (1) what representations his Department has received regarding increases in Pakistan's *(a)* offensive and *(b)* defensive weapons capabilities from November 2001 to June 2002; [65447]

(2) what representations his Department has received regarding increases to India's *(a)* offensive and *(b)* defensive weapons capabilities from November 2001 to June 2002. [65446]

Mr. Hoon: The Ministry of Defence have received a number of representations regarding Pakistan's and India's weapons capabilities from members of both Houses of Parliament and from members of the public. Currently the number of Parliamentary Questions stands at 39, and approximately 30 letters have been received from members of the public.

I am aware that other Departments have also received representations. We are continuing to monitor the situation.

Astute Class Submarine

Mr. Jenkin: To ask the Secretary of State for Defence (1) what the scheduled launch date is for each of the Astute class SSNs; [66030]

(2) what the in-service date is of HMS Astute. [67565]

Dr. Moonie *[holding answer 8 July 2002]:* The first Astute class nuclear powered attack submarine, HMS Astute, had been expected to enter service in June 2005. The prime contractor, BAE Systems is achieving improvements in cost compared with previous submarines. However, the company has made slower progress in the detailed design and in the build up of production than anticipated. The first of class, HMS Astute, is now not expected to enter service before late 2006, although this date has yet to be agreed with the contractor. BAE Systems is taking a range of management and other actions to minimise the slippage: this includes a re-assessment of the optimum time to perform the launch during the build sequence. Revised launch dates will not be available until later in the year.

After the initial entry into service, the plan calls for a considerable trials and work up period before the boat will become fully operational. The Ministry of Defence will work with BAE Systems to recover as much as possible of the delay in this period. BAE Systems is working to minimise any delay to the other two submarines on order, HMS Ambush and HMS Artful.

Married Quarters

Dr. Murrison: To ask the Secretary of State for Defence, pursuant to the answer of 25 June 2002, *Official Report*, column 749W, on married quarters, what plans he has to improve the standard of service families' accommodation in Wiltshire. [66239]

Dr. Moonie: I regret that the information given was incomplete and gave numbers of houses managed by only one of the four areas of the Defence Housing Executive (DHE) involved. The reply therefore understated DHE's achievement in improving the overall quality of service housing. There are 5,921 properties in Wiltshire, of which 1,389 (23 per cent.) are at standard 1 for condition, 3,404 (57 per cent.) at standard 2, 1,005 (17 per cent.) at standard 3 and 123 (3 per cent.) at standard 4.

There is a major project under way in Tidworth which will provide 484 new properties by 2004. 47 have been completed so far. Additionally, the following upgrade projects are planned for possible implementation in due course, to deliver 696 upgrades at an estimated cost of £30 million:

Upavon—158
Colerne—160
Bulford—205
Larkhill—63.

Arms Fairs

Mr. Salmond: To ask the Secretary of State for Defence if he will list the arms fairs organised, supported and sponsored by his Department in each year since 1997, indicating the *(a)* name, *(b)* location and *(c)* cost to the Department and organisations attending each event. [65791]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Salmond: To ask the Secretary of State for Defence if he will list the arms fairs that are to be organised, supported and sponsored by his Department in 2002 and 2003. [65792]

Dr. Moonie: Since September 1997 the Ministry of Defence no longer organises defence exhibitions.

However, in support of the Government's commitment to a strong United Kingdom defence industry, the Ministry of Defence undertakes a broad range of activities in support of the organisers of defence exhibitions. Normal marketing support to UK exhibitors is provided by the Defence Export Services Organisation, and other assistance includes helping the organisers ensure maximum exposure of UK products to potential customers by supporting officials' inward visits.

This year the MOD will participate in the Farnborough Airshow, which is a commercial event organised and run by the Society of British Aerospace Companies. In 2003, the MOD will participate in the Defence System and Equipment International exhibition, organised by Spearhead Exhibitions Ltd.

In addition to these events, DESO have either supported or currently expect to support the following shows:

2002

Aid & Trade International, Switzerland
Pacific 2002, Australia
Asian Air, Singapore

DEFEXPOL, India
FIDEA, Chile
DSA Malaysia, Malaysia
Eurosatory, France
Africa Aerodef, South Africa
Defendory, Greece
Sofex, Jordan
Euronaval, France
Euronaval, Chile

2003

Avalon, Australia
Aero India, India
IDEX, Abu Dhabi
Aviation World Fair, USA
LAD, Brazil
IMDEX, Singapore
Paris Air, France
Aviation North America, USA
IDEF, Turkey
Kormarine, South Korea
Seoul Air, South Korea
Dubai Air, Dubai
LIMA, Malaysia.

Building Values

Mr. Bercow: To ask the Secretary of State for Defence if he will list the buildings owned by his Department and estimate the market value of each of them. [66941]

Dr. Moonie: I refer the hon. Member to the reply my right hon. Friend the Chief Secretary to the Treasury gave him on 3 July 2002, *Official Report*, column 339W.

A400M

Mr. Gray: To ask the Secretary of State for Defence (1) what A400M spares will be stored in the United Kingdom; [66759]

(2) where the spares store for the A400M will be located. [66758]

Dr. Moonie: The United Kingdom, together with its partner nations, has initiated work to produce a Common Support Strategy for A400M. We plan to make a decision on this aspect of the programme by 2005, after considering a range of options. It is not yet possible, therefore, to say what A400M spares will be held in the UK, and where A400M spares will be held.

Mr. Gray: To ask the Secretary of State for Defence how the wings for the A400M will be transported from Filton to the main construction site in France. [66757]

Dr. Moonie: Final assembly of the A400M aircraft will take place in Seville, Spain. A400M wings will be transported to Seville by the Beluga aircraft (a modified Airbus A300) already used by Airbus UK to deliver wings for Airbus commercial aircraft.

Thailand

Mr. Gray: To ask the Secretary of State for Defence what discussions he has had with the Government of Thailand about the sale of warships. [66760]

Dr. Moonie: My right hon. Friend the Secretary of State for Defence held discussions, during his recent visit to Thailand, with his Thai counterpart and other senior Thai officials in support of proposals put forward by United Kingdom companies.

Police (Accommodation)

Mr. Hancock: To ask the Secretary of State for Defence what MOD properties are being used by police forces to house police officers undergoing their initial training; and if he will make a statement. [66821]

Dr. Moonie: All initial training for Ministry of Defence police recruits is conducted at the MDP Police Training Centre (MDP PTC), Wethersfield, Essex. In addition to this CENTREX have been conducting initial training for Home Office police force recruits at MDP PTC Wethersfield since January 2001. The recruits have been accommodated in the standard student accommodation blocks.

A number of former married quarters at Mill Hill, now owned by Annington Homes Ltd. are occupied by Metropolitan police cadets.

Barracks Deaths

Mr. McNamara: To ask the Secretary of State for Defence what the date was of each death of a member of HM armed forces through non-natural causes *(a)* in and *(b)* in the vicinity of military property since 1990; and what the name of the barracks was in each case. [66697]

Dr. Moonie: Between 1 January 1990 and 1 July 2002 there have been 1,748 deaths in the regular armed forces due to injury. The following table shows these injury related deaths broken down by geographical region. Information on precise location of deaths is not readily available and could be provided only at disproportionate cost and it would compromise Service personnel confidentiality.

	Location				
	Great Britain[1]	*Northern Ireland*	*Germany BAOR*	*Others*	*Total*
1990	133	14	37	33	217
1991	105	14	42	63	224
1992	84	20	32	31	167
1993	108	14	19	28	169
1994	85	6	23	37	151
1995	87	12	18	29	146
1996	62	5	15	24	105
1997	79	2	8	18	107
1998	65	3	11	31	110
1999	68	1	9	21	99
2000	76	5	8	21	110
2001	89	5	5	18	97
2002[2]	28	5	2	10	45
Total	1,049	106	229	364	1,748

[1] Includes UK waters and north Atlantic
[2] As at 1 July 2002

Canberra PR9

Mr. Hancock: To ask the Secretary of State for Defence what the cost is of the Canberra PR9 reconnaissance aircraft; and if he will make a statement. [67142]

Mr. Ingram: For the last financial year 2001–02, the total resource running costs of the five Canberra PR9 aircraft in 39 Squadron was approximately £15.5 million.

Army Vehicles

Mr. Laurence Robertson: To ask the Secretary of State for Defence if he will make a statement on the content of British manufacturing in vehicles used by the Army. [67140]

Dr. Moonie: Information relating to a selection of vehicles used by the British Army (Warrior Armoured Personnel Vehicle (APV), Challenger 2 Main Battle Tank (MBT), Landrover and the Demountable Rack Off Load and Pick up System (DROPS) vehicle) is set out in the table.

Information on the content of British manufacturing for every vehicle used is not held centrally and as such an overall assessment could be provided only at disproportionate cost. The British manufacturing content of each of the vehicles, set out in the table, is 85 per cent. or more.

Vehicle	*Manufacturer*
Warrior APV	
Vehicle design authority	Alvis Vehicles Ltd. (UK owned)
Hull manufacture	Alvis Vehicles (UK manufactured and owned)
Engine and transmission	Perkins (UK manufactured—now owned by Caterpillar, a US company)
Turret design authority	Vickers Defence Systems (UK manufactured and owned)
Track	William Cook Defence (UK manufactured and owned)
Challenger 2 MBT	
Vehicle design authority	Vickers Defence Systems (UK owned)
Turret design authority	Vickers Defence Systems (UK owned)
Track	William Cook Defence (UK manufactured and owned)
Engine	Perkins (UK manufactured—now owned by Caterpillar, a US company)
Transmission	David Brown Defence (US owned and UK manufactured)
Laser Range Finder	Simrad (Norwegian owned and manufactured)
DROPS Vehicle Medium Mobility Load Carrier (IMMLC)	
Parent company	PACCAR (US owned)
Vehicle design authority	Foden (UK owned)
Manufacturer	Foden (UK owned and manufactured)
Engine manufacture	(UK manufactured now owned by US company—Caterpillar)
Transmision manufacturer	ZF (German owned and manufactured)
DROPS Vehicle Medium Mobility Load Carrier (MMLC)	
Parent company	PACCAR (US owned)
Vehicle design authority	Leyland (UK owned)
Manufacturer	Leyland (UK owned and manufactured)
Engine manufacture	(UK manufactured now owned by US company—Caterpillar)
Transmission manufacturer	ZF (German owned and manufactured)
Landrover	
Parent company	Ford (US)
Vehicle design authority	Landrover (US owned)
Manufacturer	Landrover (US owned, UK manufactured)
Engine manufacture	Landrover (US owned, UK manufactured)
Transmission manufacturer	Landrover (US owned, UK manufactured)

Armed Forces Pension Scheme

Matthew Taylor: To ask the Secretary of State for Defence what assessment he has made of the proportion of the rise in Government liabilities resulting from unfunded parts of the armed forces pension scheme in the last five years due to *(a)* wage inflation, *(b)* longevity, *(c)* extension of the rights of part-time workers and *(d)* other factors; and if he will make a statement. [67023]

Mr. Ingram: A detailed breakdown of reasons for the increased liabilities of the armed forces pension scheme cannot be provided. However, the most significant factors in the increase from 43.7 billion at 1 April 1997 to 51 billion at 1 April 2001 have been price inflation and real wage increases. Trends in pensioner longevity will also have had an impact but the effect of rights of part-time workers is considered to have been minimal.

Tank Warfare

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to conduct a cost and effectiveness comparison of alternatives to using depleted uranium in gun-launched Kinetic Energy penetrator projectiles to defeat threats from tanks; and if he will make a statement. [67840]

Dr. Moonie: Operational analysis (OA) studies into the cost-effectiveness of tank-launched depleted uranium ammunition have taken place since the 1970s when it was assessed that the existing tungsten Kinetic Energy (KE) projectile for our main battle tank would not be able to penetrate the frontal armour of the next generation of battle tanks. OA and scientific research showed that a battle winning UK capability against emerging armour technologies could be achieved by replacing the tungsten penetrator with one made from DU.

Although research to identify more effective alternative KE tank rounds has been undertaken, no satisfactory alternative to DU has yet been identified which achieves the level of penetration needed to defeat the most modern battle tanks. At this time, the use of DU ammunition remains the most operationally effective capability and the use of non-DU ammunition would significantly threaten operational success and potentially could lead to increased UK casualties.

We will, however, continue to carry out work on alternatives to DU. The DU research proposal which was announced earlier this year, 14 March 2002, *Official Report*, columns 1177–78W—also published on the web at www.mod.uk/issues/depleted_uranium/du_research.htm—includes, at section 2.5, OA studies on the types of engagement where DU ammunition is required and the consequences of not using DU, together with cost-effectiveness studies into other means of defeating heavy armour. The proposal also includes, at section 2.6, work into radical alternatives (for example, guided missiles) to DU KE penetrators to defeat heavy armour.

Skyguard Radar

Mr. Liddell-Grainger: To ask the Secretary of State for Defence what plans he has to bring back Skyguard radar to the Somerset area in the next year. [67590]

Dr. Moonie: Use of the Skyguard mobile radar system to monitor military aircraft activity is covert and details are not made public in advance of deployment. As is customary, I shall let the hon. Member know in confidence when the next deployment of Skyguard is imminent in his area of Somerset.

Eurofighter

Patrick Mercer: To ask the Secretary of State for Defence what extra costs *(a)* have been and *(b)* will be incurred by the delayed introduction of the Eurofighter into RAF service until the end of the year. [67707]

Dr. Moonie: No additional costs have been incurred by the delayed introduction of the Eurofighter into Royal Air Force service, and none are expected to be incurred. Initiation of contract support of initial flying will not commence until the first RAF aircraft has been accepted. We believe we will be able to maintain the planned operational employment date for Eurofighter, therefore, allowing existing aircraft to be withdrawn from service as scheduled.

Warship Construction

Mr. Jenkin: To ask the Secretary of State for Defence how much his Department intends to spend in each of the financial years from 2004 to 2008 inclusive on new warship construction; and what the cost of refit and repair work will be. [67567]

Dr. Moonie *[holding answer 8 July 2002]:* Based on current plans, we expect to spend the following sums on new warship construction (including submarines):

	£ million
2004–05	735
2005–06	1,890
2006–07	1,146
2007–08	1,126

The planning cycle for naval support expenditure covers four financial years. We estimate that the cost of planned maintenance (including refits) and repair work on warships (including submarines) and Royal Fleet Auxiliary vessels will be in the region of £500 million in each of the years 2004–05 and 2005–06. These figures exclude the cost of upgraded equipment. Estimates for 2006–07 and 2007–08 are not available.

Figures are for planning purposes only and are subject to regular review.

Overseas Naval Procurement

Mr. Jenkin: To ask the Secretary of State for Defence what recent expressions of interest he has received from the Government of Thailand about the purchase of Royal Navy warships; and if he will make a statement. [67568]

Dr. Moonie *[holding answer 8 July 2002]:* The Ministry of Defence's Disposal Services Agency (DSA) has received no formal expressions of interest from the Government of Thailand about the purchase of Royal Naval warships in recent years.

Mr. Jenkin: To ask the Secretary of State for Defence what expressions of interest he has received from the Chilean Government in respect of the possible purchase of type 23 frigates. [67569]

Dr. Moonie *[holding answer 8 July 2002]:* The Chilean Government have expressed an interest in the possible purchase of type 23 frigates in the future. Discussions are currently ongoing.

Search and Rescue Helicopter

Chris Grayling: To ask the Secretary of State for Defence if he will make a statement on the plans to move the Portland search and rescue helicopter to Lee-on-Solent. [68371]

Mr. Jamieson: I have been asked to reply.

The Government are committed to a continuing helicopter search and rescue capability along the south coast. Discussion between the Maritime and Coastguard Agency and other organisations about the future location of the helicopter based at Portland are continuing. No final decisions have been made.

Asylum Centre (Throckmorton)

Mr. Luff: To ask the Secretary of State for Defence what arrangements he is making to conduct an environmental impact assessment for the proposed asylum accommodation centre at Throckmorton; and when that assessment will be available to the planning authority. [59085]

Beverley Hughes: I have been asked to reply.

We have agreed with Wychavon District Council that an environmental impact assessment will be submitted with the planning notification.

NORTHERN IRELAND

Women's Organisations

Sandra Gidley: To ask the Secretary of State for Northern Ireland what women's organisations have been consulted on proposed legislation by his Department during 2000–01 and 2001–02 Sessions; and if their responses have been published. [66528]

Jane Kennedy: The Secretary of State for Northern Ireland consulted the following groups during the period in question.

Lesbian Line
Omagh Women's Area Network
Women's Resource and Development
The Women's Centre
Women's Forum NI
NI Women's Aid Federation
Mid-Ulster Women's Network
Family Planning Association NI
Derry Well Woman
Newry and Mourne Women
Fermanagh Women's Network
NI Women's European Platform
Gay and Lesbian Youth NI
Women's Support Network
Women's Information Group
NI Women's Coalition.

The responses from these consultations have not been published.

Data Commissioning

Sandra Gidley: To ask the Secretary of State for Northern Ireland what new data series separated by gender, race, disability and age have been commissioned by his Department since August 1997. [66527]

Jane Kennedy: During 2001, the Northern Ireland Office commissioned the 2001 sweep of the Northern Ireland Crime Survey, which contains data on the gender, race, disability (or activity-limiting long-standing illness) and age of each of the 3,010 respondents.

Also, in 2002 the NIO published "Gender and the Northern Ireland Criminal Justice System", which presents a wide range of statistical data and research findings on the Northern Ireland criminal justice system in terms of gender comparisons. Similar Northern Ireland criminal justice system publications focusing on age and race are planned for 2002–03.

Gender Impact Assessment

Sandra Gidley: To ask the Secretary of State for Northern Ireland if he will list the subject of each gender impact assessment drawn up by his Department since June 1997, indicating in each case whether the outcome has been *(a)* put out to consultation and *(b)* published. [66525]

Jane Kennedy: There have been no specific single gender impact assessments put to consultation or published by the Northern Ireland Office since 1997.

Equal Treatment

Sandra Gidley: To ask the Secretary of State for Northern Ireland if he has established a baseline for policy appraisal against which to measure progress on equal treatment; and what progress has been achieved. [66526]

Jane Kennedy: Section 75 of the Northern Ireland Act 1998, requires public authorities to have due regard to the need to 'promote equality of opportunity' and have regard to 'promoting good relations' within Northern Ireland. The legislation also requires them to produce an 'Equality Scheme' stating how they will fulfil these requirements. In January 2000 the Northern Ireland Office (NIO) commissioned the preparation of an 'Equality Scheme' which was approved by the Quality Commission for Northern Ireland on 20 November 2001. The Scheme sets out how the Department and its Agencies fulfil their duties and obligations with regard to all of their policies, functions and duties.

An 'External Assessor' has recently produced the first Annual Progress Report on the operation of the NIO's Equality Scheme. The report looked at the work of the Department to date and commented favourably on progress.

WORK AND PENSIONS

Benefit Fraud Inspectorate

Ann McKechin: To ask the Secretary of State for Work and Pensions if he will publish the next programme of inspections for the Benefit Fraud Inspectorate. [69184]

Malcolm Wicks: The Benefit Fraud Inspectorate's (BFI) latest programme of activity includes inspections of both central and local government.

The local authority inspections will focus on various aspects of benefits administration and counter fraud performance in the following local authorities:

Crawley district council
Barnsley metropolitan council
Basingstoke and Deane district council
Waveney district council
Castle Morpeth district council
East Renfrewshire council.

This is the first programme of inspections following the publication of the "Performance Standards for Housing Benefits" in March 2002. The BFI inspections will consider, among other things, the progress councils have made in assessing their own performance against the standards.

BFI will also inspect a number of councils to test compliance against the Race Relations Amendment Act 2001 in the area of benefits administration.

BFI will be writing to Chief Executives with more details in the coming week.

BFI will also be undertaking an inspection of Jobcentre Plus to establish how the new organisation is taking forward the recommendations made in the BFI report on the Benefits Agency's relationship with local authorities, published in September 2001.

Alongside these inspections, BFI will continue to contribute to the comprehensive performance assessments of local authorities.

Poverty

Mr. Burstow: To ask the Secretary of State for Work and Pensions whether he will consult on the definition of older persons' poverty. [59601]

Mr. McCartney: Poverty can be caused by a number of factors and no one measure can capture all of these factors. Accordingly, we have developed a number of measures of poverty which we track and report on in the annual "Opportunity for All" report.

Child Support Agency

Bob Russell: To ask the Secretary of State for Work and Pensions (1) how many people have been prosecuted for making a false statement to the Child Support Agency in respect of their income; and if he will make a statement; [65782]

(2) what measures are taken by the Child Support Agency to ascertain that details of claimed income by an absent parent are correct; and if he will make a statement; [65783]

(3) how many cases were raised by hon. and right hon. Members with the Child Support Agency in each of the last five years for which figures are available. [65784]

Malcolm Wicks: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Doug Smith to Mr. Bob Russell, dated 8 July 2002:

The Secretary of State for Work and Pensions in replying to your recent Parliamentary Question about the Child Support Agency promised a substantive reply by me.

You ask three questions:

1. How many people have been prosecuted for making a false statement to the Child Support Agency in respect of their income; and if the Secretary of State for Work and Pensions will make a statement.

Our aim is to encourage parents to support their children. In the majority of cases our demonstrated intention to take a case to court has been sufficient to encourage the non-resident parent either to provide the correct requested information or to make arrangements to pay maintenance.

Against that background since April 2002, four cases have been taken to court in regard to the provision of false information.

2. What measures are taken by the Child Support Agency to ascertain that details of claimed income by an absent parent are correct, and if the Secretary of State for Work and Pensions will make a statement.

The Agency requests verification of all income declared by our clients before the maintenance is calculated.

If we are unable to get the necessary information from the client, either because they are unable or unwilling to provide it, we will contact third parties who might reasonably be expected to hold relevant information.

3. How many cases were raised by hon. and right hon. Members with the Child Support Agency in each of the last five years for which figures are available.

Members of Parliament have written to the Agency through Parliamentary Correspondence Unit about the following total number of cases in each of the last five years:

April 1997 to March 1998: 6962

April 1998 to March 1999: 7690

April 1999 to March 2000: 5338

April 2000 to March 2001: 4218

April 2001 to March 2002: 3050

Members of Parliament are also encouraged to contact our offices directly in relation to cases. We do not have a central record of the total number of those cases.

I hope this is helpful.

Mr. Webb: To ask the Secretary of State for Work and Pensions, pursuant to the answer of 19 April 2002, *Official Report*, column 1212W, on the Child Support Agency, when testing of the child support reforms new rules implementation IT project will be complete. [66588]

Malcolm Wicks: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Doug Smith to Mr. Steve Webb, dated 8 July 2002:

The Secretary of State for Work and Pensions in replying to your recent Parliamentary Question about the Child Support Agency promised a substantive reply by me.

You ask pursuant to the Answer of 19th April Official Report column 1212W on the Child Support Agency when testing of the Child Support Reforms New Rules Implementation IT project will be complete.

The testing of the new IT system to support Child Support Reform is progressing. When this work is complete I will advise the Secretary of State accordingly.

I hope this is helpful.

Mr. Willetts: To ask the Secretary of State for Work and Pensions (1) how many people were committed to prison because they had committed offences relating to the work of the Child Support Agency in each year since the Agency was established; [62577]

(2) how many parents have faced criminal sanctions under the Child Support, Pensions and Social Security Act 2000 because they have *(a)* failed to provide the Child Support Agency with required information and *(b)* provided false information. [62606]

Malcolm Wicks: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Doug Smith to Mr. David Willetts, dated 8 July 2002:

The Secretary of State for Work and Pensions in replying to your recent Parliamentary Question about the Child Support Agency promised a substantive reply by me.

You ask two questions;

how many people were committed to prison because they had committed offences relating to the work of the Child Support Agency in each year since the Agency was established and

how many parents have faced criminal sanction under the Child Support Pensions and Social Security Act 2000 because they have (a) failed to provide the Child Support Agency with required information and (b) provided false information.

Our aim is to encourage parents to support their children. In the majority of cases our demonstrated intention to take a case to court has been sufficient to encourage the non-resident parent either to provide requested information or to make arrangements to pay maintenance.

Against that background:

Since April 2001, one person has been committed to prison. Prior to this, the information wasn't centrally gathered.

There have been no cases taken to court in respect of failing to provide required information.

Since april 2002, four cases have been taken to court in regard to the provision of false information.

I hope this is helpful.

Incapacity Benefit

Mr. Webb: To ask the Secretary of State for Work and Pensions, pursuant to his answer of 25 January 2002, *Official Report*, column 1140W, on incapacity benefit, what data his Department hold on *(a)* the number of incapacity benefit claimants who have been required to attend repeat Benefits Agency medical assessment, *(b)* the number of incapacity benefit claimants who have lost their entitlement as a result of a repeat Benefits Agency medical assessment and *(c)* the number of incapacity benefit claimants transferred to a different benefit as a result of a repeat Benefits Agency medical assessment. [66592]

Malcolm Wicks: Data collected on the number of people referred for a Personal Capability Assessment does not distinguish between initial and subsequent referrals.

Industrial Injuries Advisory Council

Mr. Pike: To ask the Secretary of State for Work and Pensions when the Industrial Injuries Advisory Council's review of the schedule of occupational diseases for which benefits are paid will be published. [65046]

Mr. Nicholas Brown: In February 1997 the Industrial Injuries Advisory Council announced that it would review the schedule of occupational diseases in respect of which benefit can be paid.

This review is a major task. The Council has therefore decided to publish reports on discrete parts of the list of diseases as the review progresses rather than producing a single report. The findings of the review that have been published so far are; Diseases induced by Ionising and Non-Ionising Radiation (Cm 4280) published in March 1999 and Conditions due to Chemical Agents (Cm 5395) published in February 2002.

The Council will continue to review all the evidence it receives and reports of its further findings will be published in due course.

Change Programme

Mr. Lilley: To ask the Secretary of State for Work and Pensions if he will make a statement on the savings achieved under the change programme. [57139]

Mr. Nicholas Brown: The Department is in the early years of a major change programme with considerable savings planned for the later years. The savings achieved by the former DSS change programme in 2001–02 are £3.1 million administrative expenditure and £73.3 million programme expenditure.

Consultants

Mr. Gray: To ask the Secretary of State for Work and Pensions how many contracts the Department of Work and Pensions has with consultants; what level of professional indemnity insurance is standard in contracts with small consultants; whether he can make exceptions to the level of professional indemnity insurance; and what recent discussions he has had with other Government Departments about the level of professional indemnity insurance. [50834]

Mr. Nicholas Brown: The Department currently has 177 consultancy contracts in place let via framework agreements, including the Office of Government Commerce's Service Categories IT and Business Services Catalogue. Each agreement has its own standard set of Terms and Conditions—including levels of professional indemnity insurance.

Standard terms set Limitation of Liability for damage to property at a maximum of £1,000,000 and other defaults at a maximum of £50,000 or 150 per cent. of the value of the contract. Professional indemnity insurance is generally set at a level appropriate to the size of the contract and the level of risk involved.

In addition to framework standard Terms and Conditions, special terms specific to the requirement in hand can be agreed to adjust the limitation of liability.

On discussions with other Government Departments I refer the hon. Member to the written answer given by my right hon. Friend the Prime Minister on 6 February 2002, *Official Report*, column 689W.

Housing Benefit

Mr. Weir: To ask the Secretary of State for Work and Pensions how many people have been in receipt of housing benefit in *(a)* Angus and *(b)* Scotland in each of the last five years. [67327]

Malcolm Wicks: The available information is in the table.

Housing benefit case load at February of each year from 1998 to 2002

	Angus	*Government office region of Scotland*
1998	8,300	530,000
1999	8,000	518,000
2000	7,600	487,000
2001	7,600	467,000
2002	7,300	453,000

Notes:

1. Data for Angus relate to the Angus council area.
2. The data refer to households claiming housing benefit which may be a single person, a couple or a family. More than one benefit household can live in one property, for example two or more adults in a flat or house share arrangement.
3. Figures for Angus council are rounded to the nearest 100; figures for Scotland are rounded to the nearest 1,000.
4. Figures for any non-responding authorities have been estimated.

Source:

Housing Benefit Management Information System quarterly 100 per cent. counts taken in February of each year.

Retirement Age

Chris Grayling: To ask the Secretary of State for Work and Pensions what changes he has made to his policy on the age of retirement since 1998. [68076]

Mr. McCartney: We have made no change in the policy on state pension age since 1998. Legislation was introduced in 1995 to equalise state pension age for men and women. Women's state pension age will be increased gradually from 60 to 65 between the years 2010 and 2020.

But we are looking at the factors that help determine the age at which people actually retire. Too many people experience a cliff edge between work and retirement. We need to be able to provide real opportunities and incentives to enable people to stay in the work place for longer—where they want to. We also need to tackle the perverse incentives to retire even when it might suit people to carry on working, perhaps part-time, for longer. We are looking at options for providing people with greater flexibility about when they retire.

Correspondence

Mr. Salmond: To ask the Secretary of State for Work and Pensions when he will respond to the letter of 13 May from the hon. Member for Banff and Buchan (Mr. Salmond) regarding a constituent, Mrs. P. Baker, New Dear, Aberdeenshire. [67650]

Maria Eagle: A reply to the letter of 13 May from the hon. Member for Banff and Buchan was sent on 8 July.

Self-employed Disabled People

Mrs. Fitzsimons: To ask the Secretary of State for Work and Pensions what plans he has to allow greater flexibility in the calculation of the annual permitted work rules in respect of average rather than actual weekly earnings for self-employed disabled people. [59756]

Maria Eagle: The new permitted work rules, introduced on 8 April, give all people receiving incapacity benefits the chance to start moving back into full-time work. When attributing income from irregular work undertaken by self-employed disabled people, decision makers must treat each case on its merits. Guidance advises decision makers to look at income and hours worked over a period of time so that income can be attributed in a fair and equitable way.

We keep all our policies under review. However, we believe that there is sufficient flexibility within the present rules and have no plans to change them.

Public Service Agreement Targets

Mr. Bercow: To ask the Secretary of State for Work and Pensions what has been the *(a)* cost and *(b)* saving from the pursuit of the Department's public service agreement targets in each year since they were introduced. [60889]

Mr. McCartney: The Department's public service agreement sets out the key outcomes it is committed to deliver with the resources provided, and its service delivery agreement sets out the key steps towards delivery of those targets. Each year the Department publishes performance against its targets—including on value for money—and the resources it has used in its departmental report.

Performance Targets

Mr. Bercow: To ask the Secretary of State for Work and Pensions what the *(a)* cost and *(b)* saving has been from the Department's pursuit of service delivery agreement targets in each year since they were introduced. [61632]

Mr. McCartney: The Department's public service agreement sets out the key outcomes it is committed to deliver with the resources provided, and its service delivery agreement sets out the key steps towards delivery of those targets. Each year the Department publishes performance against its targets—including on value for money—and the resources it has used in its departmental report.

Benefit Statistics

Malcolm Bruce: To ask the Secretary of State for Work and Pensions (1) how much benefit was paid, by category, in *(a)* the UK and *(b)* rural areas in each of the last 10 years; [63646]

(2) how many benefit claimants, by category, there were in *(a)* the UK and *(b)* rural areas for each of the last 10 years. [63645]

Mr. Nicholas Brown *[holding answer 24 June 2002]:* The information is not available in the format requested. Such information as is available has been placed in the Library.

TREASURY

Heavily Indebted Poor Countries Initiative

Norman Lamb: To ask the Chancellor of the Exchequer what consideration is given by *(a)* his Department and *(b)* the IMF to the recent human rights record of the country concerned during the consideration of providing assistance under the HIPC initiative. [68509]

John Healey: The UK continues to be at the forefront of the international debate on debt relief issues, and continues to press for the rapid and full implementation of the heavily indebted poor countries (HIPC) initiative. One of the necessary conditions for countries to qualify for debt relief under HIPC is the formulation of a Poverty Reduction Strategy Paper (PRSP). For low-income member countries, the IMF has placed PRSPs at the centre of its efforts. Pro-poor growth policies help to increase the amount of resources available that are required for the progressive realisation of human rights, including civil and political rights, and social justice. These strategies are designed in collaboration with civil society and the private sector and describe a country's macroeconomic, structural and social policies, setting out the policy action governments propose to take to reduce poverty. They provide a budgetary framework, not only for spending the savings from debt relief, but also for allocating other government revenue and support from the World bank, IMF and donor countries, hence enhancing transparency over fiscal expenditure. IMF programmes in HIPC countries pay particular attention to promoting pro-poor growth and improving governance.

Home Care

Mr. Burstow: To ask the Chancellor of the Exchequer what plans he has to review the VAT treatment of the services of home care agencies and home carers. [67634]

John Healey: I refer the hon. Member to the reply I gave to the hon. Member for mid-Sussex (Nicholas Soames) on 5 July 2002, *Official Report*, columns 627–28W.

Climate Change Levy

Mr. Barker: To ask the Chancellor of the Exchequer what the total revenues were which he received during 2001–02 as a result of the climate change levy. [60478]

John Healey: Table 2.1D in the ONS publication "Financial Statistics" (May 2001) shows cash receipts from CCL to be £551 million for the year 2001–02; on an accruals basis this is equivalent to £831 million.

Aggregates Levy

Mr. Peter Duncan: To ask the Chancellor of the Exchequer (1) how many opencast mines have applied for exemption from the Aggregates Levy in respect of their sales of surplus aggregates by-product; [67231]

(2) for what reason aggregates created as by-product from open cast mining are excluded from the Aggregates Levy; [67232]

(3) what assessment he has made of the proportion of aggregates used in the United Kingdom that will be exempt from the Aggregates Levy; [67228]

(4) what systems are in place to detect fraudulent avoidance of the Aggregates Levy. [67230]

John Healey: Open cast mines which do not produce any taxable aggregate are not required to register for the levy.

Current revenue forecasts use only those aggregate arisings which are subject to the levy, and therefore no assessment has been made of the proportion of aggregates used in the UK that will be exempt from the levy.

The spoil arising from the separation of coal from rock after it has been extracted from an open cast mine is exempt because it is a waste material and its use as aggregate is specifically encouraged in the Government's mineral planning guidelines.

Customs are utilising audit trails which already exist within business accounting records and are targeting resources in accordance with perceived risk. Where fraud is detected, Customs will use their powers to recover the revenue due and impose penalties.

Aerospace Industry

Tony Cunningham: To ask the Chancellor of the Exchequer what steps he has taken to help alleviate the problems experienced by the aerospace industry since 11 September 2001. [68216]

Dawn Primarolo: In Budget 2002, the Chancellor announced the extension of the R&D tax credits to all companies, following the introduction of an R&D tax credit for small companies in Budget 2000. The credit will be worth £400 million per annum. Aerospace manufacturers, which undertake 10 per cent. of the UK's R&D, will be significant beneficiaries of this measure.

Tax Returns

Chris Grayling: To ask the Chancellor of the Exchequer for what reason the electronic filing of tax returns requires a password to be sent by post. [68369]

Dawn Primarolo: To electronically file a tax return using the Internet Service for Self Assessment a user must first register. There are two methods by which a customer can register, they can register on-line by choosing a password and a user ID will be sent to them by post or by using a digital certificate. For security purposes we need to be confident of the identity of the user and our registration process enables us to do this.

Tax Offices

Chris Grayling: To ask the Chancellor of the Exchequer for what reason tax offices do not offer e-mail contact points. [68370]

Dawn Primarolo: Most tax offices do not offer e-mail contact points but as part of an external e-mail trial, 10 Inland Revenue offices are offering e-mail contacts to customers.

The trial findings will be used to inform the Department's strategic solution for improving electronic customer contact.

Regional Funding

Mr. Salmond: To ask the Chancellor of the Exchequer how many staff within his Department are allocated to consideration of regional funding mechanisms. [67930]

Mr. Boateng: There are 10 people in the team responsible for advising Treasury Ministers on regional policy in England, EU structural funds, the Northern Ireland, Scotland and Wales Offices, and funding arrangements with the devolved Administrations. Devolved funding arrangements are set out in the Statement of Funding Policy.

Barnett Formula

Mr. Salmond: To ask the Chancellor of the Exchequer what percentage of the 2002–03 Scottish Executive budget is affected by the Barnett formula. [67931]

Mr. Boateng: Around 83 per cent. of the 2002–03 Scottish Executive total managed expenditure is the Departmental Expenditure Limit assigned budget, increases in which are determined by the Barnett formula.

Network Rail

Mr. Gibb: To ask the Chancellor of the Exchequer whether loans provided by the Strategic Rail Authority and drawn upon by Network Rail under the arrangements announced by the Secretary for Transport on 27 June will be included in the net cash requirement for the year in which they are drawn down. [68215]

Mr. Boateng: Yes. Lending to the private sector by Government is a determinant of the public sector net cash requirement. So lending by the SRA to Network Rail would increase the public sector net cash requirement in the year the loans were made.

Departmental Spending

Mrs. Lawrence: To ask the Chancellor of the Exchequer if he will make a statement on the levels of departmental spending. [69035]

Mr. Gordon Brown: I propose to make a statement to the House on Monday 15 July.

Double Taxation Agreement (Taipei)

Barbara Follett: To ask the Chancellor of the Exchequer if the British Trade and Cultural Office, Taipei, has concluded a Double Taxation Agreement with the Taipei Representative Office in the United Kingdom. [68863]

Dawn Primarolo: The Double Taxation Agreement was concluded between unofficial representative offices because Her Majesty's Government do not recognise Taiwan as a state and so do not enter into treaties with the Taiwanese Government. The agreement was signed on 8 April. The text has been deposited in the Library of the House and made available on the Inland Revenue's website. It will be scheduled to a draft Order in Council and laid for consideration by the House at the earliest convenient opportunity.

Retail Investment Review

Barbara Follett: To ask the Chancellor of the Exchequer when the Sandler review of retail investment will be published. [68662]

Ruth Kelly: Ron Sandler's report is being published today. Copies are available in the Vote Office and in the Library of the House. It is also accessible on the Treasury website.

Ron Sandler's recommendations have the potential to bring benefits for consumers, for the retail investment industry and to improve the workings of the market. They will mean more competition, greater efficiency and more productive investment.

Simpler, safer investment products of the kind Mr. Sandler proposes would be easier for consumers to understand. Greater focus on product design could clear the way for a more streamlined sales process. This would make it profitable for providers and distributors to sell to a wider range of less well-off people. That will encourage people to save.

Building on Mr. Sandler's suggestions, we will be consulting consumers' representatives, the industry and the FSA on these stakeholder products and how they might be designed. We will be working closely with the FSA who will separately want to consult on how a regime for their sale might be implemented.

The proposals also represent a real opportunity for the industry and others to think radically about the provision of financial advice. They offer the potential to extend access to low cost, good quality, generic advice to the mass market.

Mr. Sandler has tackled long-standing concerns about with profit policies, while at the same time recognising the value that many people give to being able to smooth out investment returns. He has recognised that change in this market cannot come over night. Mr. Sandler's balanced approach represents an opportunity to move to a new stable future for with profits.

The FSA will be consulting on Mr. Sandler's proposals on with profits—which build on earlier work they have carried out—as part of their own continuing consultations on with profits.

Mr. Sandler's proposals on distribution of investment products, consumer education and investment will produce a more transparent, better-informed and hence more competitive market.

We will consider Mr. Sandler's proposals on tax as part of the Budget process in the usual way.

CULTURE, MEDIA AND SPORT

Charitable Status

Lembit Öpik: To ask the Secretary of State for Culture, Media and Sport (1) for what reasons the Budget proposal to offer mandatory 80 per cent. rate relief to amateur sports clubs has been limited to clubs prepared to register as charities; and if she will make a statement; [67080]

(2) what tax concessions will be available to amateur sports clubs that do not have charitable status, with particular reference to those relating to mandatory rate relief; and if she will make a statement. [67083]

Mr. Caborn: For those clubs who do not fulfil the criteria for charitable status, the Chancellor has announced a package of tax reliefs, available directly from the Inland Revenue. The main features are: fundraising income up to £15,000 exempt from tax; income from interest exempt from tax; rental income up to £10,000 exempt from tax; disposals exempt from capital gains tax; gift aid on individual donations; inheritance tax relief on gifts; gifts of assets on no-gain, no-loss basis for capital gains; business relief on gifts of trading stock. Eligible sports will initially be defined with reference to those recognised by the national Sports Councils.

The presentation of taxation policy is a matter for HM Treasury and the tax relief package for amateur sports clubs proposed in the Treasury consultation document "Promoting Sport in the Community" did not include mandatory rate relief. However, any non-profit making sports clubs that do not meet the expanded definition of charitable purposes remain eligible for the existing 100 per cent. discretionary rate relief. They could also benefit from the new mandatory relief of up to 50 per cent. proposed for small businesses and non-profit making bodies, where they fall within the rateable value limits of that scheme. This scheme was introduced by the Department of Transport, London and the Regions in the White Paper "Strong Local Leadership—Quality Public Services" published in December 2001.

Supporters Direct

Harry Cohen: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the work of Supporters Direct; and what Government resources are available to it. [67677]

Mr. Caborn: I fully support the work of Supporters Direct, and I congratulate its staff and Board on their efforts in helping to establish supporters' trusts at 57 of the 92 professional clubs in England. I am also very pleased that, with the assistance of funding from the Scottish Executive, the work of Supporters Direct is to be extended to Scotland.

Supporters Direct receives £250,000 per year from income from the Reduction in Pool Betting Duty under arrangements which expire in March 2003. My Department has, in principle, approved the extension of funding from this source until March 2004. This is subject to the provision of a satisfactory business plan. I expect to receive this shortly with Supporters Direct's assessment of its 2003–04 funding needs.

Drug Testing

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the report produced for the Chief Executive of UK Sport by Dr. Roger Jackson on the UK system of drug testing; and if she will place a copy in the Library. [67682]

Mr. Caborn: The issues raised by Dr. Roger Jackson in his informal commentary to UK Sport's Chief Executive were fully considered by UK Sport during its review of anti-doping procedures in the UK. The review formed part of two years' intensive work undertaken by UK Sport in the preparation of the new national anti-doping policy, launched in January 2002. DCMS officials have been in regular discussions with UK Sport about all aspects of the development and implementation of the national anti-doping policy.

It would not be appropriate to place a copy in the Library as it was not commissioned by UK Sport as a public document. It was a private, informal commentary prepared for the Chief Executive of UK Sport.

Gaming Industry

Mr. Wray: To ask the Secretary of State for Culture, Media and Sport (1) if she will make a statement on the gaming industry and its potential role in the regeneration of coastal towns in the UK; and what recent discussions she has had with gaming companies; [68240]

(2) which coastal resorts in the United Kingdom are to be locations for resort casinos; and what assistance will be given to companies to encourage them to locate there; [68340]

(3) what proposals she has for a pilot project for a gaming designated area; and if she will make a statement on the progress of the development of casinos and gaming shops in coastal areas. [68241]

Mr. Caborn: Under our proposals for reform of the laws governing gambling in Great Britain, as set out in "A Safe Bet for Success", current statutory barriers to the establishment of resort casinos—whether in coastal towns or elsewhere—would be removed. Whether such casinos are established will be primarily determined by local authorities, exercising planning and premises licensing responsibilities, and prospective operators themselves, in considering whether and where to make the necessary investment. My Department has had a number of discussions with prospective operators, who anticipate that resort casino developments could have a part to play in local regeneration strategies. It is not, however, the Government's intention to establish a pilot project or to make any special arrangements to encourage the establishment of a resort casino in any individual location.

INTERNATIONAL DEVELOPMENT

World Bank

Mrs. Anne Campbell: To ask the Secretary of State for International Development when she expects the World Bank's research, supported by the British Government, into the impact of service liberalisation in developing countries to be published. [67689]

Clare Short: The World Bank Research Programme on Trade in Services started in 1997 and is due to continue until 2004. The programme aims to generate and draw together data and research, with the objective of improving services trade policy formulation and facilitating the services negotiations at the WTO. One of the central components of the programme is the creation of a database on measures affecting trade in services. Other components include policy research projects, which are expected to result in a series of conceptual and empirical papers.

All papers and studies produced by the Programme are published on the World bank website http://www1.worldbank.org/wbiep/trade/services.htm/#overview as they are completed. This website will also provide access to the Trade in Services database, for which the first results are expected to be available by the end of August.

Jenin Refugee Camp

Dr. Tonge: To ask the Secretary of State for International Development what recent assessment she has made of the humanitarian situation in the Jenin Refugee Camp in the occupied territories. [67036]

Clare Short: Jenin remains under military curfew, and has been subject to intermittent military incursions since the beginning of April 2002, when the Government of Israel began Operation Defensive Shield in the west bank. UNRWA estimates ten per cent. of the camp was destroyed. Over four hundred families have been made homeless, while another 1,200 shelters are in urgent need of repair. The social and economic well being of both the camp and town residents is deteriorating as the incursions and restrictions continue. UNRWA is responding to the situation in Jenin Camp by providing humanitarian supplies, clearing unexploded munitions and rubble, and reinforcing, or removing, damaged buildings. We are in the process of recruiting and funding, on behalf of UNRWA, a small team of engineers to manage the camp rebuilding process.

Dengue Fever

Dr. Tonge: To ask the Secretary of State for International Development what plans are in place to provide funding for the development of a vaccine for dengue fever. [67034]

Clare Short: We recognise that dengue is a major public health concern in many developing countries. Global prevalence has grown dramatically in recent decades, with the disease now endemic in more than 100 countries. The World Health Organisation (WHO) estimates that 500,000 people are hospitalised with dengue haemorrhagic fever and shock every year.

In response, vector control and clinical management strategies for dengue require further strengthening. New vaccines would also be of considerable benefit, if used appropriately. Vaccine development for dengue is difficult because any of four different virus strains may cause disease. However, progress is being made in developing vaccines which may protect against all four strains. WHO estimate it may be at least 7–10 years before vaccines are available for public health use.

The WHO Tropical Disease Research programme and Health Technology and Pharmaceutical Cluster are leading international efforts to develop an effective and safe dengue vaccine. DFID support to these efforts is through our partnership with WHO, assisting them to develop a collective, coherent organisational response and to work closely with other agencies. DFID has also prioritised the strengthening of health systems to effectively deliver vaccines and other interventions.

Dr. Tonge: To ask the Secretary of State for International Development how much her Department has committed in 2001–02 to control programmes for dengue fever. [67035]

Clare Short: I refer the hon. Member to my previous answer on dengue (67034).

My Department's support to dengue control is principally through our partnership with the World Health Organisation (WHO). In addition to their priority work on dengue vaccine development and other research, WHO are engaged in disease surveillance, prevention and control. DFID's contribution to WHO in 2001–02 was £10.4 million. We are also providing support to tackling dengue in Central America through a Communicable Disease Control Project with the Pan American Health Organisation, for which £500,000 was disbursed in 2001–02.

We have also prioritised efforts to strengthen developing country health systems and improve environmental health, both essential in tackling dengue and other communicable diseases of poverty.

Urban Development Projects

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 on sustainable livelihoods in infrastructure and urban development projects. [67522]

Clare Short: The Infrastructure and Urban Development department currently allocates a £3 million annual budget for specific sustainable livelihood projects in both rural and urban areas.

1998–99: No budget

1999–2000: £615,303

2000–01: £2,119,726

2001–02: £2,336,165

2002–03 (so far): £389,149.

It should be noted, however, that sustainable livelihoods is a flexible approach, applicable to many different contexts. Sustainable livelihoods approaches are therefore also incorporated into many other infrastructure projects including Water and Sanitation, Energy, ICT, Human Settlements and Engineering Knowledge and Research projects.

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 on information development as part of infrastructure and urban development projects. [67519]

Clare Short: My Department has spent £8.75 million since 1998–99 on focused programmes on 'information and communications technology for development' as part of our infrastructure and urban development work.

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 on appropriate technology as part of infrastructure and urban development projects. [67517]

Clare Short: My Department's expenditure on appropriate technology as part of Infrastructure and Urban Development projects since 1998–99 has been as follows:

	£ million
1998–99	9.581
1999–2000	17.398
2000–01	9.436
2001–02	13.413

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 on promoting private sector initiatives as part of infrastructure and urban development projects. [67520]

Clare Short: My Department supports a number of important initiatives aimed at promoting various aspects of private sector participation in the provision of infrastructure and urban services, particularly to the poorer sections of the developing world's population.

These are primarily undertaken in association with other bilateral and multilateral development agencies. During the period in question the Department has contributed the following:

To the Private/Public Infrastructure Advisory Facility—£14.83 million.

To the Public/Private Partnership for the Urban Environment—£1.53 million.

To the Emerging Africa Infrastructure Fund—£26.72 million.

Business Partners for Development—£1.72 million.

AID to various small activities—£1.70 million.

Millennium Development Goals

Mr. Bercow: To ask the Secretary of State for International Development what the total amount was of her Department's financial contributions in 2001–02 to the Millennium Development goals. [67480]

Clare Short: DFID's total consumption of resources in 2001–02 is provisionally estimated at £3,310 million. Of this, £129 million is accounted for by overseas superannuation payments and our contribution to the Gibraltar Social Insurance Fund. The remainder, estimated at £3,181 million, contributes towards the achievement of the Millennium Development goals.

Pakistan

Mr. Bercow: To ask the Secretary of State for International Development what financial contribution her Department will make in 2003–04 and 2004–05 in support of Pakistan's Poverty Reduction and Growth Facility. [67482]

Clare Short: My Department has made a three-year commitment to provide £105 million, in support of the IMF Poverty Reduction and Growth Facility, which was agreed in December of last year. In 2001–02 DFID disbursed £20 million financial aid to Pakistan. We are planning to provide a further £40 million in 2002–03, and £45 million in 2003–04.

International Humanitarian Agencies

Mr. Bercow: To ask the Secretary of State for International Development if she will list the improvements in the work of international humanitarian agencies that have been assisted by financial support from her Department. [67486]

Clare Short: My Department supports improvements in various international humanitarian agencies through jointly agreed Institutional Strategy Partnerships (ISPs) with the agencies which identify long-term priorities. Focus is on developing better systems and procedures at headquarters to ensure that programmes in the field are delivered in a timely, appropriate and effective manner in the event of a crisis. All ISPs are independently evaluated. This funding is provided in addition to grants made to the international humanitarian agencies for response to specific emergencies.

Social Development Programmes

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 on social development knowledge programmes. [67518]

Clare Short: The figures given in the table represent an estimate of centrally funded expenditure.

£ million

	Social development research	*Social science research*
1998–99	2.0	5.1
1999–2000	1.4	6.0
2000–01	1.7	6.6
2001–02	2.3	8.1

Social development knowledge is also generated from my Department's regional programming, and from support for enhancing research capacity in poorer countries. However, provision of this additional information would entail disproportionate cost.

Bilateral Expenditure

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of the expenditure described as 'other bilateral' on page 81 of the Departmental report 2002. [67483]

Clare Short: A detailed breakdown of this expenditure is provided in table 4 of annex 1 of the Departmental report, on pages 102 to 105. A revised version of annex 1 of the report with corrected figures will shortly be made available on DFID's website, and a copy placed in the Library of the House of Commons.

Engineering Resource Centre

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 on the engineering resource centre. [67523]

Clare Short: My Department has engaged, on a competitive basis, a number of engineering resource centres to provide specialist technical advice and expertise in the infrastructure and urban development sectors. Expenditure on the engagement of these services since 1998–99 has been as follows:

	£ million
1998–99	0.937
1999–2000	1.165
2000–01	2.007
2001–02	1.263

Overseas Offices

Mr. Bercow: To ask the Secretary of State for International Development if she will make a statement on the investment made by her Department in information systems to improve her Department's communication links with overseas offices. [67488]

Clare Short: We have an on-going programme of upgrades, the core of which is the Enhanced Overseas Communications Links (EOCL) project costing £8 million. Part of this is a system we are implementing jointly with the Foreign and Commonwealth Office (FCO).

The links include virtual private networks where sufficient bandwidth is available in country from local internet service providers, and satellite links to other countries. We are also installing internet protocol enabled switches, which allow voice communication (telephone calls) to be carried on the network. 98 per cent. of our overseas staff now have direct links to our central systems.

The links are capable of carrying video conferencing (VC) facilities and we will shortly commission a 'VC bridge', which will allow simultaneous conferences to up to eight locations.

Social Policy Initiatives

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 on Social Policy Initiatives. [67515]

Clare Short: Provision of the information requested would entail disproportionate cost.

UN Programmes

Mr. Bercow: To ask the Secretary of State for International Development what reforms in the UN Development Programme and the UN Education, Scientific and Cultural Organisation have been assisted by financial support from her Department. [67485]

Clare Short: UNDP has embarked on an ambitious and wide-ranging reform programme which includes sharpening the focus of UNDP's programmes, improving the quality of its Resident Co-ordinators and developing its results-based management system. DFID has committed about £3.5 million in technical co-operation to support UNDP's reform programme. Our support is helping UNDP to strengthen its results-based management; to strengthen its partnerships with civil society, international financial institutions and the private sector; to focus the UN system around the Millennium Development Goals; and to develop the competencies for senior UNDP posts overseas. DFID is also providing significant support to build UNDP's capacity to respond to crisis and emergency situations.

DFID has collaborated with UNESCO to develop its results-based programming system and helped with training to the value of £100,000 for UNESCO's staff in project cycle management. DFID is supporting training (£750,000) for UNESCO staff in the use of new financial, budget and accounting systems, which support the results-based programming system. DFID also provides support (£250,000) for the evaluation work of UNESCO's new internal oversight system.

Departmental Office, East Kilbride

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of the costs of the refurbishment of the Department's offices in East Kilbride. [67487]

Clare Short: The estimated total budget for the full rehabilitation and the new annex is £17.6 million. The final design of the rehabilitation has still to be completed but the estimates are:

Annex—£2.1 million
Main building rehabilitation—£11.6 million
Professional fees—£1.4 million
VAT @ 17.5 per cent.—£2.5 million.

Statistical Capacity

Mr. Bercow: To ask the Secretary of State for International Development if she will provide a breakdown of her Department's expenditure since 1998–99 on Statistical Capacity referred to on page 104 of the 2002 departmental report. [67514]

Clare Short: The Department for International Development is committed to improving the capacity of Governments in developing countries to produce, analyse and disseminate statistical information. This is essential to provide Governments with the information needed to prioritise scarce resources, to develop and monitor effective policies, and to monitor progress towards the Millennium Development Goals.

The majority of DFID's activities in this area consist of working with partner Governments directly to support their statistical capacity building programmes.

Recognising that there is a limit to what we can do individually, the Department is also increasingly supporting international statistical capacity building initiatives. This is the 'Statistical Capacity' expenditure given on page 104 of the Departmental Report. This includes providing funding to a World Bank Trust Fund for Statistical Capacity Building (TFSCB), supporting the Partnership in Statistics for development in the 21st Century (PARIS21) initiative (a consortium of statisticians, policy makers and civil society working to improve statistical capacity globally) and supporting poverty monitoring as part of Poverty Reduction Strategy Papers (PRSPs) and similar country-owned poverty reduction strategies.

A detailed breakdown is provided in the following table. Please note that this excludes expenditure going directly to countries, which is included within the bilateral country and regional programme expenditure. It also excludes any expenditure on statistics spent through sector programmes such as health or education.

DFID expenditure on international statistical capacity building initiatives

£000

	1999–2000	*2000–01*	*2001–02*
World Bank TFSCB	227	1,451	1,720
PARIS21 initiative	—	401	410
PRSP poverty monitoring	—	—	400
International comparisons programme	—	—	210
World Bank poverty statistician	—	163	116
Training and research	3	33	241
Total	230	2,049	3,097

As a comparison, the total expenditure going directly to statistical capacity building programmes in 1999–2000, 2000–01 and 2001–02 was £0.5 million, £3.6 million and £5.7 million, respectively. In addition to the expenditure in the table, these totals include some country statistical programmes. But these figures still exclude the majority of statistical capacity building assistance which is normally provided as part of broader development programmes and not recorded separately in our systems as statistical capacity building.

DEPUTY PRIME MINISTER

Social Housing

Jeremy Corbyn: To ask the Deputy Prime Minister how many English planning appeals in each of the past three years have resulted in increased social housing provision. [68615]

Mr. McNulty: The information requested is not held centrally and could be provided only at disproportionate cost.

Queen Elizabeth II Conference Centre

Laura Moffatt: To ask the Deputy Prime Minister whether a decision has been taken to authorise the replacement of the existing ozone-depleting CFC-based air conditioning chillers at the Queen Elizabeth II Conference Centre with a new refrigerant system. [68861]

Mr. Leslie: The existing QEII Conference Centre air conditioning system uses CFC as a refrigerant. Legislation resulting from the Montreal Protocol proscribes the supply and topping-up of CFCs for the maintenance of refrigeration and air-conditioning systems. Taken together with the age of the existing plant, a replacement system is required.

Following extensive consultations and evaluation, I have decided to authorise the replacement of the old ozone-depleting CFC air conditioning chillers at the Queen Elizabeth II Conference Centre.

The optimum replacement solution has been identified as ammonia-based chiller technology, which has no ozone or global warming depletion potential. Ammonia-based chiller technology is widely accepted as the most efficient and environmentally friendly refrigerant, has better whole life costs and represents value for money.

This decision has been taken fully in accordance with Government policy and the UK climate change programme.

Local Government Finance

Mr. Watts: To ask the Deputy Prime Minister what plans he has to pay grant to local authorities under round 4 of the Invest to Save Budget and under the local government on-line programme. [68860]

Mr. Leslie: I have today laid before the House a report which sets out my Department's intention to pay some £21.7 million of grant to local authorities to support 23 innovative projects under round 4 of HM Treasury's Invest to Save Budget (ISB).

As is often the case with pioneering work, there have been some delays for a minority of projects funded under previous ISB rounds in achieving their key milestones. The report therefore contains powers to roll forward unclaimed grant to these projects to enable them to complete their work.

The report also contains powers to pay grant under the £350 million local government on-line programme of up to £47 million to help develop and support 64 e-government partnerships and up to a further £1.75 million to support further dissemination of best practice from the 25 e-government pathfinders.

Development Plans

Lawrie Quinn: To ask the Deputy Prime Minister when his Department will publish guidance on the better management and preparation of development plans. [68765]

Mr. McNulty: Today I am pleased to announce that we are launching a document called "Making plans".

Development plans are a way of mapping the future for communities and are critical to improving our towns and cities. So it is vital these must be up-to-date to reflect the changing aspirations and priorities of the community. Plans which do not have people at their heart are destined to fail.

It is time for councils to get on with these plans and not wait for any new legislation as the basic principles of good planning won't change. Plans need to be clear and they need to involve the community.

The guide makes it clear that many of the principles set out in last December's planning Green Paper can be acted on now. It emphasises the need for a clear strategy with an implementation programme.

But most of all it stresses a principle central to the Green Paper that real, proper participation by the community from the start of any planning process leads to much better plans at the end.

The report, produced by the consultants Baker Associates with BDOR and Gradwell Corporate Design, is available in the Library of the House.

Homelessness

Mr. Pickles: To ask the Deputy Prime Minister (1) how many homeless households were living in *(a)* bed and breakfast and *(b)* temporary accommodation in each of the last five years; and if he will make a statement; [65853]

(2) how many households are living in accommodation arranged by local authorities under the homelessness provisions of the Housing Acts 1985 and 1996; and if he will make a statement; [65859]

(3) what estimate he has made of how many homeless people living in *(a)* bed and breakfast and *(b)* temporary accommodation are ex-service men; and if he will make a statement; [65991]

(4) how many homeless people are living in *(a)* bed and breakfast and *(b)* temporary accommodation, broken down by ethnic group; and if he will make a statement; [65852]

(5) what estimate he has made of how many children were homeless in England and Wales in each of the last five years; and if he will make a statement. [65855]

Mr. McNulty: Summary information on activity under statutory homelessness provisions is reported to the Department by local authorities in England. This includes the number of households accepted under the homelessness provisions of the 1985 and 1996 Housing Acts as being eligible for assistance, unintentionally homeless and in priority need, and the number of these households resident in various types of temporary accommodation at the end of each quarter.

National and some regional information on local authorities' activity is provided in a quarterly Statistical Release published by the Office of the Deputy Prime Minister. Table 6 presents a breakdown of numbers of households in various types of temporary accommodation, including bed and breakfast, as at the end of each quarter since 1995. Copies are available in the Library, and also via the ODPM's website. The latest edition, published on 17 June 2002, presents statistics up to the end of March 2002. A copy is enclosed for the hon. Member's use.

Available information collected centrally on the number of households living in various forms of temporary accommodation does not distinguish those including ex-service personnel, nor an analysis by ethnic group.

Precise information on the total number of children in households accepted as homeless is not collected, but rounded estimates derived from data reported by local authorities in England are as follows.

Households accepted as unintentionally homeless and in priority need during the year

	Total households with children	*Estimated number of children*
1997	58,780	104,100
1998	61,400	109,100
1999	62,000	108,400
2000	64,980	112,600
2001	66,970	112,700

Source:

ODPM quarterly P1E housing activity returns

For corresponding information about Welsh authorities, I refer the hon. Member to my right hon. Friend the Secretary of State for Wales.

Mr. Laws: To ask the Deputy Prime Minister how many people were homeless in *(a)* England, *(b)* the South-West, and *(c)* the Yeovil constituency in each year since 1985–86; and if he will make a statement. [66297]

Mr. McNulty: The Yeovil constituency is within South Somerset district council area, which also includes part of the Somerton and Frome constituency. The available information is as follows:

Households accepted by local authorities as unintentionally homeless, and in priority need

	England	*South West*	*South Somerset district council*
1985–86	[1]83,710	6,580	171
1986–87	[1]91,960	6,940	170
1987–88	[1]98,890	7,260	173
1988–89	[1]102,500	7,640	124
1989–90	[1]110,380	8,140	189
1990–91	[1]128,090	9,040	209
1991–92	139,630	8,940	236
1992–93	136,230	8,910	221
1993–94	125,360	9,550	303
1994–95	116,850	9,320	353
1995–96	116,550	9,970	373
1996–97	110,810	9,450	367
1997–98	102,650	9,000	331
1998–99	104,150	8,920	397
1999–2000	106,130	9,790	416
2000–01	114,350	11,210	484
2001–02	118,360	11,200	[2]—

[1] Denotes calendar year data.

[2] Not yet available.

Sources:

England and the South West from 1991–92:

ODPM quarterly P1E returns.

Southern Somerset and South West prior to 1991–92:

ODPM annual Housing Investment Programme returns.

National and some regional information on local authorities' activity in recent years is provided in a quarterly Statistical Release published by the Office of the Deputy Prime Minister. Copies are available in the Library, and also via the ODPM's website. The latest edition, published on 17 June 2002, presents statistics up to the end of March 2002.

Public Consultations

Mr. Don Foster: To ask the Deputy Prime Minister if he will list the public consultations undertaken by his Department since 1997, indicating for each consultation *(a)* if copies were available online, *(b)* if copies were available in print *(c)* the date the time period given for responses opened and *(d)* the date the time period given for responses closed. [66041]

Mr. Leslie: A full list of the public consultations undertaken by the Office or its predecessors since 1997 has been placed in the Library, including the dates for which the period for responses opened and closed. The list is based on central records and reflects the public consultations undertaken within the areas for which the Office is currently responsible. The Office does not, however, keep central historical records relating to the availability of consultation documents online or in printed form.

Rural Housing

Mr. Breed: To ask the Deputy Prime Minister, pursuant to the answer of the Secretary of State for Transport, Local Government and the Regions of 2 May 2002, *Official Report*, column 902W, on rural housing, how many households were identified as being in priority need for housing in each year since 1996 in local authorities defined as rural, broken down by region. [61191]

Mr. McNulty: Summary information on activity under the statutory homeless provisions of the 1996 Housing Act is reported to the Department by local authorities in England. This includes the number of households accepted as being eligible for assistance, unintentionally homeless and in priority need. The numbers of these households in authorities classified as either "mixed rural" or "deep rural" are as follows:

Households accepted as unintentionally homeless and in priority need: rural authorities in England

	Financial year totals				
	2000–01	*1999–2000*	*1998–99*	*1997–98*	*1996–97*
North East	1,200	900	900	1,000	1,200
Yorkshire and The Humber	1,200	1,100	1,100	1,000	1,000
East Midlands	1,900	1,700	1,700	1,900	2,000
Eastern	3,000	2,600	2,600	2,700	2,700
London	0	0	0	0	0
South East	2,900	2,500	2,400	2,400	2,600
South West	4,800	4,300	3,900	3,800	3,800
West Midlands	1,000	900	900	800	1,000
North West	1,100	1,000	900	800	1,000
All rural local authorities	17,200	15,100	14,400	14,500	15,200

Notes:

Includes estimates for any non-responding local authorities.

Numbers are rounded to the nearest 100.

Source:

DTLR P1(E) housing activity returns.

Consultation Papers

Mr. Clifton-Brown: To ask the Deputy Prime Minister if he will list the White, Green and consultation papers his Department plans to issue within the next year. [61615]

The Deputy Prime Minister and First Secretary of State: The Office of the Deputy Prime Minister will issue whatever White, Green and consultation papers are necessary for the conduct of its business.

Queen's Jubilee Medal (Fire Service)

Mr. Clifton-Brown: To ask the Deputy Prime Minister how many firemen will receive the Queen's Jubilee Medal; and how many fire controllers will not receive the Queen's Jubilee Medal. [61920]

Mr. Leslie: Records are currently being checked by brigades to ascertain how many firefighters meet the detailed eligibility criteria for receipt of the Jubilee Medal. While there are 33,200 whole-time firefighters and 15,000 retained, we estimate that around 6,000 of these will not meet the criteria. There are approximately 1,500 control room staff none of whom will qualify for the award under the eligibility criteria set up by the Inter-departmental Steering Group established for this purpose.

Housing Investment

Mr. Andrew Turner: To ask the Deputy Prime Minister what was the cash value of Government investment in housing, excluding *(a)* housing benefit, *(b)* mortgage tax relief and *(c)* council tax relief in each year since 1997. [64370]

Mr. McNulty: The following table shows housing capital resources allocated to local authorities in each year since 1997.

Housing capital resources[1]

£ million

	Allocations to local authorities[2]						
	HIP[3]	*Capital receipts initiative*	*Other*[4]	*Total*	*Housing corp. ADP*[5]	*Other*[6]	*Total*
1997–98	692	174	60	926	727	—	1,653
1998–99	612	569	30	1,211	732	—	1,943
1999–2000	682	570	—	1,252	816	—	2,068
2000–01	770	—	1,622	2,392	808	70	3,270
2002–03	881	—	1,704	2,585	941	140	3,666

[1] Figures exclude extra resources for housing PFI schemes (£760 million for 2001–02 to 2003–04).

[2] Estate Action allocations, which were treated as housing allocations up to 1994–95 but now come under regeneration, are excluded. Capital grants for gypsy sites are also not included.

[3] The Housing Investment Programme (HIP) figures exclude the element for expenditure financed from authorities' capital receipts included in allocations to individual authorities.

[4] Other allocations cover: Major Repairs Allowance (from 2001–02), Arms Length Companies (from 2003–03), and Cash Incentive Schemes (1997–98 to 1998–99).

[5] The Housing Corporation ADP figures are net figures and include support for City Challenge(1997–98 to 1998–99), Rough Sleepers Initiative, ERCF schemes, Major Repairs Initiative (from 1999–2000), and remodelling works (from 1999–2000).

[6] This covers the Starter Homes Initiative and the Safer Communities Supported Housing Fund.

House Building

Mr. Andrew Turner: To ask the Deputy Prime Minister how many houses have been built in *(a)* London, and *(b)* each county in the south of England in each year since 1997. [64372]

Mr. McNulty: The figures for the number of permanent dwellings completed since 1997 are given in the table. They are shown in the county structure of 1997 prior to local government restructure.

House building: permanent dwellings completed

Number of dwellings

Region	*1997*	*1998*	*1999*	*2000*	*2001*
London	13,074	12,898	12,704	12,962	14,564
South East					
Berkshire	2,207	2,604	2,292	2,564	2,288
Buckinghamshire	3,322	2,870	2,670	2,655	2,465
East Sussex	2,002	1,779	1,814	1,724	1,992
Hampshire	6,272	4,854	4,596	4,189	3,858
Isle of Wight	665	394	398	365	358
Kent	3,935	4,098	4,239	4,564	4,511
Oxfordshire	1,797	2,526	2,448	2,113	1,850
Surrey	2,673	2,462	2,439	2,310	2,607
West Sussex	2,776	2,533	2,015	1,763	1,506
South West					
Avon	5,444	3,523	2,899	2,351	2,190
Cornwall	1,424	1,935	1,923	2,108	2,150
Devon	3,567	3,099	3,668	3,114	3,187
Dorset	2,215	1,819	2,082	1,968	2,014
Gloucestershire	1,773	1,902	1,665	1,687	1,683
Somerset	1,443	1,490	1,806	1,826	1,775
Wiltshire	2,839	2,684	2,019	2,240	2,329

Station Houses

Mr. Andrew Turner: To ask the Deputy Prime Minister how many station houses have been provided for key workers in London in each year since 1997. [64371]

Mr. Raynsford: The Fire Service has single person quarters in four dwellings in London. Each provides accommodation for four fire fighters, let on a non-secure tenant basis.

Mayoral Management

Mr. Pickles: To ask the Deputy Prime Minister for what reasons he decided to end the practice of compulsory referendums for mayoral management of local authorities. [65997]

Mr. Raynsford: I set out the reasons behind the Government's approach to the use of the Secretary of State's powers to direct councils to hold mayoral referendums in the answer given to my hon. Friend the Member for Leicester, East (Keith Vaz) on 25 June 2002, *Official Report*, columns 812–13W. Within the framework of freedoms and flexibilities that we are introducing for councils, we believe it is more appropriate for councils themselves to make and justify to local people their own judgments on the outcome of any consultation about proposals for a new constitution.

It continues to be the case that where 5 per cent. or more of a local authority's electorate sign a petition calling for a mayoral referendum to be held, the council will be required to hold such a referendum.

Social Landlords

Mr. Pickles: To ask the Deputy Prime Minister whether the Government plan to introduce financial incentives to encourage the transfer of council homes to social landlords; and if he will make a statement. [65992]

Mr. McNulty: We have no plans to do so at present.

Decent Homes Target

Mr. Pickles: To ask the Deputy Prime Minister what progress has been made on achieving the Government's decent homes target; and if he will make a statement. [65864]

Mr. Raynsford: Based on social landlords' current plans, we believe we are on course to meet our 2004 milestone target to reduce by one-third the number of households living in social housing that is not of a decent standard. We will be able to report on progress during 2001–02 later in the year once Government offices have completed their assessment of local authority business plans and the Housing Corporation has considered housing association decent home returns.

Thames River Crossing

Bob Spink: To ask the Deputy Prime Minister, pursuant to his answer of 26 June 2002, ref. 63796, on a new Thames crossing, if his Department has been invited to the Thames Gateway South Essex Partnership's meeting in July on the possibility of a new Thames crossing; and if he will make a statement. [66077]

Mr. McNulty: The Office of the Deputy Prime Minister has not been invited to a meeting with the Thames Gateway South Essex Partnership in July to discuss proposals for a new Thames crossing.

Bob Spink: To ask the Deputy Prime Minister when local councillors and local hon. Members will be invited to the summit between Government Ministers, hon. Members, officials and council leaders, to discuss plans for a new Thames river crossing, east of Dartford; and if he will make a statement. [66000]

Mr. McNulty: No such summit is planned at this time.

Pensions

Mr. Webb: To ask the Deputy Prime Minister how much money was spent by the relevant pension fund on paying pensions to retired *(a)* local government employees and *(b)* firefighters in 2001–02; if he will estimate the corresponding amounts to be spent in (i) five years' time, (ii) 10 years' time, (iii) 20 years' time and (iv) 30 years' time; if he will estimate in each case the proportion of such liabilities which will arise from (A) unfunded pension schemes and (B) pre-funded pension schemes; and in the case of pre-funded schemes, if he will estimate the value of the corresponding pre-funded funds in each of these years. [66563]

Mr. Raynsford: The Local Government Pension Scheme (the LGPS) is a funded scheme administered at local level by authorities in England and Wales. For the year 2000–01, the latest for which we hold information, payments for LGPS pensioner members amounted to £3.5 billion.

The Firefighters' Pension Scheme (the FPS) is also administered locally by individual fire authorities. Its liabilities are not subject to pension funds. For 2000–01, the latest year for which returns are available, the provisional net total of payments under the scheme for fire authorities in England was £250 million.

Estimates of projected liability expenditure from both the funded LGPS and the unfunded FPS are not held centrally for the periods in question.

Housing (South-west)

Mr. Laws: To ask the Deputy Prime Minister (1) what action he is taking to increase the supply of affordable housing in south Somerset; and if he will make a statement; [66296]

(2) what assessment he has made of the effects of the increase in property prices in south-west England since 1999; and if he will make a statement. [66299]

Mr. McNulty: The Government recognise the pressures on affordable housing in many parts of the country, including south Somerset. Through the Housing Corporation the Government will provide £1.8 million towards delivering affordable housing in south Somerset this year. This represents an increase of £200,000 on last year, when 160 affordable housing units were provided most of which were for rent.

According to the Office of the Deputy Prime Minister's Survey of Mortgage Lenders, house prices in south-west England rose by 31.8 per cent. during the three years 1999 to 2001. Home ownership is affordable for most people. Homeowners are benefiting from low interest rates, low unemployment and robust income growth. For people purchasing a home in south-west England during 2001, total mortgage payments averaged 17.44 per cent. of their income. This compares to 28.42 per cent. of income in

1990, and is lower than 1999 (17.91 per cent.) and 2000 (19.43 per cent.). However we are well aware that there can be serious problems for many first time buyers in areas of high demand.

Public Amenity Buildings

Sue Doughty: To ask the Deputy Prime Minister how many *(a)* schools, *(b)* hospitals, *(c)* housing and *(d)* other public amenities were built on (i) greenfield, (ii) brownfield and (iii) former landfill sites in each year since 1997; on each occasion what was the nature of funding for the scheme; and if he will make a statement. [65600]

Mr. McNulty: For housing, the number of dwellings completed in England each year between 1997 and 2001 was as follows:

1997: 149,100

1998: 141,400

1999: 140,200

2000: 136,700

2001: 127,700 dwellings.

The proportion of dwellings built on previously developed land ('brownfield land'), including conversions, was as follows:

1997: 56 per cent.

1998: 58 per cent.

1999: 59 per cent.

2000: 60 per cent.

2001: 61 per cent. (provisional).

The proportion on former landfill sites is not available annually but is estimated at around 0.1 per cent. of all dwellings.

For the other categories requested, the latest available reliable estimates are for 1997 and for the area of land. In England in 1997, an estimated 575 hectares changed to community buildings, covering *(a)*, *(b)* and *(d)*, excluding leisure and recreational buildings. Of these, around 355 hectares (62 per cent.) came from previously developed land. Less than five hectares came from minerals and landfill.

Information on funding is not held centrally and could be provided only at disproportionate cost.

Houses in Multiple Occupation

Mr. Don Foster: To ask the Deputy Prime Minister how many houses in multiple occupation have had their licences revoked in areas where local authority licensing schemes are in place, broken down by local authority, in the last year. [66677]

Mr. McNulty: The information requested is not held centrally, and could be provided only at disproportionate cost.

Mr. Don Foster: To ask the Deputy Prime Minister which local authorities have compulsory registration schemes for houses in multiple occupation; and how long each of these schemes has been in place. [66678]

Mr. McNulty: The following local authorities in England have adopted compulsory registration schemes for houses in multiple occupation. The date in column three is the date on which the scheme began (if known).

Government office region	*Authority*	*Date*
South East	Ashford	
	Basingstoke and Deane	
	Brighton and Hove	1 April 2002
	Canterbury	1 September 1998
	Cherwell	
	Dacorum	
	Dover	1 May 2001
	East Hertfordshire	
	Eastbourne	31 March 2000
	Gravesham	
	Guildford	1 June 1998
	Hastings	3 September 2001
	Newbury	
	North Hertfordshire	
	Oxford	1 September 1999
	Portsmouth	1 September 1997
	Rother	
	Rushmoor	
	Shepway	20 November 2000
	Southampton	1 January 1999
	Surrey Heath	
	Test Valley	8 March 1995
	Thanet	2 March 1998
	West Berkshire	
	West Oxfordshire	
	Wokingham	
	Worthing	
South West	Bournemouth	1 July 1998
	Bristol	1 March 1999
	Cheltenham	3 March 1999
	Isles of Scilly	
	Mid Devon	
	North Somerset	1 July 1999
	Stroud	
	Torbay	
	West Devon	
	Weymouth and Portland	
London	Barking and Dagenham	1 June 2001
	Bexley	30 April 2000
	Brent	1 July 1999
	Bromley	1 March 2001
	Camden	3 March 1999
	Croydon	1 March 1999
	Ealing	1 April 1998
	Greenwich	1 January 1991
	Hackney	1 March 1999
	Hammersmith and Fulham	21 July 2001
	Haringey	1 May 2001
	Harrow	10 January 2000
	Hillingdon	
	Hounslow	12 January 1998
	Islington	1 October 1998
	Kingston upon Thames	
	Lambeth	1 August 1999
	Lewisham	1 August 1991
	Newham	1 March 1999
	Southwark	1 July 1999
	Sutton	
	Tower Hamlets	
	Westminster	5 April 1999
East	Basildon	1 August 1999
	Cambridge	31 May 1999
	Colchester	1 September 1998
	Fenland	
	King's Lynn and West Norfolk	
	Luton	1 April 1999
	Mid Bedfordshire	
	North Norfolk	
	Peterborough	1 January 2000
	St Albans	4 March 1999
	Tendring	
	Watford	1 July 1999
	Waveney	
East Midlands	Derby	1 July 1999
	Kettering	
	Mansfield	2 June 1999

Government office region	*Authority*	*Date*
	Melton	
	Newark and Sherwood	1 November 1999
	Nottingham	1 June 2001
	Rushcliffe	
West Midlands	Birmingham	13 December 1995
	Bromsgrove	
	Herefordshire	1 October 1999
	North Warwickshire	30 May 2000
	Redditch	
	Wolverhampton	1 August 1995
	Wyre Forest	
North West	Allerdale	
	Barrow In Furness	
	Blackpool	1 April 1998
	Bolton	
	Bury	
	Carlisle	
	Chester	
	Lancaster	1 October 1998
	Preston	
	Salford	
	Sefton	
	Warrington	
	Wigan	
	Wirral	1 August 1999
Yorkshire and Humberside	Barnsley	10 July 1998
	Calderdale	
	Doncaster	1 April 2001
	East Riding of Yorkshire	
	Harrogate	
	Hull	10 January 2000
	Kirklees	26 January 1998
	North East Lincolnshire	1 April 1998
	North Lincolnshire	
	Scarborough	10 April 1995
	Sheffield	2 April 2000
	York	1 March 1998
North East	Blyth Valley	
	Castle Morpeth	
	Darlington	1 August 1999
	Gateshead	
	Middlesbrough	
	Stockton on Tees	
	Sunderland	1 April 2002

Starter Home Initiative

Mr. Pickles: To ask the Deputy Prime Minister which companies submitted bids for the grant awarded to Northcote KeyStart Homes under the second round of the Starter Home Initiative; and if he will make a statement. [67447]

Mr. McNulty: Bids for Starter Home Initiative (SHI) Round 2 funding were invited from registered social landlords, local authorities and key worker employers. Northcote Housing Association was allocated £1.056 million SHI Round 2 funding to assist a total of 103 key workers in Buckinghamshire, Slough, Reading and Oxford. The funding will be used to provide £10,000 equity loans to key workers in these areas to assist their house purchase. The funding allocated also includes £25,750 towards the Association's costs in administering the scheme.

Local Authority Staff

Mr. Pickles: To ask the Deputy Prime Minister what estimate he has made of how many people were employed by local authorities in England in each of the last five years; and if he will make a statement. [67448]

Mr. Raynsford: The numbers of employees in local authorities in England in the last five years are given in the table.

Numbers employed by local authorities in England[1]

Full time equivalents	*Thousand*
Mid-year counts[2]	
1998	1,404
1999	1,420
2000	1,435
2001	1,474
2002[3]	1,495

[1] Excludes police and magistrates courts

[2] End of June

[3] End of March

Source:

Office for National Statistics

Housing (North-East Lancashire)

Mr. Gordon Prentice: To ask the Deputy Prime Minister what steps he is taking to improve housing conditions in North-east Lancashire; and if he will make a statement. [67205]

Mr. McNulty: We have selected east Lancashire as one of nine Market Renewal Pathfinders, aiming to provide lasting solutions for communities blighted by low demand housing. Under this initiative east Lancashire has been allocated £2.66 million of pump-prime funding to undertake background analysis and help develop a delivery process and master plan. Substantive funding is being considered as part of the comprehensive spending review specifically to tackle this issue of housing abandonment.

Nationally housing capital resources through the housing investment programme will rise to some £2.6 billion in 2003–04 and east Lancashire should benefit from this increase. Four east Lancashire authorities are receiving from the Neighbourhood Renewal Fund some £20 million over the three years to 2004 in addition to other European and domestic funding for regeneration. Housing investment is more effective when used in conjunction with wider regeneration initiatives.

Children in Care

Mr. Burstow: To ask the Deputy Prime Minister, pursuant to his answer regarding children in care of 1 July 2002, *Official Report*, column 196W, what information he collates on children in care who are *(a)* homeless, *(b)* in bed and breakfast accommodation and *(c)* in temporary accommodation. [67690]

Mr. McNulty: Local authorities are obliged to ensure that children in care are placed in settings that are approved to meet their needs. Therefore they would not be homeless. Given local authorities' responsibilities towards children in their care it would be rare for a child in care ever to be placed in temporary or bed and breakfast accommodation.

On 31 March 2001 38,400 (65 per cent.) children were placed with foster carers, 6,200 (10 per cent.) were placed in children's homes, 3,100 (6 per cent.) were placed with families approved under the Adoption Agency regulations and there were 6,900 (12 per cent.) children who were placed with parents.

Planning

Mr. Laws: To ask the Deputy Prime Minister whether planning authorities are obliged to take into account relevant sections of the Human Rights Act 1998 before reaching conclusions on planning matters; and if he will make a statement. [67639]

Mr. McNulty: The introduction of the Human Rights Act means that all public authorities, including central Government and local authorities, must act compatibly with rights under the European Convention on Human Rights. In planning this means that decision makers at all levels in the planning process must consider what impact their decisions may have on the human rights of parties affected by them before reaching a conclusion.

Homelessness

Jeremy Corbyn: To ask the Deputy Prime Minister for each London borough for the latest available date, how many families were in bed-and-breakfast accommodation under homelessness provisions; and what the average cost was to the housing benefit budget for each family. [68616]

Mr. McNulty: Latest available information, in respect of all homeless households as reported by London boroughs, is as follows:

Homeless households in bed and breakfast accommodation[1] provided by London boroughs, and housing benefit costs

	Number of households reported as at 31 March 2002	*Housing benefit subsidy 2000–01 (£)*	*Number of household days provided during 2000–01*	*Average housing benefit subsidy per household 2000–01 (£ per week)*
Barking and Dagenham	19	0	395	0.00
Barnet	154	4,318,364	91,447	330.56
Bexley	50	394,360	25,753	107.19
Brent	631	3,133,652	172,715	127.00
Bromley	104	905,376	46,426	136.51
Camden	157	1,984,626	103,295	134.49
Corporation of London	7	216,857	14,058	107.98
Croydon	539	[3]—	[3]—	[2]—
Ealing	619	1,649,055	106,626	108.26
Enfield	188	[2]—	[3]—	[3]—
Greenwich	21	0	0	0.00
Hackney	155	[2]—	[3]—	[2]—
Hammersmith and Fulham	549	1,885,236	121,910	108.25
Haringey	166	7,566,028	319,956	165.53
Harrow	9	845,092	56,552	104.61
Havering	0	[3]—	[2]—	[2]—
Hillingdon	481	2,522,971	87,500	201.84
Hounslow	310	1,135,275	64,350	123.50
Islington	94	2,283,611	61,262	260.93
Kensington and Chelsea	436	5,171,930	[3]—	[3]—
Kingston-upon-Thames	8	149,106	7,886	132.35
Lambeth	353	0	[3]—	0.00
Lewisham	0	0	0	0.00
Merton	57	239,853	14,112	118.97
Newham	782	3,078,413	187,706	114.80
Redbridge	267	1,773,346	96,360	128.82
Richmond-upon-Thames	77	[3]—	[2]—	[2]—
Southwark	233	1,261,741	83,783	105.42
Sutton	46	541,947	32,322	117.37
Tower Hamlets	341	2,568,636	65,731	273.55
Waltham Forest	91	[2]—	[3]—	[3]—
Wandsworth	445	1,421,638	70,733	140.69
Westminster	851	5,503,102	385,436	99.94

[1] "Bed and breakfast" includes hotel annexe-style accommodation with shared facilities. Cases include those accommodated pending completion of inquiries prior to a decision, and any households found to be intentionally homeless being housed for a limited period only.

[2] Denotes non-response to the survey

[3] Denotes data not available

Note:

Average subsidy is derived from the aggregate reported housing benefit subsidy and the total number of nights provision.

Sources:

ODPM quarterly P1E housing returns; GLA monthly homelessness survey. CIPFA Homelessness Statistics 2000–01 Actuals annual survey.

Housing (Learning Disability)

Mr. Love: To ask the Deputy Prime Minister (1) what discussions are taking place with the local authority associations regarding the housing needs of people with a learning disability who live with older parents; and if he will make a statement; [66306]

(2) what guidance is forwarded to local authorities regarding the priority for housing provision to be given to people with a learning disability whose elderly parents are no longer able to care for them; and if he will make a statement; [66305]

(3) what steps are being taken to ensure that all local authorities are developing a comprehensive support programme for people with a learning disability; and if he will make a statement. [66304]

Jacqui Smith: I have been asked to reply.

The Government's strategy for improving services for people with learning disabilities and their families is set out in the White Paper "Valuing People: A New Strategy for Learning Disability for the 21st Century" (Cm 5086), published in March 2001. Implementation guidance HSC 2001/016: LAC(2001)23 was issued to local authorities on 31 August 2001. Copies are available in the Library.

Our strategy sets out a range of targets and objectives to support and improve the lives of people with learning disabilities and their families. Key to the implementation of these changes are learning disability partnership boards now established in each local authority area. All partnership boards have prepared local joint investment plans to improve services for this vulnerable group of people. Partnership boards are being supported in the delivery of the White Paper objectives by a director of implementation and a valuing people support team with members based in each of the nine social services regions. There is also the learning disability task force which will monitor implementation and report progress to Ministers who in turn will report to Parliament.

"Valuing People" recognises the concern about the position of people with learning disabilities living with older carers. They and their families must be able to plan for the future in good time. Promoting supported living for this group of people is one of the priorities for both the revenue and capital elements of the £42 million learning disability development fund announced in the White Paper. The fund has been distributed to the new learning disability partnership boards from April 2002 to support the implementation of "Valuing People". The needs of elderly carers and the development of supported living approaches for people with learning disabilities living with older carers are also identified as priorities in the implementation guidance, which was sent to all local authority chief executives, social services directors and directors of housing.

Partnership boards, working with local housing authorities, people with learning disabilities, carers and service providers; are required to develop local housing strategies by winter 2002–03. Joint guidance will be issued shortly by the Department of Health and the Office of the Deputy Prime Minister to help partnership boards develop their local housing strategies. The valuing people support team will also provide specialist support and advice to help this process. An important element in the development of each strategy will be the assessment of both current and future need which will include identifying people with learning disabilities and their carers who need support now and in the future. The joint guidance will restate the priority that should be given to people with learning disabilities living with older carers. Local housing authorities also have a responsibility to produce a housing strategy which sets out plans addressing the range of housing needs in their area. This includes all groups with special needs where the strategy must link into provision of associated support services.

Both the local government association and the association of directors of social services are represented on the new learning disability task force. A key function of the task force is to oversee implementation of "Valuing People". the director of implementation also met recently with the local government association to discuss housing issues.

HOME DEPARTMENT

Asylum Accommodation Centres

Mr. Luff: To ask the Secretary of State for the Home Department what area of land is required to construct each of the proposed asylum accommodation centres. [45558]

Beverley Hughes: I apologise for the delay in answering this question due to an administrative oversight in my Department. It is envisaged that in order to provide a full range of on-site services for a total of 750 asylum seekers, a site of around 20 to 25 acres will be required.

Mr. Luff: To ask the Secretary of State for the Home Department what assessment he has made of the impact on local *(a)* labour markets and *(b)* small businesses of the establishment of asylum accommodation centres in remote rural locations; and if he will make a statement. [59273]

Beverley Hughes: These assessments are being made as part of the planning process.

John Barrett: To ask the Secretary of State for the Home Department, pursuant to the answer of 10 June 2002, *Official Report*, column 803W, on RAF Turnhouse, for what reasons his Department has not reached a final decision on the suitability of RAF Turnhouse for an asylum seeker accommodation centre. [62063]

Beverley Hughes: Immediate priority has been given to the three sites for which it has been decided to submit planning notifications. A final decision on the sites still under consideration, including the Royal Air Force (RAF) Turnhouse, has not been reached simply because further work on evaluation is still in progress. As I have stated previously, we will reach a decision as soon as possible on the suitability of RAF Turnhouse.

John Barrett: To ask the Secretary of State for the Home Department, pursuant to the answer of 10 June 2002, *Official Report*, column 803W, on RAF Turnhouse, which of the criteria listed *(a)* Killingholme and *(b)* Hooton Park failed to meet. [62178]

Beverley Hughes: We do not consider there to be any genuine public interest in disclosing the reasons why sites have been found to be unsuitable for the development of accommodation centres.

Special Advisers

Mr. Burns: To ask the Secretary of State for the Home Department how many times special advisers have accompanied Ministers on overseas visits in each of the last five years; which countries were visited; and what the total cost of each individual visit was. [47140]

Mr. Blunkett *[holding answer 10 April 2002]:* All travel by special advisers is undertaken in accordance with the rules set out in the Ministerial Code and the Civil Service Management Code.

Between 1 April 2000 and 31 March 2002, special advisers have accompanied the Home Secretary abroad on six occasions at an average total cost of £2,030.02 for all involved in the trip. the countries visited were Spain, France and Belgium. Information for the period 2 May 1997 to 31 March 2000 is already in the public domain.

Digital Television

Mr. Yeo: To ask the Secretary of State for the Home Department if he will list the number of subscriptions to *(a)* digital terrestrial, *(b)* digital satellite and *(c)* digital cable television held by his Department for services in any departmental building from which Ministers work, stating for each subscription its (i) cost and (ii) purpose. [48357]

Beverley Hughes *[holding answer 10 April 2002]:* The Home Department does not pay any subscription to *(a)* digital terrestrial and *(b)* digital satellite television. The Department does pay subscriptions to *(c)* digital cable television used in a departmental building from which Ministers work. Use of these services is limited to Ministers' private offices, the Legal Advisers Branch and the Communications Directorate. Details of cost and purpose are as follows:

Subscription: 37 digital cable subscriptions £420.00.

Cost per year: £15,540.00.

Purpose: To monitor upcoming and breaking news, and parliamentary news to brief Ministers.

Private offices which support Home Office Ministers, pay an annual maintenance cost of £1,231 for a range of services, including a live feed from the Commons and Lords chambers, and access to House of Commons/Lords annunciator.

Ministerial Salaries

Mr. Bercow: To ask the Secretary of State for the Home Department what the annual cost was of ministerial salaries in his Department in *(a)* 1997–98 and *(b)* 2001–02. [60938]

Mr. Blunkett: The level of ministerial salaries are recommended by the Senior Salaries Review Body.

During the period May 1997 to March 1998, in this Department there was one Cabinet Minister, at an annual salary of £43,991; two Ministers of State, at an annual salary of £31,125; and three Parliamentary Under-Secretaries of State, one in the Lords at an annual salary of £43,632 and two in the Commons at an annual salary of £23,623.

From June 2001, there was one Cabinet Minister, at an annual salary of £68,157; three Ministers of State, two in the Commons at an annual salary of £35,356 and one in the Lords at an annual salary of £68,283; and three Parliamentary Under-Secretaries of State, at an annual salary of £26,835.

Departmental Expenditure Limit

Mr. Bercow: To ask the Secretary of State for the Home Department how much and what proportion of the departmental expenditure limit for 2002–03 will be accounted for by staff costs; what the figures were for 2001–02; and if he will make a statement. [61022]

Beverley Hughes: The information requested is provided in the following table.

	2001–02	2002–03
Annual departmental expenditure limit (DEL) (£ million)	10,731	10,230
Staff costs (£ million)	1,477	1,688
Staff costs as proportion of annual DEL (Percentage)	13.8	16.5

The 2001–02 DEL includes £826 million from the DEL Reserve, voted in the Spring Supplementary Estimates, mainly to fund asylum expenditure. If this is discounted, the staff costs for 2001–02 constitute 16.1 per cent. of the DEL.

Asylum Seekers

Mr. Joyce: To ask the Secretary of State for the Home Department how many asylum seekers living in Falkirk, West constituency are awaiting *(a)* the outcome of their asylum applications and *(b)* the outcome of appeals against decisions made in respect of their asylum applications. [63380]

Beverley Hughes: I refer my hon. Friend to the reply given to my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris) on 11 June 2002, *Official Report*, column 1231W.

Mr. David Stewart: To ask the Secretary of State for the Home Department what level of in-kind support is available to asylum seekers in NASS accommodation. [66873]

Beverley Hughes *[holding answer 4 July 2002]*: The National Asylum Support Service (NASS) accommodation is fully furnished including items such as crockery and kitchen utensils. The costs of accommodation including associated utility bills and council tax are met centrally.

Access to Information

Tony Wright: To ask the Secretary of State for the Home Department if he will list the administrative manuals and internal guidance which his Department has made public as required by Part 1 of the Code of Practice on Access to Government Information; and which of these were first made available after May 1997. [45400]

Mr. Blunkett: Since the Home Office publishes considerable amounts of information, it is not possible to identify all that falls in this category without disproportionate diversion of resources and further delay. However, as work proceeds on the development of a publication scheme under the Freedom of Information Act, we intend to increase the volume of such material in accordance with recommended practice. The publication scheme will be operational in November this year and will set out the classes of information that the Home Office will publish routinely. We aim to include information from administrative manuals and internal guidance.

Firearms

Mr. Hancock: To ask the Secretary of State for the Home Department how many deaths were attributable to firearms in the last year in Portsmouth, South; how many of these were with licensed firearms; and if he will make a statement. [64725]

Mr. Bob Ainsworth: There were no deaths attributable to firearms, recorded by the police in Hampshire for 2000–01 (year ending March).

The Home Office firearms database does not hold figures for locations below police force area. Information relating to the number of licensed firearms is recorded on a calendar basis, figures for 2001 are not currently available.

Drug Arrests

Mr. Hancock: To ask the Secretary of State for the Home Department how many drug arrests there were in the Portsmouth, South constituency in each of the last three years; and if he will make a statement. [64588]

Mr. Bob Ainsworth: Information on the number of persons arrested for notifiable offences is collected by police force area only. Available data on the number of persons arrested for drugs offences within the Hampshire police force area are given in the table for the years 1999–2000 and 2000–01. Statistics for 2001–02 will be available in the autumn.

Number of persons arrested for drug offences in Hampshire police force area

	Number of persons
1999–2000	3,768
2000–01	3,059

Crack Cocaine

Brian Cotter: To ask the Secretary of State for the Home Department how many individuals were arrested for possession of crack cocaine in Weston-Super-Mare in the past five years. [64934]

Mr. Bob Ainsworth: The information is not collected centrally at the level required.

Marsham Street

Ms Shipley: To ask the Secretary of State for the Home Department what art will be incorporated within his new headquarters on Marsham Street; and what resources have been allocated to art as *(a)* an overall figure and *(b)* a percentage of the final capital value of the new headquarters. [65069]

Beverley Hughes: This is a Private Finance Initiative (PFI) project being carried out by Annes Gate Property plc for the Home Department. The current scheme design agreed by Annes Gate Property with Westminster city council includes provision for art as this was a key consideration in the planning application discussions. The indicative capital sum provided in Annes Gate Property's cost plan is approximately one per cent. of the total capital spend. The art element is generally integrated into the scheme and relates to treatment of external finishes, elements of the hard landscaping, external lighting and other items as detailed in the planning consent.

Brixton Prison

John McDonnell: To ask the Secretary of State for the Home Department (1) how many Irish prisoners who died in Brixton during the last six years were on suicide watch; and whether in each case guidelines were followed; [65439]

(2) whether the relevant cell alarm system was in working order on each occurrence of a cell death in Brixton during the last five years; [65438]

(3) how many prisoners have died in HMP Brixton since 1995. [65442]

Hilary Benn: The tables detail the 14 self-inflicted deaths and three deaths by natural causes that have occurred at Brixton since 1995. Four of the 14 were Irish citizens and a further three of Irish extraction. One prisoner of Irish extraction was subject to intermittent observation and the investigation under way is reviewing the care he received.

Cell alarm systems are checked as a matter of routine, but there is no record available to show that alarms, in every cell where deaths occurred, were working at the time. Cell alarms checked, or their use noted, as part of an investigation into a death in custody, but only where it is considered relevant.

Issues about the use of a cell alarm were addressed in one investigation, with no evidence found to support claims made that an alarm was activated but not responded to.

Deaths at HMP Brixton: 1995–2002

	Number
Self-inflicted deaths	
1995	0
1996	1
1997	2
1998	1
1999	4
2000	2
2001	2
2002[1]	2
Total	14
Natural causes deaths	
1995	1
1996	0
1997	0
1998	1
1999	0
2000	1
2001	0
2002[1]	0
Total	3

[1] As at 25 June 2002

Visitors' Bonds Scheme

Dr. Cable: To ask the Secretary of State for the Home Department what progress has been made on Government proposals to introduce a visitors' bonds scheme. [65607]

Beverley Hughes: A consultation paper, "Financial Bonds for Visitors", was issued in October 1999. This sought views on a number of key questions, including the scope of any scheme, the nature and amount of the bond, and the locations for the proposed pilot study.

The response to the consultation paper was generally negative. Many respondents—particularly those from the ethnic minority communities—simply did not support the idea of a bond scheme, either in principle or because of worries over discrimination or affordability. Of those who responded more positively, many wanted a very low level of bond that would not have offered sufficient disincentive to fraud. The scheme also attracted considerable adverse reaction from the countries proposed for a pilot study.

Simultaneously, work on moving towards a more flexible approach to the operation of the immigration control made it difficult to design a simple, quick scheme for providing a bond facility for visitors and recording their entry to and departure from the United Kingdom.

It was also considered that the re-introduction of a right of appeal for family visitors in October 2000 would provide a more effective way of addressing the concerns of the ethnic minority community about visa refusals for family visits.

For all these reasons it was decided not to pursue the proposed pilot scheme—a decision that was generally widely welcomed. An announcement to this effect was made in a response to a parliamentary question from my hon. Friend the Member for Leicester, East (Mr. Vaz) on 28 July 2000.

The White Paper "Secure Borders, Safe Haven", published in February 2002, explained the negative response to the financial bond scheme proposals. It also referred to exploring community-based or other collective mechanisms, or a way of requiring people to report back to posts when they return, and invited views. We are currently considering the responses.

0870 Telephone Numbers

Mr. Randall: To ask the Secretary of State for the Home Department what his policy is on using 0870 telephone numbers for inquiries by the public to the Department and its agencies. [66191]

Beverley Hughes: The Home Department has no central policy on this matter. Each case is decided on its merits.

Indefinite Leave to Remain

Keith Vaz: To ask the Secretary of State for the Home Department how many persons came to the UK as visitors in 2001 and subsequently applied for indefinite leave to remain. [66335]

Beverley Hughes: The requested information is not currently available.

Air Weapons

John Austin: To ask the Secretary of State for the Home Department (1) how many offences were recorded involving the use of an air weapon in each year since 1997; [65288]

(2) what advice he has received from the Firearms Consultative Committee on the purchase, possession and use of air guns; and if he will make a statement; [65287]

(3) what progress he has made in implementing the recommendations which the Government accepted from the Home Affairs Committee's report, "Controls over firearms"; and if he will make a statement; [65284]

(4) if he will introduce a licensing scheme for air rifles; and if he will make a statement; [65285]

(5) how many offences resulting in injury to the person were recorded involving the use of an air weapon; and how many of these are recorded as attempted murder or other acts endangering life in each year since 1997; [65289]

(6) what action he plans to take on controls on air rifles following the shooting with an air rifle; and if he will make a statement. [65286]

Mr. Bob Ainsworth *[holding answer 1 July 2002]:* The Government totally condemns the misuse of air weapons and has the deepest sympathy for Tommy Morris and those others who are seriously injured by people who use their guns in an irresponsible or criminal manner. The question of introducing a licensing regime for air weapons as recommended by the Home Affairs Select Committee has been carefully considered by the Government. As the committee recognised, there are resource implications in setting up and running an effective registration system and we are reviewing these practical issues as part of an overall assessment of the effectiveness of the existing wide range of controls governing the sale and use of air weapons.

Information about the number of offences involving the use of air weapons, and the number of resulting injuries in each year since 1997, is given in the following table:

Violence against a person

	1997[1]	*1998–99*[2]	*1999–2000*	*2000–01*
Air weapon offences	7,506	8,665	10,103	10,227
Offences resulting in slight injury	1,065	1,381	1,806	1,654
Offences resulting in serious injury	129	133	171	166
Homicide	—	—	—	1
Attempted murder and other acts (including wounding) endangering life	75	88	80	62

[1] Calendar year.

[2] There was a change in counting rules for recorded crime on 1 April 1998. Crime figures no longer exclude offences where the value of criminal damage is under £20. 75 per cent. of air weapon offences consisted of criminal damage.

The laws concerning air weapons are already very strict, as are the penalties for misuse. We believe that much can be done to improve the situation through the enforcement of existing legislation and public education, and we are at present considering the Firearms Consultative Committee's advice on how this should be taken forward. The shooting associations and the police are already working closely together and have launched a campaign designed to create a greater awareness of the requirements of the law and to emphasise the basic principles of safe and responsible shooting. We believe that this will help to check the rise in criminal damage and to sustain the welcome reduction last year in the total number of injuries.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department for what reason he has not yet replied to the letter to him dated 18 March from the right hon. Member for Manchester, Gorton with regard to an Afghan asylum-seeker ref. DEV/OU/1506. [66486]

Mr. Blunkett: I refer my right hon. Friend to the answer I provided to him on 2 July 2002, *Official Report*, column 264W.

Mr. Salmond: To ask the Secretary of State for the Home Department when he will respond to the letter from the hon. Member for Banff and Buchan of 1 May on animal experimentation. [67648]

Mr. Bob Ainsworth: A reply was sent to the hon. Member on 8 May 2002.

Mr. Kaufman: To ask the Secretary of State for the Home Department when he intends to reply to the letter to him dated 30 April from the right hon. Member for Manchester, Gorton with regard to Mr. F. A. Malik. [66209]

Mr. Blunkett: I wrote to my right hon. Friend on 27 June 2002.

Mr. Kaufman: To ask the Secretary of State for the Home Department for what reason he has not yet replied to the letter to him dated 9 April, from the right hon. Member for Manchester, Gorton with regard to Mr. Rahemi Aminullah. [66487]

Mr. Blunkett: I refer my right hon. Friend to the answer I provided to him on 1 July 2002, *Official Report*, column 180W.

Mr. Kaufman: To ask the Secretary of State for the Home Department for what reason he has not yet replied to the letter to him dated 22 April from the right hon. Member for Manchester, Gorton with regard to Mr. S. Balekey. [66485]

Mr. Blunkett: My right hon. Friend's letter of 22 April 2002 was not received by the Home Office until 7 June 2002. It was then immediately forwarded to the Immigration and Nationality Department (Integrated Casework Directorate) for consideration.

A reply was sent to my office for signature on 27 June 2002, and despatched on the same date.

Drug and People Smuggling

Mr. Wray: To ask the Secretary of State for the Home Department what discussions he has had with European counterparts regarding increased co-operation between police forces in tackling drug smuggling and people smuggling. [66633]

Mr. Bob Ainsworth *[holding answer 3 July 2002]:* My right hon. Friend the Home Secretary and I have regular discussions with our European counterparts about increased police co-operation in tackling organised and international crime. Most recently, at the Justice and

Home Affairs Council in Luxembourg on 13 June 2002, the Home Secretary stressed the need for action at European Union (EU) level to combat illegal immigration and trafficking in human beings. This was subsequently reflected in the conclusions of the Seville European Council.

In advance of the Danish presidency of the EU, the Home Secretary met with the Danish Justice Minister on 19 June 2002 and discussed the issue of drug trafficking at EU level. The United Kingdom (UK) will work with the Danish presidency to ensure that the framework decision on drug trafficking is agreed as soon as possible, and that the mid-term review of the EU Action Plan against Drugs is productive in taking forward co-operation at EU level.

The Home Secretary also met with the French Interior Minister, M. Sarkozy, for bilateral talks on 25 June 2002 and they agreed that joint UK-French teams should work together to tackle people trafficking.

Based on the Framework Decision on Joint Investigation Teams, which was adopted by the Justice and Home Affairs Council in June, work is under way on the formation of a joint investigation team to combat cocaine smuggling.

Youth Justice Board

Jim Dobbin: To ask the Secretary of State for the Home Department when the Youth Justice Board will publish its annual review for 2001–02. [68764]

Hilary Benn: The Youth Justice Board annual review for 2001–02 has today been laid before Parliament. Copies have been placed in the Library. The Youth Justice Board was established in 1998 by the Crime and Disorder Act to reform the youth justice system. The annual review provides evidence of success in meeting the principal aim of the reformed youth justice system to prevent offending.

The Government's pledge to halve the time from arrest to sentence for persistent young offenders has been achieved. It has been reduced from an average time of 142 days in 1997 to 67 days in the first quarter of 2002.

The review shows that effective use has been made of police Final Warnings, bail supervision and support programmes, robust new sentences and the new Intensive Surveillance and Supervision Programme to reduce re-offending.

The review also presents evidence that targeted prevention work with young people at risk, use of parenting programmes and education, employment and training initiatives are effective to prevent and reduce offending rates.

HEALTH

Hospital Construction

Dr. Fox: To ask the Secretary of State for Health what *(a)* medium-sized and *(b)* major hospital schemes are planned under the NHS plan; when (i) construction is due to commence and (ii) schemes will be completed; and what the cost is of each scheme. [56939]

Mr. Hutton: The NHS Plan states that there will be further major expansion in new hospital buildings which mean over 100 new hospital schemes in total between 2000 and 2010.

Lists of medium-sized and major hospital schemes which are planned under the NHS plan, giving details of the capital cost of the scheme; when the scheme is expected to reach financial close and when the scheme is expected to become operational are in the following tables. The total number of projects is 107.

Schemes which are operational

NHS Trust	*Value (£ million)*	*Financial close date*	*Operational date*
Carlisle Hospitals	65.00	3 November 1997	29 May 2000
Dartford and Gravesham	94.00	30 July 1997	11 September 2000
Queens Medical Centre—Nottingham University Hospital	16.60	24 May 1999	1 October 2000
South Buckinghamshire	45.10	14 December 1997	17 October 2000
Sussex Weald and Downs	22.00	24 June 1999	31 January 2001
Oxleas—Queen Mary's Sidcup	20.30	1 December 1998	19 February 2001
Greenwich Healthcare	93.00	1 July 1998	1 March 2001
North East London Mental Health	10.80	4 July 2000	4 March 2001
North Durham Health Care	61.00	31 March 1998	2 April 2001
Calderdale Healthcare	64.60	31 July 1998	8 April 2001
South Manchester University	65.60	8 June 1998	25 July 2001
North Staffordshire Combined Healthcare	28.07	1 December 1999	1 September 2001
Norfolk and Norwich Health	158.00	9 January 1998	21 September 2001
Hereford Hospitals	64.10	31 March 1999	1 March 2002
Barnet and Chase Farm	54.00	1 February 1999	2 March 2002
Worcestershire Acute	86.60	18 March 1999	18 March 2002
Northern Birmingham Mental Health	18.00	15 August 2000	18 March 2002
Cornwall Healthcare	10.20	31 October 2000	1 June 2002
South Durham Health Care	48.00	28 May 1999	8 June 2002
East London and The City Mental Health—Newham	14.50	5 September 2000	9 July 2002

Schemes which have reached financial close but not yet operational

NHS Trust	*Value (£ million)*	*Financial close date*	*Planned operational date*
Bromley	117.90	19 November 1998	30 April 2003
South Tees Acute Hospitals	121.90	16 August 1999	1 April 2003
Swindon and Marlborough	96.00	5 October 1999	15 January 2003
King's Healthcare	64.00	6 December 1999	31 January 2003
Leeds Community and Mental	47.00	1 March 2000	1 December 2002
St. George's Healthcare	49.00	17 March 2000	1 April 2003
University College London	404.00	12 July 2000	1 April 2005
Northumbria Healthcare—Wansbeck	14.69	16 November 2000	1 April 2003
Luton and Dunstable	14.70	21 November 2000	27 August 2002
Hull and East Yorkshire Hospitals	22.00	8 December 2000	30 January 2003
West Middlesex University	60.00	30 January 2001	1 April 2003
Berkshire Healthcare	29.70	1 April 2001	9 March 2003
Northumbria Healthcare—Hexham	28.80	27 April 2001	1 July 2003
Dudley Group of Hospitals	137.00	1 May 2001	30 September 2004
Royston Buntingford and Bishop Stortford PCT	14.75	4 May 2001	31 May 2003
Surrey Hampshire Borders—Farnham	15.00	29 October 2001	1 September 2003
Royal Wolverhampton Hospitals	12.80	20 March 2002	1 July 2003
Nuffield Orthopaedic centre1	[illegible]2.00	20 April 2002	28 February 2004
Gloucestershire Royal	32.00	22 April 2002	1 September 2004
North Durham Health Care—Chester-le-Street	10.40	1 June 2002	31 July 2004

Schemes yet to reach financial close. Operational dates to be determined as part of the PFI process

NHS Trust	*Value (£ million)*	*Planned financial close date*
Parkside Health	11.00	1 August 2002
Leeds Teaching Hospitals—Wharfedale	10.00	1 August 2002
Barking, Havering and Redbridge Hospitals	148.00	1 September 2002
University Hospitals Coventry and Warwickshire*	178.00	1 September 2002
Southern Derbyshire Acute	177.00	30 November 2002
Newbury PCT	18.00	24 July 2002
Blackburn, Hyndburn and Ribble Valley	70.30	1 September 2002
Mid Devon Primary Care Trust	12.00	30 July 2002
The Whittington	25.00	31 July 2002
Doncaster and South Humber Healthcare	11.30	30 July 2002
Stoke Mandeville Hospital	23.70	31 July 2002
Kingston Hospital	21.80	1 August 2002
Sandwell and W. Birmingham Hospitals—City Hospital	19.00	14 August 2002
Northamptonshire Healthcare	19.80	31 August 2002
Bath and West Community	10.00	31 August 2002
South West London Community—Queen Mary's Roehampton	24.80	21 September 2002
Newham Healthcare	24.90	1 October 2002
Northumberland Mental Health—St. Georges Morpeth	25.00	1 November 2002
Burnley Health Care	13.65	26 December 2002
Newcastle upon Tyne	123.80	1 February 2003
Portsmouth Hospitals	121.00	15 February 2003
East Kent Community	11.10	1 March 2003
Oxford Radcliffe Hospitals	95.00	15 March 2003
Central Manchester Healthcare*	199.00	1 June 2003
Barts and The London	620.00	1 June 2003
Brighton Health Care	10.40	30 June 2003
Brighton Health Care	25.00	1 July 2003
Lewisham Hospital	44.00	1 July 2003
Nottingham Healthcare	13.90	30 June 2003
Leeds Teaching Hospitals	125.00	1 August 2003
St. Mary's (Paddington Basin)	327.00	14 August 2003
North West London Hospitals	60.00	1 October 2003
Avon and Western Wiltshire Mental Health	48.00	1 October 2003
Oxford Radcliffe Hospitals	60.00	1 January 2004
Hull and East Yorkshire Hospitals	53.00	1 January 2004
North Middlesex Hospitals	74.00	1 January 2004
University Hospital Birmingham*	306.00	1 April 2004
Southampton University Hospitals	52.00	1 July 2004
South Devon Healthcare	65.00	1 July 2004
Barnet and Chase Farm Hospitals	41.00	1 July 2004
Peterborough Hospitals	250.00	1 July 2004
Sherwood Forest Hospitals	66.00	1 July 2004
St. Helens and Knowlsey Hospitals	228	1 July 2004
North Staffordshire Hospital	254.00	1 October 2004
Walsall Hospitals*	44.00	1 January 2005
Tameside and Glossop Acute Services	41.00	1 January 2005
Pinderfield and Pontefract Hospitals*	200.00	1 January 2005

Schemes yet to reach financial close. Operational dates to be determined as part of the PFI process

NHS Trust	*Value (£ million)*	*Planned financial close date*
Salford Royal Hospitals	175.00	1 January 2005
Maidstone and Tunbridge Wells*	175.00	1 January 2005
United Bristol Healthcare	104.00	1 January 2005
Whipps Cross Hospitals	313.00	1 January 2005
University Hospitals of Leicester	263.00	1 January 2005
Essex Rivers Healthcare	79.00	1 July 2005
East Kent Hospitals	102.00	1 July 2005
Mid Essex Hospitals	110.00	1 July 2005
Plymouth Hospitals	101.00	1 July 2005
Royal Wolverhampton Hospitals	110.00	1 July 2005
Bradford Hospitals	116.00	1 July 2005

Publicly procured schemes operational

NHS Trust	*Value (£ million)*	*Tender awarded*	*Operational date*
Rochdale Healthcare	24.00	14 August 1998	1 Augsut 2000
Central Sheffield University Hospitals	24.00	19 September 1998	1 February 2001

Publicly procured schemes with tender awarded

NHS Trust	*Value (£ million)*	*Tender awarded*	*Planned operational date*
Royal Berkshire and Battle Hospital	75.00	24 August 1998	27 July 2002
Thames Gateway NHS Trust	13.50	1 December 2000	1 September 2002
West London Mental Health NHS Trust	14.00	1 December 2000	1 May 2003
Northern Lincolnshire and Goole Hospitals NHS Trust	11.80	1 May 2001	1 May 2003
Barnet PCT (Edgware Community)	23.80	1 April 2001	1 December 2003
Wigan—Royal Albert Edward Infirmary	24.60	1 November 2000	1 April 2004
Guys and St. Thomas	50.00	19 September 1998	1 May 2004

Capital Projects

Ms Shipley: To ask the Secretary of State for Health how many major acute hospitals *(a)* have been procured and *(b)* are being procured via the PFI process; what the capital value of each project is; and what stage they are at in the PFI procurement process. [59838]

Mr. Hutton: Since May 1997 64 major acute schemes have been approved under the private finance initiative (PFI). The following tables list details of their capital value together with the stage they are at in the PFI procurement process.

Acute schemes operational

NHS Trust	*Value (£ million)*	*Financial close date*	*Operational date*
Carlisle Hospitals	65.00	3 November 1997	29 May 2002
Dartford and Gravesham	94.00	30 July 1997	11 September 2000
South Buckinghamshire	45.10	14 December 1997	17 October 2000
Greenwich Healthcare	93.00	1 July 1998	1 March 2001
North Durham Health Care	61.00	31 March 1998	2 April 2001
Calderdale Healthcare	64.60	31 July 2998	8 April 2001
South Manchester University	65.60	8 June 1998	25 July 2001
Norfolk and Norwich Health	158.00	9 January 1998	21 September 2001
Hereford Hospitals	64.10	31 March 1999	1 March 2002
Barnet and Chase Farm	54.00	1 February 1999	2 March 2002
Worcestershire Acute	86.60	18 March 1999	18 March 2002
South Durham Health Care	48.00	28 May 1999	8 June 2002

Acute schemes reached financial close with planned operational date

NHS Trust	*Value (£ million)*	*Financial close date*	*Planned operational date*
Bromley	117.90	19 November 1998	30 April 2003
South Tees Acute Hospitals	121.90	16 August 1999	1 April 2003
Swindon and Marlborough	96.00	5 October 1999	15 January 2003
King's Healthcare	64.00	6 December 1999	31 January 2003
Leeds Community and Mental	47.00	1 March 2000	1 December 2002
St. George's Healthcare	49.00	17 March 2000	1 April 2003
University College London	404.00	12 July 2000	1 April 2005
Hull and East Yorkshire hospitals	22.00	8 December 2000	10 January 2003

Acute schemes reached financial close with planned operational date

NHS Trust	*Value (£ million)*	*Financial close date*	*Planned operational date*
West Middlesex University	60.00	30 January 2001	1 April 2003
Berkshire Healthcare	29.70	1 April 2001	9 March 2003
Dudley Group of Hospitals	137.00	1 May 2001	30 September 2004
Gloucestershire Royal	32.00	22 April 2002	1 September 2004

Schemes yet to reach financial close. Operational dates to be determined as part of the PFI process

NHS Trust	*Value (£ million)*	*Planned financial close date*
Barking, Havering and Redbridge Hospitals	148.00	01 September 2002
University Hospitals Coventry and Warwickshire	178.00	1 September 2002
Southern Derbyshire Acute	177.00	30 November 2002
Blackburn, Hyndburn and Ribble Valley	70.30	1 September 2002
Newcastle upon Tyne	123.80	1 February 2003
Portsmouth Hospitals	121.00	15 February 2003
Oxford Radcliffe Hospitals	95.00	15 March 2003
Central Manchester Healthcare	199.00	1 June 2003
Barts and the London	620.00	1 June 2003
Brighton Health Care	25.00	1 July 2003
Lewisham Hospital	44.00	1 July 2003
Leeds Teaching Hospitals	125.00	1 August 2003
St. Mary's (Paddington Basin)	327.00	14 August 2003
North West London Hospitals	60.00	1 October 2003
Avon and Western Wiltshire Mental Health	48.00	1 October 2003
Oxford Radcliffe Hospitals	60.00	1 January 2004
Hull and East Yorkshire Hospitals	53.00	1 January 2004
North Middlesex Hospitals	74.00	1 January 2004
University Hospital Birmingham	306.00	1 April 2004
Southampton University Hospitals	52.00	1 July 2004
South Devon Healthcare	65.00	1 July 2004
Barnet and Chase Farm Hospitals	41.00	1 July 2004
Peterborough Hospitals	250.00	1 July 2004
Sherwood Forest Hospitals	66.00	1 July 2004
St. Helens and Knowlsey Hospitals	228.00	1 July 2004
North Staffordshire Hospital	254.00	1 October 2004
Walsall Hospitals	44.00	1 January 2005
Tameside and Glossop Acute Services	41.00	1 January 2005
Pinderfield and Pontefract Hospitals	200.00	1 January 2005
Salford Royal Hospitals	175.00	1 January 2005
Maidstone and Tunbridge Wells	175.00	1 January 2005
United Bristol Healthcare	104.00	1 January 2005
Whipps Cross Hospitals	313.00	1 January 2005
University Hospitals of Leicester	363.00	1 January 2005
Essex Rivers Healthcare	79.00	1 July 2005
East Kent Hospitals	102.00	1 July 2005
Mid Essex Hospitals	110.00	1 July 2005
Plymouth Hospitals	101.00	1 July 2005
Royal Wolverhampton Hospitals	110.00	1 July 2005
Bradford Hospitals	116.00	1 July 2005

Fees

Matthew Taylor: To ask the Secretary of State for Health which fees his Department, its agencies and associated public bodies collect; how much has been raised or is anticipated will be raised from each of these fees in each year from 1989–90 to 2004–05; which of these fees count as negative expenditure; and if he will make a statement. [59876]

Mr. Lammy: The Department, its agencies and associated bodies collect fees or charges on a statutory basis and make charges where legislation allows on commercial services. Listed in the table is information where a fee or charge can be separately identified in accounts or departmental returns. Where fees or charges are not separately identified income has been attributed to the receiving body.

£ million

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
Health authority										
Fees and charges	—	—	—	—	—	—	67.7	90.1	92.0	'113.8
Other income	—	—	—	—	—	283.4	185.1	137.9	144.1	'136.9
District Health Authorities	154.7	124.9	124.9	156.0	140.7	152.0	—	—	—	—
Family Health Service Authority	6.6	5.9	64.8	75.8	74.4	—	—	—	—	—
NHS Trusts										
Road traffic accident income	—	—	—	13.1	13.1	13.5	16.6	19.6	91.4	122.7
Amenity beds/prescription charges	5.0	29.8	55.5	97.1	110.1	138.8	169.6	216.7	224.2	266.0

£ million

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
NHS Supplies Authority fees	—	52.0	62.9	52.9	50.5	44.0	39.1	36.1	20.3	[2]0.4
District Health Authorities—amenity beds	—	1.7	1.2	—	—	—	—	—	—	—
District Health Authority—road traffic accident income	—	7.3	3.5	0.3	—	—	—	—	—	—
Dental charges	404	394.8	367.0	383.3	381.2	383.0	388.4	419.6	431.2	453.1
Prescription charges	215.2	242.0	265.3	287.2	298.7	295.7	320.9	341.3	366.7	386.9
Nursing home inspection fees	—	3.9	4.2	4.1	4.7	4.8	4.8	8.8	9.5	9.8
English National Board for Nursing: registration fees	—	1.9	1.7	1.7	1.3	1.4	1.6	1.6	1.6	1.6
Subsidised dried milk	0.6	0.8	1.0	1.0	1.6	2.2	2.5	2.6	2.4	2.4
Medicines Control Agency—licences and inspections	17.7	21.0	23.3	25.6	22.4	26.8	28.1	26.6	29.4	34.1
Youth treatment service income	1.8	1.2	1.5	2.4	4.6	3.0	4.5	4.7	4.6	0.1
NHS Pensions Agency fees	—	—	—	—	—	0.2	2.3	6.2	2.2	1.8
Medical Devices Agency Fees	—	—	—	—	—	0.1	0.2	0.2	0.2	0.3
Human Fertilisation and Embryology Authority: licence fees	—	0.6	0.9	0.8	1.0	1.0	1.3	1.4	1.6	1.2

[1] Inc. PCTs.

[2] NHS Logistics.

Notes:

1. Figures are for completed financial years only. Subsequent years will be reviewed in light of changes in costs in the coming periods and cannot be forecast at this stage.

2. All income is either appropriations in aid on votes, consolidated fund extra receipts or is retained by the body concerned to offset expenditure.

Natural Health Products

Dr. Iddon: To ask the Secretary of State for Health when he will respond to the request of 25 April by Consumers For Health Choice for a meeting with the Under-Secretary to discuss regulation of the Natural Health Products Sector. [60201]

Ms Blears: My noble Friend the Parliamentary Under-Secretary of State (Lord Hunt), and I will be holding meetings during July with representatives of a range of interest groups in the herbal sector, including consumers for health choice, to discuss the regulation of herbal remedies and supplements.

Correspondence

Mr. Andrew Turner: To ask the Secretary of State for Health when he will reply to the letter from the hon. Member for the Isle of Wight of 26 April, about NHS dental services. [61953]

Ms Blears: A reply was sent on 8 July.

Secondments

Matthew Taylor: To ask the Secretary of State for Health how many people from organisations outside his Department have been seconded to start work in his Department since 1 January 1999. [63087]

Mr. Lammy: The information requested is shown in the table.

	Number of secondments
1999–2000	20
2000–01	62
2001–02	49
Total	131

Source:

Department of Health Interchange database 1 April to 31 March

Hospices

Mr. Ruffley: To ask the Secretary of State for Health how much National Cancer Plan funding has been allocated to hospices in *(a)* Suffolk and *(b)* the eastern region. [63807]

Mr. Lammy: Voluntary hospice services in eastern region are, in common with the rest of the country, funded from a variety of sources in addition to voluntary funding.

Priorities for development are determined by each cancer network board (of which health authorities; primary care trusts and national health service trusts are part).

Palliative care priorities for development (including hospices) are first determined within each network's palliative care strategy and then prioritised against other cancer priorities as part of the network's overall three year strategic plan.

Suffolk Health Authority invested £1,460,858 in voluntary hospices in 2001–02 rising to £1,527,757 in 2002–03.

During the same period the whole eastern region invested £8,177,426 in voluntary hospices in 2001–02 rising to £8,545,111 in 2002–03.

Hepatitis C

Stephen Hesford: To ask the Secretary of State for Health if he will make a statement on the Government's policy on making financial arrangements for sufferers, and their families, of Hepatitis C caused by infected blood products. [64262]

Ms Blears: We deeply regret that so many people with haemophilia were infected with hepatitis C through blood products. But the fact is that as soon as a technology became available to make blood products free from hepatitis C the national health service introduced it. There is therefore no legal liability to justify compensation for people with haemophilia and hepatitis C.

This Government and their predecessor have held that compensation is only paid to patients when the NHS has been at fault and that an exception to this rule is not justified in the case of haemophiliacs infected with hepatitis C.

We met the haemophilia society and members of the all party group on haemophilia on 12 June to discuss the 'Report of the Hepatitis C Working Party' which was produced for the haemophilia society and published by them on 17 June. We will respond to this report when we have given it our full consideration.

Cancer and Mental Health

Mr. Hoban: To ask the Secretary of State for Health how much money was earmarked for cancer and mental health treatments for *(a)* PCT and *(b)* health authorities in the latest year for which figures are available. [64337]

Ms Blears: Health authorities share their total recurrent allocation between their constituent primary care trusts in line with guidance issued by the Department.

In 2002–03, health authorities were instructed to allocate earmarked funding to primary care trusts on the same basis allocations were made to health authorities.

Primary care trust shares of health authority earmarked funding for cancer and mental health are shown in table 1 and the health authority totals in table 2.

Table 1

£000

Primary care trust	*Cancer*	*Mental health*
Adur, Arun and Worthing	360	355
Airedale	172	170
Amber Valley	181	178
Ashfield	118	117
Ashford	140	138
Ashton, Leigh and Wigan	485	479
Barking and Dagenham	262	258
Barnet	521	514
Barnsley	385	380
Basildon	158	156
Bassetlaw	150	148
Bath and North East Somerset	239	236
Bebington and West Wirral	161	159
Bedford	208	205
Bedfordshire Heartlands	317	313
Bexhill and Rother	135	133
Bexley	302	298
Billericay, Brentwood and Wickford	186	184
Birkenhead and Wallasey	361	356
Blackburn with Darwen	245	242
Blackpool	257	254
Bolton	444	438
Bournemouth	259	255
Bracknell Forest	128	127
Bradford City	228	225
Bradford South and West	229	226
Brent	471	465
Brighton and Hove City	422	417
Bristol North	347	342
Bristol South and West	287	283
Broadland	152	150
Bromley	423	417
Broxtowe and Hucknall	197	194
Burnley, Pendle and Rossendale	401	396
Burntwood, Lichfield and Tamworth	198	195
Bury	271	268
Calderdale	296	292
Cambridge City	184	182
Camden	413	408
Cannock Chase	173	171
Canterbury and Coastal	250	247
Carlisle and District	174	172
Castle Point and Rochford	226	223
Central Cheshire	347	343
Central Cornwall	289	285
Central Derby	183	181
Central Liverpool	463	457
Central Manchester	305	301
Central Suffolk	126	125
Charnwood and North West Leicestershire	318	314
Chelmsford	155	153
Cheltenham and Tewkesbury	210	207
Cherwell Vale	163	160
Cheshire West	231	227
Chesterfield	171	169
Chiltern and South Bucks	210	207
Chingford, Wanstead and Woodford	181	179
Chorley and South Ribble	289	285
City and Hackney	467	461
Colchester	229	226
Cotswold and Vale	266	262
Coventry	496	489
Craven, Harrogate and Rural District	290	286
Crawley	156	154
Croydon	515	508
Dacorum	198	195
Darlington	161	159
Dartford, Gravesham and Swanley	317	313
Daventry and South Northamptonshire	118	116
Derbyshire Dales and South Derbyshire	117	115
Derwentside	142	140
Doncaster Central	164	162
Doncaster East	135	134
Doncaster West	172	170
Dudley Beacon and Castle	162	160
Dudley South	283	280
Durham and Chester-Le-Street	230	227
Durham Dales	144	142
Ealing	551	544
Easington	180	177
East Birmingham	398	393
East Cambridgeshire and Fenland	208	206
East Devon	179	176
East Elmbridge and Mid Surrey	364	359
East Hampshire	265	262
East Kent Coastal	388	383
East Leeds	236	232
East Lincolnshire	402	397
East Staffordshire	174	171
East Surrey	212	209
East Yorkshire	202	199
Eastbourne Downs	284	281
Eastern Cheshire	259	255
Eastern Hull	196	193
Eastern Leicester	269	266
Eastern Wakefield	288	284
Eastleigh and Test Valley	190	187
Eden Valley	98	97
Ellesmere Port and Neston	126	124
Enfield	409	404
Epping Forest	153	151
Erewash	143	141
Exeter	183	180
Fareham and Gosport	250	247
Fylde	106	105
Gateshead	343	339

Table 1

£000

Primary care trust	*Cancer*	*Mental health*
Gedling	137	135
Great Yarmouth	145	144
Greater Derby	221	218
Greenwich	380	375
Guildford and Waverley	328	323
Halton	190	187
Hambleton and Richmondshire	154	152
Hammersmith and Fulham	311	307
Haringey	429	424
Harlow	122	120
Harrow	297	293
Hartlepool	152	150
Hastings and St. Leonards	159	157
Havering	350	345
Heart of Birmingham	470	464
Herefordshire	241	238
Hertsmere	126	124
Heywood and Middleton	122	121
High Peak and Dales	146	144
Hillingdon	369	364
Hinckley and Bosworth	124	122
Horsham and Chanctonbury	119	118
Hounslow	370	365
Huddersfield Central	212	210
Huntingdonshire	185	183
Hyndburn and Ribble Valley	174	172
Ipswich	207	205
Isle of Wight	210	207
Islington	407	401
Kensington and Chelsea	378	373
Kingston	246	243
Knowsley	269	265
Lambeth	546	539
Langbaurgh	153	151
Leeds North East	229	226
Leeds North West	260	257
Leeds West	170	167
Leicester City West	220	217
Lewisham	445	439
Lincolnshire South West	247	244
Luton	277	274
Maidstone Weald	308	304
Maldon and South Chelmsford	103	102
Mansfield District	140	138
Medway	361	357
Melton, Rutland and Harborough	181	178
Mendip	145	143
Mid Devon	139	137
Middlesbrough	319	315
Mid-Hampshire	232	228
Mid-Sussex	181	179
Milton Keynes	301	297
Morecambe Bay	473	467
New Forest	252	249
Newark and Sherwood	169	166
Newbury and Community	134	132
Newcastle	455	449
Newcastle-Under-Lyme	155	153
Newham	490	484
North and East Cornwall	227	224
North Birmingham	236	233
North Bradford	141	139
North Devon	218	215
North Dorset	123	121
North East Lincolnshire	243	239
North East Oxfordshire	86	85
North East Warwickshire	249	246
North Eastern Derbyshire	229	226
North Hampshire	244	241
North Hertfordshire and Stevenage	264	261
North Kirklees	260	257
North Lincolnshire	221	218
North Liverpool	190	187
North Manchester	276	273
North Norfolk	150	148
North Peterborough	168	166
North Sheffield	208	205
North Somerset	266	262
North Stoke	221	218
North Surrey	289	285
North Tees	276	273
North Tyneside	331	326
North Wilts and Kennet	256	253
Northampton	295	292
Northamptonshire Heartlands	383	378
Northumberland Care Trust	470	463
Norwich	205	203
Nottingham City	480	474
Oldbury and Smethwick	171	169
Oldham	368	363
Oxford City	256	253
Plymouth	381	376
Poole	247	244
Portsmouth City	292	288
Preston	231	228
Reading	293	289
Redbridge	246	243
Redditch and Bromsgrove	207	204
Richmond and Twickenham	279	276
Rochdale	217	214
Rotherham	384	379
Rowley, Regis and Tipton	133	131
Royston, Buntingford and Bishop's Stortford	95	94
Rugby	120	119
Rushcliffe	153	151
Rushmore and Hart	234	231
Salford	394	389
Scarborough, Whitby and Ryedale	239	236
Sedgefield	154	152
Selby and York	378	373
Sheffield South West	190	188
Sheffield West	184	181
Shepway	156	154
Shropshire County	389	384
Slough	179	177
Solihull	291	288
Somerset Coast	205	202
South and East Dorset	217	214
South Birmingham	540	533
South Cambridgeshire	118	116
South East Hertfordshire	228	225
South East Oxfordshire	102	100
South East Sheffield	272	269
South Gloucestershire	290	286
South Hams and West Devon	152	150
South Huddersfield	123	122
South Leeds	230	227
South Leicestershire	187	184
South Liverpool	152	150
South Manchester	240	237
South Peterborough	125	123
South Sefton	266	263
South Somerset	203	201
South Stoke	217	214
South Tyneside	263	260
South Warwickshire	329	325
South West Dorset	205	202
South West Kent	240	236
South West Oxfordshire	236	233
South Western Staffordshire	244	241

Table 1

£000

Primary care trust	*Cancer*	*Mental health*
South Wiltshire	163	161
South Worcestershire	373	368
Southampton City	359	354
Southend On Sea	275	272
Southern Norfolk	270	267
Southport and Formby	178	175
Southwark	457	451
St. Albans and Harpenden	177	174
St. Helens	299	295
Staffordshire Moorlands	150	148
Stockport	427	422
Suffolk Coastal	133	131
Suffolk West	307	303
Sunderland Teaching	483	477
Sussex Downs and Weald	202	199
Sutton and Merton	536	529
Swale	134	132
Swindon	261	257
Tameside and Glossop	361	356
Taunton Deane	147	145
Teignbridge	157	155
Telford and Wrekin	222	219
Tendring	222	219
Thurrock	205	202
Torbay	212	209
Tower Hamlets	365	360
Trafford North	149	147
Trafford South	186	183
Uttlesford	90	88
Vale of Aylesbury	247	244
Wakefield West	221	218
Walsall	403	398
Walthamstow, Leyton and Leytonstone	280	276
Wandsworth	476	469
Warrington	278	274
Watford and Three Rivers	248	245
Waveney	184	181
Wednesbury and West Bromwich	189	186
Welwyn Hatfield	138	136
West Cumbria	207	204
West Gloucestershire	303	299
West Hull	253	250
West Lancashire	160	158
West Lincolnshire	312	308
West Norfolk	212	209
West Of Cornwall	237	234
West Wiltshire	155	153
Western Sussex	311	307
Westminster	478	472
Windsor, Ascot and Maidenhead	227	224
Witham, Braintree and Halstead[1]	179	177
Woking area	248	245
Wokingham	173	171
Wolverhampton City	392	387
Wycombe	184	181
Wyre Forest	148	146
Wyre	190	187
Yorkshire Wolds and Coast	211	208
England	76,000	75,000

[1] Planned care trust from 1 October 2002.

Table 2

£000

Health authority	*Cancer*	*Mental health*
Avon	1,428	1,409
Barking and Havering	612	604
Barnet, Enfield and Haringey	1,360	1,342
Barnsley	385	380
Bedfordshire	802	791
Berkshire	1,134	1,119
Bexley, Bromley and Greenwich	1,105	1,091
Birmingham	1,645	1,623
Bradford	770	760
Brent and Harrow	768	758
Buckinghamshire	941	929
Bury and Rochdale	610	602
Calderdale and Kirklees	892	880
Cambridgeshire	989	976
Camden and Islington	820	809
Cornwall and Isles of Scilly	753	744
County Durham	1,010	997
Coventry	496	489
Croydon	515	508
Doncaster	471	465
Dorset	1,050	1,037
Dudley	445	440
Ealing, Hammersmith and Hounslow	1,232	1,216
East Kent	934	922
East Lancashire	840	829
East London and the City	1,322	1,304
East Riding	861	850
East Surrey	575	568
East Sussex, Brighton and Hove	1,202	1,187
Gateshead and South Tyneside	606	598
Gloucestershire	778	768
Herefordshire	241	238
Hertfordshire	1,474	1,454
Hillingdon	369	364
Isle of Wight, Portsmouth and South East Hampshire	1,018	1,004
Kensington, Chelsea and Westminster	856	845
Kingston and Richmond	526	519
Lambeth, Southwark and Lewisham	1,448	1,429
Leeds	1,124	1,109
Leicestershire	1,299	1,281
Lincolnshire	962	949
Liverpool	804	794
Manchester	821	810
Merton, Sutton and Wandsworth	1,011	998
Morecambe Bay	473	467
Newcastle and North Tyneside	786	775
Norfolk	1,135	1,120
North and East Devon	719	709
North and Mid Hampshire	710	700
North Cheshire	467	461
North Cumbria	478	472
North Derbyshire	546	539
North Essex	1,252	1,236
North Nottinghamshire	577	569
North Staffordshire	743	733
North West Lancashire	765	755
North Yorkshire	1,061	1,047
Northamptonshire	796	785
Northumberland	470	463
Nottingham	967	954
Oxfordshire	843	832
Redbridge and Waltham Forest	707	697
Rotherham	384	379
Salford and Trafford	729	719
Sandwell	493	486
Sefton	444	438
Sheffield	854	843
Shropshire	611	603
Solihull	291	288
Somerset	700	691
South and West Devon	902	890
South Cheshire	962	950
South Derbyshire	845	834
South Essex	1,051	1,037
South Humber	463	457
South Lancashire	449	443
South Staffordshire	788	778
Southampton and South West Hampshire	800	790
St. Helen's and Knowsley	567	560
Stockport	427	422
Suffolk	957	944
Sunderland	483	477
Tees	901	890
Wakefield	509	503

Table 2

£000

Health authority	*Cancer*	*Mental health*
Walsall	403	398
Warwickshire	699	690
West Kent	1,360	1,342
West Pennine	729	719
West Surrey	865	853
West Sussex	1,127	1,112
Wigan and Bolton	929	916
Wiltshire	835	824
Wirral	522	515
Wolverhampton	392	387
Worcestershire	728	719
Total England	76,000	75,000

GPs

Mr. Hoban: To ask the Secretary of State for Health how may GPs are working in the NHS, broken down by age group in *(a)* England and *(b)* each health authority. [64327]

Mr. Hutton: The information requested is shown in the table. 'All practitioners' include general medical services unrestricted principals, personal medical services (PMS) contracted general practitioners (GPs), PMS salaried GPs, restricted principals, assistants, GP registrars, salaried doctors (para. 52 statement of fees and allowances), PMS other and GP retainers.

All practitioners' in England by age and health authority as at 30 September 2001

Region name/HA name	*HA code*	*Total*	*Under*	*30–34*	*35–39*	*40–44*	*45–49*
Northern and Yorkshire							
Bradford HA	QDD	354	26	49	55	68	56
Calderdale and Kirklees HA	QDT	344	17	32	66	72	57
County Durham Health Commission	QDE	377	13	41	83	66	77
East Riding HA	QDF	334	9	31	60	68	55
Gateshead and South Tyneside HA	QDG	219	8	24	48	43	34
Leeds Healthcare	QDH	493	29	49	102	112	72
Newcastle and North Tyneside HA	QDJ	308	14	27	72	70	63
North Cumbria HA	QDK	235	5	23	47	66	37
North Yorkshire HA	QDR	561	31	72	109	132	97
Northumberland HA	QDM	231	26	28	37	45	33
Sunderland HA	QDN	166	13	17	19	25	29
Tees HA	QDP	327	11	41	56	61	60
Wakefield Health Care	QDP	215	14	26	48	42	27
Trent							
Barnsley HA	QCG	130	6	14	21	19	20
Doncaster HA	QCK	164	6	15	17	32	29
Leicestershire HA	QCL	571	20	79	93	124	101
Lincolnshire HA	QCM	387	17	42	68	94	81
North Derbyshire HA	QCH	234	17	28	46	51	35
North Nottinghamshire HA	QCN	221	10	27	33	41	34
Nottingham HA	QCP	403	27	48	76	76	75
Rotherham HA	QCQ	134	9	13	20	33	19
Sheffield HA	QCR	388	28	47	69	83	64
South Humber HA	QDL	185	1	10	27	41	30
Southern Derbyshire HA	QCJ	347	22	49	73	61	63
Eastern							
Bedfordshire HA	QA6	323	10	25	61	53	59
Cambridgeshire HA	QER	485	16	64	86	103	91
Hertfordshire HA	QEX	682	36	99	124	154	106
Norfolk HA	QET	524	10	45	104	116	93
North Essex HA	QAX	513	11	42	83	111	113
South Essex HA	QAY	351	4	16	48	60	60
Suffolk HA	QCF	440	13	42	73	112	79
London							
Barking and Havering HA	QAP	202	3	13	27	16	26
Barnet Enfield and Haringey HA	QEW	541	22	40	66	83	79
Bexley, Bromley and Greenwich HA	QEY	413	17	34	58	73	72
Brent and Harrow HA	QAR	331	13	36	34	38	46
Camden and Islington HA	QAT	278	13	44	52	45	35
Croydon HA	QAD	180	10	16	19	29	34
Ealing, Hammersmith and Hounslow HA	QAV	448	14	64	68	55	55
East London and the City HA	QAW	447	11	48	66	70	49
Hillingdon HA	QA2	149	8	16	22	18	24
Kensington, Chelsea and Westminster HA	QA3	265	8	42	41	47	36
Kingston and Richmond HA	QAG	242	21	45	36	47	32
Lambeth, Southwark and Lewisham HA	QAH	516	14	61	90	92	79
Merton, Sutton and Wandsworth HA	QAJ	405	16	65	66	71	57
Redbridge and Waltham Forest HA	QAS	259	8	22	26	37	31

All practitioners'[1] in England by age and health authority as at 30 September 2001

Region name/HA name	*HA code*	*Total*	*Under*	*30–34*	*35–39*	*40–44*	*45–49*
South Eastern							
Berkshire HA	QA7	503	18	59	76	99	93
Buckinghamshire HA	QA8	452	15	57	91	80	78
East Kent HA	QAE	352	10	25	58	71	75
East Surrey HA	QAK	281	17	51	42	56	44
East Sussex, Brighton and Hove HA	QAM	476	16	47	104	95	77
Isle of Wight, Portsmouth and South East Hampshire HA	QEV	430	14	47	73	81	99
North and Mid Hampshire HA	QD1	358	16	46	67	81	50
Northamptonshire HA	QCC	342	16	37	72	82	45
Oxfordshire HA	QCE	440	14	58	90	96	65
Southampton and South West Hampshire HA	QD3	386	16	51	66	81	61
West Kent HA	QAF	592	23	48	89	109	101
West Surrey HA	QAL	409	21	45	80	81	65
West Sussex HA	QAN	497	24	63	108	97	89
South Western							
Avon HA	QD8	740	26	102	140	180	118
Cornwall and Isles of Scilly HA	QDV	375	14	44	59	94	62
Dorset HA	QDW	534	19	72	116	117	91
Gloucestershire HA	QDY	420	19	42	82	89	89
North and East Devon HA	QDX	399	20	49	70	93	71
Somerset HA	QD5	375	15	36	71	87	69
South and West Devon HA	QD6	437	13	48	94	102	77
Wiltshire HA	QD7	400	13	49	83	82	68
West Midlands							
Birmingham HA	QD9	665	28	75	111	109	88
Coventry HA	QEA	185	6	12	21	32	43
Dudley HA	QEC	179	12	7	30	37	23
Herefordshire HA	QED	137	8	19	29	28	16
North Staffordshire HA	QEH	256	4	23	37	44	36
Sandwell HA	QEE	174	12	11	22	13	20
Shropshire HA	QEF	274	9	24	53	67	55
Solihull HA	QEG	128	6	19	25	28	18
South Staffordshire HA	QEJ	323	11	30	57	69	47
Walsall HA	QEK	135	2	10	11	15	14
Warwickshire HA	QEL	316	12	41	71	60	44
Wolverhampton HA	QEM	141	2	13	25	24	23
Worcestershire HA	QEN	350	15	38	70	70	63
North West							
Bury and Rochdale HA	QCT	234	7	27	41	47	44
East Lancashire HA	QCX	302	10	33	40	50	52
Liverpool HA	QC2	291	14	39	48	36	54
Manchester Health	QC3	312	14	56	39	50	49
Morecambe Bay HA	QC4	215	10	21	46	45	29
North Cheshire HA	QCV	179	9	20	33	41	27
North West Lancashire HA	QCY	268	9	25	50	58	39
Salford and Trafford HA	QC6	253	11	25	39	48	40
Sefton HA	QC7	173	8	18	36	43	26
South Cheshire HA	QCW	479	29	76	101	95	75
South Lancashire HA	QC1	180	8	16	37	28	28
St. Helen's and Knowsley HA	QC5	202	6	15	37	37	27
Stockport Health	QC8	199	16	27	33	45	26
West Pennine HA	QC9	236	5	26	44	33	42
Wigan and Bolton HA	QDA	308	16	28	36	52	51
Wirral HA	QDC	221	11	27	43	43	31
England total		31,835	1,325	3,578	5,591	6,254	5,221

Region name/HA name	*HA code*	*50–54*	*55–59*	*60–64*	*65–69*	*70 and over*
Northern and Yorkshire						
Bradford HA	QDD	46	33	15	6	0
Calderdale and Kirklees HA	QDT	33	38	25	3	1
County Durham Health Commission	QDE	46	35	14	2	0
East Riding HA	QDF	48	37	19	7	0
Gateshead and South Tyneside HA	QDG	35	15	8	4	0
Leeds Healthcare	QDH	61	34	22	11	1
Newcastle and North Tyneside HA	QDJ	33	20	8	1	0
North Cumbria HA	QDK	32	22	3	0	0

Region name/HA name	*HA code*	*50–54*	*55–59*	*60–64*	*65–69*	*70 and over*
North Yorkshire HA	QDR	75	38	4	3	0
Northumberland HA	QDM	26	31	5	0	0
Sunderland HA	QDN	21	26	10	6	0
Tees HA	QDP	51	28	16	3	0
Wakefield Health Care	QDQ	33	14	8	3	0
Trent						
Barnsley HA	QCG	20	16	10	4	0
Doncaster HA	QCK	27	28	5	5	0
Leicestershire HA	QCL	73	57	19	5	0
Lincolnshire HA	QCM	50	19	12	3	1
North Derbyshire HA	QCH	30	17	9	1	0
North Nottinghamshire HA	QCN	32	25	15	3	1
Nottingham HA	QCP	43	40	14	3	1
Rotherham HA	QCQ	16	12	10	2	0
Sheffield HA	QCR	47	32	11	6	1
South Humber HA	QDL	22	36	13	5	0
Southern Derbyshire HA	QCJ	40	24	14	1	0
Eastern						
Bedfordshire HA	QA6	60	32	16	4	3
Cambridgeshire HA	QER	66	42	13	4	0
Hertfordshire HA	QEX	99	43	15	5	1
Norfolk HA	QET	89	58	8	1	0
North Essex HA	QAX	75	64	10	4	0
South Essex HA	QAY	61	60	27	15	0
Suffolk HA	QCF	65	47	9	0	0
London						
Barking and Havering HA	QAP	41	37	28	11	0
Barnet Enfield and Haringey HA	QEW	97	85	38	26	5
Bexley, Bromley and Greenwich HA	QEY	60	49	35	9	6
Brent and Harrow HA	QAR	61	59	32	11	1
Camden and Islington HA	QAT	37	23	20	9	0
Croydon HA	QAD	29	17	16	8	2
Ealing, Hammersmith and Hounslow HA	QAV	71	64	32	22	3
East London and the City HA	QAW	92	40	37	31	3
Hillingon HA	QA2	17	29	11	4	0
Kensington, Chelsea and Westminster HA	QA3	38	21	18	13	1
Kingston and Richmond HA	QAG	33	18	8	2	0
Lambeth, Southwark and Lewisham HA	QAH	78	50	47	12	3
Merton, Sutton and Wandsworth HA	QAJ	46	50	20	10	4
Redbridge and Waltham Forest HA	QA5	59	41	16	15	4
South Eastern						
Berkshire HA	QA7	80	49	20	7	2
Buckinghamshire HA	QA8	78	37	14	2	0
East Kent HA	QAE	60	41	11	1	0
East Surrey HA	QAK	33	27	8	2	1
East Sussex, Brighton and Hove HA	QAM	61	49	21	4	2
Isle of Wight, Portsmouth and South East Hampshire HA	QEV	57	45	12	2	0
North and Mid Hampshire HA	QD1	60	33	5	0	0
Northamptonshire HA	QCC	44	34	10	2	0
Oxfordshire HA	QCE	67	44	6	1	0
Southampton and South West Hampshire HA	QD3	55	45	10	1	0
West Kent HA	QAF	102	67	40	13	0
West Surrey HA	QAL	70	28	17	2	0
West Sussex HA	QAN	65	33	17	1	0
South Western						
Avon HA	QD8	104	59	8	3	0
Cornwall and Isles of Scilly HA	QDV	56	41	3	2	0
Dorset HA	QDW	81	31	6	1	0
Gloucestershire HA	QDY	55	37	6	1	0
North and East Devon HA	QDX	54	37	5	0	0
Somerset HA	QD5	53	28	14	2	0
South and West Devon HA	QD6	52	35	15	1	0
Wiltshire HA	QD7	65	32	8	0	0
West Midlands						
Birmingham HA	QD9	101	76	58	18	1
Coventry HA	QEA	26	25	15	6	0
Dudley HA	QEC	31	23	14	2	0
Herefordshire HA	QED	21	14	1	1	0

Region name/HA name	*HA code*	*50–54*	*55–59*	*60–64*	*65–69*	*70 and over*
North Staffordshire HA	QEH	42	35	24	9	2
Sandwell HA	QEE	43	30	18	5	0
Shropshire HA	QEF	35	22	7	2	0
Solihull HA	QEG	11	13	6	2	0
South Staffordshire HA	QEJ	57	36	9	7	0
Walsall HA	QEK	32	25	20	6	0
Warwickshire HA	QEL	39	34	10	5	0
Wolverhampton HA	QEM	25	13	11	3	2
Worcestershire HA	QEN	55	30	8	0	1
North West						
Bury and Rochdale HA	QCT	29	18	16	6	0
East Lancashire	QCX	47	34	26	10	0
Liverpool HA	QC2	39	44	10	5	2
Manchester Health	QC3	49	34	16	4	1
Morecambe Bay HA	QC4	38	21	3	2	0
North Cheshire HA	QCV	20	19	8	2	0
North West Lancashire HA	QCY	41	28	14	4	0
Salford and Trafford HA	QC6	34	33	15	5	3
Sefton HA	QC7	15	12	13	2	0
South Cheshire HA	QCW	56	36	10	1	0
South Lancashire HA	QC1	29	26	6	2	0
St. Helen's and Knowsley HA	QC5	33	26	14	6	1
Stockport Health	QC8	24	18	8	2	0
West Pennine HA	QC9	42	26	11	7	0
Wigan and Bolton HA	QDA	63	33	20	9	0
Wirral HA	QDC	37	22	4	3	0
England total		4,680	3,244	1,396	486	60

[1] All practitioners include GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para. 52 SFA), PMA Other and GP Retainers.

Source:

Department of Health General and Personal Medical Services Statistics.

NICE

Dr. Murrison: To ask the Secretary of State for Health, pursuant to his answer of 18 June 2002, *Official Report*, column 247W, on NICE, what assessment he has made of the level of non-compliance by healthcare professionals with the recommendations of NICE. [64485]

Ms Blears: Detailed audit of the implementation of the National Institute for Clinical Excellence's guidance is only feasible at local level. The Institute has however commissioned a research project through the national health service research and development methodology programme to evaluate the impact of its guidance on clinical and managerial practice. A team from York University has been appointed to carry out this project. Preliminary results are expected in December 2002.

Building Capacity Grant

Mr. Burstow: To ask the Secretary of State for Health how many people benefited from the building capacity grant. [64515]

Jacqui Smith: I refer the hon. Member to the reply I gave him on 17 June 2002, *Official Report*, column 168W.

This approach has already led to over 1,000 hospital beds no longer occupied by people awaiting discharge from hospital over the period from September 2001 to March 2002. Half of the £100 million allocated in 2001–02 was spent on additional packages of care, either in residential homes or patients' own homes.

Annual Leave

Mr. Bercow: To ask the Secretary of State for Health what the average annual leave entitlement is for staff in his Department in 2002. [64644]

Mr. Lammy: The Department holds no information on the average annual leave entitlement. Actual leave entitlement for staff is currently set at 30 days.

Electronic Health Records

Mr. Gibb: To ask the Secretary of State for Health if he will make a statement on the introduction of electronic health records. [65187]

Mr. Lammy: On 12 June my noble Friend the Parliamentary Under-Secretary, (Lord Hunt of Kingsheath) outlined a programme to deliver information technology in the national health service "Delivering the NHS Plan" based on the principles of "Information for Health". The programme states that by December 2005 we will have developed an electronic record service which will be accessible nationally for out of hours emergency reference. By December 2007 we will have expanded the records to contain more data and reference links to primary care and hospitals in order to support integrated care.

Taiwan

Mr. Hoyle: To ask the Secretary of State for Health what recent discussions his Department has had with the Foreign and Commonwealth Office in relation to Taiwan's application for observer status at the World Health Organisation. [65216]

Mr. Lammy: Prior to the May 2002 world health assembly, the Department consulted the Foreign and Commonwealth Office on the position the UK should take in EU co-ordination discussions on Taiwan's application for observer status of the world health organisation.

Regulatory Impact Unit

Dr. Cable: To ask the Secretary of State for Health how many members of his Department have been employed in its regulatory impact unit in the past five years; and if he will make a statement. [65969]

Mr. Lammy: Two officials (full time equivalent) have been employed within my Department's regulatory impact unit for each of the past five years. The unit works with the Department's policy officials and the Cabinet Office regulatory impact unit to prepare regulatory impact assessments and identify suitable regulatory reform measures.

Respiratory-related Diseases

Mrs. Dean: To ask the Secretary of State for Health if he will develop a national service framework for treatment of respiratory-related diseases. [66433]

Jacqui Smith: We have no plans to extend the national service framework (NSF) programme at present to include respiratory related diseases. People with respiratory related diseases will benefit from other initiatives to improve quality of treatment and care, and to improve access to services.

The NSF programme currently includes frameworks for mental health (1999), coronary heart disease (2000) the national Cancer Plan (2000), older people (2001) and diabetes standards (2001). The diabetes NSF delivery strategy is due to be published in 2002 and work is in hand on national service frameworks for renal services, childrens services and long term conditions. These frameworks amount to a significant programme of quality improvement across the national health service.

Green Ministers

Sue Doughty: To ask the Secretary of State for Health who his Department's green minister is; when they *(a)* have attended and *(b)* plan to attend meetings of the Green Ministers' Committee; what the outcomes of meetings were for his Department's activities; and if he will make a statement. [65989]

Ms Blears: I am the Department's Green Minister. I took up my post on 10 June 2002 and I am scheduled to my first Green Ministers' Committee meeting on 15 July 2002.

The Department's previous Green Minister my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), regularly attended all Green Ministers' Committee meetings.

The Department takes a close interest in all Green Ministers' Committee discussions and takes action where appropriate to implement decisions or set work in train. For example, climate change adaptation was considered by Green Ministers' Committee in March 2002. Although the Department is not the lead Department on this issue, it does have an important role in assessing the likely impact on health of climate change. The Department's report "Health Effects of Climate Change in the UK" has been circulated widely for comment and is due to be published in August. Also discussed at the March meeting of Green Ministers' Committee was target setting for the Government Estate in respect of environmental management systems (EMS). The Department is implementing EMS across its estate as appropriate.

National Human Stem Cell Bank

Mr. Key: To ask the Secretary of State for Health if he will list the institutions being considered to host the National Human Stem Cell Bank; and when he will make a decision. [66088]

Ms Blears: The recommendation to establish a stem cell bank came from the Chief Medical Officer's expert group (the Donaldson Committee) in 2000. Since then the Medical Research Council (MRC) has been making progress in establishing the national stem cell bank and invited interested centres to tender in March 2002.

As the process of considering bids is, as yet, incomplete, it is not possible to provide a list of those under consideration.

The MRC is expected to make an announcement about the location of the bank later this year.

NHS Dentists

Mr. Paul Marsden: To ask the Secretary of State for Health what percentage of the population is registered with an NHS dentist; and if he will make a statement. [66076]

Mr. Lammy: Arrangements are now in place to ensure that patients can gain access to national health service services simply by calling NHS Direct. This means that even if a patient chooses not to register with a dentist it will still be possible for that patient to access all forms of dentistry that are provided by the NHS.

47 per cent. of the population, 60 per cent. of children and 43 per cent. of adults were registered with a general dental services (GDS) dentist in England at 30 April 2002. Registrations lapse if patients do not return to the dentist within 15 months.

Underspend

Mr. Paul Marsden: To ask the Secretary of State for Health how much of his Department's allocated spending is forecast to not be spent by the end of the financial year; and if he will make a statement. [65582]

Mr. Lammy: Details of 2001–02 underspends will be published in the Public Expenditure Outturn White Paper. There are no planned underspends in 2003–04.

Podiatry and Chiropody Services

Bob Spink: To ask the Secretary of State for Health what estimate he has made of the level of unsatisfied demand for podiatry and chiropody services in Essex. [66340]

Mr. Lammy: Primary care trusts (PCTs) are best placed to assess the needs of the local community. They are now responsible for providing local national health service services, including chiropody, and have to clinically prioritise their services to meet local demand. Each PCT is free to determine its local priority criteria.

Bob Spink: To ask the Secretary of State for Health (1) what steps he will take to increase the provision of chiropody and podiatry care in the South of England; and if he will make a statement; [66430]

(2) what assessment he has made of the impact of the introduction of commissioning primary care trusts on the provision of podiatry and chiropody services in the South of England; [66431]

(3) if he will issue guidance to PCTs setting out the level of service that should be provided for podiatry and chiropody by patient classification; [66432]

(4) if he will issue a national strategy on the provision of podiatry and chiropody services. [66342]

Jacqui Smith: We have no plans to issue any guidance on the level or strategic provision of podiatry and chiropody services. Chiropody/podiatry services are essential parts of the national service frameworks for older people and diabetes as stated the Department's literature. We have also launched a national primary and care trust programme designed to support primary care trusts (PCTs) in delivering their key functions which will be:

Improving the health of the community

Securing the provision of high quality services

Integrating health and social care locally.

As local organisations, PCTs are best placed to understand the needs of their patient populations. This will ensure that the right services are delivered to the right people in the right location at the right time.

Asylum Seekers (Children)

Mr. Burstow: To ask the Secretary of State for Health how many children seeking asylum who have arrived in the UK in the last five years have been placed as children in care. [67635]

Jacqui Smith: Unaccompanied asylum-seeking children are being separately identified for the first time in the Department's statistical collections on looked-after children for the year ending 31 March 2002. At present these data are still being collected and validated. It is anticipated that preliminary figures will be available in the autumn of 2002.

Mental Illness

Mr. Heald: To ask the Secretary of State for Health how many prescriptions were issued in 2001–02 for medicines used to treat mental illness. [68052]

Jacqui Smith: The number of prescription items dispensed in the community in England for the treatment of mental illness during the financial year ending 31 March 2002 is given in the table.

Information about the diagnosis for which the drugs were prescribed is not available. Drugs used to treat mental illness have therefore been defined as those within British National Formulary paragraphs Hypnotics and anxiolytics (4.1), Drugs used in psychoses and related disorders (4.2) and Antidepressant drugs (4.3).

Prescription items dispensed in the community for treatment of mental illness, for the year ending 31 March 2002

England *BNF description*	*Prescription items (thousands) 1 April 2001–31 March 2002*
4.1 Hypnotics and anxiolytics	16,687
4.1.1 Hypnotics	10,646
Benzodiazepine	6,643
Chloral and derivative	165
Other hypnotics	3,838
4.1.2 Anxiolytics	5,989
Benzodiazepine	5,873
Other anxiolytics	116
4.1.3 Barbiturates	52
4.2 Drugs used in psychoses and related disorders	5,680
4.2.1 Antipsychotic drugs	4,722
Atypical Antipsychotics	1,998
Other	2,724
4.2.2 Antipsychotic depot injections	199
4.2.3 Antimanic drugs	759
4.3 Antidepressant drugs	24,787
4.3.1 Tricyclic and related antidepressant drugs	9,770
Tricyclic antidepressants	9,241
Related antidepressants	529
4.3.2 Monoamine-oxidase inhibitors (MAOIs)	91
4.3.3 SSRIs	12,399
4.3.4 Other antidepressant drugs	2,528

Notes:

1. The therapeutic classifications are based on British National Formulary, Number 42 (September 2001).

2. These data are based on items dispensed by community pharmacists, appliance contractors, dispensing doctors and prescriptions submitted by prescribing doctors for items personally administered. The data are from the Prescription Cost Analysis system.

Mental Health

Mr. Heald: To ask the Secretary of State for Health (1) which prisons have mental health in-reach services; [68054]

(2) pursuant to his answer of 4 March 2002, *Official Report*, column 127W, what the distribution to young offender institutions is; and if he will make a statement; [68269]

(3) pursuant to his answer of 13 February 2002, *Official Report*, column 470W, on prisons with no mental health in-reach services, if he will list the prisons for which mental health in-reach services are planned by 2004. [68264]

Jacqui Smith: During 2001–02 mental health in-reach services were being established in the following 18 prisons in England:

HMP Birmingham
HMP Belmarsh
HMP Brixton
HMP/YOI Bullwood Hall
HMP/YOI Chelmsford
HMP Durham
HMP/YOI/RC Eastwood Park
HMYOI/RC Feltham
HMP Frankland
HMP/YOI Holloway
HMP Leeds
HMP Leicester
HMP Pentonville
HMP Wandsworth
HMP Whitemoor
HMP Winchester
HMP Woodhill
HMP Wormwood Scrubs.

It is planned to establish in-reach services in the following 26 further prisons in England during 2002–03:

HMP/YOI Ashfield
HMP Bedford
HMP Blakenhurst
HMP Bristol
HMP/YOI/RC Brockhill
HMP Dorchester
HMP/YOI/RC Exeter
HMYOI/RC Glen Parva
HMP Holme House
HMP Hull
HMP/YOI Lewes
HMP Lincoln
HMP Liverpool
HMP Long Lartin
HMP Manchester
HMP/YOI Moorland
HMP/YOI New Hall
HMP/YOI Norwich
HMP Nottingham
HMYOI/RC Onley
HMP Parkhurst
HMYOI Portland
HMP Preston
HMP Rochester
HMP/YOI Styal
HMP Wakefield.

The distribution of new mental health in-reach services for 2003–04 has not yet been decided.

Mr. Heald: To ask the Secretary of State for Health (1) what meetings have taken place between Ministers in his Department and Home Office Ministers since 27 February concerning mental health services in prisons; [68053]

(2) when he last met the Home Secretary to discuss the training of prison nurses to carry out mental health assessments. [68056]

Jacqui Smith: We are in regular contact with our counterparts in the Home Office on a range of prison health issues, including mental health services in prisons and the training of nurses and other health care staff working in prisons.

Mr. Heald: To ask the Secretary of State for Health, pursuant to his answer of 10 April 2002, *Official Report*, column 457W, on mental health, what conclusions have emerged from the work of the Homelessness Directorate as to the reasons for refusals of offers of help by rough sleepers in so far as they relate to health issues. [68265]

Jacqui Smith: The reasons why some rough sleepers refuse help are complex. A significant proportion of those rough sleepers who are still sleeping rough have some kind of mental health problem, and the large majority have some physical health problems. These health needs are often compounded by alcohol and drug misuse.

The Homelessness Directorate's report, 'More than a roof', acknowledges that there is much more work to be done to help those that remain on the street and that addressing their health needs is a critical part to help them to start to rebuild their lives.

The Department is working with the Homelessness Directorate to ensure that there are appropriate and effective health services for vulnerable rough sleepers that will enable them to get relevant treatment for their health needs. The Mental Health Bill will also help to target services on some of those who are unable to request treatment for themselves.

Mr. Heald: To ask the Secretary of State for Health how many places have been delivered at Rampton and Broadmoor for dangerous and severe personality disorder sufferers. [68055]

Jacqui Smith: Work is well under way to deliver two new units at Rampton and Broadmoor that will deliver 140 places for people suffering from dangerous and severe personality disorder (DSPD). There will be a 70-bed unit at each special hospital and both developments are currently on target for completion by 2004.

Mr. Heald: To ask the Secretary of State for Health if he intends to publish the consultation responses he received in respect of the draft Mental Health Bill. [67962]

Jacqui Smith *[holding answer 8 July 2002]:* The consultation responses received in respect of the draft Mental Health Bill will be made publicly available subject to respondents' requests for confidentiality.

Care Homes

Mr. Burstow: To ask the Secretary of State for Health (1) how his Department plans to publicise the amendment to Regulation 5 of the Care Homes Regulations 2001 to *(a)* local authorities, *(b)* care home owners and *(c)* residents and their families; [43897]

(2) who will be asked to be members of the consultation exercise on the amendment of the Care Homes Regulations 2001 Standard 5; how it will be publicised; how much he expects the exercise to cost; and when he will publish the results. [43900]

Jacqui Smith *[holding answer 18 March 2002]:* The draft amendment to Care Home Regulations 2001 was issued for consultation on 19 June for comments by 18 July. A copy has been placed on the Department's website at www.doh.gov.uk/jointunit/freenursingcare.htm. The national health service and local authorities were notified via the chief executive's bulletin on 21 June. Copies of the draft regulations have also been sent direct to the bodies that represent the interests of providers and the elderly and care home residents and their relatives. It is, of course, open to any individual or organisation to comment on the proposed amendments.

Care Homes (Darlington)

Tim Loughton: To ask the Secretary of State for Health how many *(a)* care homes have been closed and *(b)* care beds have been lost in each year since 1997 in the Darlington constituency. [53327]

Jacqui Smith *[holding answer 29 April 2002]:* Information on care homes and places is not available at constituency level. The available information presented in the table shows the number of registered care homes and places in the Durham area at 31 March each year.

Residential and nursing care homes and places in Durham area at 31 March

	Residential care homes[1]		*Nursing care homes, hospitals and clinics*[2,3]	
	Homes	*Places*	*Homes*	*Places*
1997	318	4,469	114	4,597
1998	289	4,544	123	4,537
1999	284	4,801	118	4,230
2000	325	4,978	104	3,675
2001	314	5,082	101	3,251

[1] Information for 1997 is presented for Durham county council, and following local government re-organisation, information for 1998 onwards is presented for the remaining part of Durham county council and Darlington unitary authority.

[2] Information is presented for County Durham and Darlington health authority.

[3] Information for 1997 relates to the period 1 October 1996 to 31 March 1997.

Source:

Department of Health annual returns

Prescriptions

Mr. Burstow: To ask the Secretary of State for Health how many prescriptions of *(a)* dextroamphetamine saccharate, *(b)* amphetamine aspartate, *(c)* dextroamphetamine sulfate and *(d)* amphetamine sulfate (dexidrine) were issued in each of the last five years for (i) attention deficit disorder and (ii) attention deficit and hyperactivity disorder dispensed in the community broken down by (A) health authority and (B) region. [63813]

Jacqui Smith *[holding answer 24 June 2002]:* We have no prescribing records for drugs named dextroamphetamine saccharate and amphetamine aspartate. Amphetamine sulfate (dexidrine) was last prescribed in the community in 1997 when two items were dispensed.

Information on the prescribing of dexamphetamine sulphate, for all treatment uses, is shown in the table. Information prior to 1999 is not available.

Number of prescription items dispensed in the community in England for dexamphetamine sulphate by health authorities and regions, 1999 to 2001

	Prescription items (thousands)		
Health authority and region[1]	*1999*	*2000*	*2001*
Eastern region			
Bedfordshire	1.2	0.8	0.6
Cambridgeshire	2.6	2.4	2.2
Hertfordshire	0.8	0.8	0.8
Norfolk	0.9	0.9	1.0
North Essex	0.6	0.6	0.6
South Essex	1.0	0.8	0.8
Suffolk	1.5	1.3	1.2
Total for Eastern region	8.6	7.5	7.2
London region			
Barking and Havering	0.3	0.3	0.3
Barnet, Enfield and Haringey	0.5	0.5	0.6
Bexley, Bromley and Greenwich	0.6	0.7	0.7
Brent and Harrow	0.8	0.8	0.7
Camden and Islington	1.2	1.2	0.9
Croydon	0.4	0.3	0.3
Ealing, Hammersmith and Hounslow	0.7	0.9	0.8
East London and the City	0.6	0.5	0.5
Hillingdon	0.2	0.2	0.2
Kensington and Chelsea and Westminster	1.1	1.1	1.0
Kingston and Richmond	0.3	0.3	0.3
Lambeth, Southwark and Lewisham	0.8	0.8	0.7
Merton, Sutton and Wandsworth	0.6	0.5	0.4
Redbridge and Waltham Forest	0.4	0.5	0.5
Total for London region	8.4	8.6	8.0
North West region			
Bury and Rochdale	1.9	1.0	0.9
East Lancashire	1.6	1.5	1.6
Liverpool	0.2	0.2	0.1
Manchester	4.3	1.8	2.4
Morecambe Bay	0.3	0.4	0.4
North Cheshire	0.3	0.2	0.2
North West Lancashire	1.4	0.7	0.6
Salford and Trafford	1.8	0.9	1.0
Sefton	0.2	0.2	0.2
South Cheshire	0.3	0.4	0.4
South Lancashire	0.7	0.2	0.2
St. Helens and Knowsley	0.2	0.1	0.1
Stockport	0.4	0.2	0.2
West Pennine	0.9	0.4	0.4
Wigan and Bolton	1.6	1.5	1.2
Wirral	0.2	0.2	0.3
Total for North West region	16.4	9.8	10.1
Northern and Yorkshire region			
Bradford	0.5	0.5	0.4
Calderdale and Kirklees	0.7	0.8	0.7
County Durham and Darlington	0.3	0.3	0.4
East Riding and Hull	0.3	0.3	0.2
Gateshead and South Tyneside	0.2	0.2	0.2
Leeds	0.4	0.4	0.4
Newcastle and North Tyneside	0.9	0.5	0.4
North Cumbria	0.2	0.2	0.2
North Yorkshire	0.5	0.5	0.5
Northumberland	0.1	0.1	0.2
Sunderland	0.1	0.1	0.1
Tees	0.3	0.4	0.4
Wakefield	0.3	0.3	0.3
Total for Northern and Yorkshire region	4.7	4.5	4.3
South East region			
Berkshire	0.5	0.7	0.7
Buckinghamshire	1.1	0.9	0.9
East Kent	1.0	1.1	1.0
East Surrey	0.2	0.3	0.2
East Sussex, Brighton and Hove	1.1	1.2	1.0

Number of prescription items dispensed in the community in England for dexamphetamine sulphate by health authorities and regions, 1999 to 2001

Health authority and region[1]	*Prescription items (thousands)* 1999	2000	2001
Isle of Wight, Portsmouth and South East Hampshire	4.5	1.3	1.3
North and Mid Hampshire	0.9	1.1	1.1
Northamptonshire	0.5	0.4	0.3
Oxfordshire	0.5	0.5	0.4
Southampton and South West Hampshire	4.3	2.9	2.3
West Kent	1.4	1.4	1.4
West Surrey	0.6	0.7	0.8
West Sussex	1.1	1.1	0.9
Total for South East region	17.9	13.2	12.2
South West region			
Avon	0.7	0.5	0.5
Cornwall and Isles of Scilly	3.0	2.7	2.5
Dorset	0.7	0.9	0.9
Gloucestershire	0.7	0.7	0.6
North and East Devon	2.1	1.4	0.7
Somerset	0.5	0.8	1.1
South and West Devon	1.5	1.4	0.9
Wiltshire	1.0	0.8	0.8
Total for South West region	10.1	9.3	8.2
Trent region			
Barnsley	0.1	0.1	0.1
Doncaster	0.5	0.5	0.5
Leicestershire	0.9	0.8	0.7
Lincolnshire	0.6	0.8	0.8
North Derbyshire	0.2	0.2	0.3
North Nottinghamshire	0.2	0.3	0.3
Nottingham	0.4	0.4	0.4
Rotherham	0.1	0.1	0.1
Sheffield	0.9	0.9	1.0
South Humber	0.2	0.2	0.2
South Derbyshire	0.6	0.6	0.4
Total for Trent region	4.8	5.0	4.8
West Midlands region			
Birmingham	9.8	11.2	11.2
Coventry	0.9	0.7	0.8
Dudley	0.4	0.3	0.2
Herefordshire	0.1	0.1	0.1
North Staffordshire	0.3	0.3	0.2
Sandwell	0.7	0.6	0.5
Shropshire	0.2	0.2	0.2
Solihull	0.2	0.2	0.2
South Staffordshire	0.7	0.5	0.7
Walsall	1.1	1.3	1.1
Warwickshire	0.7	0.6	0.6
Wolverhampton	3.1	0.8	0.6
Worcestershire	1.2	1.3	1.0
Total for West Midlands region	19.4	18.1	17.5
England	90.2	76.0	72.3

[1] In which prescription items were dispensed.

Notes:

1. Dexamphetamine sulphate is defined within the British National Formulary (BNF) section 4.4, central nervous system stimulants.

2. The data are from the Prescription Cost Analysis system and cover all prescriptions dispensed by community pharmacists and dispensing doctors in England. The system covers prescriptions originating from general practices and also those written by nurses.

NHS Complaints Procedure

Mrs. Brooke: To ask the Secretary of State for Health what progress his Department has made with reforms to the NHS complaints procedure. [66262]

Mr. Lammy *[holding answer 3 July 2002]:* We are currently considering reform of the NHS complaints procedure following the independent evaluation in 1999–2000 and the subsequent listening exercise completed in October 2001, as well as the Chancellor's Budget statement and the subsequent publication of "Delivering the NHS Plan" in April this year. "Delivering the NHS Plan" set out the proposal to establish a new Commission for Health Care Audit and Inspection among whose responsibilities will be the independent scrutiny of complaints. The Chief Medical Officer is also considering the scope for closer links between the systems for dealing with complaints and clinical negligence claims among the possible alternatives for clinical negligence reform. We hope to be able to indicate the way forward on the reforms soon.

Changes to the complaints procedure will need to take place in the context of the wider measures to empower patients and increase patient involvement in the development of health services. For example, patient advice and liaison services have already been or are being established in NHS and primary care trusts to help sort out problems on the spot.

Emergency Admissions

Mr. Laws: To ask the Secretary of State for Health what his estimate is of the annual growth rate of emergency admissions for people aged over 75 years for each year since 1997–98 to the latest date for which figures are available; and if he will make a statement. [66287]

Jacqui Smith: *[holding answer 4 July 2002]:*

The information requested is set out in the table.

Year	*Emergency admissions for people aged 75 and over*	*Percentage increase on previous year*
1997–98	912,347	–
1998–99	939,276	2.95
1999–2000	954,542	1.63
2000–01	961,275	0.71

Note:

Data in this table are adjusted for both coverage and unknown/invalid clinical data, except for 2000–01, which are not yet adjusted for shortfalls.

Source:

Hospital Episode Statistics (HES), Department of Health.

The emergency admissions targets, as set out in the Planning and Performance Framework, are being met and good progress is being made.

NHS (West Surrey)

Mr. Wilshire: To ask the Secretary of State for Health by how much the funding of NHS services in west Surrey has been reduced since 1997 to bring it into line with the requirements of the Resource Allocation Working Party. [67456]

Ms Blears *[holding answer 5 July 2002]:* Actual funding for the national health service in west Surrey has risen from £369.8 million in 1997–98 to £485.9 million in 2002–03. This represents an increase of 31.4 per cent.

Real terms percentage allocation increases in west Surrey and nationally are shown in the table.

Percentage

Year	*Real terms increase*	*Average increase in England*
1997–98	2.54	2.04
1998–99	1.35	1.90
1999–2000	2.91	4.00
2000–01	3.67	4.18
2001–02	5.91	5.85
2002–03	6.89	7.20

During this period, changes in the resource allocation formula have meant that west Surrey has moved from being 1.71 per cent. above its target in 1997–98 to 3.63 per cent. above target in 2002–03.

Castle Award for Equal Pay

Mr. Tynan: To ask the Secretary of State for Health if his Department has applied for a Castle award for equal pay. [65226]

Mr. Lammy: The Department has not applied for a Castle award in 2002. We are committed to review our pay systems in response to the Equal Opportunities Commission Task Force "Just Pay" report, in which the Government have committed Departments and Agencies to review their pay systems by April 2003 and prepare action plans to close any equal pay gaps.

CJD

Mr. Plaskitt: To ask the Secretary of State for Health when he will publish the tenth annual report of the National Creutzfeldt-Jakob Disease Surveillance Unit. [69001]

Ms Blears: The National Creutzfeldt-Jakob Disease Surveillance Unit's tenth annual report has been published today. The report documents the unit's findings in relation to sporadic, familial and iatrogenic Creutzfeldt-Jakob Disease (CJD), and also variant Creutzfeldt-Jakob Disease (vCJD), up to 31 December 2000. Copies have been placed in the Library, and are available on the unit's website at www.cjd.ed.ac.uk

Care Leavers

Mr. Willis: To ask the Secretary of State for Health, pursuant to the answer of 27 June 2002, *Official Report*, column 1047W, on leaving care, how many care leavers have been assisted by their local authority to stay within education and training on an agreed programme by health authority. [67622]

Jacqui Smith: Further to my previous reply of 24 June 2002, *Official Report*, column 736W, we do not hold this information centrally at present. However, we will be publishing, in the autumn, information on care leavers in education and training. This will include data on the percentage of those young people who were looked after on 1 April in their 17th year (aged 16) who were in education, training or employment at the age of 19. These data will show how progress is being made towards the Government's objective of increasing the level of employment, training or education among young people aged 19, who were looked after at age 16.

Radiotherapy Waiting Lists

Mr. Barker: To ask the Secretary of State for Health if he will list the meetings he and his Ministers *(a)* have had and *(b)* propose to have with NHS trust and health authority chairmen and chief executives to discuss (i) reducing radiotherapy waiting lists and (ii) the associated financial implications of such action. [59286]

Ms Blears: Ministers have not met chairmen and chief executives specifically to discuss reducing radiotherapy waiting times. However, we are taking wide-ranging action to improve radiotherapy waiting times, including a number of initiatives aimed at tackling the shortage of professionals associated with radiotherapy delivery, major investment in radiotherapy equipment, streamlining radiotherapy delivery through the cancer services collaborative and increasing the number of training places for radiographers.

Written Answers to Questions

Wednesday 10 July 2002

TRADE AND INDUSTRY

Foreign Ownership

Mr. Drew: To ask the Secretary of State for Trade and Industry if she will change the rules on providing help to firms for which more than 25 per cent. of ownership is in foreign hands. [65029]

Alan Johnson *[holding answer 27 June 2002]:* I am not aware of any such general rules. However, there are certain schemes of assistance which are only open to small and medium sized enterprises (SMEs). This would exclude a firm which was more than 25 per cent. owned by a non SME, whether that was a UK or overseas undertaking. Whether it is appropriate to extend schemes of assistance to larger companies is a matter to be addressed on a scheme by scheme basis. In some circumstances, though, EC state aid rules would preclude such extensions.

Brownfield Development

Ms Shipley: To ask the Secretary of State for Trade and Industry how much brownfield land has been redeveloped by each regional development agency in each year since their formation. [66243]

Alan Johnson: During the three years after the RDAs were created on 1 April 1999 up to the introduction of their Single Programme funding on 1 April 2002, the RDAs reported to each funding Department individually on the outcome of their separate programmes. Brownfield land redevelopment was funded by what is now the Office of my right hon. Friend, the Deputy Prime Minister. Accordingly DTI does not hold any figures for these years.

Consumer Credit

Mr. Lazarowicz: To ask the Secretary of State for Trade and Industry if she will introduce measures to reform the Consumer Credit Act 1974 to ensure that time orders can be used to the advantage of debtors in Scotland. [65621]

Miss Melanie Johnson: As part of the Government's review of consumer credit legislation, we will be looking at how we can make the consumer protection measures in the 1974 Act more effective. The Scottish Executive have also recently consulted on the Enforcement of Civil Obligations in Scotland and this consultation mentions time orders under the 1974 Act while recognising that any changes to the 1974 Act would be a reserved matter. The Government will take account of any comments made about time orders under the 1974 Act in our review of consumer credit legislation.

WorldCom

Dr. Cable: To ask the Secretary of State for Trade and Industry what plans she has for reform of *(a)* company law and *(b)* corporate governance as a result of the WorldCom fraud; and if she will make a statement. [66747]

Miss Melanie Johnson: In February a group was set up to coordinate the response of key regulators to the issues for accounting, auditing and aspects of corporate governance raised in the aftermath of Enron. It will produce an interim report by the end of July. The Government will also publish in July its first formal response to the recommendations of the Company Law Review.

Company Auditors

Mr. Weir: To ask the Secretary of State for Trade and Industry if she has reviewed the rules relating to company auditors in light of the situation at WorldCom; and if she will make a statement. [67115]

Miss Melanie Johnson: The Co-ordinating group set up in February to co-ordinate the responses of the key regulators to issues for audit and accounting raised in the aftermath of Enron, and now WorldCom, will produce an interim report by the end of July. The Government have made clear that it is important to restore confidence in the independence of auditors.

Multi-disciplinary Professional Practices

Mr. Burnett: To ask the Secretary of State for Trade and Industry what her policy is on multi-disciplinary professional practices; and if she will make a statement. [68249]

Miss Melanie Johnson: Multi-disciplinary professional practices can be beneficial for both the parties concerned and consumers. Any restrictions on such practices should be no more than is necessary to ensure that conflicts of interest are avoided, standards of ethical and professional conduct are maintained and consumers are properly protected.

Inward Investment

Mr. Mole: To ask the Secretary of State for Trade and Industry if she will make a statement on how successful the UK has been in attracting inward investment. [69036]

Ms Hewitt: With my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, I am pleased to inform the House that the UK is still Europe's top inward investment location, despite a fall from last year's record totals in the number of investment projects and jobs created.

Invest.UK has announced in its annual review published today, that for the period between 1 April 2001 and 31 March 2002, the number of direct investment projects by foreign owned companies into the UK reported to Invest.UK by its partner agencies in Scotland, Wales, Northern Ireland and the English Regional Development Agencies totalled 764.

The UK is an excellent place to do business and this is reflected in our success in attracting consistently high levels of inward investment since Invest.UK was founded in 1977 as the Invest In Britain Bureau. Indeed we continue to be the top inward investment location in Europe.

Today's Invest.UK figures show that the UK is not immune from the global economic downturn. New inward investment projects in to the UK have fallen 12 per cent. from last year's record figures. This reflects international investment falls across the world, caused particularly by reduced activity in the technology sectors. In the UK the sharpest fall is in US investment in the technology sectors.

In the current economic climate international business is more cautious. Many investors will have postponed decisions until confidence returns and we must be ready to secure these opportunities as recovery comes.

I am arranging for a copy of Invest.UK's annual review to be placed in the Libraries of the House.

European Working Time Directive

Mr. Salmond: To ask the Secretary of State for Trade and Industry what steps she will take to encourage employers in the offshore sector to implement the terms of the European Working Time Directive in advance of the date when the directive must be enforced. [68350]

Alan Johnson: The Government have had regular contacts with both employers and employee representatives in the offshore sector about the implementation of the directive, which is due in August 2003. The Government will carry out a full public consultation on its proposals for implementation. It is for the industry to decide whether to take steps to implement the directive ahead of the August deadline.

Regional Development Agencies

Mr. Robathan: To ask the Secretary of State for Trade and Industry what proportion of the board members of each regional development agency were *(a)* living and *(b)* working in their respective region in (i) 1999, (ii) 2000, (iii) 2001 and (iv) 2002. [68664]

Alan Johnson: The information requested can be provided only at disproportionate cost as records containing this information are not held regionally or centrally. However, in each appointment round for board members, an understanding of the issues affecting the region has been a core selection criterion. For example, the current appointment process for board members includes the criterion "Applicants must have a good knowledge of the region, with a good operational network of regional contacts and in-depth experience in at least one area of the RDA's work".

Oil and Gas Infrastructure

Lawrie Quinn: To ask the Secretary of State for Trade and Industry if she will make a statement on her powers to settle disputes over access between oil and gas infrastructure owners and potential third party users. [69676]

Mr. Wilson: Following extensive consultation through the Department's consultation 'Oil and Gas Infrastructure: Guidance on Applications for resolution of Disputes over Third Party Access', the Department has, today, issued guidance to clarify how the Secretary of State would use long standing powers in the Petroleum Act 1998, Pipe-lines Act 1962 and the Gas Act 1995. This Guidance sets out how the Department would handle applications and the principles that would be applied in making a determination.

We have also published today a summary of responses to the consultation. Copies of both documents have been placed in the Libraries of both Houses.

Working Hours

Mr. Jenkins: To ask the Secretary of State for Trade and Industry what the average number of working hours per week is for full-time UK workers; what information she collates on the EU average for full-time workers; and what plans she has to move the UK average closer to the EU average. [66900]

Alan Johnson: The average number of working hours per week for all full-time workers in the UK was 44.2 in 2000. This data was collected from the EU Labour Force Survey, which is also used to determine the EU average for full-time workers.

My right hon. Friend the Secretary of State for Trade and Industry will be leading a tour, later this year, to examine working practices in the US and in EU member states.

Yachts (French Nationals)

Mr. Collins: To ask the Secretary of State for Trade and Industry if she will hold discussions with *(a)* the European Commission and *(b)* the French Government on the operation of the French national rules requiring that yachts registered in France must be captained at all times by French nationals, with regard to the freedom of movement of labour within the EU; whether she has assessed the impact of these rules on the employment of UK nationals; and if she will make a statement. [62098]

Mr. Jamieson *[holding answer 18 June 2002]:* I have been asked to reply.

We support the principle of free movement of labour within the EU and the need to ensure that exceptions are clearly justified.

Government officials have previously been in contact with the European Commission about the French national rules, which the French Government have argued in the past reflect public duties placed on the captains of French vessels. The Commission has expressed the view that these appear compatible with Community law. My Department will consider any particular case that is brought to our attention.

UK Petrol Stations

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry how many petrol stations in the United Kingdom have installed vapour recovery equipment in the last year to comply with EC directives. [65248]

Mr. Meacher: I have been asked to reply.

Under Directive 94/63/EC, implemented under the Environment Protection Act 1990, from 31 December 2001 all existing petrol stations in the UK with an annual throughput greater than 500 cu m are required to have installed Stage I petrol vapour recovery controls. It is estimated that this measure is likely to have effected around 1,700 petrol stations in the UK over a six year period, based on 1998 site figures. In England and Wales local authorities are responsible for the implementation of Stage I equipment at petrol stations in their region. In Scotland this is the role of SEPA and in Northern Ireland the local enforcing authority.

DEFENCE

Ministerial Visits

Matthew Taylor: To ask the Secretary of State for Defence how often Ministers in his Department visited United States Government military bases and establishments on United Kingdom territory between 1 January 1997 and 1 January 1999; which Ministers were involved; what the date of the visit was; and which United States military facility was visited on each occasion. [53383]

Dr. Moonie: I refer the hon. Member to the answer I gave him on 30 April 2002, *Official Report,* column 745W.

Sub-continent (Weapons Capability)

Gregory Barker: To ask the Secretary of State for Defence (1) what discussions he has held with the Secretary of State for International Development regarding increases in overall weapons capability of *(a)* India and *(b)* Pakistan between December 2001 and June 2002; [65430]

(2) what discussions he has held with the Secretary of State for Trade and Industry regarding increases in the overall weapons capability of *(a)* India and *(b)* Pakistan between December 2001 and June 2002; [65449]

(3) what discussions he has held with the Secretary of State for Foreign and Commonwealth Affairs regarding increases in the overall weapons capability of *(a)* India and *(b)* Pakistan between December 2001 and June 2002. [65429]

Mr. Hoon: In light of the recent tensions between India and Pakistan, I have discussed the weapon capabilities of India and Pakistan with Cabinet colleagues on several occasions during the period in question.

Munitions Depots

Mr. Key: To ask the Secretary of State for Defence what arrangements are in place for *(a)* staff consultation, *(b)* assistance to staff from the employment service and *(c)* consultation with the local planning authority in respect of the closure of West Dean munitions depot. [65713]

Mr. Ingram: Defence Munitions (DM) entered into formal consultation procedures with the national trade unions on 24 June. Consultation is due to complete on 2 August. Each member of staff at the depot has been given a copy of a consultative document. As part of the Staff consultation process the local trade unions have been invited to an open day on 10 July, to be briefed on the background, conduct and findings of the work which led to the recommendation to close the DM site at Dean Hill.

Although their involvement in no way precluded the formal consultation process, TU representatives also provided valuable advice throughout the process.

The Ministry of Defence outplacement scheme will be involved should the depot close as proposed, and would help staff find alternative opportunities. This would include help in CV preparation, coaching in interviewing techniques, and retraining skills if appropriate.

The local planning authority (Test Valley) are aware of plans to close DM Dean Hill. They, Defence Estates and Defence Munitions have already met to discuss the potential impact of depot closure and options for developing the site.

Mr. Key: To ask the Secretary of State for Defence when the consultation period will end on his proposal to close Dean Hill munitions depot; and if he will list the consultees. [67833]

Mr. Ingram: The formal consultation period began with the issue of a Consultative Document on 24 June 2002 and was originally due to complete on 2 August. However, following recent representations from the trade unions the consultation period has been extended by two weeks and will now conclude on 16 August 2002. Formal consultation with the trade unions is being carried out at departmental level, i.e. with the MOD Council of Civil Service Unions (MOD CCSU) and the MOD Industrial Whitley Council (MOD DIWC). For completeness the Defence Police Federation and the Chief Police Officers' Association are also involved in this consultation exercise.

The formal consultation process is being supplemented by informal contact with the trade unions and staff within Defence Munitions. Officials of the DM Whitley committees have received personal copies of the consultation document, as has every member of staff in the Dean Hill depot. A copy has also been posted on an internal MOD website. The formal study report has also been sent to key members of the national trade unions and is available to DM staff and other TU representatives upon request. A DM trade union open day has been arranged for 10 July at which DM trade union representatives will hear about the background to the proposal to close the depot.

Low Flying

Mr. Liddell-Grainger: To ask the Secretary of State for Defence what assessment he has made of the impact Apache training will have on Somerset; and if low-flying will be conducted in the county. [67589]

Dr. Moonie: Unfortunately, there are no uninhabited areas of the United Kingdom large enough to meet all our essential military aircraft training needs. It is, therefore, our policy that, in principle, the whole of the United Kingdom is open to low flying by military aircraft in order to spread the disturbance as thinly as possible.

The Ministry of Defence is fully committed to ensuring that our relationships with local communities are as harmonious as possible. To that extent, we will do all that we can to keep disturbance to an absolute minimum, while maintaining the training of the armed forces which is vital to their operational readiness. It is inevitable, however, that Somerset will see some proportion of military aircraft activity, including that of the Apache.

Mr. Flook: To ask the Secretary of State for Defence how many complaints about low-flying military aircraft have been made by *(a)* residents of the county of Somerset and *(b)* residents of Taunton Deane in each of the last five years. [68546]

Dr. Moonie: The information requested is set out in the table below for each of the last five training years running from 1 April to 31 March. The numbers quoted will include a small number of inquiries as well as complaints.

Training Year	*Complaints from residents of Somerset*	*Complaints from residents of Taunton Deane*
1 April 1997–31 March 1998	241	36
1 April 1998–31 March 1999	224	23
1 April 1999–31 March 2000	236	37
1 April 2000–31 March 2001	195	24
1 April 2001–31 March 2002	230	26

Syd Rapson: To ask the Secretary of State for Defence if he will make a statement on the pattern of military low flying activity in the United Kingdom during training year 2001–02. [69357]

Dr. Moonie: The ability to fly fast and low continues to be an essential skill in our armoury of tactics. Training for aircrew to achieve and maintain these skills is vital.

The amount of low flying training carried out in the UK Low Flying System (UKLFS) during the training year April 2001 to March 2002 was the minimum necessary for aircrew to reach and maintain these skills. Hours booked for low flying training in the UKLFS (excluding the Rotary Wing Dedicated User Areas, where different booking arrangements apply) during this period amounted to an overall increase of 8.7 per cent. compared to the previous training year. It is likely that there are a variety of reasons for this increase, such as preparation for operations, the return of Royal Air Force squadrons from Germany and low flying by the Eurofighter and Apache aircraft in preparation for their introduction into service. Since detailed records of hours booked began in 1995, the annual total has reduced by some 31 per cent.

The distribution of low flying training across the UK has not changed significantly over previous years. It is spread as widely as practicable, but for a variety of reasons including population distribution, and geographic and climatic considerations, it is inevitable that some parts of the country will see more low flying than others.

I have today placed in the Library of the House a report giving a detailed account of low flying training in the UK Low Flying System for the period April 2001 to March 2002.

Further copies of the report can be obtained from the following address: Directorate of Air Staff, Ministry of Defence, Room 6/62, Metropole Building, Northumberland Avenue, London WC2N 5BP or it can be viewed on the MOD's website: www.mod.uk/issues/lowflying.

Red Dragon Project

Syd Rapson: To ask the Secretary of State for Defence what capacity of fixed wing aircraft work will be required for the Red Dragon Project in the Defence Aviation Repair Agency; and from where a shortfall will be made up by rotary wing aircraft work. [67733]

Mr. Ingram: Currently, there are 90 aircraft, on average, undergoing work in the St. Athan Fixed Wing Business Unit. Existing plans envisage Red Dragon project would cater for 48 fixed wing aircraft, and takes account of process improvements and future fleet reductions. Filling the facility will be dependent on the Defence Aviation Repair Agency successfully winning competitions for this work after the guaranteed order book expires in April 2004. There are no current plans to transfer rotary wing work to St. Athan.

War Graves

Mr. Dhanda: To ask the Secretary of State for Defence what recent discussions he has had with *(a)* the British Embassy in Paris, *(b)* the Commonwealth War Graves Commission and *(c)* the French Government concerning the graves of soldiers killed at the Somme. [68611]

Dr. Moonie: I have had no recent discussions with the British embassy in Paris, the Commonwealth War Graves Commission or the French Government about war graves in the Somme. However, the embassy is maintaining close contacts with the French authorities who are involved with proposals for a third airport for Paris. Early indications had suggested this project might affect war grave cemeteries maintained by the Commonwealth War Graves Commission in the Chaulnes area of the Somme.

The Ministry of Defence has had no further discussions on this subject since the new French Government made clear that it would be looking again, from first principles, at the need for a third airport in the Paris basin. We are monitoring this review process very closely; we do not expect an early conclusion to be reached.

Gurkha Soldiers

Vera Baird: To ask the Secretary of State for Defence (1) if he will take steps to equalise the pensions paid to former Gurkha soldiers who served with the British forces with the pensions paid to other soldiers; [68452]

(2) what steps he will take to provide equality of terms and conditions of employment for the Gurkha soldiers serving with the British armed forces. [68453]

Mr. Ingram: I refer my hon. and learned Friend to the answer I gave to the hon. Member for Hereford (Mr. Keetch) on 7 May 2002, *Official Report*, columns 44–45W.

Royal Marines

Mr. Wiggin: To ask the Secretary of State for Defence how many people joined the ranks of the Royal Marines in the past five years; what regions they were from; and how many of them are below the age of 17 years. [68538]

Mr. Ingram: In the last five years a total of 219 officers and 5,379 other ranks (RMORs) have joined the Royal Marines, as follows.

	Officers	RMOR
2001–02	61	1,159
2000–01	41	1,117
1999–2000	39	1,148
1998–99	38	1,048
1997–98	40	907

Details on the regions of origin are not recorded. We do however, record for RMORs only, a southern and northern split from the Humber to north Wales. The figures for these two areas are:

Southern region: 2,906

Northern region: 2,473.

Service Children's Education

Mr. Bailey: To ask the Secretary of State for Defence what the key targets are for 2002–03 for the chief executive of Service Children's Education. [69356]

Dr. Moonie: The chief executive has been set the following Key Targets for 2002–03:

Key Target 1—To meet the following percentage of pupils achieving Level 2 or above at the end of Key Stage 1 in:

Reading: 90 per cent.

Writing: 92 per cent.

Spelling: 82 per cent.

Mathematics: 95 per cent.

Key Target 2—To meet the following percentage of pupils achieving Level 4 or above at the end of Key Stage 2 in:

English: 78 per cent.

Mathematics: 75 per cent.

Science: 92 per cent.

Key Target 3—To meet the following percentage of pupils achieving Level 5 or above at the end of Key Stage 3 in:

English: 77 per cent.

Mathematics: 78 per cent.

Science: 76 per cent.

Key Target 4—To maintain the following three-year rolling average percentage of Year 11 pupils in Service Children's Education (SCE) achieving five or more higher (A*-C) grades in GCSE of 52 per cent.

Key Target 5—To maintain the following three-year rolling average of subject entries achieving passes at grades A-C at 'A' Level of 64 per cent.

Key Target 6—The following percentages of SCE schools are to achieve the grades stipulated below against the four attributes in Ofsted reports of:

School climate: Grade 2 or above: 100 per cent.

Standards; Quality; Management and Efficiency.

Grade 3 or above: 100 per cent.

Grade 2 or above: 85 per cent.

Key Target 7—To respond in full to customers seeking education advice from SCE(UK) within the following time scales:

93 per cent. within 10 working days of receipt.

Remainder within 20 working days of receipt.

Key Target 8—To develop 'value added' performance criteria for incorporation in Key Targets 1–5 for 2003 and beyond.

Key Target 9—Demonstrate customer satisfaction with a survey result of:

For Army Continuous Attitude Surveys: 69 per cent. satisfaction or more.

India

Mr. Jenkin: To ask the Secretary of State for Defence if he will make a statement on the talks with India concerning *(a)* India's acquisition of spare parts and strategic equipment for Indian Air Force Jaguar ground-attack fighters, *(b)* the purchase of a British aircraft carrier and *(c)* conclusion of the Hawk-100 Advanced Jet Trainer deal. [66019]

Dr. Moonie: In accordance with his ministerial responsibilities, my right hon. Friend the Secretary of State for Defence has the opportunity to discuss a range of defence matters, including defence export opportunities, with Ministers and senior officials from the Government of India. The purchase of a British aircraft carrier has not been formally raised by the Indians.

SanEagle

Mr. Hancock: To ask the Secretary of State for Defence what plans there are to use the SanEagle for British reconnaissance missions; and if he will make a statement. [67423]

Mr. Ingram: The SanEagle equipment is not part of our current reconnaissance inventory, and is not known to the Ministry of Defence.

SOLICITOR-GENERAL

Crown Prosecution Service

Mrs. Curtis-Thomas: To ask the Solicitor-General with reference to the proposal to introduce a system where, before trial, interviews of certain key witnesses are conducted by the prosecutor in a limited category of cases, what categories of cases are being considered; and what criteria were used to establish categories of cases. [59342]

The Solicitor-General *[holding answer 12 June 2002]:* No such proposal has been made. The Attorney-General has asked the Director of Public Prosecutions, as part of his review of the handling of the Damilola Taylor murder trial, to consider whether the time has come to introduce a system where, before trial, interviews of certain key witnesses are conducted by the prosecutor in a limited category of cases. The Director is due to report to the Attorney-General later this year and an announcement will be made at that time.

Damilola Taylor Case

Mrs. Curtis-Thomas: To ask the Solicitor-General what the terms of reference are of the review being undertaken by the DPP in relation to the Damilola Taylor case. [59341]

The Solicitor-General *[holding answer 12 June 2002]:* The DPP's review has the following terms of reference:

> To review the handling of the Damilola Taylor case, and in doing so,
>
> consider the implications for the conduct of future cases and to make recommendations;
>
> examine whether the time has come to introduce a system where, before trial, the prosecutor in a limited category of cases conducts interviews of certain witnesses.

The DPP is expected to report by the end of August.

Criminal Justice and Trial Units

Mrs. Curtis-Thomas: To ask the Solicitor-General which of the co-located criminal justice and trial units are located within the court; and what assessment she has made of the benefits of co-locating criminal justice and trial units within the court complex. [59465]

The Solicitor-General *[holding answer 12 June 2002]:* There are currently no co-located criminal justice units or trial units located in court accommodation. It follows that no assessment of the benefits of co-locating within the court complex has been made.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Competitive Tendering

Mr. Collins: To ask the Secretary of State for Environment, Food and Rural Affairs on how many occasions in the last 12 months the requirement to engage in a competitive tendering process has been waived by her Department due to national security obligations under paragraph 6(h) of the supply regulations. [62816]

Mr. Morley: From information held centrally there have been no occasions in the last 12 months when the requirement to engage in a competitive tendering process has been waived by the Department due to national security obligations under paragraph 6(h) of the supply regulations.

Annual Leave

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the average annual leave entitlement is for staff in her Department in 2002. [64657]

Mr. Morley: Following machinery of government changes and the creation of the Department for Environment, Food and Rural Affairs, all staff outside the senior civil service were given an annual leave entitlement of 30 days from 1 August 2001. This was done as one of the first steps towards harmonising terms and conditions of service for the then ex-MAFF and ex-DETR staff who joined together to form the new Department.

The annual leave entitlement for members of the senior civil service is currently set by Cabinet Office at 30 days.

Staff working part-time or alternative working patterns are entitled to a proportional amount based on either the number of days or hours they work.

Responsibility for leave matters within the Central Science Laboratory, the Veterinary Laboratories Agency and the Centre for Environmental Fisheries and Aquaculture Agency—all former MAFF Agencies—has been delegated to the Agency Chief Executives and I have asked them to reply direct. The Pesticides Safety Directorate, the Rural Payments Agency and the Veterinary Medicines Directorate Agencies are covered by the departmental response.

Letter from Professor Mike Roberts to Mr. John Bercow, dated July 2002:

> The Secretary of State for Environment, Food and Rural Affairs has asked me to reply, in respect of the Central Science Laboratory, to your question concerning annual leave entitlement in 2002.
>
> CSL staff outside the Senior Civil Service receive an annual leave allowance as follows:
>
> Staff with less than 10 years service: 25 days
>
> Staff with over 10 years service: 30 days
>
> Based on the above, the average annual leave entitlement for CSL staff in leave year 2002 is 26.5 days.
>
> Annual leave entitlement for members of the Senior Civil Service is currently set by the Cabinet Office at 30 days.

Letter from Professor Steven Edwards to Mr. John Bercow, dated June 2002:

> The Secretary of State has asked me to reply to your question on what the average annual leave entitlement is for staff in her Department in 2002.
>
> All VLA staff outside the Senior Civil Service are entitled to 25 days annual leave on appointment and 30 days when they have completed 10 years service. Staff working part-time or alternative working patterns are entitled to a proportional amount based on either the number of days or hours they work.
>
> Information about the average leave entitlement could only be provided at disproportionate cost.

Letter from Mr. Greig-Smith to Mr. John Bercow, dated 4 July 2002:

> The Secretary of State for Environment, Food and Rural Affairs has asked Agency Chief Executives to reply to your question concerning the average annual leave entitlement for their staff.
>
> Staff at the Centre for Environment, Fisheries and Aquaculture Science have an annual leave allowance of 25 days on entry, rising to 30 days after 10 years service.

EU Directives

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the EU directives relating to her Department which have been *(a)* amended and *(b)* repealed in 2002. [64940]

Mr. Morley: In answer to part *(a)* the table lists directives adopted in 2002, for which DEFRA is the lead Department, which amend previously adopted directives alongside the numbers of the amended directives.

In answer to part *(b)*, the only directive to have been repealed in 2002 for which DEFRA is the lead Department is 1974/649/EEC (on marketing material for the vegetative propagation of vine). This was repealed by Directive 2002/11/EC.

Directive number	*Directive name*	*Amending directive*
2002/48/EC	Amending Council Directive 91/414/EEC to include Improvalicarb, Prosulfuron, and Sulfosulfuron as active substances	1991/414/EEC
2002/42/EC	Fixing of maximum levels of pesticide residue in cereals, foodstuffs of animal origins and certain products of plant origins	Certain Annexes to 1986/362/EEC, 1986/363/EEC and 1990/642/EEC
2002/37/EC	Amending Council Directive 91/414/EEC to include Ethofumesate as an active	1991/414/EEC
2002/36/EC	Protective Measures against introductions of organisms harmful to plant or plant products	Certain Annexes to 2000/29/EC
2002/29/EC	Certain protected zones exposed to particular plant health risks	2001/32/EC
2002/28/EC	Measures against the introduction of organisms harmful to plants	Certain Annexes to 2000/29/EC
2002/23/EC	Maximum levels of pesticides residues	Certain Annexes to 1986/362/EEC, 1986/363/EEC and 1990/642/EEC
2002/18/EC	Placing of plant protection products on the market isoproturon	Annex I to 1991/414/EEC
2002/11/EC	Marketing of material for the vegetative propagation of vine	1968/193/EEC
2002/8/EC	Minimum conditions for examining vegetables and agricultural varieties	1972/168/EEC and 1972/180/EEC
2002/5/EC	Maximum levels for pesticides residues	Annex II to 1990/642/EEC

Littering Offences

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what the total amount of fines levied against those prosecuted for littering offences in the United Kingdom was in each of the last five years; and if she will make a statement. [64732]

Mr. Meacher: The total amount of fines levied with respect to Fixed Penalty Notices (FPNs) issued for littering offences in England in each of the last five years was:

No data in 1996–97

£16,505 in 1997–98

£63,240 in 1998–99

£39,075 in 1999–2000

£28,475 in 2000–01.

For those FPNs not paid within 14 days, offenders may then be prosecuted in a magistrates court up to a value of £2,500. Data for fines issued by a magistrates court show that during the year 1999 the total fine was £28,732, in addition to those listed. We do not hold data prior to, nor subsequent to 1999 for fines issued by magistrates courts for non-payment of fixed penalty notices.

Benthic Fauna

Mr. Don Foster: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment her Department has *(a)* made and *(b)* intends to make of the impact of (i) dredging and (ii) other marine activities on benthic fauna; and if she will make a statement. [65503]

Mr. Morley: The Department does not regulate dredging but does provide advice to the Department of Transport and the Office of the Deputy Prime Minister on the effects of navigation and aggregate dredging respectively on the marine environment, including benthic fauna.

With regard to other marine activities, the Department assesses the potential impact on benthic life of proposals which are the subject of applications for licences under the Food and Environment Protection Act 1985 to deposit substances or articles in the sea. This includes proposals to dispose of dredged material and for a wide range of marine construction activities.

The Department is funding a programme of research on the effects of aggregate dredging, including the rate of recovery of benthic life after dredging has ceased. In addition the Department's Centre for Environment Fisheries and Aquaculture Science are involved in ongoing research on the impact of fishing activities on the seabed and on the wider marine environment.

0870 Telephone Numbers

Mr. Randall: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on using 0870 telephone numbers for inquiries by the public to the Department and its agencies. [66192]

Mr. Morley: DEFRA operates helpline numbers for people seeking information or assistance. Some of these services are free of charge but most use local rate call numbers with 0845 prefixes; however one, the Pets Travel Scheme Helpline, uses the prefix 0870.

The decisions on which category of number to allocate are taken after assessing the cost effectiveness of each service in terms of meeting the needs of potential users while minimising expenditure.

Bovine TB

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what staff and resources were allocated in each year since 1999 towards the bovine TB problem in *(a)* England, *(b)* Wales, *(c)* Herefordshire and *(d)* Worcestershire. [65690]

Mr. Morley: The information requested on a county basis is not readily available and could be provided only at disproportionate cost. Expenditure by the State Veterinary Service (Field) on the bovine TB programme is shown in Table 1. This includes the cost of local and temporary veterinary inspectors but does not include compensation.

Table 1: State Veterinary Service (field) expenditure on the bovine TB programme in England and Wales

£

	Expenditure		
	1998–99	*1999–2000*	*2000–01*
England	7,757,183	7,574,217	7,955,962
Wales	920,011	1,472,469	1,240,032

The amount of compensation paid for cattle slaughtered to control bovine TB from 1999 to 2001 is shown in Table 2. Compensation figures are only readily available for Great Britain as a whole and are collated on a calendar year basis.

Table 2: TB compensation in Great Britain

Expenditure	£
1999	5,770,983
2000	7,307,797
2001	7,074,125

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of Central Science Laboratory research relating to badgers feeding in cattle troughs. [66347]

Mr. Morley *[holding answer 3 July 2002]:* The study by Central Science Laboratory and Sussex university showed that badgers frequently visited buildings on two farms in Gloucestershire, to exploit a range of food items. During some visits cattle feed was contaminated with badger faeces and badgers came into close direct contact with housed cattle. Given that there is a substantial body of circumstantial evidence implicating the badger in the transmission of bovine TB to cattle, such situations could potentially carry a high risk of infection. CSL will embark on a wider-scale DEFRA funded study later this year to investigate this phenomenon further.

These findings emphasise the need for good biosecurity on farms and the need to minimise access of this kind from badgers.

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs how many cattle were slaughtered after a positive TB test in each year since 1997. [66805]

Mr. Morley: The number of animals compulsorily slaughtered as TB reactors or as direct contacts is given in the table.

Number of cattle compulsorily slaughtered as TB reactors or contacts in Great Britain

	Number of animals slaughtered		
	TB reactors[1]	*Contacts*[2]	*Total*[3]
1997	3,213	456	3,669
1998	4,958	926	5,884
1999[4]	5,910	862	6,772
2000[4]	7,031	1,322	8,353
2001[4]	5,347	904	6,251

[1] Animals which gave a positive result (i.e. reacted) to the tuberculin test and were compulsorily slaughtered.

[2] Animals which, under the terms of Directive 64/432 as amended, were considered to have been direct contacts exposed to TB and therefore compulsorily slaughtered.

[3] Animals compulsorily slaughtered because they reacted to the tuberculin test of because they were considered to be direct contacts. Not all the animals will necessarily be confirmed as being infected with *Mycobacterium bovis*.

[4] Provisional: data for 1999 onwards will remain provisional until all culture results are available and final data validation carried out.

Source:

DEFRA's Animal Health Database

Buildings Insurance

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs what the cost of buildings insurance to her Department was *(a)* before and *(b)* after 11 September 2001. [66936]

Mr. Morley: Departments are required to comply with the Government's general policy on insurance, which is set out in "Government Accounting", chapter 30, para 30.2.5, which notes that Government do not need to purchase insurance to protect the viability of its business, and should consider insurance only where the value of claims met would exceed the cost of insurance premiums. Commercial insurance of a building is acceptable in cases where (a) insurance is a condition of a lease (b) the lessor will not accept a Government indemnity (c) incurring the total cost of the accommodation in question, including the cost of the insurance, is more cost-effective than other accommodation options ("Government Accounting", para 30.2.11a).

Commercial insurance is not usually payable in respect of leasehold properties where the Department is the sole occupier. In the case of leasehold property shared with other tenants, the cost of insurance is not always identified separately by our landlords. Furthermore, premiums are payable at different times of the year and our landlords may not have had to renew cover since 11 September 2001.

It is not possible, therefore, to provide a precise assessment of the cost of commercial buildings insurance paid by the Department either before of after 11 September 2001. However, where insurance premiums have been separately charged this year, they have increased by between 3 per cent. and 90 per cent. It is impossible to say what proportion of these increases is due to the events of 11 September 2001.

Building Values

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the buildings owned by her Department and estimate the market value of each of them. [66954]

Mr. Morley: I refer the hon. Member to the reply given by my right hon. Friend the Chief Secretary to the Treasury on 3 July 2002, *Official Report*, column 339W.

Contamination Risk

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the process by which her Department analyses risk from *(a)* crops and *(b)* animal feed contaminated with (i) industrial chemicals, (ii) pesticides and (iii) drugs. [66348]

Mr. Morley *[holding answer 3 July 2002]:* The Government undertake an extensive surveillance programme for pesticide residues. Priority is given to the surveillance of crops but some animal feed is also tested. A total of some 4,000 samples are analysed each year for a wide range of pesticides generating over 100,000 individual test results. The results for the testing programme are all published in the quarterly reports of the independent Pesticide Residues Committee (PRC) available on its website at www.pesticides.gov.uk/committees/PRC/prc.htm

A consumer risk assessment is conducted in relation to all residues which exceed a statutory maximum residue level or are otherwise of potential concern. The methodology used in these risk assessments and their outcomes are described in the PRC's reports.

The methodology of risk assessment for residues in animal feeds is more complex. It assesses both the potential risk to the animal and the potential risk to humans consuming animal products from the animal. Ministers are advised on the aspects of risk assessment for pesticides by an independent expert committee, the Advisory Committee on Pesticides (ACP). Details of the committee are available from its website at www.pesticides.gov.uk/committees/acp/acp.htm

While the VMD does not analyse feed for contamination with drugs, it does operate a surveillance programme for veterinary drug residues in animals and animal products. If residues are found in excess of specified limits, the cause is investigated.

Japanese Knotweed

Mr. Pickthall: To ask the Secretary of State for Environment, Food and Rural Affairs what her Department's policy is on controlling the spread of Japanese Knotweed. [67922]

Mr. Morley: Japanese Knotweed is a large, vigorous weed. It is a non-native introduction which appears to have no natural enemies in Britain. It is an offence under Section 14 of the Wildlife and Countryside Act (1981) to plant or otherwise cause Japanese Knotweed to grow in the wild. There is no obligation on landowners to control Japanese Knotweed on their own land.

The Department is currently undertaking a fundamental review of policy on invasive non-native species, with other Government Departments, industry and conservation bodies, considering the causes of, and problems arising from, the introduction and spread of non-native species.

With regard to relevant research, I refer my hon. Friend to the reply given to the hon. Member for Truro and St. Austell (Matthew Taylor) on 25 June 2002, *Official Report*, column 760W.

Temporary Staff

Sandra Gidley: To ask the Secretary of State for Environment, Food and Rural Affairs how many part- and full-time employees under contract from temping agencies work within her Department; and how much was spent on temporary staff *(a)* in total and *(b)* as a percentage of the total staffing budget in her Department and its predecessors for each of the last five years for which figures are available. [66743]

Mr. Morley *[holding answer 5 July 2002]:* The number of employees working under contract from temping agencies is not held centrally by the Department for Environment, Food and Rural Affairs, and could be provided only at disproportionate cost.

The cost of staff employed under contract from temping agencies for each of the last five years is shown in the table. For the years 1997–98 to 2000–01, the amounts shown are for the former MAFF only. Costs relating to the parts of the former Department for Environment, Transport and the Regions that transferred to DEFRA could be provided only at disproportionate cost.

	Cost of temping agency staff (£)	*Percentage of total staff costs*
1997–98	995,205	n/a
1998–99	1,468,559	1.03
1999–2000	1,792,277	1.20
2000–01	3,645,881	2.26
2001–02	906,899	0.41

Forestry Commission

Mr. Chope: To ask the Secretary of State for Environment, Food and Rural Affairs for what reason the Forestry Commission is seeking a licence to fell trees on land at the rear of The Gables, West Moors Road, Ferndown. [68000]

Mr. Morley *[holding answer 8 July 2002]:* The Forestry Commission does not apply for felling licences, it issues them. In this particular case, the Commission received an application for a licence to fell trees with an aim to improve the management of the woodland area. The trees were subject to a tree preservation order, so the Commission consulted East Dorset district council who then raised an objection to the proposed felling. The application now therefore falls to be determined by the Office of the Deputy Prime Minister under the terms of the tree preservation order. A hearing to consider the application is scheduled to take place on 23 July.

Welfare of Laying Hens Directive

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* variations and *(b)* additions she plans to introduce when the EU Welfare of Laying Hens Directive is transposed into UK law. [68378]

Mr. Morley *[holding answer 9 July 2002]:* The EU Welfare of Laying Hens Directive has now been transposed into law in England by the Welfare of Farmed Animals (England) Amendment Regulations 2002. These Regulations came into force on 25 June.

Our approach in drawing up these regulations was to implement the directive without adding to it or varying from it.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she will take to ensure that poultry farmers in the United Kingdom meet the same standards of animal welfare as other EU nations following the implementation of the EU Welfare of Laying Hens Directive. [68379]

Mr. Morley *[holding answer 9 July 2002]:* EU member states are responsible for bringing into force the necessary regulations to implement the EU Welfare of Laying Hens Directive and for communicating the main provisions of the national law to the commission.

The EU commission is responsible for monitoring enforcement by member states.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to ensure that egg importers meet the same animal welfare standards as those set within the United Kingdom and across Europe under the forthcoming EU Welfare of Laying Hens Directive. [68377]

Mr. Morley *[holding answer 9 July 200]:* Current WTO rules prevent discrimination on the basis of production method and it is illegal under WTO rules to ban egg imports from countries which do not meet the same animal welfare standards as those produced in the EU.

However, the EU has been successful in getting non-trade concerns, which include animal welfare, firmly written into the Doha development agenda.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the compliance cost to poultry farmers in meeting the EU Welfare of Laying Hens Directive in respect of *(a)* capital expenditure and *(b)* additional annual revenue implications. [68376]

Mr. Morley *[holding answer 9 July 2002]:* A regulatory impact assessment estimating compliance costs to poultry farmers in meeting the EU Welfare of Laying Hens Directive was produced following public consultation. This was laid before the House along with the Statutory Instrument to implement the directive.

Wood for Good Campaign

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement regarding the Government's objectives for the Wood for Good campaign; [68098]

(2) what guidance her Department has provided on the Forestry Commission's Wood for Good website *(a)* to the public and businesses to help them ensure they do not buy wood which may have come from illegal or non-sustainable sources and *(b)* in the promotion of certified timber. [68101]

Mr. Morley: The Wood for Good campaign is sponsored by the Forestry Commission (the Government's Department for forestry throughout Great Britain), the Northern Ireland Forestry Service, the Nordic Timber Council, the UK Sawn Wood Promoters, the Timber Trade Federation and the Forestry and Timber Association. All sponsors are committed to sustainable forest management and they encourage independent certification. The Government support the campaign's objectives, which are to "increase the consumption of wood; change perceptions about wood; encourage its use in interior and exterior design, and building; to tackle issues surrounding the use of wood; and to encourage good practice in the industry". The Forestry Commission's own website, which links to the Wood for Good website, covers issues such as illegal and non-sustainable sources of timber, and on certification.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs how much funding the United Kingdom Government have allocated to the Forestry Commission in each year since 1997; and how much of this allocation the Forestry Commission has dedicated to the Wood for Good campaign in each of the years the campaign will be running. [68102]

Mr. Morley: The funds voted to the Forestry Commission each year since 1997 are given in the table.

		£000
1997–98	England/Scotland/Wales and GB activities	52,426
1998–99	England/Scotland/Wales and GB activities	51,325
1999–2000	England/Scotland/Wales and GB activities	[1]76,115
2000–01	England/Wales and GB activities	[2]80,165
2001–02	England and GB activities	70,608
2002–03	England and GB activities	59,793

[1] Scottish Parliament responsible for funding Forestry Commission activities in Scotland from 1 July 1999.

[2] National Assembly for Wales responsible for funding Forestry Commission activities in Wales from 1 April 2001.

The Forestry Commission's contribution to the Wood for Good campaign is £250,000 in 2000–01, £205,000 in 2001–02, £125,000 in 2002–03 and £125,000 in 2003–04.

Camelid Movements

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs whether she intends to amend the current rules on camelid movements; and if she will make a statement. [69537]

Mr. Morley: Orders made today will simplify the current rules on livestock movements from 31 July. Camelids (including llamas) and zoo animals will no longer require movement licences or be subject to biosecurity requirements for livestock shows and sales. In addition, sheep dipping, tagging and scanning will no longer require a licence. The rules for multiple pick-ups and multiple drop-offs of livestock will also be simplified.

Graffiti

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what action *(a)* has been taken and *(b)* is planned by her Department to tackle problems of graffiti; and if she will make a statement; [64733]

(2) what advertising campaigns *(a)* have taken place and *(b)* are planned by (i) her Department, (ii) the Environment Agency and (iii) other Government bodies in relation to tackling problems from graffiti; how much these have cost; what assessment has been made of their effect; and if she will make a statement; [64735]

(3) what *(a)* advice and guidance has been given by her Department and *(b)* legislation is in place with relation to tackling problems of graffiti; and if she will make a statement. [64734]

Mr. Denham: I have been asked to reply.

Tackling graffiti requires action by several Government Departments. It is one of the subjects that is being addressed in the cross cutting review on Improving Public Spaces.

Writing graffiti is an offence under the Criminal Damage Act 1971. Where criminal proceedings are not appropriate it can also be dealt with through a number of measures designed to address anti-social behaviour, including anti-social behaviour orders.

Neighbourhood wardens programmes and proposals for community safety officers will also help to reduce yobbish behaviour, such as graffiti writing. Crime and Disorder Partnerships are also working with local communities to tackle graffiti.

I understand that the Department for Environment, Food and Rural Affairs has not undertaken any advertising campaigns that are specific to graffiti.

Sand and Gravel Extraction

Mr. Edwards: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement about her policy with regard to inshore sand and gravel excavation; and whether environmentally sensitive areas will be protected. [67478]

Mr. McNulty: I have been asked to answer.

There is no UK-wide policy on sand extraction.

Guidance on sand and gravel extraction from above mean low water in England is set out within Minerals Policy Guidance Notes 6 (MPG6) and 15 (MPG15). Draft revised national estimates of demand, and indicative regional forecasts of supply, of construction aggregates within England for the period to 2016 will be published for public consultation during the summer. Consideration will be given to review of the policies in MPG6 and MPG15 during 2003.

Proposed Government Policy for sand and gravel dredging from below mean low water in English waters was set out in Draft Marine Minerals Guidance Note 2: Guidance on the Extraction of Sand, Gravel and Other Minerals from the Seabed. This was published for public consultation in February 2001. It is intended that final guidance for English waters will be published within the next few weeks.

Policy and guidance on sand extraction in Wales is a matter for the Welsh Assembly Government.

INTERNATIONAL DEVELOPMENT

UN Children's Fund

Mr. Bercow: To ask the Secretary of State for International Development what support her Department is giving to the UN Children's Fund in addressing child rights in its programmes. [67489]

Clare Short: My Department is collaborating with UNICEF to assist in building its capacity to apply human rights approaches to all areas of its programming. The current programme began in early 2000 and runs until the end of 2003 at an overall cost of about £3.78 million. The work includes:

the development of guidance and training materials;

human resource development;

documentation, assessment, monitoring and dissemination of experiences;

developing indicators for monitoring;

strengthening regional capacities;

strengthening the rights-based approach to integrated management of childhood illness.

We also contribute to this objective through a range of partnerships with UNICEF regional programmes. The goal is to ensure promotion and facilitation of sustained poverty reduction for children and women, particularly those from excluded families, communities and groups.

Structural Reforms

Lynne Jones: To ask the Secretary of State for International Development what recent analysis the World bank and IMF have sent to her Department of the poverty and social impact of structural reforms supported by their programmes in poor countries; in how many instances the impact has been found to be negative; and what mitigating measures the World bank and IMF have agreed to in order to support in such instances. [67771]

Clare Short: Over recent months the British Government have pressed both the World bank and IMF for a timetable of poverty and social impact analysis (PSIA), setting out the policy reforms that need to be analysed and who will support countries to do the analysis. We welcome the commitment of both institutions to PSIA. We have also supported PSIA pilots in six countries in order to demonstrate how it can be carried out.

Of the 35 IMF Poverty Reduction and Growth Facility (PRGF)-supported programmes considered by the IMF Board between 1 July 2000 and 30 September 2001, IMF staff papers show that roughly 60 per cent. include some form of PSIA—though only around a third of PRGF-supported programmes had full studies undertaken to assess the effects of specific policies ('formal' PSIA).

Figures are not available on the number of instances in which PSIA has shown IMF structural reforms to have been negative. However around two thirds of PRGF-supported programmes over the period included some measures aimed to offset potentially adverse short-term effects of either macroeconomic reforms, structural reforms or exogenous shocks on the poor. There is also evidence of PSIA influencing the design of economic policies. Examples include Uganda, where plans to liberalise the sugar industry were changed; Senegal, where 15–20 per cent. diesel and kerosene subsidies were maintained rather than eliminated; and Cambodia, where large-scale retrenchment of civil servants was delayed until safety nets for retrenchees could be put in place.

The World bank have made similar commitments to use PSIA in their Poverty Reduction Support Credits. The British Government see all these documents, given our membership of the World Bank Board. IMF and World bank reviews of PRGFs and Poverty Reduction Strategies respectively contain further information on PSIA. These can be found at www.imf.org and www.wordbank.org.

Africa

Mr. Wiggin: To ask the Secretary of State for International Development how much aid in real terms the Government have given to *(a)* Africa and *(b)* Zimbabwe over the last five years. [68544]

Clare Short: The UK has given the following amounts to Zimbabwe and Africa, in current and constant prices, over the last five financial years.

GPEX[1] in Zimbabwe and Africa in current and constant 2000–01 prices

£ thousand

	Africa	*Zimbabwe*
Current prices		
1996–97	445,153	21,007
1997–98	450,324	13,715
1998–99	575,036	29,394
1999–2000	634,760	17,363
2000–01	778,369	14,716
Constant prices		
1996–97	493,600	23,294
1997–98	484,386	14,753
1998–99	601,994	30,772
1999–2000	648,814	17,747
2000–01	778,369	14,716

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[1] GPEX is expenditure by all official UK sources ie Government Departments and public bodies on development assistance in aid recipient countries.

HIV/AIDS

John Barrett: To ask the Secretary of State for International Development if she will list the developing countries which are in receipt of support from her Department to assist in the treatment of prevention from HIV/AIDS. [68325]

Clare Short: My Department is supporting HIV/AIDS-related programmes in:

Azerbaijan, Republic of
Bangladesh
Bolivia
Botswana
Brazil
Burkina Faso
Burma
Cambodia
Caribbean regional
Central Africa regional
Central America regional
Chile
China
Colombia
Cuba
Ecuador
Ethiopia
Gambia, the
Ghana
Guatemala
Haiti
Honduras
India
Iran
Kazakhstan, Republic of
Kenya
Latin America regional
Lesotho
Liberia
Madagascar
Mali
Malawi
Mexico
Mongolia
Montserrat
Mozambique
Namibia
Nepal
Nicaragua
Niger
Nigeria
Pakistan
Peru
Philippines
Russian Federation
Rwanda
Senegal
Serbia and Montenegro
Sierra Leone
Somali Democratic Republic
South Africa, Republic of
southern Africa regional
Sri Lanka
Sudan
Swaziland
Tanzania
Togo
Uganda
Ukraine
Vietnam
West Bank and Gaza
Zambia
Zimbabwe.

John Barrett: To ask the Secretary of State for International Development what steps she is taking to help bring down the cost of anti-retroviral drugs for those suffering from HIV/AIDS in developing countries. [68324]

Clare Short: The UK's Working Group on Access to Medicines, which I chair, is looking at options for bringing about widespread, sustainable and predictable differential pricing of essential medicines, so that such medicines can be made available to the world's poor at affordable prices. The group's final meeting is on 25 July, after which it will report back to the Prime Minister. Differential pricing could apply to anti-retrovirals, which are now on the World Health Organisation's (WHO) essential drug list. We are encouraging key partners—pharmaceutical industry, developing countries, donors and international organisations—to play their part in making widespread differential pricing a reality.

The Government recognise that affordability is only one of four key factors that WHO has identified as influencing access to medicines. There is also a need for sustainable financing, the rational selection and use of existing drugs, and reliable health and supply systems.

On sustainable financing, we have pledged $200 million over five years to the Global Fund to Fight TB, AIDS and Malaria (GFATM). We have also committed over £1 billion, since 1997, to strengthening developing countries health systems, building their capacity both to deliver medicines to the poor and to make effective choices about the selection and use of drugs.

Mr. Jim Cunningham: To ask the Secretary of State for International Development what measures her Department is taking to *(a)* help with humanitarian aid and *(b)* educate people in areas with a high risk of AIDS. [67797]

Clare Short: The purpose of DFID humanitarian assistance policy is to save lives and relieve suffering; hasten recovery, and protect and rebuild livelihoods and communities; and reduce risks and vulnerability to future crises. The poor, and those whose vulnerability is increased due to disease, such as HIV/AIDS, are disproportionately affected by disasters and conflict. For example, in southern Africa, a serious drought has led to food shortages, which have stretched the coping capacity of the poorest families, many of whom are already suffering from having one or more of their family with HIV/AIDS. I have recently allocated £45 million to support the most vulnerable people in Zimbabwe, Zambia, Malawi, Lesotho and Swaziland.

My Department supports comprehensive HIV/AIDS prevention programmes tailored to local needs and situations. These can include interventions such as condoms, harm reduction, educating youth and safe needle exchange programmes. As part of DFID's HIV/AIDS strategy, we have identified a focus on working with the most vulnerable groups in the society, which often include women, commercial sex workers, injecting drug users and men who have sex with men. Education leading to behavioural change is a central element of our strategy towards fighting the HIV/AIDS epidemic. It forms the basis for any prevention, treatment and intervention programme.

Public Service Agreements

Mr. Laws: To ask the Secretary of State for International Development how many and what proportion of the public service agreements of her Department set out in the document, "Public Services for the Future 1998", have been met; and if she will make a statement. [68709]

Clare Short: My Department's 1999–2002 public service agreement (PSA) set 13 outcome targets of which eight were met, three were not updated due to lack of data, and two were not met. It also set 26 productivity targets, of which five were not met.

Full details of progress against the 1999–2002 PSA can be found in DFID's 2002 departmental report.

NORTHERN IRELAND

Victims of Terrorist Violence

5. **Tony Cunningham:** To ask the Secretary of State for Northern Ireland if he will make a statement on the Government's policies on the support given to victims of terrorist violence in Northern Ireland. [65803]

7. **Mr. Connarty:** To ask the Secretary of State for Northern Ireland what recent policy initiatives he has undertaken regarding the treatment of victims of terrorist violence. [65805]

Dr. John Reid: This Government were the first to acknowledge the needs of all the victims of the troubles; this remains a priority. Since 1998 the Government have allocated over £18.25 million to victims' initiatives.

Police Service

8. **Helen Jackson:** To ask the Secretary of State for Northern Ireland what steps he is taking to consolidate public support for the new Police Service of Northern Ireland. [65806]

Jane Kennedy: Together with the Police Service of Northern Ireland and the Policing Board we are working to bring about a new beginning to policing. The Policing Board, with nationalist participation, has an extensive range of powers to hold the police to account. The 50:50 recruitment campaign has produced a strong cross-community response, with 35 per cent. of applications coming from Catholics. There are around 350 new recruits who have completed or who are now in training.

Later this year, District Policing Partnerships will be established. They will have a significant role in increasing local accountability and will provide a forum for the police to work more closely with the community they serve.

The Government believe that, in the light of the enormous changes made to date, all parts of the community should support the police.

15. **Rev. Martin Smyth:** To ask the Secretary of State for Northern Ireland if he will make a statement on commitments given to Sinn Fein on further reform of the police service of Northern Ireland. [65813]

Jane Kennedy: The only commitments we have made on further reform of policing are those set out in the updated implementation plan which was issued to all Northern Ireland political parties and placed in the Library of the House in August last year.

A review is currently under way after which the Government will bring forward legislation to reflect further the Patten recommendations. All Northern Ireland political parties have been invited to contribute.

Decommissioning

9. **Mr. Soley:** To ask the Secretary of State for Northern Ireland if he will make a statement on the decommissioning of illegally held weapons in Northern Ireland. [65807]

Jane Kennedy: The Government have consistently called for decommissioning from all paramilitary organisations. We have had two acts of decommissioning from the IRA. That must be the start of a process. It is imperative that we now see reciprocation from loyalists, so that all groups are committed to the normal political process in resolving its problems, and thereby creating a better Northern Ireland.

25. **Miss McIntosh:** To ask the Secretary of State for Northern Ireland what recent progress has been made towards decommissioning. [65824]

Jane Kennedy: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Ealing, Acton and Shepherd's Bush (Mr. Soley).

Implementation Group

10. **Mr. Gardiner:** To ask the Secretary of State for Northern Ireland if he will make a statement on the recent meeting of the implementation group; and what the implications are for the future of the devolved institutions. [65808]

Dr. John Reid: At the implementation group on 26 June, and the meetings of the Northern Ireland parties with the Prime Minister and Taoiseach on 4 July, participants recognised the Belfast Agreement had brought great gains; but also that continuing violence and signs of paramilitary activity threaten community confidence. The Government agreed to reflect further on how best to address concerns about the necessary transition from violence to democracy. Before Parliament rises we will set out how we believe the necessary sense of confidence—which underpins the Agreement and the devolved institutions—can be restored.

Bill of Rights

11. **Chris Ruane:** To ask the Secretary of State for Northern Ireland if he will make a statement on the proposed Bill of Rights for Northern Ireland. [65809]

Dr. John Reid: The Belfast Agreement tasked the Northern Ireland Human Rights Commission with consulting and advising on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights and to reflect the particular circumstances of Northern Ireland.

The Commission published a consultation document, "Making a Bill of Rights for Northern Ireland", in September 2001 and is currently considering the responses it has received to that document.

The Government will reach no policy conclusions on the proposals until the final advice is received from the Commission. This advice is expected in 2003.

Community Safety Partnerships

12. **Mr. Trimble:** To ask the Secretary of State for Northern Ireland what role he plans for voluntary and community organisations in the proposed community safety partnerships. [65810]

Dr. John Reid: Community Safety Partnerships are made up of the statutory organisations responsible for the delivery of services at a local level. The Partnership should engage with voluntary and community organisations to identify issues of concern at a local level and develop collaborative ways of tackling these issues. The Partnership should determine how best to interface with the voluntary and community sector.

Organised Crime

13. **Colin Burgon:** To ask the Secretary of State for Northern Ireland what strategic issues are being considered by the organised crime task force; and if he will make a statement. [65811]

Jane Kennedy: On 23 May, the Secretary of State launched the second annual organised crime task force (OCTF) threat assessment and strategy.

The OCTF's strategy for countering the threat sets priority stress for concerted multi-agency action by the OCTF partners. These are extortion, drugs, oils-related fraud, tobacco and alcohol duty evasion, money-laundering, counterfeit goods and armed robbery.

In the year, the OCTF, which I chair, will keep a watching brief on emerging and new organised crime trends. The OCTF strategy also explains how we will measure and report on the overall impact we are having on organised crime in Northern Ireland.

16. **Mr. Ben Chapman:** To ask the Secretary of State for Northern Ireland if he will make a statement on the areas of criminality in which organised crime networks are involved in Northern Ireland. [65814]

Jane Kennedy: On 23 May, the Secretary of State launched the second annual Organised Crime Task Force (OCTF) threat assessment and strategy.

The OCTF threat assessment shows that organised criminals engage in a wide range of criminal activities in Northern Ireland. These include: trade in illegal drugs; extortion; tobacco and alcohol smuggling and duty evasion; oils fraud; counterfeit goods; money laundering; counterfeit currency; organised vehicle theft; armed robbery and hijacking; abuse of social security payments; illegal livestock trade; evasion of tax and VAT; various financial frauds; identity fraud; motor vehicle licensing fraud; hi-tech crime; illegal immigration; and prostitution.

In the year, the OCTF, which I chair, will keep a watching brief on emerging and new organised crime trends. The OCTF strategy also explains how we will measure and report on the overall impact we are having on organised crime in Northern Ireland.

18. **Linda Gilroy:** To ask the Secretary of State for Northern Ireland what action is being taken to tackle counterfeiting operations by organised crime gangs. [65816]

Jane Kennedy: On 23 May, the Secretary of State launched the second annual Organised Crime Task Force (OCTF) threat assessment and strategy.

Recognising the adverse impact of the counterfeit goods trade on the Northern Ireland business community and on society more generally, the OCTF has made this crime a priority for concerted multi-agency action by the OCTF partners.

There have been some significant operational successes in the last year. The police are doing excellent work every week to tackle the trade in counterfeit goods. At the last OCTF meeting, a strategy prepared by PSNI for tackling the counterfeit goods trade was agreed. The strategy includes raising awareness of the wider harm caused by this illicit trade, understanding better the reasons why people purchase such goods, working with the business community to address those reasons, and considering whether the existing legislation is sufficient.

Terrorist Activity

14. **Michael Fabricant:** To ask the Secretary of State for Northern Ireland if he will make a statement on the level of illegal activities by terrorist organisations in Northern Ireland. [65812]

Jane Kennedy: The table provides details of the level of paramilitary activity from both sides during the last year.

Security situation statistics: 29 June 2001–28 June 2002

	By Loyalists	*By Republicans*
Number of deaths as a result of the security situation	9	4
Number of shooting incidents	209	115
Number of bombing incidents	271	52
Number of casualties as a result of paramilitary style assaults	81	36
Number of casualties as a result of paramilitary style shootings	110	66

Notes:

1. Includes all deaths due to the security situation.

2. The following types of incidents are included: shots fired by terrorists; shots fired by the security forces; paramilitary-style attacks involving shootings; shots heard (and later confirmed); other violent incidents where shots are fired (e.g. armed robberies).

3. An individual bombing incident may involve one or more explosive devices. Incidents recorded include explosions and defusings. Incidents involving hoax devices, petrol bombings or incendiaries are excluded.

N.B. 2002–03 statistics are provisional and may be subject to minor amendment.

27. **Mr. Robathan:** To ask the Secretary of State for Northern Ireland what assessment he has made of the levels of terrorist activity in the Province. [65826]

Jane Kennedy: We keep the security situation under constant review. The Secretary of State receives regular advice from the Acting Chief Constable, the GOC and his security advisers. The Acting Chief Constable is on record as saying that he believes that paramilitaries on both sides have been involved in orchestrating the recent street violence in Belfast. This is a worrying development.

Marching Season

17. **Chris Grayling:** To ask the Secretary of State for Northern Ireland what his assessment is of the potential for disorder during this summer's marching season. [65815]

Jane Kennedy: The vast majority of parades held this year have passed off peacefully. In relation to a small number of particularly contentious parades which have taken place, some disorder did occur but was quickly contained by the security forces. In the event of public disorder, the security forces have appropriate contingency measures in place to ensure the determination of the Parades Commission is upheld.

Belfast Agreement

19. **Mr. Luff:** To ask the Secretary of State for Northern Ireland what recent assessment he has made of the confidence of the Unionist community in the Belfast agreement; and if he will make a statement. [65817]

Dr. John Reid: As the Prime Minister said at Hillsborough on 4 July, we recognise there is a lack of confidence in Northern Ireland, especially in the unionist community, about the process of transition away from violence to exclusively peaceful and democratic methods. We shall set out, before Parliament rises, how we believe the necessary confidence can be restored.

Loyalist Commission

20. **Mr. Goodman:** To ask the Secretary of State for Northern Ireland if he will make a statement on the role of the Loyalist Commission. [65818]

Dr. John Reid: It is not for me to define the role of the Loyalist Commission. That is something for members of the Commission itself. I can say that I welcomed the statement issued by the Commission on 14 June 2002 which contained guidelines on reducing the tension and violence experienced by both communities over recent weeks and months. This was a positive step and I would urge everyone to give this initiative their most careful consideration, and act accordingly.

I also had a frank and useful exchange of views with members of the Commission on 1 July.

Politics (Violent Incidents)

21. **Sir Nicholas Winterton:** To ask the Secretary of State for Northern Ireland if he will make a statement on the number of politically related incidents of violence involving weapons, indicating the organisations and individuals responsible, in the last three months. [65819]

Jane Kennedy: It is not possible to answer the question in the format requested. However, the table shows the number of security-related incidents during the last three months.

Security situation statistics 1 April to 28 June 2002

	By Loyalists	*By Republicans*
Number of deaths as a result of the security situation	—	1
Number of shooting incidents	42	31
Number of bombing incidents	51	10
Number of casualties as a result of paramilitary-style assaults	24	12
Number of casualties as a result of paramilitary-style shootings	21	12

Notes:

1. Includes all deaths due to the security situation.

2. The following types of incidents are included: shots fired by terrorists; shots fired by the security forces; paramilitary-style attacks involving shootings; shots heard (and later confirmed); other violent incidents where shots are fired (e.g. armed robberies).

3. An individual bombing incident may involve one or more explosive devices. Incidents recorded include explosions and defusings. Incidents involving hoax devices, petrol bombings or incendiaries are excluded.

N.B. 2002–03 statistics are provisional and may be subject to minor amendment.

Smuggling

22. **Mr. Hendrick:** To ask the Secretary of State for Northern Ireland if he will make a statement on progress made in tackling smuggling in Northern Ireland. [65820]

Jane Kennedy: On 23 May, the Secretary of State launched the second annual Organised Crime Task Force (OCTF) threat assessment and strategy.

There have been some tremendous operations against smuggling. Since 1 April 2001 over 63 million smuggled cigarettes have been seized by Customs in Northern Ireland. The latest available figures show that deliveries of legal oils products to Northern Ireland have risen by seven per cent. in the last 12 months, the first time in five years.

However, the Government believe that oils related fraud remains at an unacceptably high level and is considering options for further initiatives to counter road fuel duty evasion and the associated problems in Northern Ireland.

26. **Kali Mountford:** To ask the Secretary of State for Northern Ireland what progress has been made in tackling smuggling in Northern Ireland. [65825]

Jane Kennedy: I refer my hon. Friend to the answer given to my hon. Friend the Member for Preston (Mr. Hendrick), ref. 65820.

28. **Mr. Austin Mitchell:** To ask the Secretary of State for Northern Ireland what progress the Police Service of Northern Ireland has made this year in combating the illegal trade in fuel. [65827]

Jane Kennedy: On 23 May, the Secretary of State launched the second annual Organised Crime Task Force (OCTF) threat assessment and strategy.

Oils related fraud continues to be a major problem, although there is evidence that the position has stabilized and slightly improved. The latest available figures show that deliveries of legal product to Northern Ireland have risen by seven per cent. in the last 12 months, for the first time in five years.

There were some major operational successes in the previous year. In December, a major multi-agency cross border operation, in which PSNI played an important role, was undertaken during which 31 premises were searched. Nine people were charged in connection with the evasion of road fuel excise duty and money laundering offences.

Prison Service (Equality Training)

23. **Mr. Stunell:** To ask the Secretary of State for Northern Ireland what proportion of staff in the Northern Ireland Prison Service have taken part in equality training. [65822]

Jane Kennedy: The Northern Ireland Prison Service has provided 98 per cent. of staff with equality awareness briefings. The remaining 2 per cent. is made up of staff on long-term sick/maternity leave or career breaks and are not available to receive such training.

Electoral Identity Cards

24. **Lady Hermon:** To ask the Secretary of State for Northern Ireland what progress has been made with the introduction of electoral identity cards in Northern Ireland. [65823]

Dr. John Reid: The Electoral Office is currently exploring options available for the design and form of the electoral identity card. The Chief Electoral Officer intends to advertise for prospective contractors by early August.

A question will be included on this year's annual canvass form asking electors if they require an electoral identity card. This will enable the CEO to target his efforts and resources towards those people who require one. The card will be issued after the publication of the new electoral register on 1 December this year.

Community Safety

29. **Mr. Beith:** To ask the Secretary of State for Northern Ireland if he will make a statement on the progress made with community safety awareness seminars held in preparation for a draft community strategy. [65828]

Dr. John Reid: Nine awareness seminars took place between October 2001 and April 2002. Seminars were offered to all council areas and 22 participated. A total of 262 individuals attended representing statutory, voluntary and community organisations. The discussion at the seminars provided a valuable contribution to the development of the draft Community Safety Strategy.

Policing

30. **Mr. Savidge:** To ask the Secretary of State for Northern Ireland what progress has been made in developing a new approach to policing in Northern Ireland. [65829]

Jane Kennedy: Together with the Police Service of Northern Ireland and the Policing Board, we are laying the foundations of a new beginning to policing. There have been significant structural changes: we have a Policing Board with nationalist participation and broad powers to hold police to account. And there has been an excellent cross-community response to recruitment under new 50:50 provisions with 35 per cent. of applications coming from Catholics and around 350 new recruits now in training. There have also been other major changes: policing with the community is now the statutory core function of the Police Service; a major programme of action is under way to focus policing in Northern Ireland on a human rights based approach.

Looking ahead, the process of establishing District Policing Partnerships has been launched, which will increase accountability at the local level and bring the police still closer to the community they serve.

CULTURE, MEDIA AND SPORT

Clarence House

Norman Baker: To ask the Secretary of State for Culture, Media and Sport what the annual running cost to public funds of Clarence House was in the last five years; and if she will make a statement. [65653]

Dr. Howells *[holding answer 3 July 2002]:* The annual maintenance costs met from the Property Services grant-in-aid for Clarence House over the last five years are as follows:

	£000
1997–98 (cash)	423,769
1998–99 (Cash)	446,376
1999–2000 (Accruals)	386,639
2000–01 (Accruals)	307,098
2001–02 (Accruals)	160,776

National Museums

Mr. Randall: To ask the Secretary of State for Culture, Media and Sport how many *(a)* full-time and *(b)* part-time employees there were in each of the past seven years in each national museum; and how many of these were over the normal age of retirement. [67178]

Dr. Howells: The number of full-time and part-time employees at the museums and galleries sponsored by the Department for Culture, Media and Sport is set out in the table below, other than for the Tate Gallery, National Museum of Science and Industry and National Museums & Galleries on Merseyside. My right hon. and noble Friend the Ministers for the Arts will write to the hon. Member as soon as this information is available, placing copies of her letter in the Libraries of both Houses. Information on the number of staff over the normal retirement age could be made available only at disproportionate cost.

Natural History Museum

Year	*Number of full-time staff*	*Number of part-time staff*
2001–02	736	154
2000–01	718	145
1999–00	720	128
1998–99	737	113
1997–98	721	122
1996–97	730	72
1995–96	710	77
Victoria and Albert Museum		
2001–02	525	77
2000–01	504	81
1999–00	609	79
1998–99	619	77
1997–98	613	74
1996–97	642	82
1995–96	633	90
British Museum		
2001–02	965	90
2000–01	824	86
1999–00	883	88
1998–99	925	88
1997–98	977	72
1996–97	1024	70
1995–96	1022	90
National Maritime Museum		
2001–02	318	82
2000–01	336	93
1999–00	347	74
1998–99	295	46
1997–98	294	39
1996–97	297	45
1995–96	299	44
Horniman Museum and Gardens		
2001–02	68	28
2000–01	53	18
1999–00	55	19
1998–99	[1]8.45	—
1997–98	[1]82	—
1996–97	[1]77.8	—
1995–96	[1]79.5	—
Imperial War Museum		
2001–02	485	63
2000–01	449	55
1999–00	412	54
1998–99	402	54
1997–98	393	54
1996–97	390	54
1995–96	394	54
Geffrye Museum		
2001–02	24	15
2000–01	25	17
1999–00	30	10

Natural History Museum

Year	*Number of full-time staff*	*Number of part-time staff*
1998–99	32	9
1997–98	23	5
1996–97	23	5
1995–96	21	7
Museum of Science and Industry Manchester		
2001–02	92	17
2000–01	87	21
1999–00	81	23
1998–99	85	21
1997–98	89	19
1996–97	84	16
1995–96	97	16
Sir John Soane's Museum		
2001–02	17	6
2000–01	17	6
1999–00	17	6
1998–99	17	6
1997–98	17	6
1996–97	17	6
1995–96	17	6
Museum of London		
2001–02	281	44
2000–01	326	47
1999–00	320	34
1998–99	328	22
1997–98	277	24
1996–97	314	27
1995–96	332	21
National Portrait Gallery		
2001–02	155	18
2000–01	[1]172	—
1999–00	[1]152	—
1998–99	[1]148	—
1997–98	[1]130	—
1996–97	[1]137	—
1995–96	[1]141	—
National Gallery		
2001–02	404	95
2000–01	418	84
1999–00	414	52
1998–99	409	42
1997–98	399	28
1996–97	410	23
1995–96	427	19
Tyne and Wear Museums		
2001–02	170	42
2000–01	167	42
1999–00	164	45
1998–99	155	37
1997–98	152	39
1996–97	145	31
1995–96	138	29
Wallace Collection		
2001–02	71	8
2000–01	68	7
1999–00	66	7
1998–99	65	6
1997–98	64	5
1996–97	65	5
1995–96	64	5
Royal Armouries		
2001–02	155	32
2000–01	145	35
1999–00	147	30
1998–99	[1]—	—
1997–98	[1]—	—
1996–97	[1]—	—
1995–96	[1]—	—

Natural History Museum

Year	*Number of full-time staff*	*Number of part-time staff*
National Museums and Galleries on Merseyside		
2001–02	462	138
2000–01	[2]—	—
1999–00	[2]—	—
1998–99	[2]—	—
1997–98	[2]—	—
1996–97	[2]—	—

[1] Staff includes part-time staff.

[2] My right hon. and noble Friend the Minister for the Arts will write to the hon. Member as soon as the information is available.

Mr. Randall: To ask the Secretary of State for Culture, Media and Sport what her Department's policy is on retirement age in national museums. [67179]

Dr. Howells: The retirement age policy for national museums sponsored by the Department for Culture, Media and Sport is a matter for the museums concerned.

BBC

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport what representations she has received on alternative sources of revenue for the BBC to the licence fee; and if she will make a statement. [67830]

Dr. Howells: Representations about alternative methods of funding the BBC are not recorded separately from other representations about television licensing received by the Department for Culture, Media and Sport. In the year from April 2001 to March 2002, the Department replied to 272 letters from Members of Parliament and 611 letters from members of the public about television licensing issues, a minority of which related to alternative funding methods.

Tourism

Mr. Mark Field: To ask the Secretary of State for Culture, Media and Sport what her expenditure has been on the promotion of tourism in Britain in the last 12 months. [67785]

Dr. Howells: The British Tourist Authority (BTA) promotes Britain overseas as a tourist destination. Its baseline funding was £35.5 million in 2001–02 and is £35.5 million in 2002–03. In addition, the BTA received £14.2 million from the reserve in 2001–02 to combat the impact of the outbreak of foot and mouth disease and in 2002–03 the Government committed up to £20 million from the reserve for the "Million Visitor" tourism recovery campaign, to be matched by contributions from the industry in cash and in kind.

Baseline funding for English tourism rose from £10 million in 2001–02 to £12 million this year. The English Tourism Council has also been awarded funds for e-tourism projects: an award of £0.9 million was made in 2001 from the Capital Modernisation Fund and £3.6 million in 2002 from the Invest to Save Budget.

The promotion of tourism within Scotland and Wales is a matter for the devolved Administrations.

Television Technology (Disabled Access)

Mr. Berry: To ask the Secretary of State for Culture, Media and Sport (1) if she will make it her policy to pursue harmonising measures at EU level to ensure that future generations of set top boxes and digital TVs *(a)* have a second sound channel built in and *(b)* support other key access features for blind, partially-sighted and other disabled people; [68304]

(2) if she will make it her policy to approve the use of general conditions at an early stage to require digital TV operators to supply blind and partially-sighted customers with set top boxes which are capable of receiving audio description and which support accessible electronic programme guides at no extra cost. [68303]

Dr. Howells: The Government have no plans to pursue such harmonising measures with the EU. The design features and production of set top boxes are matters for the manufacturers to decide. However, we have launched a joint consultation with the DTI to examine how integrated digital television sets will help achieve switch over. We are seeking comments on what conditions should apply to digital decoders in order to ensure that consumers with disabilities can get all the benefits of digital television. This will inform our future policy decisions on digital television.

Obesity

Mr. Heald: To ask the Secretary of State for Culture, Media and Sport when she last met the Secretary of State for Health to discuss the role of sport in tackling the problem of obesity. [67937]

Mr. Caborn *[holding answer 8 July 2002]:* My right hon. Friend the Secretary of State for Culture Media and Sport has not met the Secretary of State for Health formally to discuss obesity, but is involved in the health inequalities cross cutting review discussions chaired by the Department of Health.

I chair monthly cross-governmental ministerial meetings, attended by Ministers from the Department of Health, where issues relating to sports policy are discussed, including sport and physical activity initiatives which have a role in combating obesity. The last meeting was held on 2 July.

My Department accepts that physical activity has an important role to play in combating the prevalence of obesity. We are committed to increasing the number and quality of opportunities for participation in sport and physical activity by all sectors of the community and especially for pupils in schools, and we are working closely with Department of Health and Department for Education and Skills to help achieve this objective.

Sport

Mr. Wiggin: To ask the Secretary of State for Culture, Media and Sport what action the Government are taking to encourage local authorities to recognise the role that sports can play in society. [68532]

Mr. Caborn: Local authorities are key providers of sport and recreation and play a central role in the delivery of sport for local communities. The Government has taken significant action to encourage local authorities to recognise the important role that sport can play in society. These measures include forging successful partnerships with local authorities through Sport England to deliver a number of key sports programmes such as 'Active Sports' (which helps children and young people achieve more from their sport, delivered at local level by local authorities, sports clubs, education services, schools and governing bodies of sport), and 'Active Communities' (which involves working closely with local authorities and other partners in the community to increase life long participation in sport and to promote the improvement in the delivery of local sporting opportunities and services for the community).

Sport England has also published "The Value of Sport"—a major advocacy tool to help local authorities to respond in a positive way to the Government's Best Value and Modernising initiatives. The document responds to the challenge of 'Why invest in sport?', and highlights the key role of the public sector in enabling and providing sport at the local level. It actively champions the benefits and contribution that sport can make to the broader local authority policy agenda, including health, education, social inclusion, community safety, community regeneration, the economy and the environment.

The Government's Beacon Council Scheme aims to raise standards of local authority services by a programme designed to spread best practice. Beacon Council status recognises councils which are excellent in a particular service or cross cutting area and have good performance across the board. The scheme requires Beacon Councils to share best practice with other councils through a national co-ordinated programme of events. In 2001 the Beacon Council Scheme identified four successful councils excelling in Regeneration through Culture, Sport and Tourism, which were Knowsley, Sunderland, Gateshead, and Nottingham. These successful authorities will use their position as Beacon Councils to promote and share best practice with other authorities. My Department is also encouraging local authorities to develop Local Cultural Strategies by the end of 2002. These strategies will help local authorities express their own cultural visions and priorities in response to the needs and aspirations of local communities. They will provide a strategic overview, recognising the role of cultural services, such as sport, in tackling the wider objectives of social inclusion, regeneration, life long learning, and creating healthier and safer communities. Cultural Strategies will help local authorities to ensure equity and access for everyone to cultural activities.

TRANSPORT

Marine Regulatory Body

Mrs. Dunwoody: To ask the Secretary of State for Transport what plans he has to establish a marine regulatory body. [68751]

Mr. Spellar: None. The Department's Maritime and Coastguard Agency, which was established in 1988 on the merger of the Marine Safety and Coastguard Agencies, is the UK maritime regulatory body.

Fishing Vessels (Accidents)

Mr. Hayes: To ask the Secretary of State for Transport how many collisions have taken place between EU-flagged fishing vessels and local vessels where the former is operated under third-party waters access agreements in the last five years; what analysis has been made of the effects of those agreements on the mortality rates of local fishermen; and if he will make a statement. [68336]

Mr. Jamieson: There is no requirement for a EU-flagged fishing vessel operating under third country agreements to notify the UK when it is involved in a collision. UK registered fishing vessels are required to report accidents to the Maritime Accident Investigation Branch. The reports do not require information on whether the vessel is operating under third country agreements. We therefore do not have these figures.

Pilotage Act

Mrs. Dunwoody: To ask the Secretary of State for Transport what contraventions of the Pilotage Act 1987 there have been in the Humber estuary in the last five years. [68753]

Mr. Spellar: This information is not held centrally.

Mrs. Dunwoody: To ask the Secretary of State for Transport which body will determine the competence of a competent harbour authority under the terms of the Pilotage Act 1987; and what criteria this body will apply. [68750]

Mr. Spellar: Competent harbour authorities are those which met the criteria in section 1 of the Pilotage Act 1987. These harbour authorities are obliged under section 2 of the Act to keep under consideration certain general duties as to the provision of pilotage services.

Mrs. Dunwoody: To ask the Secretary of State for Transport how many times a ship's authorised pilot has debarked inside a compulsory pilotage district in the last five years. [68752]

Mr. Spellar: The Department does not hold this information.

Provincial Airports

Mr. David Atkinson: To ask the Secretary of State for Transport if he will make a statement of security arrangements in the handling of passengers' baggage in provincial airports in the European Union following the events of 11 September 2001. [63533]

Mr. Jamieson: International standards for aviation security are set down by the International Civil Aviation Organisation and, within Europe, by the European Civil Aviation Conference. Responsibility for the implementation of those standards, which apply to all airports handling relevant flights, including provincial airports, rests with the appropriate states. The UK has a programme in place to meet international standards. In addition, the UK has a programme of security measures for UK airlines to follow when operating overseas to supplement the host states' requirements.

Following the events of 11 September, legislation is before the European Parliament to strengthen aviation security standards throughout the EU, including a requirement to screen all hold baggage by 31 December 2003. In the UK, hold baggage on international flights has been screened since 1998. Screening of cabin baggage has been in place in the UK and throughout Europe for many years.

Birmingham Northern Relief Road

Mr. Jenkins: To ask the Secretary of State for Transport if he will make a statement on the progress of construction of the Birmingham northern relief road. [66890]

Mr. Jamieson: The construction of the M6 toll motorway, formerly known as the Birmingham northern relief road, is the responsibility of the concessionaire, Midland Expressway Ltd. The road is on programme for opening early in 2004.

Road Accidents

Mr. Wiggin: To ask the Secretary of State for Transport if he will make a statement on the percentage of the elderly involved in road accidents in the last available year; and what plans the Government have to reduce these numbers. [68525]

Mr. Jamieson: Information is not available about the total number or percentage of elderly people involved in road injury accidents. However, a provisional estimate for 2001 is that around 10 per cent. of those killed or injured in road accidents in Great Britain were aged 60 or over.

The Government has set out a wide range of proposals for reducing road traffic casualties significantly by 2010, including casualties among the elderly, in the Road Safety Strategy document, "Tomorrow's Roads—Safer For Everyone", copies of which are in the Libraries of the House.

Mr. Wiggin: To ask the Secretary of State for Transport what recent representations he has received on road accidents, with specific reference to the elderly. [68475]

Mr. Jamieson: My right hon. Friend receives many representations about all aspects of road accidents, some of which relate to elderly road users.

Mr. Wiggin: To ask the Secretary of State for Transport how many road accidents there were in each region; and what was the regional total as a percentage of the total, in each of the last five years. [68473]

Mr. Jamieson: The numbers of personal injury road accidents in each region are shown in the table:

Injury road accidents by region: Great Britain 1997–2001[1]

	Year of accident				
Government office regions	*1997*	*1998*	*1999*	*2000*	*2001*
London	38,836	38,258	38,368	37,691	36,741
South East	33,858	33,350	33,047	32,915	32,270
North West	31,967	31,937	30,993	30,917	29,298
Eastern	22,341	22,288	21,788	22,375	21,926
West Midlands	21,570	20,879	21,099	21,391	21,112
Yorkshire & Humberside	21,164	21,591	21,152	20,674	20,326
South West	18,093	18,395	18,629	18,188	18,760
East Midlands	16,665	16,987	16,552	16,563	16,089
North East	8,915	8,700	8,223	8,367	8,136
England	213,409	212,385	209,851	209,081	204,658
Scotland	16,628	16,512	15,304	15,099	14,668
Wales	10,250	10,026	9,893	9,549	9,499
Great Britain	240,287	238,923	235,048	233,729	228,825

[1] Figures for 2001 are provisional

The percentage of personal injury road accidents in each region are shown in the table.

Percentage of injury road accidents by region: Great Britain 1997–2001[1]

	Year of accident				
Government office region	*1997*	*1998*	*1999*	*2000*	*2001*[1]
London	16	16	16	16	16
South East	14	14	14	14	14
North West	13	13	13	13	13
Eastern	9	9	9	10	10
West Midlands	9	9	9	9	9
Yorkshire and Humberside	9	9	9	9	9
South West	8	8	8	8	8
East Midlands	7	7	7	7	7
North East	4	4	3	4	4
England	89	89	89	89	89
Scotland	7	7	7	6	6
Wales	4	4	4	4	4
Great Britain	100	100	100	100	100

[1] Figures for 2001 are provisional

Dr. Murrison: To ask the Secretary of State for Transport in what proportion of *(a)* road accidents and *(b)* fatal road accidents excess speed was identified as a major factor on (i) all roads and (ii) minor single-carriageway roads in each year since 1982. [68225]

Mr. Jamieson: The effect of excess speed on accident causation has been extensively researched based on accident data taken from a number of sources including national road accident statistics. The overall conclusion is that excessive speed, is a contributory factor in about one third of all accidents.

Specific information about particular roads is not held centrally but reference to TRL Report 421 "The effects of drivers' speed on the frequency of road accidents" published in 2000 and TRL Report 511 "The relationship between speed and accidents on rural single-carriageway roads", published in 2002 would provide a fuller explanation of the effects of excess speed on accident causation. Copies of both reports are available in the Library of the House.

Road User Charging

Mr. Kidney: To ask the Secretary of State for Transport if he will ask the Highways Agency to start work on developing a policy for road user charging for inter-urban motorway and trunk roads. [68081]

Mr. Jamieson: There are no plans to do so.

Road Traffic Forecasts

Mr. Don Foster: To ask the Secretary of State for Transport what research and work has been conducted *(a)* by and *(b)* for his Department in relation to the revision of targets under the national road traffic forecasts; and if he will make a statement. [66672]

Mr. Jamieson: The Department publishes forecasts, but not targets, for road traffic. The Department has been conducting and commissioning work to improve its modelling capabilities, with the aim of developing from the National Road Traffic Forecasting framework a fully multi-modal approach, as announced in the 10 Year Plan for Transport. This work continues.

Road Noise

Dr. Murrison: To ask the Secretary of State for Transport what proposals he has to reduce road noise levels. [68229]

Mr. Jamieson: The Government's proposals for reducing the noise levels near the strategic network of English trunk roads, including motorways, were published in the 10 Year Plan for Transport. These include a commitment that over 60 per cent. of the network, including all lengths having concrete surfaces, will be resurfaced with quieter materials by the end of the plan period. All proposals for new or improved trunk roads will include the use of quieter surfacing. In addition, other noise reducing measures will be provided in the most serious and pressing cases where there is no early prospect of the road being resurfaced. Priority in such cases will be given to roads where there are severe effects on adjacent properties and no such measures were provided when they were built or last improved.

Variable Speed Limits

Mr. Don Foster: To ask the Secretary of State for Transport if he will list the roads covered by variable speed limits, sub-divided by road classification, indicating the total length of these roads in each case; what plans there are to change the length of roads covered by variable speed limits; and if he will make a statement. [66006]

Mr. Jamieson: Local highways authorities are responsible for setting speed limits on their roads, and the roads on which particular limits apply are a matter for local decision. This information is not held centrally.

Bus Services

Mrs. May: To ask the Secretary of State for Transport, pursuant to his answer of 1 July 2002, *Official Report*, column 105W, on bus punctuality, what information he collates on the punctuality of buses; and if he will provide such statistics for the last six years. [68471]

Mr. Jamieson: Bus punctuality information is not collected or collated by the Department centrally. However, Bus Compliance Officers employed by Vehicle Inspectorate survey the performance of bus operators in each Traffic Commission Area where a complaint has been made about an operator's bus services. Traffic Commissioners have set operators a target of running 95 per cent. of registered bus services within a six minute 'window of tolerance'—no more than one minute early or five minutes late.

Transport for London (TfL) monitors punctuality on the London bus routes operated under contract to London Buses. Results are published on the TfL web site: http://www.tfl.gov.uk/tfl/service_performance.shtml

Lord Birt

Mr. Wiggin: To ask the Secretary of State for Transport if he will make a statement on Lord Birt's role regarding transport policy. [64486]

Mr. Jamieson: The position remains as set out in the answer given by right hon. Friend the Member for Tyneside, North (Mr. Byers) on 21 January 2002, *Official Report*, column 568W.

Regulatory Impact Unit

Dr. Cable: To ask the Secretary of State for Transport how many members of his Department have been employed in its regulatory impact unit in the past five years; and if he will make a statement. [65974]

Mr. Jamieson: The new Departmental Regulatory Impact Unit was established in October 2001 and it works for both the Office of the Deputy Prime Minister and the Department for Transport.

Figures for earlier years are not comparable with the current baseline due to the different policy responsibilities. The resource position for 1997–2001 were parts of a Grade 7, SEO, EO and AO.

1997–98 (1 April 1997 to 31 March 1998) = 4

1998–99 (1 April 1998 to 31 March 1999) = 4

1999–2000 (1 April 2000 to 31 March 2001) = 4

2001–02 (1 April 2001 to 31 March 2002) = 4 staff, 2 full time, 2 job share.

It is the job of Departmental Regulatory Impact Units to establish and promote the principles of good regulation in their Departments. The staff in each unit work closely with the officials responsible for developing policies within their Department and the Regulatory Impact Unit within the Cabinet Office. They focus on those regulations that impact on business, charities, and the voluntary sector.

Public Service Agreements

Mr. Laws: To ask the Secretary of State for Transport how many and what proportion of the public service agreements of his Department set out in the document "Public Services for the Future", 1998 have been met; and if he will make a statement. [68718]

Mr. Jamieson: Information relating to my Department's Public Service Agreements targets can be found in DTLR's annual report 2002.

Gas Explosion, Newton Heath

Mr. Lloyd: To ask the Secretary of State for Transport if he will place in the Library a copy of the TRANSCO health and safety official report into the gas explosion in Newton Heath, Manchester on 17 November 2001. [68096]

Mr. Jamieson: Yes. Arrangements are in hand to provide a copy of the report to the Library of the House.

Public Safety Zones

Vernon Coaker: To ask the Secretary of State for Transport what decisions he has reached about his proposed circular to local authorities for use in considering applications for development within public safety zones; and if he will make a statement. [69219]

Mr. Jamieson: Since the issue of the draft circular for consultation in 1999 my Department has held extensive discussions with local planning authority and airport representatives, and we are grateful for their assistance in refining our proposals. We are today publishing the definitive version of the circular for application in England.

Meanwhile, following a recent improvement and updating of their model, the Department's consultants have remodelled the risk around the airports which already have public safety zones. In the light of that work the Department is today notifying the English local planning authorities and airports concerned of the grid co-ordinates of redefined public safety zones. In addition, in the light of the modelling work now completed, we are establishing public safety zones for Sheffield city airport, as previously anticipated, and for Cambridge and Norwich airports. We shall establish public safety zones at other airports for which modelling work suggests that this would be justified.

Large Stadiums

Mr. Jenkins: To ask the Secretary of State for Transport what his policy is on the provision of transport infrastructure to large stadiums. [67263]

Mr. Jamieson: The Government's integrated transport policy is set out in the White Paper "A New Deal for Transport: Better for Everyone", published in July 1998 and underlines the need for the planning of developments to be closely linked with the consideration of transport priorities and investment.

Our Planning Policy Guidance note 13 on Transport (PPG13) of March 2001 requires that development comprising jobs, shopping, leisure and services should offer a realistic choice of access by public transport, walking and cycling. It also sets a national maximum parking standard of one space per 15 seats at stadiums with 1,500 or more seats.

Devolution

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee on Measures to be Taken in the Event of a Crisis in the Market in the Carriage of Goods by Road and Laying Down the Conditions under which Non-resident Carriers may Operate National Road Haulage Services within a Member State is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68583]

Mr. Jamieson: No date has been set for a meeting of the committee nor do we expect it to meet in the foreseeable future. The remit of the committee is to advise the Commission on measures proposed to deal with a serious disturbance of the national transport market due to either international haulage or cabotage. As no member state has ever reported such a disturbance to the Commission, the committee has not been convened.

In the event of it being convened, officials from my Department would represent the UK on the committee as policy responsibility on the functioning of the single market in road haulage is a reserved matter. However, my officials would consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee for the Harmonisation and Comparability of the Accounting and Annual Accounts of Railway Undertakings is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68586]

Mr. Jamieson: I refer the hon. Member to the answer I gave the hon. Member for Buckingham (Mr. Bercow) on 16 May 2002, *Official Report,* column 791W.

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee on Access for Community Air Carriers to Intra-Community Air Routes is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68593]

Mr. Jamieson: The Advisory Committee on Access for Community Air Carriers to Intra-Community Air Routes, established under the provisions of Article 11 of regulation (EEC) 2408–92, meets only on an ad-hoc basis and no future meeting is currently scheduled. Since regulation of aviation and air transport is a reserved matter, officials from my Department represent the UK on the committee. However, my officials would consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee for the Application of Legislation on the Conditions under which Non-resident Carriers may Operate National Road Passenger Transport Services within a Member State is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68582]

Mr. Jamieson: No date has been set for a meeting of the committee nor do we expect it to meet in the foreseeable future. The remit of the committee is to advise the Commission on measures intended to resolve a serious disturbance of the internal passenger transport market due to cabotage. As no member state has ever reported such a disturbance to the Commission, the committee has not been convened.

In the event of it being convened, officials from my Department would represent the UK on the committee as policy responsibility for road passenger transport cabotage is a reserved matter. However, my officials would consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee for a transparent system of harmonised rules for restrictions on heavy goods vehicles involved in international transport on designated roads is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68589]

Mr. Jamieson: No such Committee exists. In May 1998 the European Commission published a proposal for a Council Directive on a transparent system of rules for driving restrictions on heavy goods vehicles involved in international transport on designated roads. The proposal made provision for an advisory Committee composed of representatives of the Member States and chaired by the Commission. The proposed Directive was never adopted.

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee for the application of uniform principles on costing for railway undertakings is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68579]

Mr. Jamieson: The Council Regulation (EEC) No. 2183–78 of 19 September 1978 which established this Committee is no longer in force. The Committee has not met in recent years.

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee on implementation of Protocol 9 to the Act of Accession of Austria concerning transport by road and rail and combined transport (Ecopoints) is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68591]

Mr. Jamieson: The Committee is next due to meet on 18 July. Officials from my Department represent the UK on the Committee as policy responsibility for the implementation of Protocol 9 to the Austrian Act of Accession is a reserved matter. However, my officials consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the Devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Community-Switzerland Transport Committee (rail and road) is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68576]

Mr. Jamieson: The inaugural meeting of the EU–Switzerland Transport Committee was held on 5 July. No date has yet been fixed for the next meeting of this Committee. Officials from my Department represent the UK on the Committee as policy responsibility for the EU—Switzerland Agreement is a reserved matter. However, my officials consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the Devolved Administrations.

Angus Robertson: To ask the Secretary of State for Transport when the EU Advisory Committee for the application of legislation on the development of the Community railways is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68578]

Mr. Jamieson: No date has yet been fixed for the next meeting of the Developing European Railways Committee but we expect it to be held in December. Officials from my Department represent the UK on the Committee as policy responsibility for the development of railways is a reserved matter. However, my officials consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the devolved Administrations.

East Thames River Crossings

Mrs. May: To ask the Secretary of State for Transport if he will list the east Thames river crossings that *(a)* have been completed in the last two years and *(b)* are under construction, giving the expected opening date, and *(c)* are being considered. [68358]

Mr. Jamieson: No new east Thames river crossings have been completed in the last two years. A tunnel between Thurrock and Swanscombe is to be constructed as part of the channel tunnel rail link and is due to be completed by 2007.

Cross London Rail Links Ltd. (CLRL), a joint venture between Transport for London and the Strategic Rail Authority, is currently consulting on two options for a crossrail crossing between Canary Wharf and Woolwich (via the Royal Docks or Greenwich Peninsula/Charlton). The Mayor and TfL are also considering three possible river crossing schemes. They are as follows:

an extension of the Docklands Light Railway (DLR) to Woolwich;

a bridge to the east of the Royal Docks, which would incorporate dedicated lanes for public transport;

a road bridge or tunnel between north Greenwich and Silvertown.

My right hon. Friend the Secretary of State for Transport is not considering any proposals for other new crossings at this time.

Public Transport (Customer Satisfaction)

Mrs. May: To ask the Secretary of State for Transport if he will place in the Library the most recent statistics relating to customer satisfaction on the *(a)* DLR, *(b)* Tyne and Wear Metro, *(c)* Manchester Metrolink, *(d)* South Yorkshire Supertram, *(e)* Midland Metro and *(f)* Croydon Tramlink, with the source for each data set used. [68256]

Mr. Jamieson: Information for *(a)* DLR, *(b)* Tyne and Wear Metro, *(c)* Manchester Metrolink, *(e)* Midland Metro and *(f)* Croydon Tramlink has been placed in the Libraries of the House. Information on customer satisfaction is not available for the South Yorkshire Supertram.

State Aid Rules

Mrs. May: To ask the Secretary of State for Transport on what date he expects to receive a response from the European Commission with regard to whether *(a)* the money and *(b)* the guarantees being provided by the Government are acceptable under state aid rules. [66535]

Mr. Jamieson *[holding answer 2 July 2002]:* We expect their decision in due course.

Potters Bar Rail Accident

Mr. Clappison: To ask the Secretary of State for Transport what steps he plans to take following the Health and Safety report of 4 July into the Potters Bar rail accident; and if he will make a statement. [68263]

Mr. Jamieson *[holding answer 9 July 2002]:* The HSE report of 4 July, copies of which are in the Libraries of the House, was a progress report on their continuing investigation into the accident. The report made a number of recommendations. The HSE will monitor the implementation of those recommendations. Railtrack's chief executive is drawing up plans to improve the way that contractors' work is managed and monitored, and Network Rail will take this forward if they replace Railtrack.

Rail Services (South-West)

Dr. Murrison: To ask the Secretary of State for Transport what proposals he has for improving rural rail services in the south-west region. [68230]

Mr. Jamieson: The Strategic Rail Authority's (SRA) Strategic Plan sets out its short, medium and longer-term priorities, including a number of improvements to enhance rail services in the south-west. There is also funding available from the Rail Passenger Partnership scheme and Rail Performance Fund for regional and local initiatives.

Croydon Tramlink

Mrs. May: To ask the Secretary of State for Transport when he expects the Croydon Tramlink to have smartcard ticketing; and if he will make a statement. [68470]

Mr. Jamieson: This is a matter for the Mayor of London and Transport for London (TfL).

Further information can be obtained from:

Charles Monheim
Director of Ticketing
Transport for London
Windsor House
42–50 Victoria Street
London SW1H 0TL.

London Bridge Railway Station

Mrs. May: To ask the Secretary of State for Transport what the daily capacity of London Bridge railway station was in each of the last three years. [68360]

Mr. Jamieson: "Capacity" has several definitions. For instance, it could mean the number of potential services, trains or passengers that could pass through the station, or simply the station size. The average number of national rail passengers passing through or disembarking at London Bridge station on weekdays during the morning peak (0700–1000) in each of the last three years is:

1999: 123,677
2000: 129,078
2001: 123,721.

Special Purpose Vehicle

Chris Grayling: To ask the Secretary of State for Transport when he expects the first special purpose vehicle for the railways to be completed. [66058]

Mr. Jamieson: I refer the hon. Member to my answer to the hon. Member for Bath (Mr. Foster) on 9 July 2002, *Official Report,* column 807W.

Railway Industry

Mr. Don Foster: To ask the Secretary of State for Transport if he will list the occasions on which he *(a)* has met and *(b)* plans to meet the (i) Chairman of the Strategic Railway Authority and (ii) Rail Regulator, stating for each occasion the purpose of the meeting. [64129]

Mr. Jamieson: My right hon. Friend the Secretary of State for Transport has met both the Chairman of the Strategic Rail Authority and the Rail Regulator since taking up this post, to discuss a wide range of issues relating to their work. He, and other departmental Ministers, will continue to do so as and when appropriate.

Strategic Rail Authority

Chris Grayling: To ask the Secretary of State for Transport what the status is of the SRA's accounts in relation to the accounting for departmental spending. [67057]

Mr. Jamieson: The Strategic Rail Authority is an executive non-departmental public body, whose accounts are not consolidated into the Department's accounts. Any grants paid by the Department to the authority are treated as programme expenditure in the Department's own accounts.

Chris Grayling: To ask the Secretary of State for Transport what existing loans and related liabilities the SRA has on its balance sheet; and if he will make a statement. [67060]

Mr. Jamieson: The balance sheet of the SRA was set out on page 87 of its 2000–01 annual report and will be updated in its 2001–02 annual report to be published shortly.

Chris Grayling: To ask the Secretary of State for Transport if he will make a statement on the powers he has over the management of the Strategic Rail Authority. [67163]

Mr. Jamieson: The statutory relationship between the Secretary of State and the Strategic Rail Authority is set out in the Transport Act 2000, the Railways Act 1993 and associated documentation, including directions and guidance from the Secretary of State and the SRA's Financial Framework.

Network Rail

Chris Grayling: To ask the Secretary of State for Transport when the rights of commercial lenders to exercise repayment rights by the SRA, will be determined; and what guidance he has given to Network Rail about these rights. [67173]

Mr. Jamieson: The rights of the commercial lenders are determined through commercially confidential loan agreements as and when they are entered into by the lenders and Network Rail. Details of the SRA standby support facilities are set out in commercial agreements between the SRA and Network Rail. It is not for the Secretary of State to give guidance to Network Rail on these matters.

Chris Grayling: To ask the Secretary of State for Transport if the Government have sought state aid clearance for the sums paid to Network Rail in order to establish the company and meet its initial costs prior to the completion of the takeover of the assets of Railtrack plc. [67162]

Mr. Jamieson: No sums have been paid by Government to Network Rail Ltd. Individuals and advisers are engaged by Government to secure that a bid for Railtrack plc by a company limited by guarantee is taken through to completion. This does not constitute a state aid.

Chris Grayling: To ask the Secretary of State for Transport if he will list the estimates of the total revenues for Network Rail for each of the next five years that he used in assessing the viability of the proposal to securitise revenues described in paragraph 12 of the Minute to Parliament. [67169]

Mr. Jamieson: Network Rail's revenues will continue to receive the revenues determined by the regulator's October 2000 Periodic Review and the April 2001 agreement between Railtrack and Government, reflecting the amendments noted in the regulator's statement of 27 June 2002.

Chris Grayling: To ask the Secretary of State for Transport if he proposes to amend the Financial Framework of the Strategic Rail Authority as provided for in paragraph 16 of Schedule 14 of the Transport Act 2000 following the issuing of the Minutes to Parliament and the House. [67063]

Mr. Jamieson: The Financial Framework is reviewed regularly and may also be amended or augmented between reviews.

Mrs. May: To ask the Secretary of State for Transport when he applied to the European Commission for state aid approval for the *(a)* £300 million capital grant to Network Rail, Holdco Limited, *(b)* provision of £9 billion guarantee to Network Rail by the SRA, *(c)* provision of £10 billion of contingent funding for Network Rail, and *(d)* CTRL project. [66639]

Mr. Jamieson *[holding answer 3 July 2002]:* The financial support package which the Government has agreed to make available to Network Rail if it completes the acquisition of Railtrack plc was notified to the European Commission on 31 May 2002. That notification covered all of the elements of the funding set out in the two Minutes which my right hon. Friend the Secretary of State laid before the House on 27 June 2002, and also the associated acquisitions of Railtrack Group's interests in the Channel Tunnel Rail Link.

Chris Grayling: To ask the Secretary of State for Transport in what circumstances commercial lenders will have the right to exercise the option described in note 2 on page 5 of the Network Rail Minute to Parliament. [67170]

Mr. Jamieson: Commercial lenders of the bridge facilities have the right to require the SRA to purchase all amounts due to them from Network Rail Group in the event of the SRA defaulting on any obligation to make the standby loans available to Network Rail.

Chris Grayling: To ask the Secretary of State for Transport if he will list the future income streams that will be securitised, as described in paragraph 12 of the Minute to Parliament. [67167]

Mr. Jamieson: This is a matter for Network Rail.

Chris Grayling: To ask the Secretary of State for Transport what total amount of state aid approval sought by the Government are for *(a)* financial and *(b)* other support to Network Rail. [67084]

Mr. Jamieson: The details of the notification made to the European Commission in respect of the support which the Government has agreed to make available to Network Rail if it successfully completes the acquisition of Railtrack plc are confidential. However, the contingent liabilities which the Government would incur as a result of this support are set out in the two Minutes which were laid before the House by my right hon. Friend the Secretary of State on 27 June 2002. These contingent liabilities are covered by the notification to the European Commission.

Chris Grayling: To ask the Secretary of State for Transport if Network Rail will be required to repay the loan facilities to finance legacy costs on 30 September 2004. [67055]

Mr. Jamieson: The repayment schedule for commercial loans to finance legacy costs will be determined through commercial loan agreements as and when they are required.

Chris Grayling: To ask the Secretary of State for Transport what proportion of Network Rail's future revenues he estimates will be securitised, as described in paragraph 12 of the Minute to Parliament. [67168]

Mr. Jamieson: This is a matter for Network Rail.

Chris Grayling: To ask the Secretary of State for Transport if he will make a statement on the other sums referred to in line 7 of paragraph 13 of the Network Rail Minute to Parliament. [67172]

Mr. Jamieson: "Other sums" refers to additional amounts that may be payable that are customary in facilities of this type, such as break costs. Break costs are costs which may be incurred if (i) the loan is prepaid (ii) an interest period is shortened by virtue of the prepayment and (iii) lenders are adversely affected. It is not possible to quantify these amounts in advance as they would depend on circumstances at the time, for example the level of interest rates.

Chris Grayling: To ask the Secretary of State for Transport what the total value is of the tax indemnity outlined in paragraphs 24 and 25 of the Network Rail Minute to the House. [67062]

Mr. Jamieson: Government has been advised that Railtrack Group should be able to take advantage of the exemptions referred to in paragraph 25 of the Minute. This would ensure that, in all likelihood, Railtrack Group incurs no tax liability as a result of the Railtrack plc disposal.

Miss McIntosh: To ask the Secretary of State for Transport if he will make a statement on the financing and funding of *(a)* RenewCo and *(b)* Network Rail for the purposes of what constitutes public expenditure under the assessment used by the Office for National Statistics. [67723]

Mr. Jamieson: The Office for National Statistics takes independent decisions in matters concerning the classification, preparation and publication of statistics. ONS decisions are consistent with the principles of the international statistical manuals, European System of Accounts 1995 (ESA95) and the system of National Accounts 1993 (SNA93) and supporting manuals and case law.

On 5 October 2001 the Department was informed that the ONS had determined that Railtrack's scheme for a new special purpose vehicle—RenewCo—would be classified in the public sector, if set up as proposed. On 27 June 2002 the ONS announced that Network Rail would be classified as a private sector corporation once its board has been ratified by its membership and on 5 July, it announced that Network Rail's borrowing will be classified as private sector borrowing in the national accounts.

Chris Grayling: To ask the Secretary of State for Transport what role his Department will play in selecting a representative of the Strategic Rail Authority to sit on the board of Network Rail. [67164]

Mr. Jamieson: The Strategic Rail Authority will decide whom to select.

Chris Grayling: To ask the Secretary of State for Transport if the Government would allow the SRA to exceed the borrowing limit outlined in paragraph eight, sub-paragraph six of Schedule 14 of the Transport Act 2000 in order to meet its liabilities as outlined in paragraph 21 of the Network Rail Minute to the House. [67061]

Mr. Jamieson: The provision of any funds necessary to meet the SRA's financial obligations would be made by way of grant under paragraph 7 of schedule 14 of the Transport Act 2000 or by permitting the SRA to borrow in accordance with paragraph 8 of that schedule. Whether, and the extent to which, the SRA would be allowed to borrow would be determined at the time. The SRA's borrowing could not exceed £3 billion without this limit being extended by statutory instrument, a draft of which had been approved by the House of Commons.

Chris Grayling: To ask the Secretary of State for Transport what commitments the SRA has made for the future grant scheme to Network Rail, as described in paragraph 14 of the Minute to Parliament; and for what amounts. [67171]

Mr. Jamieson: The SRA have committed to provide Network Rail with grants to remunerate legacy costs incurred in the period 1 April 2001 to 30 September 2004, up to a cap of £5 billion, to the extent they are not recognised in an interim review. The regulator set out his proposed approach to an interim review in his statement of 27 June.

Chris Grayling: To ask the Secretary of State for Transport if the Government have made a financial provision for the potential additional costs arising from an increased settlement to Network Rail resulting from an interim review by the Rail Regulator. [67165]

Mr. Jamieson: While the legacy of Railtrack and its cost overruns creates potential additional costs, the Government expects Network Rail to operate more efficiently than Railtrack with lower financing costs and a re-investment of operating surpluses back into the network. We cannot anticipate the outcome of the proposed interim review that would take all of these factors into account.

Mrs. May: To ask the Secretary of State for Transport if he will list outputs to be specified by Railtrack's successor, as negotiated by the SRA, in exchange for the provision of the funding package to Railtrack's successor. [68390]

Mr. Jamieson *[holding answer 9 July 2002]:* I refer the hon. Member to paragraph 18 of the Regulator's statement of 27 June.

The SRA and Network Rail have entered into various agreements in relation to the financial support and output and enhancement obligations, all operating alongside the existing regulatory arrangements. In particular, the outputs will be developed further through Network Rail's business planning process.

Mrs. May: To ask the Secretary of State for Transport if he will publish the guidance issued to the SRA by the Office for National Statistics in relation to the structure of the funding package for Network Rail. [68389]

Mr. Jamieson *[holding answer 9 July 2002]:* No guidance was issued to the Strategic Rail Authority by the Office for National Statistics.

London Underground

[illegible] May: To ask the Secretary of State for Transport if he will make a statement on the methodology behind the Department's estimates of capacity on each London Underground line. [67792]

Mr. Jamieson *[holding answer 8 July 2002]:* My Department does not make estimates of capacity of London Underground lines.

Mrs. May: To ask the Secretary of State for Transport how many non-operational *(a)* lifts and *(b)* escalators there are on the London Underground Network; at which stations they are found; and what the estimated resulting loss in station capacity is in each case. [67719]

Mr. Jamieson *[holding answer 8 July 2002]:* This is an operational matter for London Underground (LU) who have provided the information in the table detailing non-operational *(a)* lifts and *(b)* escalators, as at 28 June 2002. I understand that LU do not make estimates of the loss of station capacity in such cases.

(a) London Underground—escalators out of service as at 28 June 2002

Station	*Number of machines out of service*
Baker Street	1
Bank	2
Bethnal Green	1
Bond Street	1
Embankment	1
Euston	1
Green Park	1
Heathrow 1, 2, 3	1
Holborn	1
Kentish Town	1
Kilburn Park	1
Kings Cross	1
Knightsbridge	1
Liverpool Street	2
Maida Vale	1
Notting Hill Gate	2
Old Street	1
Piccadilly Circus	1
Total	21

(b) London Underground—lifts out of service as at 28 June 2002

Station	*Number of machines out of service*
Elephant and Castle	2
North Greenwich	1
Russell Square	1
Stratford	1
West Ham	1
Total	6

Note:
The number of lifts and escalators not in service can vary from hour to hour in the case of short-term faults.

Northern Line

Mrs. May: To ask the Secretary of State for Transport what the maximum number of people allowed *(a)* on each platform and *(b)* in each station is for each station on the Northern Line, as determined by health and safety limits. [67715]

Mr. Jamieson *[holding answer 8 July 2002]:* London Underground inform me that there is no formal limit on the number of customers allowed on each platform. They monitor closely the numbers of customers in stations and on platforms and take appropriate action to ensure their safety.

Merseyrail

Mr. Ben Chapman: To ask the Secretary of State for Transport if he will make a statement on the franchising process for Merseyrail; and what progress has been made. [68205]

Mr. Jamieson: The refranchising process for Merseyrail Electrics is currently being run jointly by the Strategic Rail Authority and Merseyside Passenger Transport Executive. Six bidders successfully prequalified for the competition. Initial bids are due on 12 July.

Mr. Ben Chapman: To ask the Secretary of State for Transport if he will make a statement on rolling stock replacement on Merseyrail. [69120]

Mr. Jamieson: Proposals for rolling stock replacement on the Merseyrail Electrics network will be considered as part of the franchise/local concession replacement process currently under way.

Railtrack

Mrs. May: To ask the Secretary of State for Transport what tax liability Railtrack Group will incur as a result of the Railtrack plc disposal announced on 27 June. [66497]

Mr. Jamieson *[holding answer 2 July 2002]:* I refer the hon. Member to paragraph 25 of the minute in relation to non-statutory contingent liabilities in support of Network Rail Limited which the Secretary of State laid before the House of Commons on 27 June.

Speeding Offences

Mr. Pike: To ask the Secretary of State for Transport how many motorists in Lancashire and Burnley have been charged with speeding in a 30-mile-per-hour speed limit in the last 12 months. [65779]

Mr. Denham: I have been asked to reply.

Information on numbers of persons charged with an offence is not collated centrally. The data available centrally on prosecutions and fixed penalties issued for speeding offences are not broken down according to the speed limits that have been broken.

PRIME MINISTER

Departmental Changes

Mr. Pickles: To ask the Prime Minister what estimate he has made of the cost of replacing the Department of Transport, Local Government and the Regions with the Office of the Deputy Prime Minister and the Department of Transport; and if he will make a statement. [67436]

The Prime Minister: The new Departments will share the provision previously made for the Department of Transport, Local Government and the Regions. No additional funds have been made available in the current year as a result of the machinery of government change.

Nuclear Power Programme (Russia)

Llew Smith: To ask the Prime Minister, pursuant to his oral statement of 1 July 2002, *Official Report,* column 21, on G7 nuclear management aid for Russia, how much of the $750 million commitment by the United Kingdom will be spent on the conversion of surplus military plutonium into MOX nuclear fuel for Russia's nuclear power programme. [68451]

The Prime Minister: The figure includes the commitment of £70 million over 10 years, which I announced at the G8 Okinawa summit in 2000, in support of the US/Russian agreement on secure disposition of plutonium no longer required for defence purposes.

Parliamentary Questions

Norman Baker: To ask the Prime Minister (1) whether special advisers are permitted to amend draft answers to written parliamentary questions prepared by civil servants in order to add a political dimension; [67694]

(2) if he will describe the stages in the administrative process followed in his Office following the receipt of a written parliamentary question prior to the final answer being provided to the hon. Member. [67695]

The Prime Minister: As far as I am aware my Office follows the same administrative process for written parliamentary questions as used by my predecessors.

My parliamentary section identifies the questions from the Order Paper tabled to me. The section will then draft answers in consultation with other Downing Street staff, including special advisers, or commission answers from other Departments as appropriate. They are cleared by a senior civil servant and then sent to me for approval.

All answers are provided in accordance with the Ministerial Code, the Civil Service Code and the Special Adviser Code of Conduct.

Sellafield

Norman Baker: To ask the Prime Minister how many representations he has received since 1 January 2001 regarding Sellafield; and what steps he has taken as a consequence. [67640]

The Prime Minister: Since January 2001 I have received over 187,000 letters and cards, including a very large number of pre-printed postcards as a result of a campaign organised in Ireland in April and May 2002. I have also had discussions with the Prime Ministers of Norway and Ireland about Sellafield issues.

The hon. Member will be aware that the Government published a White Paper on 4 July 2002 setting out our plans for dealing with the UK's nuclear legacy including the operation and clean-up of the Sellafield site.

Summits

Dr. Tonge: To ask the Prime Minister, pursuant to his answer of 3 July 2002, *Official Report,* column 330W, on summits, for what reason it was not possible for him to state the budget for the trip to the G8 summit in June and the Commonwealth Heads of Government meeting in March. [68655]

The Prime Minister: A detailed list of Cabinet Ministers' visits overseas, and information on spend by all Ministers on travel overseas for the period 1 April 2001 to 31 March 2002 will be published as soon as possible. The list for the period 1 April 2002 to 31 March 2003 will be published after the end of the current financial year.

EDUCATION AND SKILLS

Secondary Schools

Mr. Brady: To ask the Secretary of State for Education and Skills what organisations delivering and resourcing personal, social and health education in secondary schools receive funding from central Government sources; and how much was given to each in the last year for which figures are available. [66709]

Mr. Miliband: The Department for Education and Skills funds a number of organisations to support the delivery of PSHE in schools. In 2002–03, the following funding has been allocated:

The National Children's Bureau (including the Drug Education and Sex Education Forum), to promote good practice—£245,250

The Personal Finance Education Group, to support financial literacy—£10,000

The National Health Education Group, to support a network for PSHE practitioners—£14,000

Child Accident Prevention Trust, to support Child Safety Week—£17,000

BRAKE, to support Road Safety Week—£10,000

Drug Education Practitioner's Forum, to support the professional needs of drug education workers—£11,150

Jointly with the Department of Health, the Drug Education and Prevention Team at DrugScope/Alcohol Concern to promote good practice—£106,300.

Funding is not provided directly for the production of classroom resources.

Medical Schools

Hugh Bayley: To ask the Secretary of State for Education and Skills what capital is being made available to the new medical schools for research laboratories and equipment. [67150]

Margaret Hodge: The Higher Education Funding Council for England issues capital grants to higher education institutions including those with medical schools, which are used for a number of purposes. The Department of Health has provided additional NHS research and development funding to the NHS Trusts associated with some of the new medical schools to facilitate the development of the research infrastructure in those localities.

Schools (Somerset)

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills how many schools in Somerset provide up to two hours of sport and physical education each week. [67588]

Mr. Stephen Twigg: The Government are committed to all children having two hours of high quality physical education (PE) and school sport a week, within and outside the curriculum. The Specialist Sports College and the School Sport Co-ordinator programmes are helping schools make that a reality. From September 1.8 million pupils will be benefiting from the School Sport Co-ordinator programme within 142 partnerships with nearly 750 co-ordinators and over 3500 primary or special school link teachers.

The Department for Education and Skills does not collect data on the number of schools in Somerset that are providing the two hour entitlement. However, we do know that Somerset currently has 1 School Sport Co-ordinator partnership (with 6 co-ordinators) and King Arthur's Community School will begin operating this September as a Sport College. Nationally we estimate that about 25 per cent. of schools—those within School Sport Co-ordinator Partnerships—are offering their pupils access to the two hour entitlement. However, an audit due to take place during the autumn term will check this assumption.

Discretionary Awards

Mr. Willis: To ask the Secretary of State for Education and Skills if she will list for each LEA where EMAs have been introduced the amount of resources allocated for discretionary awards in each of year since 1997. [67470]

Margaret Hodge *[holding answer 5 July 2002]:* Prior to 1998–99, funding for discretionary support was made within the Education SSA. This is not broken down into specific funding lines and individual LEA allocations are therefore not available. In 1999, discretionary funding for young people post-16 in schools was transferred to the School Access Funds. The amount of School Access Funds made available to LEAs for discretionary support in the EMA pilot areas is set out in the table.

Separate allocations of Access Funds are also made available to colleges, including sixth form colleges. The amounts are listed in the Further Education Funding Council and Learning and Skills Council Circulars (FEFC Circulars 97/32, 98/29, 99/27,00/14, LSC Circular 01/08).

£000

LEA	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Original pilots—September 1999				
Bolton	31,775	8,168	22,932	32,192
Cornwall	35,249	12,782	22,267	30,043
Doncaster	76,318	19,002	59,579	83,378
Gateshead	42,754	9,969	29,413	36,716
Greenwich	106,541	89,763	25,382	35,523
Lambeth	20,280	17,358	5,000	5,200
Leeds	121,873	121,873	62,456	82,634
Lewisham	45,590	45,590	12,891	14,517
Middlesbrough	5,000	5,000	5,000	5,000
Nottingham	16,394	8,081	11,937	16,757
Oldham	26,649	6,875	14,689	20,502
Southampton	5,000	5,000	5,000	7,019
Southwark	13,813	17,033	5,000	7,019
Stoke on Trent	n/a	5,000	5,000	7,019
Walsall	77,693	15,996	57,853	81,214
Pilots from September 2000				
Barking and Dagenham	31,952	56,794	16,059	20,050
Barnsley	8,862	11,521	5,000	6,413
Birmingham	250,401	426,700	122,120	167,782
Bradford	170,393	279,138	81,562	112,280
Brent	67,643	115,818	32,749	33,843
Camden	54,427	103,446	43,382	60,899
Coventry	60,859	101,777	43,271	57,946
Ealing	70,083	115,418	32,636	32,636
East Lancashire[1]	104,844	136,297	205,287	213,863
Hackney	34,610	44,993	16,990	21,971
Halton	18,970	31,233	11,028	12,927
Hammersmith and Fulham	30,002	31,233	11,028	12,927
Haringey	80,542	104,705	29,607	29,607
Hartlepool	8,048	13,329	6,748	9,473
Islington	14,172	26,227	7,655	8,472
Kingston upon Hull	6,589	11,267	5,000	6,395
Knowsley	41,840	54,392	15,380	15,380
Leicester City	18,642	33,103	16,298	20,961
Liverpool	255,980	332,774	131,392	184,447
Luton	5,000	8,212	5,000	5,200
Manchester	38,772	62,767	24,626	31,748
Newham	29,252	47,417	18,771	26,351
North East Lincolnshire	5,000	9,453	5,000	6,603
North Tyneside	30,432	52,119	19,282	27,067
Northumberland	56,949	96,015	38,872	54,568
Salford	5,000	5,000	5,000	5,200
Sandwell	47,012	61,116	22,093	29,288
Sheffield	65,965	85,755	28,773	40,392
South Tyneside	9,137	15,009	7,993	11,220
St. Helens	20,033	85,755	28,773	40,392
Suffolk	74,794	127,213	179,856	187,370
Sunderland	35,298	45,888	84,777	88,319
Tameside	5,378	8,720	5,000	5,200
Tower Hamlets	112,052	145,667	52,669	72,380
Wakefield	30,064	39,083	15,264	21,428
Waltham Forest	14,349	26,980	7,629	9,664
Wandsworth	30,851	60,310	17,054	17,054
Wigan	9,599	16,169	5,000	6,998
Wirral	96,184	165,221	46,719	62,588
Wolverhampton	59,149	98,585	45,139	62,380
Worcestershire	32,816	59,959	18,839	25,892
Totals	2,766,874	3,740,068	1,859,720	2,330,307

[1] Figures shown are for the whole of Lancashire

Education Maintenance Allowance

Mr. Breed: To ask the Secretary of State for Education and Skills how many young people received educational maintenance allowance *(a)* by variant and *(b)* by region in each year since 1999. [67086]

Margaret Hodge *[holding answer 5 July 2002]:* *(a)* The following table shows the number of young people in receipt of education maintenance allowance by variant.

Variant Number	*1999–2000*	*2000–01*	*2001–02*
1[1]	5,682	27,240	35,697
2[2]	816	5,151	5,387
3[3]	2,168	9,105	13,044
4[4]	683	13,151	22,006
5[5]	384	16,225	29,828
6[6]	0	5,732	9,656
Pure transport[7]	0	4,064	7,416
Hybrid transport[8]	0	2,442	4,302
Total	9,733	83,110	127,336

[1] £30 per week, £50 termly retention bonus, (up to) £50 achievement bonus,'cut off' threshold of £30,000

[2] £40 per week, £50 termly retention bonus, (up to) £50 achievement bonus, 'cut off' threshold of £30,000

[3] £30 per week to the parent, £50 termly retention bonus, (up to) £50 achievement bonus, 'cut off' threshold of £30,000

[4] £30 per week, £80 termly retention bonus, (up to) £140 achievement bonus, 'cut off' threshold of £30,000

[5] £30 per week, £50 termly retention bonus, (up to) £50 achievement bonus, 'cut off' threshold of £20,000

[6] £30 per week, £50 termly retention bonus, (up to) £50 achievement bonus, 'cut off' threshold of £25,000

[7] Free transport, £50 termly retention and (up to) £50 achievement bonus (2 areas), £80 termly retention and (up to) £140 achievement bonus (1 area), 'cut off' threshold of £30,000

[8] £20 per week, eligible to receive discount on transport costs, no retention bonus, no achievement bonus, 'cut off' threshold of £30,000

(b) The second table shows the number of young people in receipt of education maintenance allowance by Government office region.

Region	*1999–2000*	*2000–01*	*2001–02*
East Midlands	258	4,104	6,009
East of England	0	2,301	4,459
London	384	12,988	23,355
North East	1,505	8,506	12,615
North West	1,690	17,917	27,438
South East	542	1,546	1,500
South West	3,046	5,890	5,775
West Midlands	772	14,857	24,616
Yorkshire and The Humber	1,536	15,001	21,569
Total	9,733	83,110	127,336

All Our Futures: Creativity, Culture and Education

Helen Jones: To ask the Secretary of State for Education and Skills what steps she is taking to implement the recommendations of the report, "All Our Futures: Creativity, Culture and Education"; and if she will make a statement. [67157]

Mr. Stephen Twigg *[holding answer 8 July 2002]:* The National Advisory Committee on Creative and Cultural Education reported jointly to the Secretaries of State for Education and Employment and Culture, Media and Sport in 1999 via the report "All our Futures". The report contained 59 detailed recommendations for action by a range of bodies including Government, schools and higher education institutions. My Department has worked closely with the Department for Culture, Media and Sport, and external partners, to implement the recommendations.

Some of the main steps taken so far include funding of £270 million for the introduction of the Music Standards Fund to protect and expand LEA Music Services; the establishment of Artsmark, a national awards scheme now in its second year which recognises schools which offer a wide range of arts provision; and the recent joint announcement of £130 million for the Space for Sport and Arts programme which will fund almost 300 primary schools nationwide to modernise or build new multi-use halls and sports facilities and new music and arts studios.

Other major initiatives in progress include the development of 16 Creative Partnerships Pilots, with the aim of building long-term, sustainable relationships between creative professionals and schools. The Qualifications and Curriculum Authority is undertaking a project focusing on pupils' creativity across the curriculum which will produce guidance for schools on ways to promote pupils' creativity.

Our White Paper, "Schools: achieving success", repeats our commitment that all pupils should have access to a broad and rich education with a variety of extra-curricula activities and that, over time, all primary school pupils who want to should have the opportunity to learn a musical instrument.

Nursery Centres of Excellence

Mr. Brady: To ask the Secretary of State for Education and Skills how many nursery centres of excellence have been designated; how many centres there are in each local education authority area; and what total additional resource has been allocated to nursery centres of excellence. [67628]

Margaret Hodge *[holding answer 8 July 2002]:* I announced, on 5 July, the designation of 33 new Early Excellence Centres (EECs) offering high quality integrated education and day care for young children, and services and opportunities for parents and the wider community. This brings the total number of EECs across the country to 91, taking us to within nine of reaching our manifesto commitment of 100 by 2004.

A table listing all the current EECs by local education authority area has been placed in the Library.

Jacques Delors Professorship

Mr. Hayes: To ask the Secretary of State for Education and Skills if she will make a statement on the cost to *(a)* United Kingdom and *(b)* Communities funds of the Jacques Delors Professorship of Community Law, Oxford; and to which budget line it falls. [68333]

Margaret Hodge: My Department does not hold statistics about the costs to the UK nor to the European Union (EU) of individual Professorships, including those which are part funded by the EU. The funding of this particular Professorship is a matter for Oxford University and for the European Commission.

Examination Papers

Mr. Willis: To ask the Secretary of State for Education and Skills if she will list by *(a)* year, *(b)* date and *(c)* examining body, each mistake in external examination papers at (i) GCSE, (ii) AS and (iii) A Level that has been reported to her since 1997. [67476]

Mr. Stephen Twigg *[holding answer 9 July 2002]:* The Qualifications and Curriculum Authority (QCA) advise that the data for 2002 is as follows.

AQA

January: 5 A level;

May/June: 6 GCSE, 2 A level, 2 GNVQ.

Edexcel

January: 4 A level, 1 GNVQ;

May/June: 2 GNVQ.

OCR

January: 1 A level, 1 AS, 1 GNVQ, 4 VCE;

May/June: 4 A level, 5 GCSE.

QCA has not systemically collected similar data for earlier years. QCA recently introduced a series of detailed performance targets for awarding bodies, which will require the collection of data on undetected errors in examination papers. This information will be published for future years.

Education Spending

Mr. Hendry: To ask the Secretary of State for Education and Skills what the total budget across all Government Departments was for spending on statutory education for 11 to 18-year-olds in schools and sixth form colleges in England in the last year for which figures are available. [68085]

Mr. Miliband *[holding answer 9 July 2002]:* The total budget or Local Schools Budget (LSB) for secondary schools for 2002–03 is £11,829.5 million. This is the amount appropriated by the authorities for meeting all secondary expenditure by them in that year, including expenditure on central functions such as transport, as well as schools' delegated budgets.

The Learning and Skills Council has allocated £452.0 million for sixth form colleges for 2002–03.

Further Education

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what proportion of students continue into further education after their GCSEs; and what efforts the Government have made to encourage pupils to stay on at school after their GCSEs. [66156]

Mr. Stephen Twigg *[holding answer 4 July 2002]:* The post-compulsory staying-on rate in all forms of learning is 86.5 per cent. In 2001–02, of the total number of 16-year-olds, 71.2 per cent. continue to participate full-time in schools, sixth-form colleges or other colleges of further education, after the completion of their compulsory education. The latter figure includes some still studying GCSEs, but does not include those in part-time education or in work-based learning.

We want all young people to continue after the age of 16 in high quality learning opportunities which best meet their needs and potential. This will give young people a range of high quality, general mixed and vocational options with the aim of ending the culture of dropping out of learning at 16. In addition to the Connexions Service role the Learning and Skills Council have put in place a number of measures to provide the support and incentives young people need to take up and succeed in learning. We are introducing a range of initiatives to overcome financial obstacles to participation. One of these is the education maintenance allowance, which is available in a third of the country. The impact of EMA on participation among eligible young people in the pilot areas has been to raise participation by six percentage points. We are presently considering responses to the 14–19 Green Paper "Extending opportunities, raising standards".

Mr. Drew: To ask the Secretary of State for Education and Skills how many and what proportion of *(a)* colleges of further education and *(b)* sixth form colleges England and Wales were trading at a deficit in each financial year from 1997–98 to 2001–02; and if she will make a statement. [68512]

Mr. Ivan Lewis: The number and proportion of colleges in England with an operating deficit (an excess of total expenditure over total income) in each financial year (1 August to 31 July) for the periods 1997–98 to 2000–01 is given in the table. Information on colleges in Wales is a matter for the Welsh Assembly.

Sixth form colleges	*1997[illegible]*	*1998–99*	*1999–2000*	*2000–01*
No. of colleges with a trading deficit	37	36	48	18
Percentage of colleges across the total FE sector	8.33	8.14	11.27	4.30
Percentage of colleges of the same type	33.94	33.64	45.28	17.65
Other FE sector colleges				
No. of colleges with a trading deficit	148	141	159	94
Percentage of colleges across the total FE sector	33.33	31.90	37.32	22.43
Percentage of colleges of the same type	44.18	42.09	49.69	29.65

Notes:

1. Information for the financial year 2001–02 is not yet available.
2. Other FE sector colleges include general further education colleges, tertiary colleges, agricultural and horticultural colleges, art, design and performing arts colleges and designated colleges.

The further education sector is an important contributor to achieving our goal of a learning society. Further education colleges, including sixth form colleges, have a key role to play and we are continuing to increase our investment in this area. The Learning and Skills Council has procedures in place to identify colleges that have financial difficulties and will, as appropriate, give financial and practical support to enable them to implement effective plans to address these. However, prevention not intervention will be the aim.

Mr. Drew: To ask the Secretary of State for Education and Skills how many and what proportion of *(a)* colleges of further education and *(b)* sixth form colleges in England and Wales were in the Learning and Skills Council's weakest financial category at some point in each financial year from 1997–98 to 2001–02; and if she will make a statement. [68513]

Mr. Ivan Lewis: The number and proportion of colleges in England in the weakest financial category at some point during the financial year (1 August to 31 July) for the periods 1997–98 to 2000–01 is given in the table. Information on colleges in Wales is a matter for the Welsh Assembly.

	Number in weakest financial category	*Percentage of colleges across the total FE sector*	*Percentage of colleges of the same type*
Sixth form colleges			
1997–98	11	2.48	10.09
1998–99	8	1.81	7.48
1999–2000	8	1.88	7.55
2000–01	10	2.39	9.80
Other FE sector colleges			
1997–98	84	18.92	25.07
1998–99	63	14.25	18.81
1999–2000	60	14.08	18.75
2000–01	70	16.71	22.08

Notes:

1. Data for the financial year 2001–02 is not yet available.
2. Other FE sector colleges include general further education colleges, tertiary colleges, agricultural and horticultural colleges, art, design and performing arts colleges and designated colleges.

The further education sector is an important contributor to achieving our goal of a learning society. Further education colleges, including sixth form colleges, have a key role to play and we are continuing to increase our investment in this area. The Learning and Skills Council has procedures in place to identify colleges that have financial difficulties and will, as appropriate, give financial and practical support to enable them to implement effective plans to address these. However, prevention not intervention will be the aim.

Devolution

Angus Robertson: To ask the Secretary of State for Education and Skills when the EU Advisory Committee on the training in architecture is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66455]

Mr. McNulty: I have been asked to reply.

The next meeting of the Advisory Committee on Training and Education in the Field of Architecture (ACETA) has been scheduled provisionally for 20 November 2002. The date is still to be confirmed by the EU Commission. No representatives of the Scottish Executive *(a)* have been or *(b)* are members of it.

The mandate of this Committee is to help to ensure a comparably high standard of education and training for architects throughout the Community, and permit free movement of people and provision of services as Single Market objectives. It normally meets once a year.

The UK Delegation to the ACETA consists of one Government official from this Office (Building Regulations Division), the Chief Executive of the

Architects Registration Board, two representatives from the architectural profession, and two representatives from schools of architecture.

PRIVY COUNCIL

Parliamentary Questions

Mr. Kaufman: To ask the President of the Council how many questions to Ministers for written answer have been tabled this session by the hon. Member for Buckingham (Mr. Bercow); and what has been the cost of responding to them. [68868]

Mr. Robin Cook: At the close of business on Tuesday, 9 July, the hon. Member for Buckingham (Mr. Bercow) had tabled 4,382[1] questions at a total cost of £565,278.

Note:

Information supplied by the Table Office.

Female Staff

Mr. Bercow: To ask the President of the Council what percentage of the staff of his Department are women; and what the percentage was in June 1997. [66919]

Mr. Robin Cook: I refer the hon. Member to the answer given by the Minister of State, Cabinet Office, on 5 July 2002, *Official Report,* column 622W.

Statutory Instruments

Mr. Bercow: To ask the President of the Council how many statutory instruments have been *(a)* introduced, *(b)* removed and *(c)* amended by his Department since 1 January; and what the (i) cost and (ii) saving has been in each case. [64638]

Mr. Robin Cook: *[pursuant to his reply, 9 July 2002, c. 837W]:* I regret to say that there was an error on the number of statutory instruments which have been amended by my Department. The figure given was one. The correct figure is two.

DEPUTY PRIME MINISTER

Election Nominations

Mr. Lansley: To ask the Deputy Prime Minister how many parish councils *(a)* did not receive sufficient nominations to have an election in May and *(b)* are missing as a result. [66217]

Mr. Raynsford: This information is not held centrally, and could be provided only at disproportionate cost. However, no parish councils would be "missing" as a result of insufficient nominations for election. Under powers in the Local Government Act 1972, the remaining councillors would be able to co-opt people on to the council or, if the council had become inquorate, the district council would be able to co-opt members to enable council business to continue.

Terminal 5

Keith Vaz: To ask the Deputy Prime Minister what the final cost was of the planning inquiry into Terminal 5. [66328]

Mr. McNulty: The total cost of Terminal 5 inquiry to all participants is estimated at over £83 million, including certain pre-inquiry costs.

Out-of-town Shopping Centres

Keith Vaz: To ask the Deputy Prime Minister how many applications for planning permission for out-of-town shopping centres have been agreed since 7 January. [66326]

Mr. McNulty: Local planning authorities provide quarterly statistical returns of planning decisions made, but details, such as their location, are not held centrally and therefore could be provided only at disproportionate cost.

Facilities (Minimum Requirements)

Mr. Don Foster: To ask the Deputy Prime Minister if he will place in the Library the minimum requirements for *(a)* houses, *(b)* flats, *(c)* hotels and hostels, *(d)* houses in multiple occupation, *(e)* prisons and *(f)* university halls of residence for (i) space, (ii) lighting, (iii) ventilation, (iv) bathroom and toilet facilities and (v) fire escapes. [66679]

Mr. McNulty: There are a number of regulations in place in relation to minimum requirements for dwellings, including houses, flats, hotels and hostels, houses in multiple occupation and university halls of residence.

This reply deals with areas of regulation for which my Department is primarily responsible. As regards prisons, my Department is responsible for fire safety matters only. I will ensure that the relevant documents are in the Library.

Building Regulations

The minimum requirements for the construction of most new buildings and certain extensions and alterations of existing buildings in England and Wales are given in the Building Regulations 2000 (SI 2000 No. 2531) (as amended by SI 2001 No. 3335 and SI 2002 No. 440). Buildings which are owned and/or occupied on behalf of a Crown Authority, such as some prisons, are exempt from both the procedural and technical aspects of the Building Regulations.

The Building Regulations are made for the purpose of securing reasonable standards of health and safety, welfare and convenience of persons in or about buildings, and the design of buildings to further conservation of fuel and power. The technical requirements of the Building Regulations are divided into fourteen substantive parts. These include Part B (Fire safety -including fire escapes and escape lighting); Part F (Ventilation); Part G (Hygiene—including bathroom and toilet facilities); and Parts L1 & L2 (Conservation of fuel and power—including energy efficiency of lighting systems). The Regulations make no requirements with regard to the minimum size or amount of living space that should be provided in buildings.

These Regulations are performance based, rather than prescriptive, and are supported by Approved Documents which offer ways of satisfying the requirements of the Regulations.

Housing Fitness Standard

Under the housing fitness standard, set out in section 604 in the Housing Act 1985, as amended by the Local Government and Housing Act 1989, a dwelling is unfit if, in the opinion of the local authority, it fails to meet one of nine specified requirements and, by reason of that failure, is not reasonably suitable for occupation. The requirements constitute the minimum deemed necessary for a dwelling house to be fit for human habitation. Among other requirements a dwelling should have adequate provision for lighting, heating and ventilation, have an adequate piped supply of wholesome water, have an effective system for the drainage of foul, waste and surface water, have a suitably located WC for exclusive use of the occupants, have a bath or shower and wash-hand basin, with hot and cold water.

Houses in Multiple Occupation

Houses in Multiple Occupation (HMOs) are subject to the general housing fitness standard in section 604 of the 1985 Act and in addition local housing authorities have discretionary power to ensure HMOs are fit for the number of occupants under s352. This includes ensuring such properties have adequate toilet and bathroom facilities and adequate means of escape from fire and other fire precautions. The Housing (Fire Safety in Houses in Multiple Occupation) Order 1997 (SI 1997/230) places a mandatory duty on local authorities to ensure, in consultation with local fire authorities, that HMOs of three storeys or more and occupied by more than four persons are adequately equipped with means of escape from fire.

The Housing (Management of Houses in Multiple Occupation) Regulations 1990 (SI 1990/830) place a duty on the manager of an HMO, among other things, to ensure that installations for lighting, toilet and bathing facilities in common use are maintained in repair, a clean condition and good order. The manager is responsible for ensuring means of escape from fire and other fire precautions and windows and other means of ventilation are maintained in repair and proper working order and in respect of fire escapes and other precautions, free from obstruction.

Hostels and most University halls of residence are classified as HMOs.

Overcrowding

Overcrowding standards are set out in Part X of the 1985 Act. The Room Standard is breached if two people of opposite sexes, who are not living together as husband and wife, must sleep in the same room. The Space Standard specifies the number of people who may sleep in a dwelling according to the number of rooms.

Fire Safety

Some hotels and boarding houses (including halls of residence at universities where these are used as sleeping accommodation for conference facilities etc), are designated under section 1 of the Fire Precautions Act 1971 as requiring a fire certificate. (Those that provide sleeping accommodation for more than six guests or staff or any accommodation above the first floor or below the ground floor are designated). It is a requirement, under section 5 of the 1971 Act that in order to gain a fire certificate the fire authority must be satisfied that the means of escape are such as may reasonably be required in the circumstances of the case. Guidance for owners/occupiers and enforcing authorities is contained in Chapter 13 of the publication "Fire Precautions Act 1971: Guide to Fire Precautions in Premises Used as Hotels and Boarding Houses Which Require a Fire Certificate" (TSO; ISBN 0–11–34–1005–0).

In hotels, boarding houses, prisons, university halls of residence, houses in multiple occupation, hostels and most other places where staff are employed to work (other than single private dwellings and private accommodation areas of flats) the Fire Precautions (Workplace) Regulations 1997 (as amended by the Fire Precautions (Workplace) (Amendment) Regulations 1999) will also apply. This regime utilises risk assessment of the premises to determine the fire precautions that are necessary in the circumstances of the case—including the means of escape. Regulation 5 imposes requirements in respect of means of escape. Guidance to employers is given in part 3 of the publication "Fire Safety: an employers guide" (TSO; ISBN0–11–341229–0).

Specific guidance on fire safety standards for prisons is given in HM Prison Service document: Fire Standards in Prison Establishments Principles of Design and Standards of Construction.

Homelessness

Ms Buck: To ask the Deputy Prime Minister what plans he has to assist local authorities in the implementation of their duties under *(a)* the Homelessness Act 2002 and *(b)* Government targets on the reduction of families supported by local authorities in bed and breakfast accommodation. [67498]

Mr. McNulty: A new Homelessness Directorate has been established within my Department to take forward the new approach to tackling homelessness as set out in the Homelessness Directorate's report "More than a roof". Our specific measures include a £125 million investment in 2002–03 to tackle homelessness, and new legislation to strengthen the assistance to people who are homeless or at risk of being homeless.

The Homelessness Directorate published a good practice handbook to help local authorities conduct homelessness reviews and develop effective homelessness strategies. In addition, on 14 March 2002 the Homelessness Directorate invited local authorities to apply for £10 million funding, and submit proposals, for local homelessness strategies. These are being considered at the moment.

In addition, the Government has already provided local authorities with an additional £8 million per annum in Revenue Support Grant to help them meet their new statutory obligations under the Homelessness Act 2002. All housing authorities will also receive a share of an additional £10 million in 2002–03 to enable them to deliver our proposed Order to extend the priority need groups under Part VII of the Housing Act 1996.

Also in March 2002, a £35 million programme was launched to help local authorities ensure that by March 2004 no homeless family with children is in bed and breakfast hotels (B&B) other than in an emergency, and even then for no more than 6 weeks. On 17 June £25 million was allocated to the 42 local authorities with the highest number of families with children in B&B hotels to help them meet the March 2004 commitment.

We will now be working with the next 40 highest using authorities to see how we can help them reduce B&B hotel numbers.

Authorities have also been sent a 10-point checklist of good practice outlining the key 'building blocks' in reducing B&B hotel use. Regional seminars have been held and examples of good practice have been shared through a newsletter and via the ODPM website.

Social Housing

Mr. Pickles: To ask the Deputy Prime Minister (1) what plans he has to extend the pathfinder projects on social housing to other areas of England; and if he will make a statement; [67440]

(2) what estimate he has made of the progress made in the nine pathfinder projects on social housing announced earlier this year; and if he will make a statement. [67439]

Mr. Raynsford: We have invited nine areas to work with the Government to establish long-term pathfinder projects to tackle most acute instances of low demand for—importantly—both public and private housing. Low demand, which occurs mainly in the north of England with pockets in the Midlands, is not specific to either sector. We are making available £25 million from the Capital Modernisation Fund to assist the pathfinder projects in undertaking vital preparatory work.

We are not seeking to add to the already large number of pathfinder projects at the present time. Nonetheless, we want those local authorities not directly involved but who do experience low demand to have the opportunity to learn the lessons of this new approach. We are currently considering how best to share the knowledge that is gained.

Council Homes

Mr. Pickles: To ask the Deputy Prime Minister if he will make a statement on the progress made in reaching the Government's target for improving the standard of council homes by 2010. [67442]

Mr. McNulty: I refer the hon. Member to the answer given to him on 9 July 2002, *Official Report,* column 881W.

Hull Council

Mr. Pickles: To ask the Deputy Prime Minister what plans he has to intervene in Hull council; and if he will make a statement. [67579]

Mr. Raynsford: Kingston upon Hull council is due to respond to the Audit Commission's Best Value Inspectors draft Corporate Governance Inspection Report by 11 July. The Audit Commission will then finalise the report following the advice of the Referral Panel, and if considered appropriate will make any recommendations for referral to the Deputy Prime Minister.

The Government will decide the best course of action to take on the final report when received.

Enterprise Bill

Mr. Pickles: To ask the Deputy Prime Minister what bilateral discussions he has had with the Secretary of State for Trade and Industry regarding the provision in the Enterprise Bill which includes housing associations in the proposed insolvency law; and if he will make a statement. [67445]

Mr. McNulty: Following inter-departmental correspondence my noble Friend Lord Sainsbury announced on 2 July in another place during second reading of the Enterprise Bill our intention to bring forward amendments that will provide exemption from the insolvency provisions within the Bill for all RSLs, whether they are companies or industrial and provident societies.

Mobile Phone Mast

Mr. Norman: To ask the Deputy Prime Minister which *(a)* local authorities, *(b)* environmental groups and *(c)* other groups have been consulted on the revised Code of Best Practice for mobile phone operators on mast development. [67616]

Mr. McNulty: The revised Code is being drawn up by the Telecommunications Working Group which comprises representatives of the mobile phone network industry and of central and local government. We have not consulted other groups about the revision of the Code.

Planning

Dr. Cable: To ask the Deputy Prime Minister what recent guidance he has given to the Planning Inspectorate regarding the weight to be given to health fears; in how many appeals this has been a determine factor in the last five years; and if he will make a statement. [67781]

Mr. McNulty: Current planning guidance on telecommunications is set out in Planning Policy Guidance Note 8 (revised) (PPG8). PPG8 states that health considerations and public concern can in principle be material considerations in determining applications for planning permission and prior approval. Whether such matters are material in a particular case is ultimately a matter for the courts. It is for the decision-maker (usually the local planning authority) to determine what weight to attach to such considerations in any particular case.

However, it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.

Planning Inspectors should take account of PPG8 when considering appeals involving telecommunications development. Information is not held centrally about appeal decisions for mobile phone masts.

Mr. Andrew Turner: To ask the Deputy Prime Minister to which level of authority he plans to give structure planning powers upon their removal from county councils where the unitary authority is a county. [67190]

Mr. Raynsford: Under the proposals in the Planning Green Paper structure plans are to be abolished. In areas where the unitary authority is a county, it would be responsible for preparing a local development framework.

Mr. John Taylor: To ask the Deputy Prime Minister if he will introduce a restraint on the numbers of sequential planning applications which a developer may submit to a planning authority in respect of the same property; how many recent representations he has received on this subject; and if he will make a statement. [68116]

Mr. McNulty: Local planning authorities already have powers to decline to determine an application for planning permission if, within the previous two years, the Secretary of State has refused a similar application called in by him, or has dismissed an appeal against the refusal of a similar application, provided in each case there has been no material change in circumstances. The Planning Green Paper said that we propose to extend these powers to allow local planning authorities to decline to determine applications where a similar application has been refused and not appealed, or a similar application is still under consideration by them, or is at appeal, or has been called in.

We received over 16,000 responses to the Green Paper. We intend to make a statement about taking forward Green Paper proposals before the summer recess.

Car Boot Sales

Mr. Peter Ainsworth: To ask the Deputy Prime Minister what plans he has to increase the powers of local authorities over the granting of permissions for car boot sales. [67995]

Mr. McNulty: On 24 January 2002 a consultation paper was issued on possible options for change to the current temporary use provisions, including car boot sales. The paper put forward six options for change as well as inviting proposals for alternative options. A preferred option was not given. The closing date for responses was 24 April 2002.

We have had a significant response to the consultation paper. The views of respondents are currently being carefully considered prior to taking decisions on the way forward.

Public Consultations

Mr. Bercow: To ask the Deputy Prime Minister if he will list the public consultations undertaken by his Department since 8 June 2001, indicating the *(a)* length and *(b)* number of responses received in each case. [68702]

Mr. Leslie: A list of the public consultations undertaken by the Office of the Deputy Prime Minister or its predecessors since 8 June 2001 has been placed in the Libraries of the House, including the dates for which the period for responses opened and closed. The list is based on central records and reflects the public consultations undertaken within the areas for which the Office is currently responsible. The Office of the Deputy Prime Minister does not, however, keep central records relating to the number of responses received for each consultation.

Street Wardens

Mr. Jenkins: To ask the Deputy Prime Minister what targets have been set, and what progress has been made, on the Street Wardens Initiative. [66892]

Mr. McNulty: The Prime Minister announced the introduction of street wardens at the Liveability Conference in April last year. 123 bids were approved in late October and schemes have since been developing their implementation plans. The first street warden scheme began in January this year and to date 106 schemes are up and running with about 700 wardens expected to become active during the coming year.

The targets set for the coming year include 80 per cent. of schemes focusing on crime to achieve a 20 per cent. reduction in burglary, auto crime or fear of crime and for those that focus on liveability, 80 per cent. of abandoned cars have removal notices placed within three days.

Council Tax

Mr. Watts: To ask the Deputy Prime Minister whether he intends to use his reserve capping powers this year in respect of any local authorities' council tax increases; and if he will make a statement. [69416]

Mr. Raynsford: In our White Paper, "Strong Local Leadership—Quality Public Services", we made clear that we would use our reserve capping powers only in exceptional circumstances. We have carefully considered this year's increases and concluded it would not be appropriate to use the powers this year. (However, we remain concerned about the level of council tax increases and the willingness of local people to pay them. We have issued guidance on best practice on consulting local people about tax and spend decisions and we will be looking at how effectively authorities have engaged their local tax payers on future council tax increases.)

Affordable Housing

Mr. Jenkins: To ask the Deputy Prime Minister (1) what progress has been made on providing key workers with affordable housing in central London; [66895]

(2) what measures are in place to help key workers find affordable housing in London. [66896]

Mr. McNulty: The Government recognise the importance of affordable housing for key workers in London in maintaining balanced and successful communities.

£146 million of the £250 million Starter Homes Initiative has been allocated to London schemes and will help around 4,600 key workers to realise their aspirations of home ownership. We hope that the initiative will act as a catalyst, and encourage other innovative approaches to housing key workers.

The NHS in London is providing 2,000 units of affordable rental accommodation for health staff in the three years up to June 2003.

London will receive £558 million of funding through the Housing Corporation's Approved Development Programme in 2002–03. This is a 7 per cent. improvement over last year and is expected to achieve a completion target of 7,000 affordable homes, of which almost 2,000 will be for low-cost ownership.

In addition we are fundamentally overhauling the planning system to make it more effective overall and more responsive to the community's affordable housing needs. We have established an Affordable Housing Unit to work closely with partners in regional and local authorities, professional housing managers, developers and others in the public sector, and identify how each can contribute to improving the delivery of affordable homes in both the social rented low-cost ownership sectors.

Mr. Jenkins: To ask the Deputy Prime Minister what percentage of residential housing is planned to be *(a)* social housing and *(b)* housing for essential key workers in the proposed development of the Dome. [66894]

Mr. McNulty: Meridian Delta Ltd is currently working towards submission of a planning application for development of the Dome and land on the Greenwich peninsula, and the delivery of new housing, including social and key worker housing, will feature in its discussions with the planning authorities and other stakeholders. It would not be appropriate to speculate on the outcome of those discussions or of the planning process.

Sonae Factory (Kirby)

Mr. George Howarth: To ask the Deputy Prime Minister if he will make the HSE findings on the recent explosion at the Sonae factory in Kirby available in the Library as soon as they are concluded. [68355]

Mr. Jamieson: I have been asked to reply.

Responsibility for health and safety matters rests with the Department for Transport.

The Health and Safety Executive (HSE) investigation into the dust explosion which occurred on 1 June 2002 at the Sonae (UK) Ltd factory in Kirby is extensive and still continuing.

When the investigation is complete HSE will make the findings available in the House Library.

Mr. George Howarth: To ask the Deputy Prime Minister if he will list the improvement notices the HSE have issued to the Sonae factory in Kirby. [68351]

Mr. Jamieson: I have been asked to reply.

As a result of the dust explosion on 1 June 2002, two enforcement notices were issued on plant and systems at the Sonae (UK) Ltd factory in Kirby.

A prohibition notice was issued on 25 June 2002. It prohibits the restarting of the plant involved in the recent explosion until a suitable and sufficient assessment of the risks associated with this plant is carried out.

An improvement notice was issued on 28 June 2002. It requires the company to carry out a suitable and sufficient assessment of the risks associated with wood dust in the other production areas on site not affected by the explosion. Compliance with this notice is to be achieved by 12 August 2002.

Four other enforcement notices have been served on the company:

May 2001—an improvement notice on work in confined spaces;

September 2001—a prohibition notice on the wood chip fuel feed area, following an explosion;

November 2001—an improvement notice concerning automatic self-propelled transfer carriages;

June 2002—an improvement notice on the safe use of industrial lift trucks.

Quiet Lanes

Mr. Swayne: To ask the Deputy Prime Minister when he will issue guidance to local authorities in respect of quiet lanes and the Transport Act 2000. [68476]

Mr. Jamieson: I have been asked to reply.

The Department for Transport aims to publish statutory guidance on quiet lanes (and home zones) in parallel with the publication of regulations. The regulations will be laid before Parliament later this year.

WORK AND PENSIONS

Carers Allowance

Mr. Weir: To ask the Secretary of State for Work and Pensions how many appeals against refusal of applications for carers allowance (formerly invalid care allowance) in *(a)* Angus and *(b)* Scotland have been successful in each of the last five years. [62386]

Maria Eagle: The information requested for Angus is not available.

The available information for the total number of successful appeals in Scotland in each of the years from 1998 to 2001 is in the table.

	Number of successful appeals
1998	70
1999	85
2000	50
2001	40

Telford Job Centre

David Wright: To ask the Secretary of State for Work and Pensions how many individuals have been assisted in the Telford Jobcentre Plus offices since their opening. [63376]

Mr. Nicholas Brown: Precise figures for the number of individuals who have been assisted by the Jobcentre Plus office in Telford, and its linked offices in Madeley and Wellington, are not available. Many people, for example, call at the offices without an appointment simply to look at the job vacancies we hold and we do not keep records of such visits.

However, to give an approximation of the level of usage of the offices, we know that some 45,000 submissions to job vacancies have been made since the new offices opened last October. In the same period we have taken some 15,000 calls from customers inquiring about a claim to benefit and issued over 10,000 claim forms to them.

Benefits (Habitual Residence Test)

Mr. Lepper: To ask the Secretary of State for Work and Pensions how many people have been refused benefits under the habitual residence test rules in each of the last five years in the *(a)* Brighton, Pavilion, *(b)* Brighton, Kemptown and *(c)* Hove constituencies; and in how many of these cases the refusal has been reversed on appeal. [63494]

Mr. Hancock: To ask the Secretary of State for Work and Pensions how many people have been refused benefits under the habitual residence test rules in each of the last three years in the Portsmouth, South constituency; and if he will make a statement. [64723]

Malcolm Wicks: The purpose of the habitual residence test is to ensure that income-related benefits are paid to people with reasonably close ties to the UK and an intention to settle here. Introduced in 1994, its underlying principle is that UK taxpayers should not have to subsidise people with very tenuous links to the UK.

Data on claims subject to the habitual residence test are not available by parliamentary constituency. The table gives the available information by Jobcentre Plus district office.

Number of claims where the habitual residence test has not been satisfied

Financial year	*Brighton district office*	*Hove district office*	*Portsmouth district office*
1998–99	245	24	62
1999–2000	161	21	42
2000–01	119	6	25
2001–02	144	1	22
2002–03[1]	24	0	0

[1] Up to 31 May 2002

Notes:

1. Data before 1998–99 are not available.

2. Excludes housing benefit and council tax benefit claims administered by local authorities. Information on the number of these claims where the habitual residence test has not been satisfied is not collected centrally.

Source:

Management Information Statistics Program (MISP).

Appeals data are not available by parliamentary constituency.

Preserved Rights Residents

Mr. Burstow: To ask the Secretary of State for Work and Pensions how much has been given to preserved rights residents in care homes for each region and local authority in each of the last five years; and how much has been transferred to local authorities for former preserved rights residents for 2002–03. [65142]

Maria Eagle: The information is not available in the format requested. Such information as is available is in the table. The figures in the table show the actual preserved rights benefit expenditure by Government office region for the last five years. The figures reflect a case load that has had no new preserved rights cases since 1993 and declines by 10,000 cases each year. The total transfer payment to Department of Health was based on forecast expenditure for 2002–03. It included an amount to reflect the loss of disability benefits by preserved rights customers, but was net of on-going benefit liabilities which will continue to be met by this Department.

A total transfer of £714 million was made for Great Britain. £614 million was transferred by the Department for Work and Pensions, for 2002–03, to fund the transfer of preserved rights cases. In addition an extra £100 million was agreed by HM Treasury to cover the shortfall between care fees and preserved rights limits.

Income support claimants in residential care and nursing homes with preserved rights: Expenditure by Government office region (GAR)

£ million

GAR	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
North East	51	42	34	29	27
North West	173	143	117	102	91
Yorks and Humber	114	95	80	71	64
East Midlands	89	76	63	55	50
West Midlands	97	83	71	61	55
East	75	68	61	53	49
London	86	77	70	64	59
South East	192	174	155	139	128
South West	167	148	130	113	105
Wales	63	50	41	34	28
Scotland	93	80	67	55	50
Great Britain	1,199	1,035	887	778	705

Notes:

1. 2001–02 expenditure is estimated outturn.
2. Derived using sample data, therefore subject to sampling variation.
3. Individual figures may not sum to totals due to rounding.
4. Figures for North West include Merseyside. Merseyside merged with North West in February 1999.
5. There were no new preserved rights cases after March 1993 when the community care arrangements came into force. The amount paid for preserved rights cases has declined in line with the case load which reduces by about 10,000 cases each year.

Sources:

1. Income Support Quarterly Statistical Enquiry.
2. DWP expenditure data.

Mr. Burstow: To ask the Secretary of State for Work and Pensions, pursuant to his answer of 19 November 2001, *Official Report*, column 145W, on preserved rights residents, if he will give comparable figures for the previous three years for which figures are available. [67697]

Maria Eagle: The information requested is in the following table which shows income support claimants with preserved rights in residential care/nursing homes for the years requested, May 2000, May 1999, and May 1998.

Income support claimants with preserved rights in residential care/nursing homes

	All preserved rights cases		*Residential care*		*Nursing homes*	
	Number (thousand)	*Percentage*	*Number (thousand)*	*Percentage*	*Number (thousand)*	*Percentage*
May 1998						
All cases	103.7	100.0	68.6	100.0	35.1	100.0
Fees equal to or below IS	57.8	55.7	38.6	56.3	19.2	54.6
Fees above IS	45.9	44.3	30.0	43.7	15.9	45.4
of which above IS by:						
£0.01 to £14.44[1]	16.4	15.8	8.1	11.9	8.3	23.6
£14.45 to £20.00	3.5	3.4	2.2	3.2	1.3	3.6
£20.01 to £30.00	4.3	4.1	2.7	4.0	1.6	4.4
£30.01 to £40.00	4.0	3.9	2.7	3.9	1.3	3.7
£40.01 to £50.00	2.2	2.1	1.4	2.1	0.7	2.1
£50.01 to £60.00	1.6	1.6	1.1	1.6	0.5	1.4
£60.01 to £70.00	1.4	1.3	1.0	1.4	[2]0.4	1.1
£70.01 and over	12.6	12.1	10.7	15.6	1.9	5.4
May 1999						
All cases	86.3	100.0	59.3	100.0	26.9	100.0
Fees equal to or below IS	49.2	57.1	33.4	56.3	15.8	58.8
Fees above IS	37.0	42.9	25.9	43.7	11.1	41.2
of which above IS by:						
£0.01 to £14.74[1]	11.6	13.5	6.6	11.2	5.0	18.6
£14.75 to £20.00	2.8	3.3	1.7	2.8	1.1	4.2
£20.01 to £30.00	3.8	4.4	2.3	3.9	1.4	5.3
£30.01 to £40.00	2.7	3.1	2.0	3.4	0.6	2.4
£40.01 to £50.00	1.9	2.2	1.4	2.3	0.6	2.1
£50.01 to £60.00	1.2	1.4	0.8	1.3	[2]0.4	1.5
£60.01 to £70.00	1.3	1.5	0.9	1.6	[2]0.3	1.3
£70.01 and over	11.7	13.6	10.2	17.1	1.5	5.7
May 2000						
All cases	74.3	100.0	52.7	100.0	21.6	100.0
Fees equal to or below IS	40.2	54.1	27.6	52.4	12.6	58.4
Fees above IS	34.1	45.9	25.1	47.6	9.0	41.6
of which above is by:						
£0.01 to £15.44[1]	11.1	15.0	7.0	13.2	4.2	19.3
£15.45 to £20.00	2.1	2.9	1.1	2.0	1.0	4.8
£20.01 to £30.00	2.9	4.0	2.0	3.9	0.9	4.2
£30.01 to £40.00	2.4	3.2	2.0	3.8	[2]0.3	1.6
£40.01 to £50.00	1.4	1.9	0.9	1.8	[2]0.5	2.2
£50.01 to £60.00	1.2	1.6	1.0	1.8	[2]0.2	0.9
£60.01 to £70.00	1.2	1.6	0.9	1.7	[2]0.3	1.5
£70.01 and over	11.8	15.8	10.2	19.4	1.5	7.1

[1] Below the personal expenses allowance of £14.45 in May 1998, £14.75 in May 1999, and £15.45 in May 2000.

[2] These figures are subject to a high degree of sampling variation and should be used as a rough guide to the current situation only.

Notes:

1. Figures are rounded to the nearest hundred and expressed in thousands.
2. Based on a 5 per cent. sample and therefore subject to a degree of sampling variation.

Source:

Income Support Quarterly Statistical Enquiries, May 1998–2000.

Manufacturing Redundancies

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions what help has been given to manufacturing workers who have been made redundant in finding alternative employment. [66159]

Mr. Nicholas Brown *[holding answer 4 July 2002]:* We recognise the devastating impact redundancies can have on local economies and the people directly affected. Wherever major redundancies occur, in manufacturing or any other sector, Jobcentre Plus together with other key regional partners, will set up a task force to identify and provide the support needed by those affected. This can include help through the Rapid Response Service where appropriate.

The aim of the Rapid Response Service is to provide support for those affected by redundancy and help people make the transition into sustainable new jobs. The nature of the help provided by the service will be tailored to the needs of the individuals, the employer, and the local labour market. This could include offering information, advice and guidance to those affected, help with jobsearch, facilitating retraining where necessary, or developing customised retraining programmes. People affected by redundancy can also have early access to Jobcentre Plus programmes such as the New Deals and Work Based Learning for Adults. Assistance is currently being made available to over 13,000 people from 47 different companies.

On 1 April 2002, the Rapid Response Service became fully operational, supported by a further investment of £6 million over two years.

Benefit Entitlements (Rural Areas)

Mr. Breed: To ask the Secretary of State for Work and Pensions what measures he is taking to increase *(a)* awareness and *(b)* accessibility of benefit entitlements in rural areas. [66787]

Mr. Nicholas Brown *[holding answer 4 July 2002]:* We are leading a fundamental overhaul of the welfare system, transforming it from a passive organisation paying out benefits to an active system that fights poverty, creates opportunity and helps people become self-sufficient and independent. To do this service delivery is being overhauled to offer distinct services that meet the different needs of the Department's client groups: pensioners, people of working age and children. We are investing in improved and modernised services that are easier for customers to access, make better use of technology, and are more accurate and secure.

Jobcentre Plus is addressing the difficulties faced by people living in rural areas, both in securing employment and gaining access to its services. A key part of the new Jobcentre Plus process involves initial contact being made by telephone, improving service for people whose nearest office is a distance from their home.

Customers can also access Employer Direct, Jobseeker Direct and the Benefit Enquiry Line (for people with disabilities) by telephone. In addition, they can access Worktrain, Learndirect and UK Online centres through the internet. Jobcentre Plus will continue to look for innovative ways of delivering and marketing its service, building on current experiments such as locating Jobpoints and other services in retail outlets and post offices.

The local service element of the Pension Service is being developed to reflect the communities it serves in rural areas and it will take full account of the needs of individual communities. Among other things, it will raise awareness and encourage the take-up of benefits to which pensioners may be entitled. At present, a visiting service is provided for customers. From October 2002, we plan that the local service will start to provide surgeries for both appointments and drop-in calls.

Drop-in surgeries will be available from April 2003 such as community centres or the premises of voluntary bodies regularly visited by pensioners, increasing awareness and accessibility of the Pension Service and its work. There will also be a network of formation points in similar locations and a benefits information service for care workers, volunteers and others to raise awareness of pensioner benefits.

FOREIGN AND COMMONWEALTH AFFAIRS

Sudan

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to *(a)* the Government of Sudan and *(b)* the United Nations regarding plans to legalise female genital mutilation. [64600]

Mr. MacShane: Our embassy in Khartoum has made representations at ministerial level in Khartoum, both bilaterally and in co-ordination with EU partners, on the Sudanese Government's reported plans to legalise female genital mutilation (FGM). The Government of Sudan reassured us that there were no plans to legalise the practice. The embassy also works closely with Sudanese civil society groups in advocating the eradication of FGM. It forms part of the campaign for ratification of the UN Convention on the Eradication of Discrimination Against Women (CEDAW) in which we have actively supported the growing women's rights movement and UN attempts to address these issues. In particular, our embassy has on-going discussion with UNICEF. We have also funded various project aimed at eradication of FGM, including the national advocacy campaign for 2002–03.

Arms Sales

Gregory Barker: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the licence applications his Department has examined for arms exports to *(a)* India and *(b)* Pakistan since January 2000; and how many of his Department (i) supported and (ii) opposed. [65413]

Mr. Mike O'Brien: For a list of application approved by my right hon. Friend the Secretary of State for Trade and Industry, I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Under-Secretary of State at the Department of Trade and Industry to the right hon. and learned Member for North-East Fife (Mr. Campbell) on 13 June 2002, *Official Report*, column 1377W.

However, views expressed by any individual Department involved in the licensing process fall under the description of "internal discussion and advice", the disclosure of which would harm the frankness and candour of internal discussion. Such information is exempt from disclosure under Exemption 2 of the Code of Practice on Access to Government information.

Gregory Barker: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with the *(a)* Secretary of State for Trade and Industry, *(b)* Secretary of State for Defence and *(c)* Secretary of State for International Development regarding arms export licences to (i) Pakistan and (ii) India. [65414]

Mr. Mike O'Brien: My right hon. Friend the Foreign Secretary is in regular contact with his counterparts in the Department of Trade and Industry, the Ministry of Defence and the Department for International Development on export licensing issues but details of specific discussions fall under the descriptor of "internal discussions and advice" and are exempt from disclosure under Exemption 2 of the Code of Practice on Access to Government Information.

Zimbabwe

Mr. Peter Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the European Union travel ban on President Mugabe. [65245]

Mr. MacShane: On 18 February, EU Ministers imposed a travel ban on 20 named members of the Zimbabwe regime (common position 2002/145/CFSP). Under Article 15 of the Treaty on European Union, all member states are obliged to implement common positions.

Mugabe was recently refused entry to France. Where international commitments to the UN and Interpol have obliged member states to let Mugabe and others into the EU, the terms of their entry have been as restrictive as possible.

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* Commonwealth, *(b)* European Union and *(c)* other countries have sanctions against Zimbabwe; and what form they take. [67127]

Mr. MacShane: On 19 March, Zimbabwe was suspended from the Councils of the Commonwealth.

On 18 February, the EU imposed a travel ban and asset freeze on 20 senior members of the Zimbabwe Government. It also imposed an arms embargo.

A travel ban has been imposed by the United States, Norway, Switzerland and New Zealand.

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs when and where the ZANU-PF members who are under travel sanctions have travelled since the inception of the travel sanctions. [67416]

Mr. MacShane: On 18 February, EU Ministers adopted a common position (2002/145/CFSP) which imposed a travel ban within the EU on Mugabe and 19 other named members of the Zimbabwe regime.

The EU common position allows member states to grant exemptions to the travel ban 'on the grounds of humanitarian need, including religious obligation, or on grounds of attending meetings of international bodies or conducting political dialogue that promote democracy, human rights and the rule of law in Zimbabwe'.

Under the terms of the EU travel ban, France was obliged to permit Police Commissioner Chihuri to attend an Interpol meeting in Lyon on 14–16 May, and Italy was obliged to permit Mugabe to attend a UN conference in Rome on 10–13 June.

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with *(a)* Government colleagues and *(b)* other Governments about potential measures the international coalition could take regarding the actions of the Mugabe regime. [67125]

Mr. MacShane: My right hon. Friend, the Foreign Secretary, has discussed Zimbabwe with Government colleagues. He remains in regular touch with EU, US and Commonwealth colleagues on further international responses to the situation in Zimbabwe.

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what was discussed at his meeting with the Southern African Development Community concerning Zimbabwe; and what the outcome of this meeting was. [67132]

Mr. MacShane: My right hon. Friend, the Foreign Secretary, has not attended a meeting with the Southern African Development Community.

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met a member of ZANU-PF; and what was discussed. [67129]

Mr. MacShane: My right hon. Friend, the Foreign Secretary, raised the situation in Zimbabwe with Foreign Minister Mudenge, in New York on 10 November 2001.

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings with non-EU countries he has scheduled in the next six months on the topic of Zimbabwe. [67121]

Mr. MacShane: My right hon. Friend the Foreign Secretary, will discuss Zimbabwe, at every appropriate opportunity, with concerned members of the international community.

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with Nelson Mandela on his potential inclusion in seeking a solution to Zimbabwe's problems; and what his response has been. [67123]

Mr. MacShane: My right hon. Friend the Foreign Secretary, has not held discussions with Nelson Mandela on seeking a solution to Zimbabwe's problems. The Foreign Secretary discussed Zimbabwe with South African Foreign Minister, Zuma, on 20 June.

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effect of the international community's freezing of ZANU-PF's assets. [67131]

Mr. MacShane: The UK has frozen £76,000 in assets belonging to the members of ZANU-PF who are covered by the EU common position (2002/145/CFSP on 18 February). The freezing of ZANU-PF assets has put the financial markets of the EU and Switzerland off limits to those on the banned list. It has also helped signal the increasing isolation of the ZANU-PF elite.

Nepal

Dr. Cable: To ask the Secretary of State for Foreign and Commonwealth Affairs what level of military assistance is to be offered to the Government of Nepal; and if he will make a statement. [67426]

Mr. Mike O'Brien: We are very concerned about the situation in Nepal. The brutal Maoist insurgency is undermining Nepal's young democracy and fragile economy, and adding to the regional instability. The Nepalese Government will continue to have our full support in dealing with the political, military and developmental aspects of the crisis. We are working with our international partners to develop an integrated approach to security, reform and development. We believe military assistance should be considered as part of a comprehensive approach to a resolution of the conflict.

We have provided considerable assistance to the Nepalese Government in the form of training and logistical support for the RNA. This includes training for the Royal Nepalese Army in media operations training, civil affairs training and human rights awareness training. We have also provided low level assistance in the form of various items of logistical equipment. This includes communications equipment and a number of used vehicles.

We plan to give further assistance in the areas of intelligence, military training and equipment in the future.

Public Inquiries

Mr. Randall: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on using 0870 telephone numbers for inquiries by the public to the Department and its agencies. [66204]

Mr. MacShane: Once the integrated voice recognition system for consular travel advice is operational, it will be accessible via an 0870 number. Travel advice is also available on the FCO website.

Macedonia

Mr. Randall: To ask the Secretary of State for Foreign and Commonwealth Affairs when the United Kingdom Government will ratify the Association and Stabilisation Agreement with the FYR of Macedonia. [67180]

Mr. MacShane: The EU has made clear that further progress in Macedonia's relations with the European Union is closely tied to the implementation of the August 2001 Framework Agreement. We will continue to monitor progress, particularly during the forthcoming election period. If the conditions in Macedonia are right the UK hopes to ratify the Stabilisation and Association Agreement after the summer.

Refugees

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's obligations pertaining to refugees under the 1951 Geneva Convention. [67126]

Mr. MacShane: As a State party to the 1951 Convention and its 1967 Protocol relating to Refugees, the UK has an obligation under international law to protect people fleeing persecution.

This is enshrined in Article 33(1) of the 1951 Convention relating to the status of refugees, which provides that

> "No contracting state shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion".

Further rights include the right not to be expelled under certain, strictly defined conditions (Article 32); exemption from penalties for illegal entry into the territory of a contracting state (Article 31); the right to work (Article 17); the right to housing (Article 21); the right to education (Article 22); the right to public relief and assistance (Article 23); the right to freedom of religion and to free access to courts (Article 4 and 16); freedom of movement within the territory (Article 26); the right to be issued with travel documents (Articles 27 and 28).

Ministerial Meetings

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what he discussed at his recent meeting with South African Foreign Minister Zuma; and what the outcome was. [67130]

Mr. MacShane: My right hon. Friend the Foreign Secretary, met South African Foreign Minister, Zuma, on 20 June. They discussed a range of issues including Zimbabwe and the world summit on sustainable development (WSSD).

European Institution Costs

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what the total cost is in the latest available year of the *(a)* European Union, *(b)* Council of Europe, *(c)* Organisation for Security and Cooperation in Europe, and *(d)* Western European Union, including their respective parliamentary assemblies; and how much the United Kingdom contributes to each. [67760]

Peter Hain: The adopted EU budget for 2002 totals euro 95,655 million (or £58.2 billion). The UK financing share, after abatement, is 13.51 per cent. (approximately £7.863 billion). The Council of Europe's budget for 2002 is £103 million, of which the UK contributes £15 million. The 2002 budget for the Organisation for Security and

Cooperation in Europe is euro 177.5 million: the UK contribution (including staff costs etc.) amounts to some £22.6 million. The Western European Union's budget for 2002 totalled euro 16.8 million, of which the UK share was approximately euro 2.7 million.

European Arrest Warrant

Mr. Hayes: To ask the Secretary of State for Foreign and Commonwealth Affairs what powers the Government have to withhold their consent to decisions reached at the Council of Ministers; and if he will make a statement, with particular reference to the context of the European arrest warrant. [68331]

Peter Hain: The resolution of the House of Commons dated 17 November 1998 sets out the terms under which the Government may agree to legislative proposals in the Council of Ministers. The Government are required to withhold their consent to legislative proposals until parliamentary scrutiny has been completed. The resolution allows Ministers to give their agreement in certain limited circumstances before scrutiny has been completed.

In negotiations, the Government can withhold their consent to a proposal for legislative action by the Council of Ministers at any stage up to its formal adoption. However, opposing or abstaining on a proposal would not necessarily prevent the proposal being adopted if the voting was QMV.

On the question of the European arrest warrant, a general approach on the framework was agreed in December 2002. The framework decision was formally adopted at the Justice and Home Affairs Council in June 2002.

Gibraltar

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs whether an agreement has been reached to share sovereignty of Gibraltar with Spain. [R] [68456]

Peter Hain: I refer my hon. Friend to my statement in Westminster Hall on 18 June 2002, *Official Report*, column 38WH.

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is his policy that any *(a)* agreement concerning the sovereignty of the military base in Gibraltar and *(b)* agreements on any aspect of the future status of Gibraltar will be put to the people of Gibraltar in the form of a referendum. [68309]

Peter Hain: I refer my hon. Friend to the answer I gave the hon. Member for North Dorset (Mr. Walter) on 16 April 2002, *Official Report*, column 451. As previously stated, the Government will continue to stand by their commitments to the people of Gibraltar as set out in the preamble to the Gibraltar constitution.

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is his policy that the military base in Gibraltar will remain under sole British sovereignty under the terms of any agreement on the future status of Gibraltar. [68311]

Peter Hain: I refer my hon. Friend to the answer I gave the hon. Member for North Dorset (Mr. Walter) on 16 April 2002, *Official Report*, column 451.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs on which occasions since 1996, and how, the Government raised with the Government of Gibraltar matters of concern relating to pensions and related benefits. [67848]

Peter Hain: I refer my hon. Friend to the reply I gave him on 8 May 2002, *Official Report*, column 243W. I raised the matter again in a letter to the Chief Minister of Gibraltar on 16 May.

Cyprus

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what role Lord Hannay performs in the present discussions taking place between the President of Cyprus and Mr. Denktash on Cyprus; and if he will make a statement. [68439]

Peter Hain: Lord Hannay was appointed as the special representative of the British Government in 1996 to give support and new impetus to UN efforts to find a Cyprus settlement; he has worked hard at this for more than six years and the Government are grateful for his efforts.

The current direct talks to find a comprehensive, just and lasting settlement are attended by the two leaders in Cyprus and the UN. We understand and support the request of the Secretary-General of the United Nations that the content of the talks should not be publicised.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's policy on a suitable settlement between the two communities in Cyprus. [68193]

Peter Hain: The Government are committed to seeing a major, sustained effort towards securing a comprehensive, just and lasting settlement in Cyprus and strongly support the direct talks in Cyprus between the two leaders which have been in progress since January under the auspices of the UN Secretary General's Good Offices Mission. Our aim is for a reunited Cyprus to accede to the EU.

It is for the two sides in Cyprus to agree the terms of a settlement.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is the Government's policy that a settlement on the future of Cyprus should involve *(a)* the establishment of a new central state with a new flag, and *(b)* one Turkish state in the north and one Greek state in the south; if it is his policy to regard Turkish Cypriots and Greek Cypriots as two peoples; if Lord Hannay's recent statements on the matter represent the Government's policy; and if he will make a statement. [68195]

Peter Hain: It is for the two sides in Cyprus to agree the terms of a settlement and it is thus for them to agree on such matters as the powers and attributes of the common state and the component states, as they are currently being labelled in the negotiations. However, it has been common ground, since as long ago as the negotiations in 1992, that the outcome of any successful negotiations would be a new Cyprus, with different institutions from those in the 1960 constitution. These 1992 negotiations envisaged a Cyprus composed of a Greek Cypriot Federated State and a Turkish Cypriot Federated State.

I used the phrase "two peoples" when visiting the island of Cyprus in April 2002. Lord Hannay repeated this phrase in a recent interview in his capacity as the Government's Special Representative on Cyprus. I often refer to the Welsh and Scottish people. In no way am I suggesting that people cannot be Welsh, British and European at the same time.

International Criminal Court

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications of the International Criminal Court for British soldiers and citizens. [68542]

Mr. MacShane: The purpose of the International Criminal Court (ICC) is to ensure that the most serious crimes of international concern—genocide, war crimes and crimes against humanity—do not go unpunished. The Rome Statute establishing the Court is based on the principle of complementarity: the ICC only steps in where states are unwilling or unable genuinely to investigate or prosecute. The crimes covered by the ICC have been incorporated into UK law. Since the United Kingdom would investigate any serious allegations, it is inconceivable that the ICC would assume jurisdiction.

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to encourage the United States to accept the jurisdiction of the International Criminal Court. [67794]

Mr. MacShane: We are in regular contact with the US Administration in respect of this issue. Officials have made several approaches, both bilaterally and in conjunction with EU partners, encouraging the US to ratify the Rome statute. And we have repeatedly made clear that, while we understand US concerns that the court might bring malicious or politically-motivated charges against US personnel, we do not share them, since the statute contains safeguards against this.

EU Information/Communication Strategy

Mr. Hayes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy towards the European Commission document on a Strategy of Information and Communication for the European Union; and what measures he will undertake to ensure impartiality in such information campaigns. [68332]

Peter Hain: We welcome the Commission's document, which is a useful analysis of efforts so far by European Union institutions and member states to explain the European Union's work to the people of the European Union. It includes recommendations on how the institutions could do that job better, in partnership with member states.

The Government fully support the aim of explaining the practical benefits of British membership of the European Union to our citizens, in a straightforward and factual way. We look forward to working with our European partners to do just that.

European Council (Public Access)

Dr. Vis: To ask the Secretary of State for Foreign and Commonwealth Affairs with reference to Presidency Conclusions of the Seville European Summit, Annex II, Section E, what plans the Government have for *(a)* providing public facilities for viewing and listening to Council deliberations on legislation adopted by the co-decision procedure with the European Parliament (i) in London, (ii) in Scotland, Wales and Northern Ireland and (iii) in major towns and cities in England, *(b)* publicising such facilities and the dates and times of the relevant Council meetings and *(c)* ensuring that access to such premises will be free of charge. [68341]

Peter Hain: The detailed arrangements for greater Council transparency, agreed at Seville, are still under discussion. It is clearly too early to judge the likely extent of media take-up of Council proceedings. But the Government remain committed to the principle that the work of the European Council should be accessible to the widest possible European public.

Chagos Archipelago

Mr. Borrow: To ask the Secretary of State for Foreign and Commonwealth Affairs when the latest phase of the feasibility study into resettling the outer islands of the Chagos Archipelago will be completed. [69418]

Mr. Mike O'Brien: We have now received Phase 2B of the consultants report on whether it would be feasible for the Chagossians to return and live on the outer islands of the British Indian Ocean Territory (the Chagos archipelago). Copies of the report will be placed in the Libraries of both Houses. We are also sending copies to the Government of Mauritius and the Chagossians' lawyers in the United Kingdom.

While the report concludes that short term habitation for limited numbers on a subsistence basis is possible, it also emphasises that any long-term resettlement would be precarious and costly.

Minority Languages

Geraldine Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Government will submit its first report on implementation of the Council of Europe Charter for regional or minority languages. [69419]

Mr. MacShane: I am pleased to announce that the report was submitted to the Council of Europe on 1 July. The report details the measures taken by the Government and the devolved Administrations to fulfil the UK's obligations under the Charter for Welsh, Scottish Gaelic, Irish, Scots and Ulster-Scots. Copies of the report have been placed in the Library of the House.

Drug Trafficking

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations, and when, his Department has made to the Governments of *(a)* Afghanistan, *(b)* the Bahamas, *(c)* Bolivia, *(d)* Brazil, *(e)* Burma, *(f)* Cambodia, *(g)* China, *(h)* Colombia, *(i)* Dominican Republic, *(j)* Ecuador, *(k)* Guatemala, *(l)* Haiti, *(m)* Hong Kong, *(n)* India, *(o)* Jamaica, *(p)* Laos, *(q)* Mexico, *(r)* Nigeria, *(s)* Pakistan, *(t)* Panama, *(u)* Paraguay, *(v)* Peru, *(w)* Taiwan, *(x)* Thailand, *(y)* Venezuela and *(z)* Vietnam, concerning the trafficking of illegal drugs to the United Kingdom through their territories; and if he will make a statement. [67696]

Mr. Straw: We are in regular dialogue with the Governments of countries where Class A drugs are produced or trafficked. Our strategy has been to build local law enforcement capability to interdict the supply of drugs destined for the UK as close to its source as possible.

In Afghanistan, which is the source of 90 per cent. of the heroin found on the UK's streets, we are co-ordinating international anti-narcotics assistance. By working with international partners and agencies we aim to eliminate opium poppy, build institutions, increase law enforcement capacity, assist the creation of alternative livelihoods and address growing drug demand. The UK also provides anti-drugs assistance, in the form of training and equipment, to Afghanistan's neighbours and other countries on the heroin supply route to the UK.

We also have regular contact with the Governments of Colombia, Peru and Bolivia, who together produce virtually all of the world's cocaine. We are providing training and equipment for local law enforcement agencies in all three states to assist their respective Governments to tackle the problem. We are also active in supporting projects to build local capability in other South American countries through which drugs are trafficked. The Caribbean, through which much of the cocaine trafficked to the UK is transshipped, has also been the focus for much of our assistance, both bilaterally, and through multi-lateral fora.

Laeken Declaration

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's understanding of the meaning of the phrase "political union" in the Laeken declaration; and if he will cite the previous occurrences of that phrase in documents agreed by the European Council. [67793]

Mr. Straw: I refer the right hon. Member to the answer my right hon. Friend the Minister for Europe gave to the hon. Member for West Suffolk (Mr. Spring) on 2 July 2002, *Official Report*, column 273W.

Ivory Coast

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the Government have taken to ensure that the recommendations of the National Reconciliation Forum in Côte d'Ivoire have been implemented, including the granting of nationality to Alassane Ouattara; and if he will make a statement. [66691]

Mr. Straw: The UK followed closely the National Reconciliation Forum in Côte d'Ivoire. The Minister for Africa, my noble Friend Baroness Amos, sent a message to the President of the Forum, welcoming its conclusions.

We have taken every opportunity, along with our European partners, to encourage the Ivorian Government to implement the forum's recommendations.

The Government consider the recent granting of a nationality certificate to Mr. Ouattara a positive step forward. We hope that further implementation of the forum's recommendations will follow.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the Government have taken to ensure that the election process in Côte d'Ivoire prior to the local elections on 7 July has been fair and free for all parties concerned, with special regard to the distribution of identity cards required for voter registration; and if he will make a statement. [66692]

Mr. Straw: Officials from our embassy in Abidjan have participated, along with our European partners, in several meetings with the CEI (Independent Electoral Commission) and made representations to the Ivorian Government to emphasise our concerns that the elections should be free, fair and inclusive.

We welcome the Ivorian Government's commitment to distribute new identity cards in advance of the poll on 7 July.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent tensions between Government supporters and opposition party supporters in Daloa, Côte D'Ivoire. [66693]

Mr. Straw: A state of emergency has been announced and Daloa placed under curfew until 15 July. The Ivorian Minister of the Interior, Boga Doudou, accompanied by the head of the armed forces, General Doue, visited Daloa on 26 June for talks with local political and community leaders in an attempt to defuse the situation further.

We welcome the Ivorian Government's actions to calm the situation and support their call to all political parties to exercise restraint during the election campaign.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs how many opposition supporters he estimates were killed during the clashes between Government supporters and opposition party supporters in Daloa, Côte d'Ivoire. [66694]

Mr. Straw: According to official Ivorian Government estimates, six people have been killed and approximately 50 injured in clashes in Daloa, Côte d'Ivoire, since 25 June.

UK/US Relations

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to strengthen ties between the United Kingdom and the United States. [67795]

Mr. MacShane: The United States is one of our closest allies. The closeness of the relationship was reinforced by the events of 11 September. There are regular UK ministerial meetings with State Department and other Administration officials in Washington. The Foreign Secretary talks regularly with the Secretary of State. Parliament has close links with Congress and our ambassador in Washington and his embassy have access to the US Administration across a wide range of issues. The UK probably has more high level daily contacts with the US than any other country allowing us to foresee problems and work hard to iron out our differences. HMG would welcome increased contact between legislators in the Commons and Congress.

We will maintain and build on these ties to strengthen the relationship with the US, our largest bilateral trading partner and inward investor.

EU Budget

Fiona Mactaggart: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the contribution of an average UK family to the EU budget in 2000. [67796]

Ruth Kelly: I have been asked to reply.

No such estimate has been made. However, based on data published by the European Commission and European Court of Auditors, the UK's net contribution to the EC budget in 2000 was £63.1 on a per capita basis. This figure includes the UK's payments to and receipts from the EC budget, but does not, however, capture other benefits which membership of the EU brings to the UK through closer economic ties with our neighbours. For example, over three quarters of a million UK companies now trade with the rest of the EU, which accounts for over 50 per cent. of the UK's total exports, and affects around 3 million UK jobs.

LORD CHANCELLOR'S DEPARTMENT

Queen's Counsel

Keith Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many complaints she has received from applicants for appointment as Queen's counsel about the way the system has operated in the last three years. [67932]

Ms Rosie Winterton: Prior to the creation of the Commission for Judicial Appointments in March 2001, there was no formal complaints procedure for unsuccessful applicants for Queen's counsel. It has not been possible to identify from departmental records whether any complaints were received, and if so, how many prior to the creation of the commission. Since the establishment of the Commission for Judicial Appointments, three complaints have been received.

Child Contact Centres

Mr. Burstow: To ask the Parliamentary Secretary, Lord Chancellor's Department which members are undertaking work on the Child Contact Centre Working Group; and when it plans to set out standards for child contact centres. [67601]

Ms Rosie Winterton: The Child Contact Working Group is facilitated by the Lord Chancellor's Department. It comprises 20 representatives from the National Association of Child Contact Centres (NACCC), other child contact centre services, the Children and Family Court Advisory and Support Service and legal practitioners. The working group launched its consultation on definitions of contact centre services on 11 May 2002. The consultation ends in October 2002. The working group aims to reach conclusions in December 2002.

Court Buildings, Somerset

Mr. Liddell-Grainger: To ask the Parliamentary Secretary, Lord Chancellor's Department what damage has been sustained by court buildings in Somerset in the last two years. [67591]

Yvette Cooper: There have been two significant incidents of damage within the last two years. On 19 April 2002 at Taunton combined court there was flood damage caused by excessive water mains pressure. Works are due to be completed in July 2002 at a cost of £85,000. On 17 December 2001 at Yeovil county court, the coping stones in the car park wall were dislodged when hit by a car. Remedial work was completed in May 2002 at a cost of £1,410.

Justices of the Peace

Dr. Naysmith: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans she has to require employers to give paid leave to Justices of the Peace in their employment; and if she will make a statement. [67666]

Yvette Cooper: The Lord Chancellor has no such plans. Section 50 of the Employment Rights Act 1996 requires employers to allow reasonable time off for undertaking magisterial and other duties. Many employers do allow time off with pay, but where they do not, a magistrate may claim financial loss allowance at a fixed rate.

The Lord Chancellor has taken initiatives in the past, including a handbook for employers, produced in collaboration with the Magistrates Association to encourage employers to play an active part in the local community by allowing time off for staff to undertake magisterial duties. He will consider further ways of encouraging the support of employers as part of a national recruitment strategy.

Dr. Naysmith: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will revise the provisions under the guidance notes on justices' allowances, so as to base the daily allowance for loss of earnings on actual earnings; and if she will make a statement. [67665]

Yvette Cooper: The financial loss allowance is based on average earnings. I appreciate this may not fully compensate some justices for the loss they suffer, but using this method is considered the most equitable way of striking a balance to cover the differing trades and professions within the magistracy.

Crown Court, Buckinghamshire

Mr. Lidington: To ask the Parliamentary Secretary, Lord Chancellor's Department what criteria she is using to determine the best location for a new Crown court in Buckinghamshire. [68504]

Yvette Cooper: The Lord Chancellor's Department will consider a variety of factors including the following: population densities (current and projected), quality and range of existing transport links including public services, travel distances for court users, accessibility to court users including the disabled, availability of suitable accommodation, location of other justice agencies, security, cost, existing services and facilities.

Mr. Lidington: To ask the Parliamentary Secretary, Lord Chancellor's Department what degree of importance he is giving to accessibility in deciding the location of a new Crown Court in Buckinghamshire. [68502]

Yvette Cooper: The Lord Chancellor's Department places a very high level of importance on the accessibility of any potential new courts. Consideration is given to a number of factors including public transport, road and rail links, parking and access for the disabled.

Mr. Lidington: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the accessibility of a new Crown Court in *(a)* Milton Keynes and *(b)* Aylesbury to people living in Buckinghamshire. [68503]

Yvette Cooper: To date, no detailed assessment has been undertaken on the accessibility of a potential new Crown Court for Buckinghamshire. Plans are at the preliminary stage and the Court Service is still considering all of the various options available, taking into account the outcome from the current Spending Review.

Legal Services Ombudsman

Ms Munn: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Legal Services Ombudsman intends to publish her Annual report for 2001–02. [69358]

Yvette Cooper: The Legal Services Ombudsman has today published her eleventh Annual Report, and copies have been placed in the Libraries of both Houses.

CABINET OFFICE

Civil Service Pension Scheme

Matthew Taylor: To ask the Minister for the Cabinet Office what assessment he has made of the proportion of the rise in Government liabilities resulting from unfunded parts of the civil service pension scheme in the last five years due to *(a)* wage inflation, *(b)* longevity, *(c)* extension of the rights of part-time workers and *(d)* other factors; and if he will make a statement. [67022]

Mr. Alexander: The principal civil service pension scheme (PCSPS)—the occupational pension arrangement for civil servants—is an underfunded pension scheme made under the Superannuation Act 1972. All payments of pension and related benefits to former members of the PCSPS or their dependants are made from the civil superannuation vote, for which the Cabinet Office is accountable.

The PCSPS is subject to regular actuarial review by the Government Actuary. Intermediate valuations are produced for resource accounting purposes which provide updated liability figures. The actuarial reviews include full allowance for the effects on the liabilities of the PCSPS of such factors as price inflation, salary growth, membership changes and pensioner mortality assumptions.

The liabilities of the PCSPS at the earliest review during the last five years were calculated to be £45.4 billion as at 30 September 1966. They were estimated at £58.6 billion as at 31 March 2000 in the latest resource accounts (HC 554). The increase over the period is in line with that expected by the actuary.

Information in the form requested is not readily available. However, allowance for the continuing improvement in pensioner longevity, price inflation and real wage growth are in order of importance the main factors behind the increase in liabilities. Extension of the pension rights of part-time workers is not a significant factor.

Ministerial Salaries

Mr. Bercow: To ask the Minister for the Cabinet Office what the annual cost was of ministerial salaries in his Department in *(a)* 1997–98 and *(b)* 2001–02. [60951]

Mr. Alexander: The level of ministerial salaries are recommended by the senior salaries review body. From May 1997, in this Department there were two Cabinet Ministers, the Chancellor of the Duchy of Lancaster, and the Leader of the House of Lords, at an annual salary of £43,991 and £58,876 respectively; one Minister of State at an annual salary of £31,125; and one parliamentary Under-Secretary of State at an annual salary of £23,623. From June 2001, there were two Cabinet Ministers, the Deputy prime Minister and First Secretary of State, and the Leader of the House of Lords, at an annual salary of £68,157 and £90,562 respectively; two Ministers of State, at an annual salary of £35,356, one Minister of State (the Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster) at an annual salary of £70,283; and one Parliamentary Under-Secretary of State, at an annual salary of £26,835.

TREASURY

Female Staff

Mr. Bercow: To ask the Chancellor of the Exchequer what percentage of the staff of his Department are women; and what the percentage was in June 1997. [66915]

Ruth Kelly: I refer the hon. Gentleman to the answer given to him by the Minister of State, Cabinet Office on 5 July *Official Report*, column 622W.

Infant Deaths

Mr. Paul Marsden: To ask the Chancellor of the Exchequer how many infant deaths per 1,000 live births there were in each constituency in each year since 1997; and if he will make a statement. [67870]

Ruth Kelly: The information requested falls within the responsibility of the national statistician. I have asked him to reply.

Letter from Len Cook to Mr. Paul Marsden dated 10 July 2002:

As National Statistician, I have been asked to reply to your recent question asking how many infant deaths per 1,000 live births there were in each constituency in each year since 1997. (67870).

Figures are available for the years 1997–2001. A combined rate for these years has been calculated for each constituency, as the number of infant deaths for individual years in some constituencies was too small to reliably calculate a rate or prevent disclosure. These rates have been placed in the Libraries of the House.

Elderly People (Definition)

Mr. Wiggin: To ask the Chancellor of the Exchequer what the Government's definition of elderly is; and what proportion of the population in each region is considered elderly. [68535]

Ruth Kelly: The information requested falls within the responsibility of the national statistician. I have asked him to reply.

Letter from Len Cook to Mr. Bill Wiggin dated 10 July 2002:

As National Statistician I have been asked to reply to your question concerning the definition of what elderly is, and what proportion of the population in each region is considered elderly. (68535).

In response to your question, there is no official definition of what elderly is, but it is usually taken to include those who have reached retirement age, currently 65 for men and 60 for women. On this basis, the percentages of total population by Government Office Region for England, and for Wales, are given in the attached table.

Estimated resident population mid-2000: retirement age population as percentage of total population by Government Office Region for England, and for Wales	*Percentage of total GOR population*
North East	18.8
North West	18.2
Yorkshire and The Humber	18.3
East Midlands	18.4
West Midlands	18.2
East	18.5
London	14.3
South East	18.5
South West	21.0
Wales	19.0

Source:
Office for National Statistics, Population Estimates Unit

Statistics

Mr. Willetts: To ask the Chancellor of the Exchequer when the figures on marriage, divorce and domestic violence will be added to the neighbourhood statistics section of the Office for National Statistics website. [68482]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. David Willetts, dated 10 July 2002:

As National Statistician I have been asked to reply to your recent Parliamentary Question concerning when the figures on marriage, divorce and domestic violence will be added to the neighbourhood statistics section of the Office of National Statistics website. (68482)

There are no plans to add information on marriage, divorce and domestic violence to the Neighbourhood Statistics section of the ONS website in the near future. The next major update to the site will be the addition of statistics from the 2001 Census in 2003 and these will include information about the marital status of the population in local areas. Further datasets for nine statistical domains will be added to the website from 2003/04 onwards, in line with the need for better information set out in the Report of Policy Action Team 18 Better Information to meet the priorities for the National Strategy for Neighbourhood Renewal.

Royal Mint

Matthew Taylor: To ask the Chancellor of the Exchequer when the Royal Mint independent review will be complete; and if he will make a statement. [68078]

Ruth Kelly: The Royal Mint has issued an invitation to tender for an independent review to be completed. They expect to award a contract within the next dew days. Those invited have been told that the Mint would like the review to commence as soon as possible and to be completed as soon as feasible.

EU Committees

Angus Robertson: To ask the Chancellor of the Exchequer when the EU Contact Committee on Combating Money Laundering is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68605]

Ruth Kelly: The role and responsibilities of the Contact Committee on Money Laundering are set out in Article 13 of Council directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering ("Official Journal" L166, 28/06/1991 P.0077–0083).

The committee meets at the request either of the chair or of the delegation of a member state. Since May 2001, it has met three times. The UK is represented by officials from HM Treasury and the Home Office. Representatives of the Scottish Executive do not attend, as money laundering is not a devolved matter.

Bulk Tankers

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what estimate he has made of the cost to the United Kingdom marine insurance industry of the loss of bulk tankers in each of the past five years. [68328]

Ruth Kelly: None.

Comprehensive Spending Review

Mr. Bercow: To ask the Chancellor of the Exchequer how many staff have contributed to his Department's input to the spending review. [68687]

Mr. Boateng: A range of staff across the Treasury have contributed to work on the 2002 spending review. The work has been co-ordinated in the Public Services Directorate, which presently numbers around 220 staff.

Public Service Agreements

Mr. Laws: To ask the Chancellor of the Exchequer how many and what proportion of the public service agreements of his Department set out in the document, "Public Services for the Future 1998", have been met; and if he will make a statement. [68719]

Mr. Boateng: Information relating to the Treasury's public service agreement targets can be found in the Treasury's departmental report 2002 (Cm5425).

Devolved Administrations

Adam Price: To ask the Chancellor of the Exchequer if the Treasury sets limits on the contingent liabilities into which the devolved Administrations may enter. [68027]

Mr. Boateng: No. Contingent liabilities entered into by the devolved Administrations fall to be met within their existing departmental expenditure limits if the contingent liabilities materialise.

Fire Prevention

Mr. Jenkins: To ask the Chancellor of the Exchequer what discussions he has had on reducing the rate of VAT for fire prevention materials in the home. [66901]

John Healey: The Chancellor has had no recent discussions on this specific subject. Under the long-standing agreements which govern VAT law across the European Union, member states are only permitted to introduce reduced rates of VAT for a prescribed list of goods and services set out in annex H of the sixth VAT directive. General 'fire prevention materials' for use in the home are not among the items included in the annex H list.

However, the UK's zero rate for the construction of new dwellings does include fire retardant building materials, as well as fire alarms, smoke detectors and fire safety equipment installed when a new home is being built. Similarly, the 5 per cent. reduced rate for residential conversions and renovations includes fire retardant building materials, fire alarms, smoke detectors and fire safety equipment installed at the time of the conversion.

We have also reduced to 5 per cent. the VAT on grant funded installation of smoke alarms when these are installed at the same time as energy saving materials or central heating systems. This is part of the VAT reduced rate introduced to support DEFRA's home energy efficiency scheme (HEES). HEES grants are primarily targeted at less well off people aged over 60 or receiving specified benefits, so the related reduced rate is similarly well targeted at those who need help most.

Industrial and Provident Societies

Mr. Jenkins: To ask the Chancellor of the Exchequer if he will make a statement on the increase in the Financial Services Authority fees for industrial and provident societies. [66902]

Ruth Kelly: The setting of fees is the responsibility of the Financial Services Authority in relation to the duties it performs under the relevant industrial and provident society Acts. The new level of fees has not yet been finalised and through consultation the FSA has listened carefully to the concerns that have been raised by some in the movement. That is why they have decided to review their proposals and have recently presented further options to societies and their representative bodies.

Hearing Aids

Mr. Menzies Campbell: To ask the Chancellor of the Exchequer if he plans to make deaf employees exempt from paying tax on their hearing aids; and if he will make a statement. [66702]

Dawn Primarolo: The Government are continuing to remove barriers to work and ensure that disabled people do not face discrimination in the workplace. Regulations came into force on 9 July 2002, which will ensure that benefits for disabled employees which may be used both in and out of the workplace, such as a hearing aid, will not be liable to a tax charge.

Tax Credits

Mr. Willetts: To ask the Chancellor of the Exchequer how many tax credit applications have been identified as appropriate for further investigation; how many have been investigated; how many of these investigations have proved fraudulent or non-compliant activity; how many penalties have been levied as a result; how many unsuccessful prosecutions have occurred; how many successful prosecutions have occurred; and how many custodial sentences have been passed in each of the last three years for the *(a)* WFTC and *(b)* DPTC. [58767]

Dawn Primarolo: The information requested is given in the table.

	1999–2000[1]	*2000–01*	*2001–02*
Cases identified for investigation[2]	(a) 14,162 (b) 251	(a) 28,898 (b) 808	(a) 23,123 (b) 824
Cases investigated[3]	(a) 4,022 (b) 110	(a) 30,543 (b) 644	(a) 21,816 (b) 801
Cases found to be non compliant	[4]250	[4]5,213	[4]8,108
Penalties imposed	(a) 3 (b) 0	(a) 235 (b) 2	(a) 512 (b)12
Unsuccessful prosecutions[5]	(a) 0 (b) 0	(a) 0 (b) 0	(a) 0 (b) 0
Successful prosecutions[5]	(a) 0 (b) 0	(a) 2 (b) 0	(a) 29 (b) 0
Custodial sentences imposed	(a) 0 (b) 0	(a) 0 (b) 0	(a) 7 (b) 0

[1] Six months

[2] Awards selected for inquiry with applicants in the period

[3] Inquiries completed in the period

[4] Separate figures are not available for WFTC and DPTC

[5] Prosecutions completed in each period

Air Passenger Duty

Mr. Peter Duncan: To ask the Chancellor of the Exchequer how many air journeys to and from *(a)* the United Kingdom and *(b)* Scottish airports were subject to the (i) standard and (ii) higher rate of air passenger duty in each of the last five years. [67845]

John Healey: Air passenger duty is applicable only to journeys by chargeable passengers on chargeable aircraft departing from a UK airport. Journeys to the UK from outside the UK may be subject to duties and taxes in the country of departure.

Until 31 March 2001 there were two rates of duty, a lower rate for destinations within the European Economic Area (EEA) and a higher rate applicable to all other destinations. From 1 April 2001 four rates of duty have been in force, standard rates of duty for both EEA and non EEA destinations and reduced rates of duty for both EEA and non EEA destinations. An exemption from duty for flights from airports in the Scottish Highlands and

Islands was introduced on 1 April 2001. The numbers of journeys made (in thousands) by chargeable passengers from the UK for the previous five financial years are given in the table.

£000

Financial year	*Higher rate (non EEA destinations)*		*Lower rate (EEA destinations)*	
1997–98	19,359		39,328	
1998–99	20,583		42,986	
1999–2000	21,304		45,363	
2000–01	23,069		49,197	
	[2]Non EEA	[3]Non EEA	[2]EEA	[3]EEA
2001–02[1]	2,669	19,349	4,433	52,152

[1] Provisional

[2] Destinations (standard rates)

[3] Destinations (lower rate)

(b) No separate breakdown exists for chargeable journeys from Scottish airports.

Pharmaceuticals (Tax Incentives)

Mr. Salmond: To ask the Chancellor of the Exchequer when he will respond to the letters from the hon. Member for Banff and Buchan of 12 April and 5 June regarding tax incentives for pharmaceutical corporations that donate medicines overseas. [67647]

John Healey: I have done so.

Customs and Excise

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer what assessment he has made of the adequacy of staffing levels at customs declaration desks at ports and airports of entry to the United Kingdom; and if he will make a statement. [67780]

John Healey: Customs regularly review the allocation of their resources and deploy their staff based on the volume of work and an assessment of the risk related to the variety of international movements of freight and persons. Customs are also deploying their resources in a flexible and mobile way to optimise their ability to respond to the ever-changing patterns of international activity.

Working Families Tax Credit

Mr. Webb: To ask the Chancellor of the Exchequer if he will place in the Library a copy of the letter being issued to working families tax credit recipients in advance of the renewal of their six-monthly awards regarding method of payment. [67860]

Dawn Primarolo: A copy of the letter has been placed in the Library of the House.

National Insurance

Mr. Webb: To ask the Chancellor of the Exchequer, pursuant to his answer of 2 July 2002, *Official Report*, column 291W, on National Insurance (Reduced Rates), on what basis the amount of the reduction in national insurance contributions available to married women paying the reduced rate is calculated. [68244]

Dawn Primarolo: There is nothing I can usefully add to what I said in my answer of 2 July 2002, *Official Report*, column 291W.

Inland Revenue

Mr. Webb: To ask the Chancellor of the Exchequer what obligation there is on *(a)* employers and *(b)* individual employees to inform the Inland Revenue of a change of employee's address; and if he will make a statement. [68989]

Dawn Primarolo: None.

Condemnation Hearings

Mr. Woodward: To ask the Chancellor of the Exchequer if a defendant at a condemnation hearing is allowed to view evidence prior to the hearing being brought by Her Majesty's Customs and Excise in support of the case. [68122]

John Healey: In condemnation proceedings, it is Customs practice to disclose voluntarily the witness statements upon which they seek to rely, prior to the hearing. These statements are provided as a matter of courtesy once they are available.

Finance Bill

Sir Michael Spicer: To ask the Chancellor of the Exchequer how many officials from his Department were in attendance in Parliament to Ministers during the proceedings on the Finance Bill on Wednesday 3 July. [68666]

Dawn Primarolo: As is customary, there were a number of officials from the Treasury in attendance, together with officials from the revenue departments appropriate to the issues tabled for the proceedings.

HEALTH

Waiting Lists

Dr. Fox: To ask the Secretary of State for Health if he will list the cases of waiting list manipulation his Department recorded in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and *(f)* 1 January 2002 to date. [61444]

Mr. Hutton: The National Audit Office report 'Inappropriate Adjustments to NHS Waiting Lists' (HC452 Session 2001–02, 19 December 2001) is available in the Library. The table lists the trusts involved in inappropriate adjustments and the timescales involved.

Trust	*Timescale involved*
St. Bartholomews and The London	1996 to November 2000
Guy's and St. Thomas'	Four years
Plymouth Hospitals	1998–1999
Salford Royal	September 1998 to July 2001
South Warwickshire General	May to September 2000
Stoke Mandeville	August 2000 to January 2001
Surrey and Sussex Healthcare	About one year
University College	May 1999

Since publication of the report a further case at Bath has come to light which was highlighted by a press release (2002/0211) on 3 May 2002.

The Government takes waiting list manipulation very seriously. The Department has asked the Audit Commission to initiate a system of spot-checks on waiting list statistics hospital-by-hospital. These spot-checks began this month.

We will also from this year move to publish on the internet and elsewhere regularly-updated information on waiting for all major treatments at all providers.In future, any manager found to have deliberately distorted waiting figures will face dismissal on grounds of gross misconduct. This will be supported by a new code of conduct for National Health Service managers. Anyone who breaches that code of conduct will not be re-employed as a manager—anywhere in the NHS.

Radiographers

Bob Spink: To ask the Secretary of State for Health how many radiographers in London have left the NHS and been re-employed as agency staff during the last year; and if he will make a statement. [60874]

Mr. Hutton: The Department does not collect this information.

Private Finance Initiative

Mr. Hancock: To ask the Secretary of State for Health what the projected average time is from conception to completion for a National Health Service Private Finance Initiative project; and if he will make a statement. [61671]

Mr. Hutton: There is no prescribed timescale set by the Department for schemes to progress through the stages up to advertising a project in the Official Journal of the European Commission (OJEC). The length of time taken to produce the outline business case, undertake necessary consultations and obtain outline planning permission will depend upon circumstances specific to each scheme.

The current indicative timetable from OJEC to financial close to eighteen months for major schemes; since March 2002 new initiatives have been introduced to further enhance the procurement process and ensure that the National Health Service obtains the best value from the current market and these aim to reduce this period.

Mr. Hancock: To ask the Secretary of State for Health how many National Health Service Private Finance Initiative projects *(a)* have been, *(b)* are and *(c)* are projected to be behind their initial completion date; what the (i) projected start date, (ii) actual start date, (iii) projected completion date and (iv) actual completion date is in each case; and if he will make a statement. [61669]

Mr. Hutton: Indicative timetables are set for all schemes as part of good project management. Complex schemes experience difficulties for a variety of good reasons; these have their timetables revised as appropriate.

Firm completion dates (for example when the hospital is open) are only set once contracts are signed for private finance initiative (PFI) schemes. The private sector suffers penalties if the completion date is not met. To date, all major PFI schemes have been opened on or ahead of their planned completion target date.

Arms-length bank

Mr. Hoban: To ask the Secretary of State for Health what progress has been made in drawing up the legal and financial framework for the Arms-Length Bank controlled by the NHS. [64317]

Mr. Hutton: Details regarding the legal and financial framework of the National Health Service Bank are under consideration.

Consultants

Mr. McNamara: To ask the Secretary of State for Health what the relationship is between the professional and executive groups of a primary care trust and consultants in hospital trusts; and what guidance has he given to ensure regular meetings between hospital consultants and the primary care trust. [62313]

Mr. Hutton *[holding answer 25 June 2002]:* The Department has not issued any guidance on this subject and has no plans to do so. Devolving power within the national health service recognises that frontline clinicians are best placed to make decisions on how to run the local health service and gives the freedom for them to decide how they will develop relationships in running the health service locally. However, 'Shifting the Balance of Power: The Next Steps' (January 2002) makes it clear that primary care trusts (PCTs) need to develop close working relationships with partners in NHS trusts. The relationship that PCTs develop with their colleagues in NHS trusts, including consultants, will be central to PCTs effectively discharging their functions for example planning and commissioning services for their local populations. PCTs will need to ensure that they engage in effective dialogue with clinicians working within NHS Trusts if they are to secure the best possible services to meet the needs of the local population. It is, however, a matter for PCTs and hospitals to decide the detail of how they do this.

Car Parking Fees

Bob Russell: To ask the Secretary of State for Health (1) if he takes account of money received by hospital trusts from car parking fees in the allocation of funds; and if he will make a statement; [64712]

(2) what recent representations he has received on the levying of car parking fees for *(a)* hospital staff and *(b)* visitors to hospitals; [64715]

(3) if he will estimate how much money was received by hospital trusts from car parking fees in the last year for which figures are available. [64714]

(4) what policy guidelines he issues to hospital trusts over the levying of car parking fees for *(a)* visitors and *(b)* staff; and if he will publish such guidelines. [64713]

Mr. Lammy: National health service trusts can charge for car parking in order to raise additional income to improve the health service using income generation powers. Amounts collected from individual income generation schemes are not reported separately in trusts' accounts and the income raised is not taken into account in the allocation of funds to NHS trusts.

The Department issued guidance to NHS trusts in January 1996 in the booklet 'NHS income generation, car parking charges, A guide to Implementation'. A copy of this is available in the Library. It is left to individual hospitals to decide whether or not to charge for car parking and the cost of such charges in light of local circumstances. Where car parking charges are introduced, patients who are eligible to claim reimbursement of travelling expenses under the hospital travel costs scheme may have the charges reimbursed.

The Department of Health receives a small number of enquiries about car parking charges each year.

Psychiatric Beds

Mr. Burstow: To ask the Secretary of State for Health how many acute psychiatric beds were available for *(a)* children, *(b)* the elderly and *(c)* other ages in secure units within each (i) region and (ii) authority area in each of the last five years; what the occupancy rate was; and what delayed discharge issues occurred. [65251]

Jacqui Smith: Information is not available in the format requested.

Inappropriate Medication

Mr. Burstow: To ask the Secretary of State for Health (1) if he will estimate the *(a)* number and *(b)* percentage of over 75 year olds affected, and the cost to the NHS and the number of bed days lost from hospital wards from older people experiencing an adverse reaction or being prescribed inappropriate medication in the last 12 months; [65140]

(2) how many older people died from *(a)* experiencing an adverse reaction and *(b)* being prescribed inappropriate medication in the last 12 months. [65139]

Mr. Lammy: The Medicines Control Agency (MCA) and Committee on Safety of Medicines (CSM) receive reports of suspected adverse drug reactions (ADRs) submitted by doctors, dentists, pharmacists and coroners via the Yellow Card Scheme by doctors, and there is a legal requirement for companies to report 'suspected' ADRs to their drugs. In 2001, a total of 21,350 reports of 'suspected' ADRs were received through this scheme of which 1,964 (9 per cent.) occurred in patients over 75 years of age. The number of reports received via the yellow card scheme does not directly equate to the number of people who suffer adverse reactions to drugs for a number of reasons including an unknown level of under reporting. It is important to note that the reporting of a reaction does not necessarily mean it was caused by the drug and may relate to other factors such as the patient's underlying illness or other medicines taken concurrently.

According to the Department's hospital episode statistics (HES) it is estimated that 151,571 bed days were lost in patients over 75 years of age during 2001 due to the adverse effects of drugs, medicaments and biological substances in therapeutic use. This estimate is based on 16,747 finished consultant episodes (FCEs) where the primary reason for admission was due to adverse effects of drugs, medicaments and biological substances in therapeutic use. FCES are not the same as the number of patients treated because a hospitalised spell can consist of more than one FCE. These figures would only include adverse drug reactions occurring in hospital if a different FCE resulted where the primary cause was the adverse drug reaction. Cost of treatment is not recorded in HES.

Over the last 20 years, 'suspected' ADRs with a fatal outcome account for 2–3 per cent. of the reports submitted via the yellow card scheme. A total of 643 reports with a fatal outcome were received during 2001, of these 130 occurred in patients aged over 75 years. The Office of National Statistics also collates data on deaths certified by doctors and coroners as due to adverse effects of drugs in therapeutic use. The quality of these data may be inconsistent as many thousands of doctors write certificates with a wide variation in knowledge, training and practice. The latest available figures are for 2000, during which 84 of the 159 deaths that were certified as due to adverse effects of drugs occurred in persons aged 75 years and over.

Figures are not available on adverse reactions resulting from patients being prescribed inappropriate medication.

Medical Training

Mr. Peter Duncan: To ask the Secretary of State for Health what percentage of doctors registered in *(a)* the UK and *(b)* Scotland in the last year have trained outside the UK. [65415]

Mr. Hutton: The information available is shown in the following table. The General Medical Council, the body responsible for the registration of doctors, does not hold registers separately for different parts of the United Kingdom.

New registrations with the GMC in 2001: place where primary medical qualification obtained

	U.K.		*European Economic Area*		*Rest of world*	
		Percentage		*Percentage*		*Percentage*
Full registration	4,462	50	1,237	14	3,088	36
Provisional registration	4,279	94	188	4	103	2
Limited registration	n/a		n/a		2,720	
Total	8,741	54	1,425	9	5,911	37

Source:
General Medical Council

Renal Transplant Services

Chris Grayling: To ask the Secretary of State for Health what recent representations he has received about the proposal to transfer renal transplant services from St. Helier to St. George's hospitals. [54279]

Mr. Hutton: On 17 December 2001, I met with Lord Taverne to discuss the proposals to transfer renal transplant services from St. Helier Hospital to St. George's Hospital.

The Department has also received forty-seven items of correspondence and four parliamentary questions about the same issue.

GPs

Mr. Hancock: To ask the Secretary of State for Health how many vacancies for general practitioners there were in the Portsmouth, South constituency in *(a)* 1997 and *(b)* 2001; and if he will make a statement. [65371]

Ms Blears: We are aware of the difficulties experienced in the Portsmouth area in recruiting general practitioners. The reply of my hon. Friend the Member for Pontefract and Castleford (Ms Cooper) to the hon. Member of 4 February 2002, *Official Report,* column 784W, set out what action was being taken locally. As stated in that answer, information collected centrally on staff vacancies is published on the Department's website.

Smallpox Vaccine

Norman Baker: To ask the Secretary of State for Health what measures were taken in awarding the contract for smallpox vaccines to Powderject, to ensure value for money. [54658]

Mr. Hutton *[holding answer 8 May 2002]:* Since the eradication of smallpox worldwide, new, second-generation smallpox vaccine is not a well-established product subject to normal market pricing pressures. The price quoted by all the companies involved for their products were compared against each other, and the prices were also compared with the price being paid by the United States Government for its smallpox vaccine. Prices were also compared with those for current supplies from old vaccine stocks. On the basis of consideration of all the price information available relating to similar products, the vaccine was deemed to represent value for money at the price quoted.

Norman Baker: To ask the Secretary of State for Health when *(a)* the first official contact between ministers in his Department and Powderject concerning the smallpox vaccine and *(b)* the signing of the contract was; and if he will make a statement. [54656]

Mr. Hutton *[holding answer 8 May 2002]:* Ministers had no contact with Powderject concerning the placing of the smallpox vaccine contact. The contract was signed on 11 April 2002. All meetings and subsequent discussions with the pharmaceutical companies were conducted by officials from the Department and the Ministry of Defence.

Mr. Bellingham: To ask the Secretary of State for Health whether the smallpox vaccine ordered from Powderject will need to be trialled before it can be used. [67546]

Mr. Hutton: No, the vaccine can be used without clinical trials. There are currently no plans to undertake clinical trials of the smallpox vaccine in the UK. Since smallpox does not currently exist in the population, trials of protective efficacy are not possible. The EU committee for proprietary medicinal products is currently developing the requirements for the manufacture of second generation smallpox vaccine, which will include guidance on the design of any clinical trials.

Capital Projects

Ms Shipley: To ask the Secretary of State for Health how many major acute hospitals *(a)* have been procured and *(b)* are being procured via the non-PFI process; what the capital value of each project is; and what stage they are at in their procurement process. [59837]

Mr. Hutton: Since May 1997, the following schemes have been approved under the public capital procurement process.

Major publicly procured schemes operational

NHS Trust	*Value (£ million)*	*Approved to go ahead*	*Operational date*
Rochdale Healthcare	24.00	14 August 1998	1 August 2000
Central Sheffield University Hospitals	24.00	19 September 1998	1 February 2001

Major publicly procured schemes with tender awarded

NHS Trust	*Value (£ million)*	*Approved to go ahead*	*Planned operational date*
Royal Berkshire and Battle Hospital	75.00	24 August 1998	27 July 2002
Guys and St. Thomas	50.00	19 September 1998	1 May 2004

Front-line Staff

Dr. Fox: To ask the Secretary of State for Health what meetings Ministers from his Department had with members of the advisory task force on utilising front-line NHS staff; and when. [56993]

Mr. Hutton: The national health service taskforce on staff involvement was established in 1998 to look at successful approaches to involving front-line staff and make recommendations to Ministers. It was disbanded once their report had been submitted to Ministers. The taskforce included thirteen representatives from across the NHS, a trade union and the private sector. The taskforce met the then Secretary of State for Health, the right hon. Member for Holborn and St. Pancras (Mr. Dobson), in July 1999 at the launch of the taskforce's report on staff involvement. The Department is currently working with the Modernisation Agency, the unions and NHS trusts to implement the recommendations of the report.

Director of International Recruitment for Health Services

Mr. Burstow: To ask the Secretary of State for Health what the *(a)* salary and *(b)* support costs are of his Department's Director of International Recruitment for Health Services in 2002–03. [66167]

Mr. Hutton: The Department currently has no plans to recruit a Director of International Recruitment.

The central Department team has been strengthened to enable all strands of international recruitment to be brought together and ensure that we continue to build on the success of the last 18 months using the international recruitment networks that have been established and the work force development confederations.

Primary Care Trusts

Dr. Evan Harris: To ask the Secretary of State for Health if he will make a statement on the decision-making powers of *(a)* primary care trusts and *(b)* the Department of Health in the contracting of one of the new international establishments in a primary care trust's area. [65574]

Mr. Hutton: Work is in hand, through the Department's Directorate of Health and Social Care, with the local leadership of the national health service to identify local health economies in which international establishment schemes can respond to real and sustained capacity needs. As the prospectus notes, NHS commissioners will have a key role, in conjunction with the Department, in defining requirements from such initiatives.

International Establishments Prospectus

Dr. Evan Harris: To ask the Secretary of State for Health, pursuant to the international establishments prospectus, what more complex and larger-scale projects overseas companies will be involved in. [65573]

Mr. Hutton: As set out in paragraph 4.8 of the prospectus, these projects are likely to involve a wider range of specialities, to involve more substantial capital investment, and/or to raise more complex contracting challenges than the first projects that are expected, depending on the nature of demand in local health economies to focus on orthopaedic and cataract services.

Foot and Mouth

Mr. Key: To ask the Secretary of State for Health if the UK vaccine evaluation consortium is undertaking work on a vaccine against foot and mouth disease. [66087]

Ms Blears: The United Kingdom vaccine evaluation consortium evaluates vaccines for use in humans. As such, it would not be appropriate for this group to undertake work on a vaccine against foot and mouth disease.

Nursing

Geraldine Smith: To ask the Secretary of State for Health (1) what steps the Government have taken to recruit nurses to the NHS since 1 May 1997; [65537]

(2) what steps the Government have taken to improve recruitment to nursing in the NHS since 1 May 1997. [67618]

Mr. Hutton: The Government are implementing a range of measures to improve recruitment and retention of all staff, including nurses. These include an increase in pay, encouraging the national health service to become a better employer through the "Improving Working Lives and Positively Diverse" programmes, increasing training commissions, reducing student attrition, running national and local recruitment and return to practice campaigns, and supporting international recruitment where appropriate. Further information on improving working lives is available at www.doh.gov.uk/iwl.

Since 1997, the nursing work force has grown by 31,520. Between September 1999 and September 2001 there was a net increase in nurses working in the NHS of 20,740—the NHS Plan target has been reached two years early. Pay will have increased across the board for nurses and midwives by at least 26 per cent. since 1997 in cash terms.

Northwick Park Hospital

Mr. Gareth Thomas: To ask the Secretary of State for Health when he expects work to begin on modernising Northwick Park Hospital's maternity service. [66111]

Mr. Hutton: The full business case for the modernisation of maternity services at Northwick Park hospital was approved in April 2002. Work is expected to begin in March 2003.

Harrow Primary Care Trust Board

Mr. Gareth Thomas: To ask the Secretary of State for Health (1) if he will list the members of the Harrow Primary Care Trust Board and indicate which of them are resident in the Harrow, West constituency; [66112]

(2) if he will list the members of the North West London Hospitals Trust board; and which of them are resident in the Harrow, West constituency; [66113]

(3) if he will list the members of the Hillingdon and Mount Vernon Hospitals NHS Trust board; and which of them are resident in the Harrow, West constituency. [66114]

Mr. Hutton: Current membership of the three national health service boards, together with details of those living in Harrow, West constituency is as follows:

Harrow Primary Care Trust:

Chair:

Mr. Geoffrey Derek Rose (lives in Harrow, West)

Non-Executives:

Ms Patricia Anne English

Mrs. Maxine Offredy

Mr. John Hunter

Mr. Peter James Commins (lives in Harrow, West)

Dr. Gillian Schiller (lives in Harrow, West)

North West London Hospitals NHS Trust

Chair:

Dr. Alastair Hugh McDonald

Non-Executives:

Dr. John Green

Ms Sally Anne Kirkwood

Ms Marvelle Brown

Mrs. Lettyce Angela Heath (lives in Harrow West)

Ms Moira Black

Hillingdon Hospital NHS Trust

Chair:

Mr. Stephen John Coventry

Non-executives:

Mrs. Christine Beatty
Mr. Obaid-Ur-Rahman Siddiqui
Councillor Catherine Stocker
Mr. Anthony Edmund Valentine
Mrs. Ann Chapman.

NHS Pensions

Mr. Webb: To ask the Secretary of State for Health how much money was spent by the relevant pension fund on paying pensions to retired *(a)* NHS staff and *(b)* GPs in 2001–02; if he will estimate the corresponding amounts to be spent in (i) five years' time, (ii) 10 years' time, (iii) 20 years' time and (iv) 30 years' time; if he will estimate in each case the proportion of such liabilities which will arise from (A) unfunded pension schemes and (B) pre-funded pension schemes; and in the case of pre-funded schemes, if he will estimate the value of the corresponding pre-funded funds in each of these years. [66564]

Mr. Hutton: The national health service pension scheme for England and Wales does not keep a separate record of the pensions paid to retired NHS staff and general practitioners. However, the total amount paid for 2001–02 by the NHS pension scheme in respect of pensions to retired members and their dependents was £2.8 billion.

Using assumptions consistent with the periodic valuations of the NHS pension scheme the Government Actuary's Department has estimated the corresponding total amounts of pension expenditure in future years as follows (in constant earnings terms):

Five years: £3.1 billion
10 years: £3.5 billion
20 years: £4.7 billion
30 years: £5.8 billion.

The NHS pension scheme is an unfunded scheme with members and employers paying contributions, as determined by the Government Actuary, to defray the cost of benefit provision. Because there is no pre-funding of the scheme's liabilities, these contributions have not been included as an offset to the above figures, although in practice they will be an offset to the cost.

Cancelled Operations

Norman Baker: To ask the Secretary of State for Health whether statistics relating to cancelled operations include those cancelled at cottage and community hospitals. [65167]

Mr. Hutton *[holding answer 2 July 2002]:* Data are collected on the number of operations cancelled by English national health service trusts for non-clinical reasons on, or after the day the patient was due to be admitted. This definition covers all elective operations carried out as in-patient or day cases. Elective operations carried out in a cottage or community hospital are therefore included, but not separately identified by unit.

Mumps Vaccines

Miss Kirkbride: To ask the Secretary of State for Health on what grounds the MCA in May ordered the destruction of mumps vaccines made in Switzerland that had been bought by Direct Health 2000 in the UK; and if mumps vaccines in the same batch were delivered to pharmacies in the UK. [66258]

Ms Blears *[holding answer 2 July 2002]:* The Medicines Control Agency has no record of ordering the destruction in May 2002, of mumps vaccine made in Switzerland and bought by Direct Health 2000 in the UK. Consequently the MCA is not in a position to comment on supplies of any of the alleged batch of mumps vaccine made in Switzerland being delivered to pharmacies in the UK.

Overseas Treatment

Mr. Hancock: To ask the Secretary of State for Health what assessment has been made of the scheme to send patients overseas for treatment; and if he will make a statement. [66819]

Mr. Hutton: Following a competitive tender exercise, the York University Health Economics Consortium were commissioned to evaluate the scheme to refer national health service patients overseas. That evaluation is almost complete. Copies of the final report will be placed in the Library, and published on the Department's website.

Information Technology

Mr. Gareth Thomas: To ask the Secretary of State for Health what action he is taking to increase the use of information technology across primary care; and if he will make a statement. [66813]

Mr. Hutton: The new national health service information technology programme was outlined in the document, "Delivering 21st Century IT Support for the NHS: National Strategic Programme", published by the Department in June 2002.

This outlines a major programme of investment in information technology, including the primary care sector. The NHS will build on the successful implementation of projects such as the Project Connect programme, which connected 98 per cent. of general practices to NHSnet, giving general practice staff full access to email and web resources, including the clinical evidence base; the electronic transfer of prescription pilots; and decision support developments such as PRODIGY.

Hospice Authorities

Mr. Boswell: To ask the Secretary of State for Health if he intends *(a)* blood products, *(b)* oxygen and *(c)* clinical waste to be financed by the NHS in connection with voluntary hospice authorities. [66365]

Ms Blears *[holding answer 4 July 2002]:* The Chief Executive Bulletin (10–16 May) issue 117 reminded them that hospices should be reimbursed the full agreed pharmacy costs for medicines. This arrangement includes blood products that are licensed medicines and oxygen, in so much as it is permissible to prescribe it on the national health service.

In the case of clinical waste, the responsibility for the disposal of clinical waste cannot be passed over to another party. Under the requirements of the Environmental

Protection Act 1990, waste producers have a legal duty of care to properly dispose of their waste. In this case the hospice concerned would be the waste producer.

Hepatitis C

Mr. Heald: To ask the Secretary of State for Health, pursuant to the answer of 21 May 2002, *Official Report*, column 309W, what funding is available in 2002–03 for the strategy for hepatitis C. [66847]

Ms Blears *[holding answer 4 July 2002]:* Advice from the multi-disciplinary steering group, set up to assist the Department in developing a strategic approach to hepatitis C, is currently under consideration as are related funding issues.

Haemophiliacs

Mr. Heald: To ask the Secretary of State for Health when he expects to make a decision on the provision of recombinant to haemophiliacs. [66842]

Ms Blears *[holding answer 4 July 2002]:* I refer the hon. Member to the answer the then Parliamentary Under-Secretary of State for Health my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper) gave him on 11 June 2002, *Official Report*, column 1212W.

Teaching Hospital, Hertfordshire

Mr. Heald: To ask the Secretary of State for Health what plans there are to create a university teaching hospital in Hertfordshire; and if he will make a statement. [66767]

Mr. Lammy *[holding answer Thursday 4 July 2002]:* There are currently no plans to create a university teaching hospital in Hertfordshire.

Copaxone

Mr. Soames: To ask the Secretary of State for Health when Copaxone will become available on the NHS. [66740]

Ms Blears *[holding answer 4 July 2002]:* Copaxone (glatiramer acetate) is available on the national health service under the "risk-sharing scheme" for disease-modifying drugs for multiple sclerosis that came into operation on 6 May 2002.

Insulin Pump Therapy

Mr. Soames: To ask the Secretary of State for Health when he expects to receive guidance from NICE on insulin pump therapy. [66739]

Ms Blears *[holding answer 4 July 2002]:* I understand that the National Institute for Clinical Excellence's provisional publication date for its guidance on insulin pump therapy is April 2003.

DNA

Mr. David Stewart: To ask the Secretary of State for Health if he will make a statement on his Department's proposals to prevent DNA samples being obtained from the public without consent. [66871]

Ms Blears *[holding answer 4 July 2002]:* It is a general legal and ethical requirement for a health professional to seek consent before starting to treat or examine a patient, which would include the obtaining of deoxyribonucleic acid (DNA) samples. The position is laid out clearly in the Department's reference guide to consent for treatment and examination.

There are exceptions to the principle of consent for certain uses of DNA samples, for example the obtaining of non-intimate DNA samples by the police for use in the prevention, detection or investigation of a crime.

The human genetics commission's report "Inside Information" has recommended a new criminal offence of the non-consensual or deceitful obtaining or analysis of genetic information for non-medical purposes. The Government are still considering this report and will respond in due course.

Macular Degeneration

Mr. David Stewart: To ask the Secretary of State for Health when he expects to receive guidance from the National Institute for Clinical Excellence on the use of photodynamic therapy for age-related macular degeneration. [66877]

Ms Blears *[holding answer 4 July 2002]:* The National Institute for Clinical Excellence published its final appraisal determination on photodynamic therapy on 12 June. This has been appealed against. An appeal panel will now be convened to hear the appeal and decide the outcome. If the appeal is not upheld then guidance will be published; however, if it is upheld, then the appeals panel will ask the appraisal committee to reconsider the evidence in light of the appeal panel's decision. The earliest guidance could be available to the national health service is early August.

Improving Working Lives Standard

Mr. Heald: To ask the Secretary of State for Health what proportion of *(a)* primary care and *(b)* hospital trusts have put Improving Working Lives standard into practice. [68286]

Mr. Hutton: "Improving Working Lives" (IWL) is an integral part of the human resources performance management process within the national health service. Existing NHS organisations are required to achieve "Practice" stage of the standard by April 2003, and the target for new organisations is April 2004.

Twenty trusts have already been assessed against the IWL standard and recommended as achieving "Practice" status ahead of the target date.

Prostate Cancer

Mr. David Stewart: To ask the Secretary of State for Health if he will make a statement on the use of PC SPES as a treatment for prostate cancer. [66870]

Ms Blears *[holding answer 10 July 2002]:* PC SPES has not been licensed as a medicinal product in the United Kingdom. However, I understand that it has been recalled by its American manufacturers as it has been found to contain undeclared prescription drug ingredients. The four research studies into its effectiveness that are being funded by the national centre for complementary and alternative medicine in the United States have also been put on hold.

"Feet First Two"

Bob Spink: To ask the Secretary of State for Health what the recommendations of the report, "Feet First Two", are regarding *(a)* removal of regional and local variations in service provisions and *(b)* improving the availability of services in the south of England. [66344]

Jacqui Smith: We currently have no plans to publish any findings from the review of "Feet First". In April 2001, my right hon. Friend the Minister of State made a statement about the review in his response to a question from the hon. Member for Hazel Grove (Mr. Stunell). I refer the hon. Member to the reply given on 10 April 2002, *Official Report,* column 604W.

NHS Appointments Commission

Mr. Dobson: To ask the Secretary of State for Health what proportion of appointments to health trusts and authorities by the NHS Appointments Commission have been *(a)* women and *(b)* black or Asian. [68515]

Mr. Hutton: The latest figures available (for April 2002) show that since the National Health Service Appointments Commission was established, 44.6 per cent. of appointments made to NHS boards have been women, and 8.9 per cent. from black and ethnic minority communities.

Cardiologists

Mr. Heald: To ask the Secretary of State for Health how many cardiologists are working in the NHS; and how many will be working in the NHS in 2002–03. [68273]

Mr. Hutton: There were 590 hospital consultants working within the cardiology specialty in England as at 31 March 2002. This represents an increase of 26 per cent. since 1999[1].

We expect to see further significant growth this year.

[1] *Source:*

Department of Health March 2002 Medical and Dental Consultant Workforce Census.

Nurse Consultants

Mr. Heald: To ask the Secretary of State for Health how many nurse consultants are employed in the NHS. [68281]

Mr. Hutton: Over 750 nurse, midwife and health visitor consultants' posts have now been approved in 10 tranches, the first in January 2000 and the latest in June 2002.

HIV/AIDS

Mr. Jim Cunningham: To ask the Secretary of State for Health how many people have died from AIDS in the United Kingdom in the last 12 months. [67798]

Ms Blears: There were 362 HIV/AIDS-related deaths in 2001 reported in the United Kingdom by the end of March 2002. This total, which includes deaths in HIV-infected individuals without reported AIDS, is likely to rise as late reports are received.

Source:

Public Health Laboratory Service

Diabetes

Mr. Pickthall: To ask the Secretary of State for Health what his Department's estimate is of the average cost to the NHS of treatment for a diabetic in each of the last five years. [68008]

Mr. Lammy: The only cost data currently collected centrally on diabetes relate to treatments undertaken by National Health Service Trusts. These exclude costs for diabetes within general practice and other primary care settings. Costs in the financial year 2000–01 are shown in the table. Comparable data are not available for earlier years.

NHS trusts

	Elective in-patients		*Non-elective in-patients*		*Day case patients*	
	Number	*Unit cost (£)*	*Number*	*Unit cost (£)*	*Number*	*Unit cost (£)*
Diabetes with hypoglycaemic emergency (aged more than 69 or with co-morbidities)	48	1,395	3,027	954	10	222
Diabetes with hypoglycaemic emergency (aged less than 70 or without co-morbidities)	198	796	2,406	567	97	352
Diabetes with hyperglycaemic emergency (aged more than 69 or with co-morbidities)	22	1,808	3,164	1,126	4	253
Diabetes with hyperglycaemic emergency (aged less than 70 or without co-morbidities)	26	1,024	6,072	659	9	261
Diabetes with other hyperglycaemic disorder (aged more than 69 or with co-morbidities)	392	1,534	7,132	1,288	946	224
Diabetes with other hyperglycaemic disorder (aged less than 70 or without co-morbidities)	389	871	6,250	686	2,503	274
Diabetes with lower limb complications	523	2,183	5,280	1,726	82	323

Source:

Reference Costs 2001—published on the Department of Health website at www.doh.gov.uk/nhsexec/refcosts.htm.

Mr. Pickthall: To ask the Secretary of State for Health (1) if he will make a statement on his spending priorities relating to diabetes; [68011]

(2) if he will make a statement on the adequacy of funding for the Diabetes National Standards Framework to meet the costs of diabetics in the period up to 2010. [68009]

Mr. Lammy: Funding for diabetes is being considered as part of the current Government spending review, together with other priorities. The Budget provides the highest sustained growth in national health service history with annual average increases of 7.4 per cent. in real terms over the five years 2003–04 to 2007–08. Decisions about the allocation of the increased funding will be announced later this year.

The pace of change for delivery of diabetes national service framework will take account of the resources that will be available.

Mr. Pickthall: To ask the Secretary of State for Health what recent assessment his Department has made of the link between diabetes and CHD. [68010]

Mr. Lammy: There is a well established association between diabetes and coronary heart disease. There are a number of common risk factors. In particular, people who are overweight or obese, those who are not physically active and those who do not enjoy a balanced diet are at greater risk of both Type 2 diabetes and coronary heart disease. The standards for the diabetes national service framework, published in December 2001, highlight the importance of common strategies for prevention and treatment. In doing so, they build on the frameworks for coronary heart disease and older people.

Mr. Pickthall: To ask the Secretary of State for Health what his Department's estimate is of the likely rise in cases of diabetes by 2010. [68006]

Mr. Lammy: The Department provided the following prevalence projections to the Wanless review team for diabetes in England for the years up to 2010:

Year	*Diagnosed prevalence*	*Total patients (million)*
2002	2.63	1.316
2003	2.7	1.355
2004	2.78	1.399
2005	2.87	1.448
2006	2.97	1.502
2007	3.07	1.561
2008	3.19	1.624
2009	3.31	1.689
2010	3.44	1.759

There are considerable uncertainties involved in predicting the increase in numbers of people with diabetes, due to the many factors that affect estimates including obesity, aging and ethnicity.

Mr. Pickthall: To ask the Secretary of State for Health what his Department's estimate is of *(a)* the number of patients awaiting diagnosis for diabetes and *(b)* the percentage of newly diagnosed diabetics who show signs of complications. [68007]

Mr. Lammy: Estimates of the number of people awaiting diagnosis for diabetes vary depending on which study is consulted. The Department has based its estimates upon the health surveys for England. Extrapolation from the 1993 survey, the largest and most representative study on this question, leads to an estimate of around 550,000 people currently with undiagnosed diabetes. However, other smaller studies suggest that the number could be greater.

We have not estimated the percentage of people with newly diagnosed diabetes who show signs of complications.

Births and Abortions

Mr. Willetts: To ask the Secretary of State for Health how many women aged under 18 have *(a)* given birth and *(b)* had an abortion, in each year since 1997. [68480]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. David Willetts, dated 10 July 2002:

As National Statistician, I have been asked to reply to your recent question asking how many women under 18 have *(a)* given birth and *(b)* had an abortion in each year since 1997. (68480)

Figures are available for the years 1997–2000; these are shown in the table.

Births and abortions to women aged under 18, residents of England and Wales

	1997	*1998*	*1999*	*2000*
Births[1]				
number	15,977	15,887	15,118	14,305
rate[2]	16.9	16.9	16.2	15.2
Abortions[3]				
number	16,092	17,186	16,561	17,082
rate[2]	17.0	18.3	17.7	18.1

[1] Inclusive of live births and stillbirths.

[2] Per 1,000 women aged 15–17.

[3] Legal abortions under the 1967 Abortion Act.

Sources:

Births Statistics, Abortions Statistics (National Statistics Annual Reference Volumes published by the Stationery Office). Population estimates used to produce the rates were projected from 1991 census figures.

Private Sector

Ms Christine Russell: To ask the Secretary of State for Health when the Government will publish its response to the First report of the Select Committee on Health on the role of the private sector in the NHS. [69218]

Mr. Hutton: The Government's response to the First report of the House of Commons Select Committee on Health, on the role of the private sector in the national health service, Cm 5567, has been published today. Copies have been placed in the Library.

Organs and Tissue

Syd Rapson: To ask the Secretary of State for Health when he will publish his consultative report on the law on the removal, retention and use of human organs and tissue. [69417]

Mr. Lammy: I am pleased to announce that today, together with the Welsh Assembly Government, we have published a consultative report, "Human Bodies, Human Choices", on the law in England and Wales relating to human organs and tissue. Copies have been placed in the Library. Responses have been requested by 14 October.

We are doing this in response to one of the main recommendations made to the Government last year by the Chief Medical Officer of England, Sir Liam Donaldson, in "The removal, retention and use of human organs and tissue from post-mortem examination".

The knowledge that organs or tissue were removed from someone close to them has brought profound sorrow to many families. We understand their distress and are grateful to those families, and others, who have already offered their views on how things might be improved for the future.

This is a complex area, and while a number of interim measures have been put in place, we need for the future an effective and coherent framework that not only commands widespread support, but also has legal force.

The report seeks views on all issues, including organ donation and transplantation, relating to the use of human organs and tissue from the living as well as following post mortem examination. We look forward to receiving views from a wide range of organisations and groups.

Housing Adaptations

Mr. Burstow: To ask the Secretary of State for Health when his Department will produce the joint guidance on housing adaptations which will include a health and safety rating system. [57184]

Mr. McNulty: I have been asked to reply.

The Office of the Deputy Prime Minister and the Department of Health will publish joint guidance on housing adaptations as a consultation document in the autumn. The then Department of the Environment, Transport and the Regions published a consultation paper on the housing health and safety rating system in March 2001. Full implementation of the rating system, which will replace the housing fitness standard, requires primary legislation which will be introduced as soon as a suitable legislative opportunity occurs.

HOME DEPARTMENT

Home Detention Curfew

Dr. Cable: To ask the Secretary of State for the Home Department how many of the prisoners under home detention curfew *(a)* broke their curfew and *(b)* re-offended while under curfew in (i) January, (ii) February and (iii) March; and if he will make a statement. [61473]

Hilary Benn: The table covers the period January–March 2002. It provides a breakdown of breaches of the Home Detention Curfew scheme as reported to the Prison Service by electronic monitoring contractors. A breach report may be submitted if an offender:

is absent during part or the whole of a curfew period; or

threatens or attacks a monitoring officer; or

damages the monitoring equipment; or

is absent when the equipment is due to be installed.

The table also provides a breakdown of offenders who are reported to the Prison Service as having been cautioned, convicted or who are awaiting prosecution for an offence committed while they were subject to the Home Detention Curfew (HDC) scheme.

The Home Detention Curfew scheme is designed to ensure a better transition for short-term offenders between custody and the community. The safety of the public is paramount at all times.

Month	*Breaches of curfew reported to the Prison Service*	*Offenders reported as having committed a further offence while subject to HDC*
2002		
January	45	7
February	36	13
March	39	15

Immigrants and Emigrés

John Barrett: To ask the Secretary of State for the Home Department (1) how many people successfully immigrated to the UK in each year since 1995, broken down by country of origin; [66473]

(2) how many people successfully emigrated from the UK in each year since 1995. [66472]

Beverley Hughes: Estimates are available from the Office for National Statistics (ONS) on the overall migration of persons to and from the United Kingdom (UK), where migration is defined in terms of a change of country of residence for a year or longer. These data include temporary migration of, for example, students and workers. The available statistics for 1995 to 2000, are given in the table.

Table 1: Total international migration to and from UK[1] 1995–2000

	1995	*1996*	*1997*	*1998*	*1999*	*2000*
Inflow						
All citizenships	320.7	331.4	340.7	401.5	450	482
British	91.3	103.7	96.5	111.3	118.1	105.7
Non-British	229.4	227.8	244.2	290.2	331.8	376.2
European Union	59.1	69.5	71.5	77.6	65.7	62.8
Commonwealth						
Old	29.5	32.1	34.6	59.9	57.1	60
New	58.3	50.7	62	53	66.4	90.9
Other foreign[2]	82.6	75.5	76	99.6	142.6	162.5
Outflow						
All citizenships	212	238.4	248.8	223.7	268.5	298.5
British	121.7	142.8	134.5	114.6	126.5	152.3
Non-British	90.2	95.6	114.2	109.1	141.9	146.2
European Union	36.6	42.7	52.3	47.1	58.4	55.1
Commonwealth						
Old	16.3	15.8	18.5	18.6	28.5	30.9
New	9.4	11.8	15.8	10	9.7	12.5
Other foreign[2]	27.9	25.3	27.6	33.4	45.3	47.7

[1] Includes adjustments for asylum seekers, and for persons admitted as short-term visitors who are subsequently granted an extension of stay for other reasons—for example, as students or on the basis of marriage. Also includes migration flows between the UK and Irish Republic

[2] Figures for all years include Hong Kong.

The Home Office measure of immigration is different from that of ONS. Our statistics relate to the number of people granted settlement in the UK. These are mainly current residents, who have already migrated and are making their stay legally permanent, ie allowed to stay indefinitely. Data for 1995–2000 are given in the table.

Unfortunately it is not possible for the Home Office to provide information on how many people have left the country, as the Immigration Service no longer routinely operates embarkation controls from which statistical information can be obtained.

Table 2: Acceptances for settlement, by nationality, 1995–2000

United Kingdom — *Number of persons*

Geographical region and nationality	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*
All nationalities	55,480	61,730	58,720	69,790	97,120	125,090
Europe						
European economic area[1]						
Austria	10	†	†	—		
Belgium	10	†	†	†		
Denmark	10	10	†	10		
Finland	10	†	†	†		
France	30	30	10	30		
Germany[2]	40	10	10	30		
Greece	10	10	10	20		
Iceland	†	†	†	—		
Italy	20	20	10	20		
Luxembourg	—	—	—	—		
Netherlands	20	10	20	30		
Norway	10	10	10	†		
Portugal	20	20	20	110		
Spain	†	†	10	20		
Sweden	20	10	10	†		
European economic area[3]	220	120	110	270		
Remainder of Europe						
Bulgaria	150	200	160	180	280	300
Cyprus	220	240	240	280	430	510
Former Czechoslovakia	190	290	280	400	500	760
of which:						
Czech Republic[4]				240	270	420
Slovakia				160	230	340
Hungary	130	200	180	180	190	250
Malta	80	80	60	70	60	90
Poland	580	640	570	580	620	830
Romania	190	270	220	240	290	310
Switzerland	150	210	200	250	220	220
Turkey	1,170	3,720	4,230	2,360	5,220	5,210
Former USSR	610	820	870	1,180	1,400	2,070
of which:						
Estonia				20	20	20
Latvia				40	30	60
Lithuania				50	110	130
Russia[5]				860	870	1,180
Ukraine				140	200	380
Other former USSR				80	160	300
Former Yugoslavia	550	680	590	1,500	6,650	4,440
of which:						
Croatia	—	—	—	180	320	650
Slovenia				10	20	20
Yugoslavia[5]				870	5,760	2,640
Other former Yugoslavia				440	550	1,130
Other Europe	20	20	30	60	130	140
Remainder of Europe	4,030	7,370	7,640	7,300	15,980	15,100
Europe	4,250	7,500	7,740	7,570	15,990	15,110
Americas						
Argentina	60	50	50	60	60	80
Barbados	70	80	60	100	70	100
Brazil	330	390	330	350	410	460
Canada	940	970	980	1,050	1,010	1,320
Chile	40	60	70	50	50	80
Colombia	280	270	240	370	650	810
Guyana	190	200	170	180	130	200
Jamaica	1,400	1,420	1,030	1,120	1,080	2,100

Table 2: Acceptances for settlement, by nationality, 1995–2000

United Kingdom — *Number of persons*

Geographical region and nationality	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*
Mexico	90	110	130	120	90	130
Peru	100	80	110	100	140	160
Trinidad and Tobago	380	340	280	320	280	490
USA	3,960	4,030	3,900	3,940	3,760	4,580
Venezuela	40	50	50	60	60	80
Other Americas	310	430	390	2,950	750	940
Americas	8,180	8,470	7,790	10,780	8,520	11,520
Africa						
Algeria	440	400	370	710	1,130	1,010
Angola	40	30	60	90	520	310
Congo (Dem. Rep.)[7]	120	90	90	120	2,580	910
Egypt	270	330	330	360	380	480
Ethiopia	170	140	210	190	2,170	2,730
Ghana	1,820	1,970	1,290	1,550	3,480	3,130
Kenya	530	590	500	530	760	1,120
Libya	[illegible]	110	120	160	160	370
Mauritius	[illegible]	480	380	450	460	680
Morocco	430	480	410	430	430	590
Nigeria	3,260	3,220	2,540	2,950	3,180	6,520
Sierra Leone	440	570	470	540	1,060	1,070
Somalia	760	680	990	2,950	3,180	12,290
South Africa	1,300	1,040	1,290	2,260	2,950	4,300
Sudan	150	360	2,180	470	540	1,520
Tanzania	250	220	150	220	240	420
Tunisia	80	90	70	110	160	130
Uganda	440	1,040	690	500	1,400	3,440
Zambia	190	220	180	210	240	440
Zimbabwe	330	360	340	410	430	980
Other Africa	490	600	550	870	1,570	2,060
Africa	12,000	12,970	13,200	16,090	27,020	44,480
Asia						
Indian sub-continent						
Bangladesh	3,280	2,720	2,870	3,630	3,280	3,680
India	4,860	4,620	4,650	5,430	6,290	8,050
Pakistan	6,310	6,250	5,580	7,350	11,860	11,010
Indian sub-continent	14,450	13,590	13,080	16,420	21,440	22,730
Middle East						
Iran	1,120	1,720	1,060	930	1,560	1,920
Iraq	540	1,580	1,610	1,650	2,210	2,710
Israel	290	290	280	300	260	360
Jordan	150	120	150	130	140	250
Kuwait	30	20	40	60	60	60
Lebanon	400	660	640	590	760	990
Saudi Arabia	40	40	30	50	60	50
Syria	100	110	120	110	140	240
Yemen	160	180	150	230	260	290
Other Middle East	60	70	90	120	140	210
Middle East	2,880	4,790	4,160	4,180	5,590	7,090
Remainder of Asia						
China	1,130	1,180	1,230	1,550	1,520	1,710
Hong Kong	1,310	1,240	900	810	490	800
Indonesia	100	90	90	120	200	210
Japan	1,870	1,780	1,760	1,880	1,590	1,720
Malaysia	660	610	500	550	510	780
Philippines	1,090	1,030	890	950	1,190	1,910
Singapore	170	150	160	120	170	230
South Korea	260	270	220	270	300	480
Sri Lanka	1,370	2,180	1,620	2,100	5,370	7,530
Taiwan	40	60	80	100	120	180
Thailand	520	550	500	540	830	950
Other Asia	270	350	420	530	770	1,230
Remainder of Asia	8,790	9,500	8,370	9,520	13,060	17,720
Asia	26,120	27,880	25,610	30,120	40,090	47,540

Table 2: Acceptances for settlement, by nationality, 1995–2000

United Kingdom *Number of persons*

Geographical region and nationality	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*
Oceania						
Australia	2,020	2,120	1,920	2,200	2,410	2,930
New Zealand	1,390	1,360	1,150	1,440	1,670	1,920
Other Oceania	40	40	30	50	40	50
Oceania	3,450	3,520	3,100	3,690	4,120	4,900
British overseas citizens	690	620	540	960	560	330
Stateless[8]	780	780	740	580	820	930
Other countries not elsewhere specified	*	*	*	*	*	*
All nationalities	55,460	61,730	58,720	69,790	97,120	125,090

[1] Includes all current EEA countries throughout the period covered.

[2] Includes acceptances from the former German Democratic Republic—prior to the reunification of Germany on 3 October 1990—throughout the period covered.

[3] Includes Liechtenstein.

[4] Includes Czechoslovak passport holders.

[5] Includes Soviet Union passport holders.

[6] Includes holders of passports of the former Yugoslavia.

[7] The Democratic Republic of the Congo, formerly known as Zaire.

[8] Includes refugees from South East Asia.

Antisocial Behaviour

Mr. Alan Campbell: To ask the Secretary of State for the Home Department how many antisocial behaviour orders have been issued in North Tyneside. [65530]

Mr. Denham: Antisocial behaviour orders (ASBOs) were introduced from 1 April 1999. The data given in the table covers the period up to the end of December 2001.

We are currently considering whether any further checks are needed to ensure the accuracy of this information.

Number of anti-social behaviour orders issued as from 1 April 1999 to 31 December 2001 within Northumbria by area

Area	*From 1 April 1999 to 31 May 2000*[1]	*From 1 June 2000 to 31 December 2000*	*From 1 January 2001 to 31 December 2001*	*Total*
Police force area/MCC[2]				
Northumbria	8	5	5	18
Local government authority				
Gateshead MBC	[3]—	3	—	3
Newcastle upon Tyne, City of	[3]—	—	2	2
North Tyneside Council	[3]—	—	2	2
South Tyneside MBC	[3]—	1	1	2
Sunderland CC	[3]—	1	—	1

[1] Total figure only available for Northumbria police force area within this period.

[2] MCC—Magistrates Courts Committee area.

[3] Not available.

Stephen Hesford: To ask the Secretary of State for the Home Department if he will make a statement on his plans to reduce antisocial behaviour among young people. [66716]

Mr. Denham: The Government are introducing a range of initiatives to reduce antisocial behaviour among young people. We are evaluating the success of Acceptable Behaviour Contacts and will be disseminating good practice for practitioners. We are enhancing the effectiveness of antisocial behaviour orders so the community can be protected more quickly. The range of other measures being introduced includes truancy sweeps and the safer schools partnerships scheme. These initiatives build on the work being delivered through the youth inclusion programmes and the Connexions Service as well as a range of programmes introduced by the Crime and Disorder Act 1998.

Mr. Gareth Thomas: To ask the Secretary of State for the Home Department how many *(a)* parenting orders and *(b)* antisocial behaviour orders have been brought into force in London in each year, broken down by London borough, since their introduction; and if he will make a statement. [66816]

Mr. Denham: The number of parenting orders imposed in London between 1 July 2000 to 31 December 2001 are set out in the table. This information comes from the Youth Justice Board.

Antisocial behaviour orders (ASBOs) were introduced from 1 April 1999. The data given in the table show the number of ASBOs reported to the Home Office covering the period up to the end of December 2001.

We are currently considering whether any further checks are needed to ensure the accuracy of the number of ASBOs reported.

Number of parenting orders imposed in London from July 2000 to December 2001

Borough[1]	*July to December 2000*	*January to December 2001*	*Total*
Barking and Dagenham	4	12	16
Barnet	1	7	8
Bexley	0	2	2
Bromley	0	4	4
Croydon	1	6	7
Ealing	1	9	10
Enfield	6	1	7
Greenwich	5	18	23
Hammersmith and Fulham	3	5	8
Haringey	1	0	1
Havering	2	5	[illegible]
Hillingdon	0	8	8
Kensington and Chelsea	4	0	4
Kingston upon Thames	9	6	15
Lambeth	2	11	13
Lewisham	4	6	10
Merton	5	5	10
Newham	1	3	4
Redbridge	1	2	3
Richmond upon Thames	0	8	8
Southwark	16	15	31
Sutton	5	1	6
Tower Hamlets and (City of London)	11	0	11
Waltham Forest	2	4	6
Wandsworth	0	11	11
Westminster	6	7	13
Total	90	156	246

[1] Only those boroughs that have imposed parenting orders within the period shown are listed.

Number of antisocial behaviour orders issued as from 1 April 1999 to 31 December 2001 within London by local government authority

Area	*From 1 April 1999 to 31 May 2000*[1]	*From 1 June 2000 to 31 December 2000*	*From 1 January 2001 to 31 December 2001*	*Total*
Police force area/MCC[2]				
GLMCA/Metropolitan police[3]	9	19	13	41
Local government authority (LGA)[4]				
Barnet	[5]—	0	2	2
Bexley	[5]—	2	0	2
Bromley	[5]—	1	0	1
Camden	[5]—	5	1	6
Croydon	[5]—	1	0	1
Greenwich	[5]—	0	3	3
Hackney	[5]—	0	1	1
Hammersmith and Fulham	[5]—	0	2	2
Lambeth	[5]—	1	0	1
Lewisham	[5]—	0	2	2
Newham	[5]—	0	2	2
Sutton	[5]—	3	0	3
Westminster	[5]—	6	0	6

[1] Total figure only available for Metropolitan police force area within this period.

[2] MCC—magistrates courts committee area.

[3] Including City of London.

[4] Only those LGAs reporting an ASBO in the period shown are listed.

[5] Not available.

Speeding

Mr. Pike: To ask the Secretary of State for the Home Department what guidance he gives the police on the margins to be allowed in speeding offences. [65778]

Mr. Denham: The latest guidelines on speed enforcement thresholds were issued by the Association of Chief Police Officers (ACPO) in February 2000. They stress proportionality in applying the law, targeting of enforcement action and consistency of approach among police forces. I welcome the guidelines as providing a sound and transparent basis for police enforcement action in what is a sensitive area of policing. While they are designed to promote a consistent approach by police forces, the police retain full discretion to take account of the particular circumstances of any individual speeding offence.

The speed enforcement guidelines are available to the general public on the ACPO website at www.acpo.police.uk

Identity Theft

Mr. Gareth Thomas: To ask the Secretary of State for the Home Department what estimate he has made of the level of identity theft; what action he is taking to prevent it; and if he will make a statement. [66482]

Beverley Hughes: I refer my hon. Friend to the reply the Minister of State, my right hon. Friend the Member for Southampton, Itchen (Mr. Denham) gave the hon. Member for Chipping Barnet (Sir Sydney Chapman) on 9 April 2002, *Official Report,* column 702W.

Since my right hon. Friend's answer, these figures have been revised. The Cabinet Office published a report on 3 July 2002 stating that the minimum cost of identity fraud to the economy is now estimated to be in excess of £1.3 billion per annum. Two key reasons for this are the weaknesses in the process used to issue documents used as identity, and the weaknesses in processes used to check identity at point of use.

My right hon. Friend, the Home Secretary published a consultation paper on the subject of entitlement cards and identity fraud on 3 July 2002 which details, and seeks views on, the potential initiatives to counter identity fraud outlined in the answer to which I referred. The paper also sets out the Home Office's intention to set up a new Identity Fraud Forum to steer the work of the identity fraud work programme.

Crime and Disorder Act

Vernon Coaker: To ask the Secretary of State for the Home Department what plans he has to extend section 17 of the Crime and Disorder Act 1998 to the private sector; and if he will make a statement. [66832]

Mr. Denham: The private sector has a key role in contributing to the delivery of crime and disorder reduction. The 1998 Act requires that the private sector are invited to participate in the development and implementation of crime and disorder reduction strategies for their area in co-operation with the local crime and disorder reduction partnership. We will shortly be embarking on extensive consultation with representatives from business organisations on how best to create a more effective partnership between business, Government and other key stakeholders to deliver reductions in crime and disorder.

Tetra Communication System

Mr. Dalyell: To ask the Secretary of State for the Home Department if he will make a statement on the safety aspects of the Tetra Communication System used by police forces. [66719]

Mr. Denham *[holding answer 4 July 2002]:* Airwave, which uses terrestrial trunked radio system (Tetra) technology, will enhance officer safety by providing the police with a modern and reliable communication system. Concerns have been expressed, in general, about the safe use of mobile phones and, in particular, about pulsed signals. Current evidence suggests that it is unlikely that the unique features of Tetra pose a hazard to health. However, a precautionary approach is being taken and the Home Office, advised by independent experts, is commissioning further scientific studies.

Anti-drug Programmes

Mr. Laws: To ask the Secretary of State for the Home Department what his estimate is of the total amount of money seized from drug barons and put back into anti-drug programmes in each year since 1996; and if he will make a statement. [66291]

Mr. Bob Ainsworth *[holding answer 4 July 2002]:* The receipts remitted to the Secretary of State from confiscation orders made under the Drug Trafficking Acts 1986 and 1994, for each year from 1996 were:

£7,415,000 for 1996–97;

£9,458,000 for 1997–98;

£10,476,000 for 1998–99;

£9,333,000 for 1999–2000; and

£11,757,000 for 2000–01.

The figure for the year 2001–02 is not yet available.

Between April 1999 and March 2002 a total of £12 million was recycled through the Confiscated Assets Fund (CAF) and disbursed on anti-drug programmes. The amounts disbursed in each year were £3 million in 1999–2000, £5 million in 2000–01 and £4 million in 2001–02.

No recycling of confiscated assets to anti-drugs programmes occurred during the period between 1996 and 1999, the year when the Confiscated Assets Fund was established.

Extradition

Keith Vaz: To ask the Secretary of State for the Home Department how many requests he has received for extradition since 7 June. [68013]

Mr. Bob Ainsworth: The United Kingdom has received three extradition requests since 7 June 2002. In addition, requests are awaited for six fugitives who have been provisionally arrested since that date.

The figures do not include requests received from Ireland which are subject to a simpler backing of warrants regime. Those figures are not kept centrally.

Mayfield College

Mr. Hendry: To ask the Secretary of State for the Home Department what approaches he has received from Sabre Developments Ltd. regarding the potential use of Mayfield college, Mayfield, East Sussex, as an asylum accommodation centre. [67941]

Beverley Hughes *[holding answer 8 July 2002]:* We have no contact from Sabre Developments Ltd. in respect of using this site as an accommodation centre for asylum seekers.

Air Weapons

Helen Jones: To ask the Secretary of State for the Home Department (1) what recent representations he has received on banning the private ownership of air weapons; and if he will make a statement; [67154]

(2) what recent representations he has received on increasing the age at which unsupervised use of air weapons is allowed; and if he will make a statement; [67155]

(3) what steps he is taking to control the advertising of air weapons; and if he will make a statement. [67158]

Mr. Bob Ainsworth *[holding answer 8 July 2002]:* We have recently received a number of representations about the private ownership of air weapons, both for and against banning them or changing the age limits for unsupervised use.

The Government totally condemn the irresponsible use of air weapons and are presently reviewing the overall effectiveness of the current range of controls, including those regulating the age at which air weapons can be used without supervision and the way in which they are sold.

An absolute ban on the ownership of air weapons was considered by the Home Affairs Committee in their second report on controls over firearms. They concluded that such a ban would not be appropriate, but did recommend that the existing laws relating to air weapons be rigorously enforced and that this should be coupled with a programme of education on their safe and responsible use. We accepted that recommendation and are currently considering advice from the Firearms Consultative Committee on how best to take this forward.

There are no statutory restrictions at present on the advertising of air weapons. Generally, advertising in the non-broadcast media is subject to self-regulation under the advertising industry's British Codes of Advertising and Sales Promotion, compliance with which is overseen by the Advertising Standards Authority. The authority will investigate all complaints of non-compliance with the codes, including any about advertisements which appear to condone or are likely to provoke violence or anti-social behaviour.

Helen Jones: To ask the Secretary of State for the Home Department how many prosecutions for selling an air weapon to a person under the age of 18 *(a)* were commenced and *(b)* resulted in a conviction in each of the past five years. [67153]

Mr. Denham *[holding answer 8 July 2002]:* The available information is contained in the table and relates to 'selling or letting on hire an air weapon or ammunition to a person under 17'.

Statistics for 2001 will be available in the autumn.

Persons proceeded against and found guilty at all courts for selling an air weapon or ammunition to a person under the age of 17, England and Wales 1996 to 2000[1,2]

Offence description/Statute	*Persons proceeded against*	*Persons found guilty*
Selling or letting on hire an air weapon or ammunition to a person under 17: Firearms Act 1968, Sec 24(1)		
1996	4	2
1997	2	1
1998	4	3
1999	1	1
2000	—	—

[1] These data are on the principal offence basis.

[2] Staffordshire police were only able to submit sample data for persons proceeded against and convicted in the magistrates courts for the year 2000. Although sufficient to estimate higher orders of data, these data are not robust enough at a detailed level and have been excluded from this table.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department (1) when he intends to reply to the letter to him dated 22 May from the right hon. Member for Manchester, Gorton with regard to Mr. B. Benbaziz; [68199]

(2) when he intends to reply to the letter to him dated 22 May from the right hon. Member for Manchester, Gorton with regard to Mr. and Mrs. Islam; [68200]

(3) when he intends to reply to the letter to him dated 22 May from the right hon. Member for Manchester, Gorton with regard to Mrs. Um-Kalthovma; [68202]

(4) when he intends to reply to the letter to him dated 22 May from the right hon. Member for Manchester, Gorton with regard to Mr. A. R. Nazari; [68197]

(5) when he intends to reply to the letter to him dated 22 May from the right hon. Member for Manchester, Gorton with regard to Sirwan Abdulrehman. [68203]

Mr. Blunkett: A reply was sent to my right hon. Friend on 9 July 2002.

Mr. Gordon Marsden: To ask the Secretary of State for the Home Department when he will reply to the letter from the hon. Member for Blackpool, South dated 26 March, ref 6529/2. [65620]

Mr. Denham *[holding answer 1 July 2002]:* A reply was sent to my hon. Friend on 27 June 2002.

Mr. Lidington: To ask the Secretary of State for the Home Department when he received the letters of 23 January and 23 March from the solicitors to Mr. D M of Aylesbury (ref. M1002217); when he intends to reply; and if he will make a statement. [68507]

Beverley Hughes *[holding answer 9 July 2002]:* The letter of 23 January was received by the Immigration and Nationality Directorate (IND) on 25 January 2002 and a reply was sent on 2 May 2002. There is no trace of IND receiving a letter dated 23 March 2002, although a letter dated 25 March 2002 with copies of an application and other documents was received on 27 March 2002. Unfortunately, these documents were not linked to the file until after the reply was sent.

The application is now being considered urgently and Mr. D M's representatives will be contacted as soon as a decision has been made. I am sorry for the delay in IND actioning this case.

Mr. Lidington: To ask the Secretary of State for the Home Department if his Department has received the recorded delivery letter RB 6205 2931 OGB, dated 1 May, from Mrs. O P of Aylesbury (ref. P404417) concerning her asylum application; when he expects to reply; and if he will make a statement. [68508]

Beverley Hughes *[holding answer 9 July 2002]:* This letter has been received but regrettably has since been misplaced within the Immigration and Nationality Directorate (IND). Officials are contacting Mrs. O P to clarify her inquiry and will then reply to her as soon as possible.

Passports

Mr. Cox: To ask the Secretary of State for the Home Department how many new passport applications were approved during 2001. [68448]

Beverley Hughes: Of the 5,668,272 passport applications made during 2001, 2,678,935 were classed as new applications. Of these, 1,209,017 were adult first-time applications and 1,469,918 were child applications. The remainder were made up of renewals, amendments and extensions.

Child Curfew Orders

Mr. Malins: To ask the Secretary of State for the Home Department how many child curfew orders have been imposed to date in Surrey. [68631]

Mr. Denham *[holding answer 9 July 2002]:* No applications have been received to impose child curfew schemes under section 14 of the Crime and Disorder Act

1998. Sections 48 and 49 of the Criminal Justice and Police Act 2001, which took effect on 1 August 2001, extended the upper age limit to 15 and allowed the police, as well as local authorities, to initiate schemes. Local areas are assessing the implications of these changes and we know that local consultation is taking place.

Heartbeat Detectors

Mr. Malins: To ask the Secretary of State for the Home Department on how many occasions a heartbeat detector machine at Dover has broken down or failed to function in the last six months. [68627]

Beverley Hughes *[holding answer 9 July 2002]:* The heartbeat detector requires a structure to protect it from adverse weather, such as high winds. The mechanical doors allowing entry and exit from this structure have, on occasion, failed.

There have also been occasions when the heartbeat detector itself has required minor attention, but rarely has the fault caused the equipment to be taken out of service. Where it has, the Immigration Service has been able to rely on other methods to detect clandestines, including body detection dogs, carbon dioxide detectors, X and gamma ray scanners, to maintain an effective deterrent and detection capability.

Mr. Malins: To ask the Secretary of State for the Home Department how many heartbeat detector machines are installed at *(a)* Dover, *(b)* Folkestone, *(c)* Coquelles and *(d)* Calais. [68625]

Beverley Hughes *[holding answer 9 July 2002]:* The Immigration Service currently deploys two heartbeat detector machines—one in Dover and one in Coquelles.

At present there are no ferry services using the port of Folkestone, and consequently, there is no current demand for the deployment of detection technology there. Freight vehicles using the Eurotunnel Freight Shuttle service do, however, arrive at Cheriton, near Folkestone. These are subject to search at or before the British Control Zone at Coquelles before travel.

A programme is now under way to procure additional heartbeat detectors and other detection technology for deployment at various continental ports serving the United Kingdom, including Calais.

Mr. Malins: To ask the Secretary of State for the Home Department what proportion of lorries passing through Dover from France are checked by a *(a)* dog, *(b)* heartbeat detector machine, *(c)* carbon dioxide stick and *(d)* X-ray machine. [68628]

Beverley Hughes *[holding answer 9 July 2002]:* Based on collated intelligence and profiling, the Immigration Service currently checks approximately 12 per cent. of lorries which arrive at Dover on cross-channel ferries. Immigration Officers use a combination of all the methods of detection referred to, the choice of which is determined by the characteristics of the vehicle to be searched. No figures are held which illustrate the frequency of use of one method over another.

National Identity Card Scheme

Mr. Laws: To ask the Secretary of State for the Home Department what assessment he has made of the *(a)* costs and *(b)* change in the levels of crime which would result from a compulsory national identity card scheme; and if he will make a statement. [67693]

Beverley Hughes *[holding answer 9 July 2002]:* My right hon. Friend the Home Secretary made a statement to the House on 3 July 2002 announcing the publication of a consultation paper on Entitlement Cards and Identity Fraud. The consultation period will last until 10 January 2003. The Government have made it clear that the introduction of an entitlement card would be a major step and that it would not proceed without consulting widely and considering all the views expressed very carefully. The consultation paper rules out a scheme where it would be compulsory to carry a card but does raise the option of a universal scheme where everyone would have to register and obtain a card.

The paper includes a number of estimates of what a scheme would cost, depending on the sophistication of the card. A reasonable estimate would be that a scheme would cost around £1.3 billion over a 13-year period covering the three years it would take to set up the necessary information technology systems and the 10-year period for which the first cards would be valid.

This would include much more stringent identity checks than currently apply for passports and driving licences in response to increased levels of fraudulent applications.

It would also include the costs of using biometric information (fingerprints or iris images) which would uniquely link the card holder with a card.

A universal entitlement card would be a powerful weapon in the fight against crimes of identity fraud which cost the economy at least £1.3 billion each year. It could also help to combat illegal immigration and illegal working. The degree to which a card scheme could reduce these crimes would depend on the type of card scheme introduced, to what services it was linked and the speed of its introduction. The Government will be consulting on these and other issues during the consultation exercise.

Police

Mr. Laws: To ask the Secretary of State for the Home Department what percentage of general calls to the force switchboard were not answered within 20 seconds in each police force in England in each year from 1990–91 to 2001–02, ranked from best to worst performance for the most recent year for which information is available; and if he will make a statement. [66884]

Mr. Denham *[holding answer 8 July 2002]:* The information requested is not collected centrally, and I understand that forces do not routinely measure how long it takes to answer calls to their general switchboards. Times for answering 999 calls are collected and this information has been provided in response to a separate question.

Keith Vaz: To ask the Secretary of State for the Home Department what steps he has taken since 7 June 2001 to ensure that vacancies for the post of chief constable are advertised as quickly as possible. [66334]

Mr. Denham: In April 2001, we established the Senior Appointments Panel, chaired by Her Majesty's Chief Inspector of Constabulary, to offer advice on the approval of chief officer candidates and to assist police authorities in the co-ordination and timetabling of the appointments process.

Work is currently under way to develop detailed guidance for police authorities on the recruitment and selection of chief officers, drawn up in close consultation with key stakeholders. That will replace the current guidance in Home Office Circular 52-96. The new guidance will set out a wide range of best practice on all aspects of chief officer recruitment and selection procedures, including the setting of an appropriate timetable for key steps in the process at the point a vacancy arises.

Mr. Webb: To ask the Secretary of State for the Home Department how much money was spent by the relevant pension fund on paying pensions to retired members of the police force in 2001–02; if he will estimate the corresponding amounts to be spent in *(a)* five years' time, *(b)* 10 years' time, *(c)* 20 years' time and *(d)* 30 years' time; if he will estimate in each case the proportion of such liabilities which will arise from (i) unfunded pension schemes and (ii) pre-funded pension schemes; and in the case of pre-funded schemes; if he will estimate the value of the corresponding pre-funded funds in each of these years. [66560]

Mr. Denham: The Police Pension Scheme is an unfunded scheme. The cost of police pensions in England and Wales in 2001–02 is estimated at £1.1 billion. Estimated costs to individual police authorities in 2001–02 are set out in the table. No projections of police pensions' costs in five, 10, 20 and 30 years' time are available. These are matters for individual police authorities.

As we made clear in the White Paper 'Policing a New Century: A Blueprint for Reform', we are aware of the need of police authorities and chief officers for a system which brings greater clarity about pensions obligations on individual police authorities. With the Treasury we are examining the options for a revised system of funding which would bring this about.

Force	*Net pensions expenditure £000*
Avon and Somerset Police	31,585
Bedfordshire Police	9,078
Cambridgeshire Police	10,674
Cheshire Police	16,599
City of London	9,578
Cleveland Police	13,478
Cumbria Police	10,765
Derbyshire Police	14,473
Devon and Cornwall Police	28,313
Dorset Police	12,728
Durham Police	10,991
Dyfed Powys	8,435
Essex Police	25,211
Gloucestershire Police	10,301
Greater Manchester Police	66,792
Gwent Police Authority	9,621
Hampshire Police	24,537
Hertfordshire Police	12,308
Humberside Police	18,572
Kent Police	26,759
Lancashire Police	28,568
Leicestershire Police	14,706
Lincolnshire Police	12,820
Merseyside Police	43,542
Metropolitan Police (GLA)	254,767
Norfolk Police	12,354
North Wales	13,249
North Yorkshire Police	14,757
Northamptonshire Police	8,484
Northumbria Police	32,794
Nottinghamshire Police	21,457
South Wales	30,169
South Yorkshire Police	22,805
Staffordshire Police	22,866
Suffolk Police	11,130
Surrey Police	11,605
Sussex Police	29,312
Thames Valley Police	24,971
Warwickshire Police	10,300
West Mercia Police	18,183
West Midlands Police	51,133
West Yorkshire Police	47,066
Wiltshire Police	9,272
Total	1,117,108

Source:

The Chartered Institute of Public Finance and Accountancy Police Statistics 2001–02 (Estimates)

Mr. Steinberg: To ask the Secretary of State for the Home Department how many police vehicles were involved in road accidents resulting in *(a)* slight injuries, *(b)* serious injuries and *(c)* fatal accidents in the last five years. [65786]

Mr. Denham: The available information is set out in table and relates to the number of injuries and deaths involving police vehicles engaged in immediate/emergency response or pursuit only.

	Deaths	*Serious injury*	*Slight injury*
1997–98	15	200	1,923
1998–99	11	210	1,653
1999–2000	14	115	1,645
2000–01	19	163	1,973
2001–02	24	168	1,768

Notes:

(i) The information has been provided by Her Majesty's Inspectorate of Constabulary (HMIC), to which forces submit statistical returns.

(ii) Data are missing from one force in 1998–99 and 1999–2000; and from two forces 2000–01.

(iii) All figures are for financial year.

(iv) The figures are numbers of deaths/injuries, not numbers of accidents.

(v) The figures include both police and civilian casualties.

(vi) The figures for 2001–02 are provisional only. Data are missing from four forces.

Mr. Steinberg: To ask the Secretary of State for the Home Department how many police vehicles committed traffic violations and what was the *(a)* nature of these violations and *(b)* number of prosecutions arising from them in the last 12 months. [65758]

Mr. Denham: The information is not collected centrally.

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many guns each police force possesses, broken down by type; how many officers each force has trained in the use of guns, broken down by rank;

and how many incidents there have been in each force in which guns have been used by officers in each of the last five years; and how many fatalities have resulted. [65641]

Mr. Denham: Information on the numbers and types of firearms held by each force, and details of the ranks of authorised firearms officers, is not held centrally. The collection of this information could only be done at disproportionate cost.

I have attached the most recently published figures on the number of authorised firearms officers and also on operations in which firearms were issued. The number of persons shot by police over the same period and the number of those whose wounds were fatal, are also attached.

Number of operations in which firearms were issued

	1996–97	*1997–98*	*1998–99*	*1999–2000*
Total	12,379	11,842	10,928	10,915
Avon and Somerset	312	139	88	90
Bedfordshire	345	323	260	190
Cambridgeshire	54	96	43	75
Cheshire	288	216	299	386
Cleveland	1,026	103	35	76
City of London	308	307	147	125
Cumbria	72	68	52	24
Derbyshire	109	147	176	178
Devon and Cornwall	160	133	61	65
Dorset	36	54	69	79
Durham	131	103	114	114
Essex	331	505	590	497
Gloucestershire	41	51	52	52
Greater Manchester	214	165	160	224
Hampshire	245	217	129	103
Hertfordshire	96	82	75	73
Humberside	291	472	317	193
Kent	236	423	92	85
Lancashire	333	338	616	267
Leicestershire	155	89	109	222
Lincolnshire	58	52	57	155
Merseyside	671	675	484	489
Metropolitan	2,439	2.578	2,742	2,862
Norfolk	166	128	185	239
Northamptonshire	64	77	51	57
Northumbria	1,360	823	683	465
North Yorkshire	65	102	69	61
Nottinghamshire	84	306	266	255
South Yorkshire	155	302	135	237
Staffordshire	257	240	209	174
Suffolk	180	193	174	165
Surrey	133	87	60	143
Sussex	235	330	123	185
Thames Valley	215	227	158	110
Warwickshire	97	152	291	194
West Mercia	106	132	130	110
West Midlands	270	227	305	362
West Yorkshire	617	630	662	813
Wiltshire	26	26	24	19
Dyfed-Powys	17	27	38	37
Gwent	89	86	64	39
North Wales	233	310	386	371
South Wales	59	101	148	255

Number of authorised firearms officers (AFOs)

	1996–97	*1997–98*	*1998–99*	*1999–2000*
Total	6,738	6,585	6,308	6,262
Avon and Somerset	165	161	153	150
Bedfordshire	46	42	50	46
Cambridgeshire	90	80	80	77
Cheshire	70	82	70	75
Cleveland	86	84	78	80
City of London	88	81	55	73
Cumbria	108	122	98	98
Derbyshire	110	100	87	77
Devon and Cornwall	151	147	82	119
Dorset	74	72	72	66
Durham	138	144	96	101
Essex	228	217	235	228
Gloucestershire	82	84	79	77
Greater Manchester	209	182	217	218
Hampshire	106	112	110	111
Hertfordshire	42	41	43	52
Humberside	90	102	102	97
Kent	150	150	130	136
Lancashire	132	125	132	143
Leicestershire	104	94	90	90
Lincolnshire	82	85	75	78
Merseyside	147	165	121	96
Metropolitan	2,035	1,971	1,951	1,977
Norfolk	98	102	109	110
Northamptonshire	92	92	92	75
Northumbria	173	126	123	114
North Yorkshire	108	95	83	59
Nottinghamshire	128	129	120	116
South Yorkshire	110	108	90	100
Staffordshire	78	86	92	81
Suffolk	82	96	101	98
Surrey	76	61	69	71
Sussex	180	146	156	131
Thames Valley	185	194	179	187
Warwickshire	41	38	44	54
West Mercia	155	159	139	129
West Midlands	88	95	92	93
West Yorkshire	131	114	128	110
Wiltshire	134	105	88	89
Dyfed-Powys	70	71	67	65
Gwent	70	59	64	68
North Wales	72	90	97	92
South Wales	134	176	169	155

	Persons shot by police	*Fatally wounded*
1997	1	—
1998	5	2
1999	7	3
2000	6	2

Mr. Hancock: To ask the Secretary of State for the Home Department how many *(a)* policemen and *(b)* police women there were in (i) 1997 and (ii) 2001; and if he will make a statement. [66468]

Mr. Denham: At 30 September 1997 there were 107,505 full-time equivalent male police officers and 19,357 full-time equivalent female police officers in England and Wales.

At 30 September 2001 there were 105,136 full-time equivalent male police officers and 22,094 full-time equivalent female police officers in England and Wales.

We have reversed the long-term decline in police strength. Police officer numbers had reached a record number by the end of January 2002. We are on track for our target of 130,000 officers by spring 2003.

The proportion of female officers has risen from 15 per cent. to 17 per cent., and raising the representation of women in the Police Service is an area we are continuing to address.

Mr. Hunter: To ask the Secretary of State for the Home Department what guidelines are issued to police forces regarding *(a)* colour blindness tests for recruits and *(b)* the standards which recruits must attain to be accepted. [66465]

Mr. Denham: Guidelines issued by the Home Office (Home Office Circular 7/98) state that candidates for the police service need to be able to pass the City University Colour Vision Test and achieve 7/10 of the plates to pass.

The Home Office are currently funding research to develop new job related medical and eyesight standards. The research includes whether there is a continuing need for a colour vision requirement. Draft recommendations on eyesight requirements are due shortly. These will be discussed with The Association of Chief Police Officers (ACPO) and police interest groups and are expected to be introduced later this year. All forces will be expected to apply the new standards consistently.

Miss McIntosh: To ask the Secretary of State for the Home Department when he will publish his review of police pension arrangements. [65633]

Mr. Denham: As we stated in our White Paper "Policing a New Century: A Blueprint for Reform", we are looking at ways of modernising police pensions to make them more flexible and affordable for future entrants and to reflect modern lifestyle patterns. This is a complex area, which needs careful consideration.

Mr. Cummings: To ask the Secretary of State for the Home Department how many *(a)* arrests and *(b)* prosecutions there were in the Peterlee Sub Division for (i) use of illegal substances, (ii) possession of illegal substances and (iii) the dealing in illegal substances in (A) 1999, (B) 2000 and (C) 2001. [65586]

Mr. Bob Ainsworth: The available information, relating to illegal drugs, is as follows.

Persons[1] proceeded against in the Easington petty sessional area for the possession of and dealing in a controlled drug, 1999 and 2000

	Easington petty sessional area
Possession of a controlled drug	
1999	21
2000	61
Dealing in a controlled drug[2]	
1999	*21*
2000	*61*

[1] Persons for whom these offences were the principal offence for which they were dealt with.

[2] Includes offences of importation/exportation, production, supplying, possession with intent to supply etc.

The number of arrests within the Peterlee Sub Division of Durham Constabulary are not available centrally. The 'use' of illegal drugs is not an offence.

Statistics for 2001 will be available in the autumn.

Bob Spink: To ask the Secretary of State for the Home Department what his policy is on improving public access to police stations in local communities; and if he will make a statement. [62291]

Mr. Denham: The management of police property and allocation of resources are matters for each police authority and the chief officer who are best placed to assess local needs for the policing plan and local operational priorities, taking local opinion into account.

In guidance issued in 2001 we made it a requirement for police authorities to include in their annual policing/best value performance plans details of any police stations which have opened or closed in the previous financial year.

Special Constables

Mr. Gray: To ask the Secretary of State for the Home Department how many special constables are serving, and what the total was on 1 May 1997, broken down by individual police authorities; how many special constables *(a)* were recruited to each police authority in each year since 1997 and *(b)* left; what regulations govern the method of recruitment and enlistment of special constables, and whether they vary between police area; and how long a gap there was on average in the last 12 months between a potential special constable's volunteering and eventual enlistment, broken down by police area. [65493]

Mr. Denham: Statistics on the strength of the special constabulary are collected by the Home Office Research Development and Statistics Directorate for the end of March and September each year.

The tables show the strength of specials, by force, in 1997 and 2001 and details, by force, of recruitment and wastage for each year since 1997.

The Special Constables Regulations 1965 (as amended) specify that a person appointed as a special must have attained the age of 18 years and be of good character and health. Beyond that, the regulations leave qualification for appointment to the discretion of the chief officer. However, the Home Office has issued guidance on the eligibility and recruitment of specials, in particular, Home Office Circular 12/2000, copies of which have been lodged with the Library.

Information on time taken between the application and appointment of specials is not collected centrally.

Special constable strength by police force area

	March 1997	*September 1997*	*March 2001*	*September 2001*
Avon and Somerset	759	629	400	391
Bedfordshire	182	186	115	119
Cambridgeshire	303	336	218	197
Cheshire	475	491	290	233
Cleveland	160	157	93	98
Cumbria	189	184	156	125
Derbyshire	428	414	275	263
Devon and Cornwall	1,148	1,079	796	780
Dorset	289	325	267	258
Durham	184	178	146	146
Essex	634	641	445	413
Gloucestershire	297	287	183	153
Greater Manchester	685	657	367	355
Hampshire	621	681	454	444
Hertfordshire	297	306	198	177
Humberside	340	348	212	207
Kent	589	588	392	366
Lancashire	483	500	360	325
Leicestershire	415	402	162	155
Lincolnshire	271	273	166	160
City of London	86	84	43	34

Special constable strength by police force area

	March 1997	*September 1997*	*March 2001*	*September 2001*
Merseyside	401	407	541	507
Metropolitan police	1,714	1,528	774	753
Norfolk	402	346	259	240
Northamptonshire	316	314	188	184
Northumbria	533	480	300	276
North Yorkshire	362	337	182	186
Nottinghamshire	620	597	335	281
South Yorkshire	308	295	188	189
Staffordshire	685	643	402	395
Suffolk	379	300	349	322
Surrey	297	231	149	176
Sussex	472	465	306	301
Thames Valley	656	694	418	377
Warwickshire	381	379	221	208
West Mercia	582	558	399	364
West Midlands	945	949	617	604
West Yorkshire	690	604	415	371
Wiltshire	154	150	152	160
Dyfed Powys	283	241	191	174
Gwent	157	149	137	148
North Wales	341	388	207	203
South Wales	361	362	254	250
Total all forces	19,874	19,163	12,722	12,068

Recruitment and wastage 1997–2001—specials recruitment/wastage in the 12 months to 31 March, by force (England and Wales)

	1997		*1998*		*1999*		*2000*		*2001*	
Police force	*Recruitment*	*Wastage*	*Recruitment*	*Wastage*	*Recruitment*	*Wastage*	*Recruitment*	*Wastage*	*Recruitment*	*Wastage*
Avon and Somerset	203	171	138	140	98	172	38	126	57	124
Bedfordshire	35	29	39	31	11	42	17	20	7	43
Cambridgeshire	106	53	103	86	62	36	58	76	43	79
Cheshire	272	71	140	119	64	119	15	59	4	58
Cleveland	16	29	25	21	39	22	13	27	7	10
Cumbria	30	41	39	31	40	28	18	46	7	25
Derbyshire	105	54	62	110	29	92	30	65	46	53
Devon and Cornwall	194	162	192	256	158	179	119	139	87	131
Dorset	70	25	90	42	54	50	48	31	22	48
Durham	47	49	41	41	47	37	36	30	34	43
Essex	185	154	173	165	84	130	61	106	92	128
Gloucestershire	34	51	33	48	12	55	20	38	13	36
Greater Manchester	156	217	94	181	66	141	73	139	41	131
Hampshire	235	88	222	128	252	190	90	235	50	177
Hertfordshire	61	74	53	43	33	62	31	42	27	41
Humberside	61	108	44	61	138	85	18	30	12	43
Kent	220	102	202	199	138	203	89	179	102	143
Lancashire	182	230	97	87	60	90	41	75	36	58
Leicestershire	84	31	61	70	17	107	25	94	0	85
Lincolnshire	46	50	60	66	27	71	14	30	8	40
City of London	32	23	22	32	17	29	8	14	0	15
Merseyside	145	61	141	58	111	52	55	24	77	57
Metropolitan police	191	246	127	264	7	94	1	39	41	29
Norfolk	154	71	64	129	84	83	36	86	35	61
Northamptonshire	89	68	39	63	26	76	35	76	53	64
Northumbria	121	60	63	153	72	103	60	71	58	79
North Yorkshire	96	40	68	72	32	114	32	114	25	60
Nottinghamshire	200	112	69	131	70	126	24	32	0	0
South Yorkshire	40	115	50	76	53	99	24	69	37	55
Staffordshire	120	140	69	108	55	121	64	58	17	91
Suffolk	56	78	86	69	107	92	90	119	55	97
Surrey	49	15	46	60	44	29	23	56	28	33
Sussex	76	116	105	134	55	83	41	82	27	58
Thames Valley	192	168	119	100	85	95	49	100	51	108
Warwickshire	65	64	66	119	44	128	44	128	0	41
West Mercia	66	72	72	79	81	71	61	50	64	334
West Midlands	398	350	213	243	145	206	115	116	120	150
West Yorkshire	207	221	81	200	117	130	163	180	102	126
Wiltshire	[1]—	39	36	22	61	25	23	34	45	66
Dyfed-Powys	57	89	80	112	29	46	21	44	24	45
Gwent	13	18	0	46	13	20	16	10	38	17
North Wales	119	35	57	52	38	36	10	82	11	18
South Wales	80	179	79	74	48	64	18	37	37	33
Total all forces	4,908	4,169	3,660	4,321	2,823	3,853	1,867	3,208	1,640	3,133

[1] Not available.

Mr. Gray: To ask the Secretary of State for the Home Department on how many occasions in each of the last five years the Metropolitan police has lost the files of those seeking to enlist as special constables. [65612]

Mr. Denham: The Commissioner of Police of the Metropolis informs me that current records indicate there have been no missing files during the course of 2002. Information is not centrally available to the Metropolitan police service in order to indicate the position regarding the proceeding four years.

Mr. Gray: To ask the Secretary of State for the Home Department what the establishment is of the Honourable Artillery Company's Metropolitan Special Constabulary; what its strength is; how many constables enlisted in each year since 1997; and what the delay between recruitment and enlistment was. [65611]

Mr. Denham: The Commissioner of Police of the Metropolis informs me that there is no specific establishment figure for the Metropolitan Special Constabulary Unit associated with the Honourable Artillery Company. The current strength of the unit is 14 special constables. It is understood that three special constables have joined the unit since 1997, but data on their year of joining or how long it took to process these individuals is not centrally available to the Metropolitan police service.

Yarl's Wood Fire

Mr. Malins: To ask the Secretary of State for the Home Department (1) how many persons charged with criminal offences arising out of the fire at Yarl's Wood have received legal aid to instruct solicitors and counsel; [68635]

(2) in relation to the fire at Yarl's Wood, how many criminal charges have been preferred; what the nationalities of those charged are; and what the charges are; [68652]

(3) in relation to the fire at Yarl's Wood, what allegations of crimes against Kosovan women were reported which did not result in charges being preferred. [68633]

Beverley Hughes *[holding answer 9 July 2002]:* These are all matters which should be addressed to the Chief Officer of the Bedfordshire police. However, I understand that 12 people have been charged with violent disorder in relation to the incident at Yarl's Wood. Of these, five are Nigerian, two are Algerian, two are Albanian, one is Kosovan, one is Yugoslav and one is from the Ivory Coast. I further understand that all of these people have received legal aid to instruct solicitors and counsel.

Reported allegations of crimes against Kosovan women is also a matter for the Chief Officer of Bedfordshire police. However, I understand that there have been no such allegations.

Mr. Malins: To ask the Secretary of State for the Home Department how many potential witnesses in relation to criminal trials arising out of the Yarl's Wood fire have been *(a)* removed and *(b)* deported; and whether arrangements will be made for their return to give evidence. [68654]

Beverley Hughes *[holding answer 9 July 2002]:* Information about the number of witnesses who have been removed is not readily available and could be obtained only at disproportionate cost by an examination of individual case files. There is, however, an existing procedure in place for the police to contact the Immigration Service should they wish to request the return of a prosecution witness to attend a trial where there is a reason to believe that a person will not qualify for entry.

Mr. Malins: To ask the Secretary of State for the Home Department in relation to the fire at Yarl's Wood, how many persons absconded following the fire; how many have been recaptured; and what criminal charges have been laid against those recaptured. [68653]

Beverley Hughes *[holding answer 9 July 2002]:* In the immediate aftermath of events at Yarl's Wood on 14–15 February 2002 there were 21 detainees unaccounted for. Of these 15 remain unaccounted for. They are believed to have absconded during the fire and disturbance and efforts to trace and apprehend them are continuing.

Whether there should be any criminal charges against those concerned is a matter for the police.

Harry Cohen: To ask the Secretary of State for the Home Department what assessment he has made of the cause of the clashes between detainees and Group 4 staff at Yarl's Wood prior to the fire; and if he will make a statement. [67676]

Beverley Hughes: Stephen Moore is currently heading a Home Office investigation into the events at Yarl's Wood and we await his recommendations. It would be inappropriate to comment further at the present time.

Asylum Seekers

Mr. Malins: To ask the Secretary of State for the Home Department how many asylum seekers have been released from Oakington Centre pending their appeals; and what proportion are at addresses known to the authorities. [68632]

Beverley Hughes *[holding answer 9 July 2002]:* From 20 March 2000 to 31 December 2001, 10,075 principal applicants received at the Oakington Reception Centre have lodged appeals. Of these, all would have been released either to an agreed address and required as a condition of their temporary admission to notify the Immigration and Nationality Directorate (IND) of any change of address, or to a secure detention centre.

Mr. Jenkins: To ask the Secretary of State for the Home Deparment what plans he has to improve the asylum processing procedure. [66893]

Beverley Hughes: My right hon. Friend the Home Secretary published a White Paper "Secure Borders, Safe Haven" on 7 February 2002, followed on 12 April 2002 by the Nationality, Immigration and Asylum Bill, which is currently before Parliament. These both outline the steps that we are taking to improve the asylum processing procedure.

Mr. Malins: To ask the Secretary of State for the Home Department what studies he has made of the use of barges to house asylum seekers in the Netherlands; and if he will make a statement. [68621]

Beverley Hughes *[holding answer 9 July 2002]:* No such studies have been made. The Home Office has, however, commissioned research to examine the reception policies and practice of four European countries (Sweden, Denmark, the Netherlands and Germany).

Mr. Malins: To ask the Secretary of State for the Home Department what plans he has to increase and improve the training of initial decision makers in asylum cases. [68641]

Beverley Hughes *[holding answer 9 July 2002]:* There are no current plans to increase and improve the training of initial decision-makers in asylum cases.

Current training plan supports business delivery of asylum decision making targets.

Training is continually evaluated, post course and after several months in post to make sure that it is meeting needs.

Changes are made in light of feedback from asylum staff or in response to legislative/procedural changes.

Mr. Malins: To ask the Secretary of State for the Home Department in relation to initial decision makers in asylum cases, what educational or legal qualifications are required; what period of training is required; and what the relevant salary scales are. [68639]

Beverley Hughes *[holding answer 9 July 2002]:* The majority of initial decision makers in asylum cases are appointed at executive officer level within the Immigration and Nationality Directorate (IND).

No formal educational or legal qualifications are required for entry to this grade. Selection to the grade is competency based.

Those appointed to the posts receive a three day induction programme on the organisation of IND and the Integrated Casework Directorate, followed by a two week programme on asylum knowledge and processes. Thereafter, caseworkers receive two weeks mentoring in a dedicated unit and a three day training programme in interviewing skills.

The minimum starting salary for an executive officer in Croydon is £16,663 per annum.

Progression to higher salaries is based on an annual review of performance in the grade.

Mr. Malins: To ask the Secretary of State for the Home Department how many initial decision makers in asylum cases were in post in January of each year since 1997. [68640]

Beverley Hughes *[holding answer 9 July 2002]:* The latest available information is shown in the table.

Number of initial decision makers in post in January of each year since 1997

	Number in post in January
1997	Records not available
1998	Records not available
1999[1]	Records not available
2000	174
2001	761
2002	697

[1] The Integrated Casework Directorate started recording staffing data in December 1999. Staffing records identifying initial decision makers in asylum cases before then are not available.

All data relates to asylum initial decision makers in the Immigration Nationality Directorate (IND).

Mr. Malins: To ask the Secretary of State for the Home Department how many *(a)* current asylum seekers and *(b)* asylum seekers who have been refused asylum but have lodged appeals are held in custody in detention centres or prisons. [68638]

Beverley Hughes *[holding answer 9 July 2002]:* The latest available information on the number of persons detained solely under Immigration Act powers relates to 30 March 2002. As at that date, 1,140 persons (to the nearest five) were being detained at immigration service removal centres, immigration short-term holding facilities and prison establishments who are recorded as having claimed asylum at some stage.

I regret that information on the number of these persons who are awaiting an initial decision on their asylum claim or who have lodged an appeal is not available and could be obtained only at disproportionate cost by examination of individual case records.

Information on Immigration Act detainees as at 29 June 2002 will be published on 30 August 2002 on the Home Office Research Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Mr. Malins: To ask the Secretary of State for the Home Department what plans he has to identify on French territory asylum seekers who might have a valid claim to asylum in the UK. [68643]

Beverley Hughes *[holding answer 9 July 2002]:* Intensive discussions are continuing between the United Kingdom (UK) and French governments on illegal immigration through France to the UK. My right hon. Friend the Home Secretary and his French counterpart Nicolas Sarkozy met on 25 June 2002. The two Ministers plan to meet again on 12 July 2002. There are no present plans for the UK authorities to process asylum applications in France.

Mr. Malins: To ask the Secretary of State for the Home Department if he will commission studies to ascertain the comparative costs of housing asylum seekers in *(a)* Germany, *(b)* the Netherlands and *(c)* the United Kingdom. [68622]

Beverley Hughes *[holding answer 9 July 2002]:* The Home Office is not planning to commission research on the comparative costs of housing asylum seekers in *(a)* Germany, *(b)* the Netherlands and *(c)* the United Kingdom. The Home Office has however, commissioned research to examine the reception policies and practice of four European countries (Sweden, Denmark, the Netherlands and Germany). This includes an analysis of the impact of accommodation centres on (1) application rates, (2) the speed of the determination process, (3) the facilitation of return and removals, and (4) integration.

Comparative costs of accommodation centres and dispersal support and accommodation in the United Kingdom will be evaluated as part of the accommodation centres trial.

Mr. Malins: To ask the Secretary of State for the Home Department if his figures on removals of failed asylum seekers include dependants; and whether this policy has operated in each of the last five years. [68636]

Beverley Hughes *[holding answer 9 July 2002]:* Information on dependants of asylum seekers removed was not routinely collected until April 2001. Asylum removals statistics prior to this time relate to only the number of principal applicants removed and exclude dependants. The statistics since April 2001 show both the number of principal applicants removed and the number of dependants removed.

Asylum removals statistics are published on a quarterly basis on the Home Office Research, Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html, as well as annually in the Home Office Statistical Bulletins 'Asylum Statistics' and 'Control of Immigration Statistics' and the Command Paper 'Control of Immigration Statistics', copies of which are available in the Library and on the Home Office website.

Asylum Accommodation Centres

Mr. Leigh: To ask the Secretary of State for the Home Department what the changed circumstances are that have led to the decision not to use the special urgency provisions of circular 18/84 relating to proposed accommodation centres at Hemswell Cliff. [50497]

Beverley Hughes *[holding answer 16 April 2002]:* We took the decision in response to representations from local councils and residents.

Immigration and Nationality Department

Keith Vaz: To ask the Secretary of State for the Home Department how much was spent by his Department on advertising for posts in the Immigration and Nationality Department in 2001. [68014]

Beverley Hughes: The amount spent on advertising for posts in the Immigration and Nationality Directorate for the period 1 January 2001 to 31 December 2001 is £332,263.14.

Immigration and Customs Officials

Mr. Malins: To ask the Secretary of State for the Home Department how many British immigration or customs officials are deployed at *(a)* Coquelles, *(b)* Calais and *(c)* Brussels Station. [68626]

Beverley Hughes *[holding answer 9 July 2002]:* A total of 129 immigration officers are currently deployed in the British Control Zone at Coquelles. There are no immigration officers currently deployed at Calais port or at Brussels station.

Her Majesty's Customs and Excise have an approximate complement of 270 officers who operate in both the tourist and freight lanes, of the United Kingdom Control Zone at Coquelles. There are no customs officers based at Calais or Brussels station.

Illegal Entrants

Mr. Malins: To ask the Secretary of State for the Home Department how many illegal entrants have been discovered at Waterloo Eurostar in each of the last six months. [68646]

Beverley Hughes *[holding answer 9 July 2002]:* There have been no illegal entrants discovered at Waterloo International terminal in the last six months.

Mr. Malins: To ask the Secretary of State for the Home Department how many illegal entrants have been discovered at Dover in each of the last six months. [68645]

Beverley Hughes *[holding answer 9 July 2002]:* In the first six months of this year the Immigration Service at Dover detected and initially detained 275 illegal entrants in January, 230 in February, 207 in March, 268 in April, 322 in May and 329 in June.

These figures exclude illegal entrants who had evaded controls concealed in vehicles and were subsequently discovered by Kent Police and those illegal entrants who attempted to enter the United Kingdom concealed in rail wagons and were intercepted at the Dollands Moor freight yard at Cheriton.

Mr. Malins: To ask the Secretary of State for the Home Department what proportion of *(a)* lorries and *(b)* other vehicles passing through Dover from France were not checked for purposes of seeking to discover illegal entrants over the last 12 months. [68620]

Beverley Hughes *[holding answer 9 July 2002]:* Approximately 2,500 lorries arrive at Dover every day on board cross Channel ferries. The majority of these vehicles will have undergone pre-boarding checks conducted by agents for either the carrier or the port authority. In addition, over the last 12 months the Immigration Service has checked on average of almost 8 per cent. of lorries on arrival at Dover. With effect from May 2002 the search ratio has increased to 12 per cent. Selection is based on collated intelligence and profiles.

Other vehicles such as private cars and vans are not systematically checked by Immigration Officers at Dover, but checks are carried out where a vehicle fits a particular profile or where the Immigration Officer's suspicions are otherwise aroused.

Written Answers to Questions

Thursday 11 July 2002

TRADE AND INDUSTRY

Wind Farms

9. **Mr. Gareth Thomas:** To ask the Secretary of State for Trade and Industry how many licences for wind farms have been granted since 1997. [66376]

Miss Melanie Johnson: The Department does not maintain a register of all approved wind farm projects, and approval is usually a matter for local determination. From the information available to us, which may not be complete, we are aware of 67 locally-granted approvals for wind farms since 1997. In addition, approvals for two wind farms over 50MW declared net capacity have been given centrally in accordance with section 36 of the Electricity Act 1989.

10. **Tony Cunningham:** To ask the Secretary of State for Trade and Industry how many licences for wind farms have been granted in *(a)* Workington and *(b)* the United Kingdom. [66377]

Nigel Griffiths: The Department does not maintain a register of all approved wind farm projects, and approval is usually a matter for local determination. From the information available to us, which may not be complete, we are aware of four approvals for wind farms in or near Workington, and 129 for wind farms in the United Kingdom. The UK figure includes two approvals given by central Government, in accordance with section 36 of the Electricity Act 1989, for wind farms over 50MW declared net capacity.

Aerospace

11. **Mark Tami:** To ask the Secretary of State for Trade and Industry what measures she is taking to assist the aerospace industry. [66378]

Alan Johnson: This Government have a track record of providing significant support to this important sector. For example, we have committed nearly £1 billion in launch investment support over the past five years for major new airframe and aero-engine programmes.

In addition, support for civil aircraft research and technology currently runs at about £20 million a year. And, as large investors in R&D, aerospace companies will benefit from the recently announced tax credit scheme for larger firms.

We are working closely with other Government Departments on how best to address a wide range of problems faced by the UK aerospace industry. For the longer-term, this embraces a wide range of complex, cross-cutting policy issues—for example, support for research and technology, launch investment, export financing arrangements and defence procurement matters. For the nearer term, we are looking at how to make the most of our generic supports for productivity and competitiveness and the way they are deployed in the regions.

To help with this process, my right hon. Friend, the Secretary of State for Trade and Industry, announced on 16 May the formation of the Aerospace Innovation and Growth Team, lead by Sir Richard Evans. This will enable key stakeholders to work together to produce a shared vision and strategy for the future success of the industry. I expect Sir Richard and his team to report by the end of March 2003. This will enable an informed debate to take place followed by an agreed action plan to take the industry forward.

Shopworkers

12. **Mr. Savidge:** To ask the Secretary of State for Trade and Industry if she will make a statement on employment protection for shopworkers. [66379]

Alan Johnson: In general, protection applies to shopworkers as it does to workers in other sectors of the labour market. For example, if any employer tries to change an employee's terms and conditions of contract without their consent, or dismisses the employee for no good reason, the employee may be able to make a claim. For historical reasons, there is specific additional protection for shopworkers in England and Wales who do not wish to work on Sundays.

Photovoltaics

13. **Mr. Robathan:** To ask the Secretary of State for Trade and Industry how many applications there have been for her Department's PV grants. [66380]

Nigel Griffiths: Up to the end of June there have been 23 applications under the small-scale individual stream. 17 of these have been approved, including that of the hon Member for Blaby. The first system was installed on a house in Dover in June.

For medium and large-scale installations, the first of our quarterly calls for proposals closed at the end of June. This attracted 15 proposals for grants of around £2 million, representing some 450kW of new capacity. These proposals are currently being assessed and we expect to announce the outcome around the end of July.

Postal Services

14. **Gregory Barker:** To ask the Secretary of State for Trade and Industry how many sub-post offices have closed since 1997; and what representations she has received regarding the future of the sub-post office network. [66381]

Ms Hewitt: Post Office Limited has advised me that the number of net closure of post offices since end March 1997 is 1,667. I receive representations on the future of the post office network from numerous sources. The Government are committed to the maintenance of a nationwide network of post offices.

20. **Sir Nicholas Winterton:** To ask the Secretary of State for Trade and Industry if she will make a statement on the future of rural postal services. [66388]

Ms Hewitt: Rural postal services are safeguarded by the universal postal service obligation which the government laid down in primary legislation in the Postal

Services Act 2000. The legislation says that the obligation consists of a service provided at an affordable price determined by a public tariff uniform throughout the UK and includes the delivery each working day to the home or premises of every individual in the UK and a collection each working day from access points. Under the Act it is the Postal Services Commission's (known as Postcomm) primary duty to ensure the provision of a universal postal service and it currently requires Consignia, in the licence, to provide the universal postal service.

Mr. Hancock: To ask the Secretary of State for Trade and Industry which post offices in the Portsmouth, South constituency Consignia is planning to close; and if she will make a statement. [67554]

Ms Hewitt: The programme to restructure the urban post office network has not yet started and I am advised by Post Office Limited that, until it does, there are no specific plans for post office closures in the Portsmouth South constituency. When the programme starts it will be taken forward in consultation with individual subpostmasters, the community, local stakeholders and Postwatch. Under the Code of Practice, Post Office Limited is required to consult Postwatch on individual changes and is briefing it on the process envisaged for reaching decisions.

The objective of the urban network restructuring programme is to provide modernised and improved facilities which meet customers' needs and expectations and are in the right location for the local community.

Unincorporated Businesses (Hertfordshire)

15. **Mr. Prisk:** To ask the Secretary of State for Trade and Industry if she will make a statement on the impact of her Department's policies on unincorporated businesses in Hertfordshire. [66382]

Nigel Griffiths: The Small Business Service provides, through the business Link network, advice, support and regulatory guidance to all types of small businesses.

Business Link Hertfordshire offer a broad range of provision to meet a very broad range of business needs. Last year the Business Link dealt with over 7,000 different businesses.

The SBS is working to: minimise the burdens imposed on small businesses by red tape; and make sure that the interests of small firms are properly considered, by encouraging every part of Government to 'Think Small First' when introducing new regulations.

Technology Transfer

16. **Mr. Luke:** To ask the Secretary of State for Trade and Industry what action she is taking to encourage technology transfer from academic institutions to industry. [66383]

Ms Hewitt: The Government's two White Papers, "Excellence and Opportunity", published in July 2000, and "Opportunity for All", published in February 2001, set out our science and innovation policy for the 21st century, and include a comprehensive range of measures to help promote technology and knowledge transfer between academia and industry. We are making excellent progress in this area.

We are considering, as part of the Government's spending review, how to further develop these initiatives to build on universities' potential as drivers of growth in the knowledge economy.

Small Business Seminar

17. **Mr. Plaskitt:** To ask the Secretary of State for Trade and Industry if she will make a statement on the progress of the Small Business Seminar. [66385]

Nigel Griffiths: The Small Business Service was set up in April 2000.

Latest figures show that Business Links assisted 244,685 businesses during 2001–02.

In addition, Business Links have helped 18,163, new businesses to start-up.

In 2001–02 SBS spent over £154 million in BL programme expenditure—money spent in direct support of SMEs—not running costs—and over £164 million in 2002–03.

The SBS Annual Report 2002 will be published later this month, before the summer recess.

Miners' Compensation

18. **Mr. Prosser:** To ask the Secretary of State for Trade and Industry what action she is taking to monitor progress on the payment of coal health claims. [66386]

Mr. Wilson: I chair the Coal Health Ministerial Monitoring Group which monitors progress, on a national and regional basis. All parties involved in the process attend these meetings.

In addition, there are regional monitoring groups in Scotland, Wales and England, which all report to the national group. In England I have recently established five regional sub-groups which are North East, Midlands/Lancashire, South/South East, Notts/Derby and Yorkshire.

A report on progress is issued monthly and placed in the Libraries of both Houses. Updates are also available on the Coal Health website.

Community Development Financial Institutions

19. **Andrew Selous:** To ask the Secretary of State for Trade and Industry what plans she has to make a feasibility of community development financial institutions. [66387]

Miss Melanie Johnson: The Small Business Service is currently supporting 41 community development finance institutions through its Phoenix Fund. These CDFIs are receiving almost £20 million of support over the next 2 years.

A number of the CDFIs supported are researching new and innovative ways of providing last resort finance to disadvantaged communities.

The Phoenix Fund has also been instrumental in supporting the formation of a trade association for CDFIs, the Community Development Finance Association. This organisation will help to disseminate best practice throughout the sector.

A community investment tax credit that will encourage the private sector to invest money into the community finance sector was announced by my right hon. Friend the Chancellor of the Exchequer in this year's budget.

Manufacturing Industry

21. **Mr. Lloyd:** To ask the Secretary of State for Trade and Industry what steps she is taking to assist manufacturing industry. [66390]

Alan Johnson: The Government's Strategy for Manufacturing, published on 16 May this year, sets a strategic framework for working in partnership with key stakeholders to help manufacturing companies fulfil their potential in the UK by moving up the value chain to high-skilled, knowledge intensive operations. The strategy identifies seven pillars with objectives and actions for Government and industry to develop:

Macro-economic stability

Investment

Innovation

Best practice

Raising skills and education levels

Modern infrastructure

The right market framework.

It has been warmly received by manufacturers and trade unions.

24. **Mr. Pickthall:** To ask the Secretary of State for Trade and Industry what role her Department plays in cases where companies with manufacturing plant in several EU countries, when rationalising their capacity, choose to close their plant in the United Kingdom. [66395]

Alan Johnson: It is always a cause of great regret when there are closures by any company operating in the UK. Where appropriate, the Department and its partners establish contact with the companies and see if there are ways of retaining the investment. This may include ministerial involvement.

However, when a company does announce plans to close, the Department's appropriate sector directorate will work closely with local and other partners, notably the Employment Service and relevant RDA, to manage the effects of the disinvestments and to look at employment opportunities for existing staff, and at re-training packages.

The network will also look at alternative uses for the site/plant or for a buyer. Invest-UK will ensure that Overseas Posts are aware of the situation to enable them to market the site/plant to overseas companies.

Small Business

22. **Mr. Michael Foster:** To ask the Secretary of State for Trade and Industry what action she is taking to increase investment in basic skills in small firms. [66392]

Nigel Griffiths: The Government are committed to raising the level of adult literacy and numeracy in the workforce and has identified this as a priority area. This will help small businesses. The Government's 'Skills for Life' strategy will:

provide free, high quality, training and advice on basic skills for all small employers

train workplace basic skills brokers who will put businesses in touch with local basic skills training providers. 447 brokers have so far been trained.

recruit employer champions, all with a proven basic skills track record in their sector, to help fellow businesses.

The Government are also helping small firms with:

the Union Learning Fund, which has enabled Union Learning Representatives to promote basic skills training within the workplace.

Learndirect, the online learning and information service, which offers free courses to learners on the foundations of reading, writing and numbers.

the six Employer Training Pilots announced in the budget, which will test out a range of approaches to increasing training levels and enable employees to attain basic and level 2 skills.

27. **Bob Spink:** To ask the Secretary of State for Trade and Industry if she will make a statement on her Department's policy on encouraging employment in the small business sector. [66399]

Nigel Griffiths: I refer the hon. Member to the answer given to my hon. Friend the Member for Warwick and Leamington (Mr. Plaskitt) today.

Broadband

23. **Mrs. Lawrence:** To ask the Secretary of State for Trade and Industry what action she is taking to encourage take-up of broadband. [66394]

Ms Hewitt: The Government believe that broadband services have an important role to play in increasing the competitiveness of the UK economy. Ministers have therefore taken several opportunities to promote the benefits of broadband, including by supporting the Demand: Broadband campaign run by the Communications Workers Union.

The UK Online Annual Report 2001 sets out the Government's broadband strategy. "To stimulate demand for current broadband content and applications the Government will:

"—work with the broadband supply industry to facilitate an industry-wide collaborative campaign to promote the benefits of broadband and give impartial advice on the different technological options available.

"—provide more encouragement to small and medium enterprises (SMEs) to adopt e-commerce solutions. The DTI are now expanding the £66 million UK online for business programme to:

"—provide more effective advice to businesses on the introduction and setting up of e-business solutions, with particular emphasis on the benefits of broadband; and

"—introduce a web-based guide to broadband availability for SMEs and a network of demonstrators of practical applications".

We have also established a £30 million fund to help the Regional Development Agencies (RDAs) and devolved administrations develop innovative schemes to extend broadband networks. Using this fund, some of the RDAs and devolved administrations are carrying forward work which demonstrates the benefits of broadband.

Since the beginning of 2002, ADSL prices have fallen by 22 per cent. Take-up is now over 600,000 and rising by 20,000 new subscribers per week. Around 66 per cent. of the population are able to access affordable broadband technologies, and increased take-up strengthens the case for further roll-out.

Nuclear Industry

25. **Norman Baker:** To ask the Secretary of State for Trade and Industry how much public expenditure on matters relating to the nuclear industry there has been since 1 May 1997; and what estimate she has made of future identified public liabilities in respect of existing activities. [66396]

Mr. Wilson: Public expenditure on matters related to the nuclear industry in this period related primarily to the activities of the United Kingdom Atomic Energy Authority (UKAEA) and BNFL. Regulation of the industry and the activities of UK Government Departments and the devolved Administrations with policy or other responsibilities relevant to the industry also necessarily involve public expenditure. However, precise information on the total expenditure involved in each of the years in question could be obtained only at disproportionate cost.

For UKAEA, funding was provided in the form of grant and grant in aid to support fusion research and to discharge nuclear liabilities arising from past programmes. The sums provided in each year were as follows:

	£ million
	Grant, and grant in aid
1997–98	199.1
1998–99	302.6
1999–2000	212.1
2000–01	241.2
2001–02	311.9

BNFL is classified as a public corporation by the Office of National Statistics. Its expenditure and income is recorded in the public sector in the national accounts and so it contributes to the statistics that monitor the Chancellor's fiscal rules. BNFL's total gross expenditure in the financial years 1997–98 to 2000–01 as reported in "Public Bodies" was as follows:

	£ million
	Total gross expenditure
1997–98	1,733
1998–99	2,056
1999–2000	2,968
2000–01	2,694

The equivalent information for 2001/02 is not yet available.

At 31 March 2002 the total undiscounted cost of dealing with the nuclear liabilities of BNFL and UKAEA was estimated to be £47.9 billion. The White Paper "Managing the Nuclear Legacy—A Strategy for Action" published on 4 July set out the Government's proposals for establishing—a new Liabilities Management Authority with a specific remit to ensure that these liabilities are dealt with safely, securely, cost-effectively and in ways which protect the environment.

Sustainable Development

26. **Roger Casale:** To ask the Secretary of State for Trade and Industry what plans she has to promote the sustainable development of the UK's poorest trading partners. [66398]

Ms Hewitt: The Government's key objectives for the World Summit on Sustainable Development in Johannesburg in August include: poverty eradication through sustainable development; promoting the integration of environmental issues into nationally owned poverty reduction strategies; working for sustainable prosperity by using resources more efficiently; and enhancing access to sustainable energy.

In addition, we will use WSSD to reaffirm the EU's commitment to the Doha Development Agenda (DDA) so as to add momentum to the negotiations in the WTO. These include negotiations to provide substantial improvements in market access for developing countries; to reduce, with a view to phasing out, all forms of agricultural export subsidies; and to make substantial reductions in trade-distorting domestic agricultural support.

Massey Ferguson (Coventry)

28. **Mr. Jim Cunningham:** To ask the Secretary of State for Trade and Industry what assistance she has provided to keep the Massey Ferguson tractor plant in Coventry open. [66400]

Alan Johnson: Over a number of years Massey Ferguson has been aware of the Government programmes, such as Regional Selective Assistance, for which it has been eligible to apply. Its last application for Regional Selective Assistance was in 1988 and the final payment of the £750,000 grant was made in January 1994.

BNFL

Norman Baker: To ask the Secretary of State for Trade and Industry if she will place in the Library a copy of the conclusions reached by Andersen in their commissioned role as joint reporting accountants and assessors of BNFL's finances; when the reports were first delivered to her Department; and if she will make a statement. [67641]

Mr. Wilson *[holding answer 10 July 2002]:* No. Andersen's findings were delivered to the Department and BNFL in a number of presentations and reports during the time they carried out the work from August 2000 to September 2001. The work is commercially confidential.

Arms Exports

Gregory Barker: To ask the Secretary of State for Trade and Industry what discussions she has held with the Secretary of State for International Development regarding arms export licence grants to *(a)* India and *(b)* Pakistan since December 2001. [65444]

Nigel Griffiths: Internal discussion on export licence issues are exempt from disclosure under Part II, Exemption 2 of the Code of Practice on Access to Government Information.

GATS

Mr. Battle: To ask the Secretary of State for Trade and Industry if the GATS consultation process will include publication of the text of the requests made *(a)* by and *(b)* of the EU. [67595]

Ms Hewitt: No. We do intend to publish a consultative document this autumn that seeks views on the requests that have been made of the EC and member states, to the extent that these affect the United Kingdom. And a summary of the EC's requests to other WTO members has already been put on the DTI and European Commission websites http://www.dti.gov.uk/worldtrade/service.htm and http://europa.eu.int/comm/trade/services/gats_sum.htm. But we will not be publishing the texts of the requests.

It is important for coherence that the European Commission and member states operate on the same basis. Commissioner Lamy has indicated in a recent reply to an open letter from a number of civil society organisations, "It is my aim to be as transparent as possible with all stakeholders, but an appropriate balance must be struck between transparency and our ability to negotiate in an atmosphere conducive to frank and open discussions. I believe that an appropriate balance has been struck and that there are ample opportunities for all interested parties to provide meaningful input if they so desire." (The full text of this letter can be found at http://europa.eu.int/comm/trade/services/plreply.htm.)

We must also respect the confidentiality that other WTO members require of us in relation to their own requests of the EC and member states.

Mr. Battle: To ask the Secretary of State for Trade and Industry whether, in the GATS negotiations, a country may reverse the commitment at any stage after committing a service sector to be liberalised under GATS; and if she will make a statement. [67594]

Ms Hewitt: Any WTO member may modify or withdraw any liberalisation commitment it has listed in its GATS schedule of commitments, in accordance with the time limits and other provisions of Articles XXI and X of the Agreement.

Mr. Battle: To ask the Secretary of State for Trade and Industry if the GATS consultation process will include consideration of its impact on development; and if she will make a statement. [67592]

Ms Hewitt: My Department's consultation on the GATS negotiations will primarily concern the requests which the European Community will receive from other trading partners and the potential economic and legislative impact on the United Kingdom from meeting such requests. However, we have frequently said that we fully recognise the importance of the development dimension to these negotiations and will certainly cover this in our consultation.

Mr. Battle: To ask the Secretary of State for Trade and Industry what negotiating requests the EU is making of other countries and trading blocs in the GATS negotiations; if the development effects are considered before requests are made; and if the record of that consideration is publicly available. [67599]

Ms Hewitt: I refer my hon. Friend to the reply I gave to the hon. Member for South Swindon (Ms Drown) on 8 July 2002, *Official Report*, columns 671–72W.

Mr. Battle: To ask the Secretary of State for Trade and Industry if she plans to meet the Local Government Association to discuss GATS; and if she will make a statement. [67593]

Ms Hewitt: My officials are already in contact with the Local Government Association over a meeting to discuss the GATS negotiations and are currently awaiting their confirmation of a mutually convenient date. However, on 8 May the Local Government Information Bureau did attend a meeting of the Trade Policy Consultative Forum chaired by my right hon. noble Friend, Baroness Symons of Vernham Dean, the focus of which was the GATS negotiations. The LGA were invited to that meeting also, but were unable to attend.

Staff Numbers

Mr. Bercow: To ask the Secretary of State for Trade and Industry how many staff were employed by her Department on *(a)* 2 May 1997 and *(b)* 31 May 2002. [60922]

Ms Hewitt: I refer the hon. Member to the answer given by my hon. Friend the Minister for the Cabinet Office on 13 June 2002, *Official Report*, column 1402W.

Public Companies

Mr. Burnett: To ask the Secretary of State for Trade and Industry what her policy is on securing independent non-executive directors for quoted public companies; and if she will make a statement. [68248]

Miss Melanie Johnson: My right hon. Friend the Secretary of State for Trade and Industry, together with my right hon. Friend the Chancellor of the Exchequer, has asked Derek Higgs to conduct an independent review of the role and effectiveness of non-executive directors, including the issue of independence.

Derek Higgs issued a consultation document in early June and he is expected to produce his report around the turn of the year.

Accounting Standards

Mr. Burnett: To ask the Secretary of State for Trade and Industry what her policy is on accounting standards and compliance where a multi-national holding company is registered in a low compliance country and its shares are quoted on the London Stock Exchange; and if she will make a statement. [68251]

Ruth Kelly: I have been asked to reply.

Accountancy standards requirements for foreign-registered companies whose shares are listed on the London Stock Exchange's main market are governed by the Listings Rules administered by the UK Listings Authority.

These rules require compliance with UK GAAP (Generally Accepted Accounting Practice), US GAAP or the accountancy standards of the state where the company is incorporated. However, the UKLA can require International Accounting Standards to be applied if it is not content that the home state accountancy standards in place are sufficient to protect investors' interests.

Slightly different rules apply to non-listed securities.

Dr. Cable: To ask the Secretary of State for Trade and Industry what plans she has for UK accounting standards when international harmonisation occurs. [65608]

Miss Melanie Johnson *[holding answer 1 July 2002]:* On 7 June 2002 The Council of Ministers gave final approval to a Regulation that will require all UK companies listed on a regulated market in the EU to prepare their consolidated accounts, from 2005, on the basis of the accounting standards issued by the International Accounting Standards Board (IASB). The Regulation will apply directly to companies and does not need to be implemented by national legislation.

The Department will be publishing a consultation document in the next few months.

Export Credits (Iran)

Mr. Dismore: To ask the Secretary of State for Trade and Industry in relation to pre-revolutionary debt owed by Iran to the UK Export Credits Guarantee Department, *(a)* what the total sum owed was, *(b)* how much has been paid back by Iran and *(c)* how much has been written off as a consequence of the accord signed with Iran this year broken down by (i) sector and (ii) public sector; and if she will make a statement. [67309]

Ms Hewitt: We are not able to disclose precise details of debt settlements such as this one. To do so could prejudice ongoing negotiations ECGD is currently having or intends to have in the future with similarly indebted countries.

World Trade

Lynne Jones: To ask the Secretary of State for Trade and Industry, pursuant to her answer of 24 June 2002, *Official Report*, column 687W, on world trade, if she will make it her policy to make a specific assessment of the annual cost of TRIPS to developing countries. [67770]

Ms Hewitt: I have no plans to make such an assessment.

Public Service Agreement

Mr. Laws: To ask the Secretary of State for Trade and Industry how many and what proportion of the public service agreements of her Department set out in the document 'Public Services for the Future 1998' have been met; and if she will make a statement. [68708]

Ms Hewitt *[holding answer 10 July 2002]:* Of the Public Service Agreement targets referred to in the 1998 Public Services for the Future document, the majority (75 per cent.) have been met or are on course to be met. Detailed information on all the targets can be found in Chapter One of the Department's Expenditure Plans Report for 2002–03 to 2003–04 (Cm 5416), copies of which are available in the Libraries of the House.

Small Firms (Basic Skills)

Margaret Moran: To ask the Secretary of State for Trade and Industry what action she is taking to increase investment in basic skills among small firms. [66375]

Nigel Griffiths: The Government are committed to raising the level of adult literacy and numeracy in the work force and has identified this as a priority area. This will help small businesses. The Government's 'Skills for Life' strategy will:

provide free, high quality, training and advice on basic skills for all small employers;

train workplace basic skills brokers who will put businesses in touch with local basic skills training providers. 447 brokers have so far been trained;

recruit employer champions, all with a proven basic skills track record in their sector, to help fellow businesses.

The Government are also helping small firms with:

the Union Learning Fund, which has enabled union learning representatives to promote basic skills training within the workplace;

Learndirect, the online learning and information service, which offers free courses to learners on the foundations of reading, writing and numbers;

the six employer training pilots announced in the budget, which will test out a range of approaches to increasing training levels and enable employees to attain basic and level 2 skills.

Carlton House Terrace

Dr. Murrison: To ask the Secretary of State for Trade and Industry what funding is given to organisations to meet the cost of property in Carlton House Terrace. [63486]

Ms Hewitt: The only organisation occupying premises in Carlton House Terrace that is funded by this Department is the Royal Society. The Royal Society's grant in aid for 2002–03 is £29 million, and includes a contribution towards administration and premises.

Public Inquiries

Mr. Randall: To ask the Secretary of State for Trade and Industry what her policy is on using 0870 telephone numbers for inquiries by the public to the Department and its agencies. [66190]

Ms Hewitt: The use of 0870 telephone numbers for inquiries by the public to my Department is determined by the individual business requirements. Currently my Department makes minimal use of such numbers.

The chief executives of the Department's agencies will reply direct to the hon. Member.

Textile Exports

Mr. Sheerman: To ask the Secretary of State for Trade and Industry what figures she collates on support to textile exporters offered by other EU countries on *(a)* a per capita basis and *(b)* based on the volume of textile exports from each country. [60771]

Ms Hewitt: None.

Fitted Furniture

Bob Russell: To ask the Secretary of State for Trade and Industry what recent representations she has received about the Kitchen Specialists Association, the Furniture Industry Research Association and the self-regulatory fitted kitchen organisation Qualitas; if her Department has oversight of the operations of these organisations; and if she will make a statement. [66833]

Miss Melanie Johnson: None.

Bob Russell: To ask the Secretary of State for Trade and Industry if she will introduce legislation to provide further statutory protection for consumers purchasing fitted kitchens and other fitted furniture. [66834]

Miss Melanie Johnson: Consumers already have the right to seek damages where a service has not been carried out with reasonable skill and care. Further remedies, including repair and replacement, will be available when the regulations covering the Sale of Consumer Goods Directive (1999/44/EC) are transposed.

The Stop Now Orders (EC Directive) Regulations 2001 also give effective powers to consumer protection bodies to clamp down firmly on traders who do not comply with a wide range of legislation, including regulations on the sale and supply of consumer goods. The regulations empower the Director General of Fair Trading, trading standards departments and certain other bodies to apply to the courts for a Stop Now Order to stop a trader from breaching specified legislation where those breaches put consumers generally at risk of actual or potential harm. Failure to comply with a Stop Now Order would be treated as contempt of court punishable by fines or even imprisonment.

Oxford to Cambridge Technology Arc

Dr. Starkey: To ask the Secretary of State for Trade and Industry what action she is taking to encourage innovation along the Oxford to Cambridge Technology Arc. [66370]

Ms Hewitt: This Government are actively pursuing a policy for sustainable economic growth and increased productivity that is driven by innovation. We have charged the regional development agencies with taking this forward. The east of England and south-east England RDAs and local economic partnerships commissioned an economic study of the Oxford to Cambridge Arc that reported in October 2001. These bodies are represented on a steering group that is developing strategies as recommended by the study and addressing themes such as: branding, skills, and land and property issues.

I am confident that the actions of the Steering Group will encourage innovation along the Oxford to Cambridge Technology Arc.

World Trade Organisation (Doha)

Dr. Tonge: To ask the Secretary of State for Trade and Industry how many people attended the WTO meeting in Doha in November 2001 from *(a)* her Department and *(b)* other UK Government Departments; and what the total cost of the visit was. [66216]

Ms Hewitt: My right hon. and noble Friend the Minister for Trade and I attended the fourth WTO Doha Ministerial Conference in November 2001 for the Department of Trade and Industry. We were supported by 10 DTI officials.

My right hon. Friend the Secretary of State for International Development was present on behalf of the Department for International Development supported by three DfID officials.

My right hon. Friend the Minister for the Environment represented the Department of the Environment, Food and Rural Affairs with three officials from that Department.

In addition, five Foreign and Commonwealth Office officials were present, and one each from HM Treasury and the Department of Work and Pensions. In total, four Ministers and 22 officials attended.

Three NGO representatives (from the CBI, TUC and OXFAM—on behalf of the Trade Network) also attended as part of the official UK delegation.

The total cost of the visit was £156,500.

Trade Rules

Dr. Tonge: To ask the Secretary of State for Trade and Industry what volume of correspondence her Department has received since October 2001 regarding international trade rules and their effect on developing countries. [64602]

Ms Hewitt: My Department has received 601 such letters and approximately 24,000 postcards since October 2001 concerning international trade rules and their effect on developing countries.

Imported Energy

Mr. Wray: To ask the Secretary of State for Trade and Industry what proportion of UK energy is imported; and what proposals she has to reduce dependence on imported energy. [68186]

Mr. Wilson: The UK was a net exporter of energy in 2001. The UK exported 115½ million tonnes of oil equivalent (mtoe) of oil and imported 77 mtoe. At the same time, gas exports were 12 mtoe while imports were 2½ mtoe. The UK was a net importer of coal of 23 mtoe (exporting ½ mtoe and importing 23½ mtoe) and a small net importer of electricity in 2001.

Overall, our gross exports were 128 mtoe and gross imports were 104 mtoe. These gross imports equated to 42 per cent. of the UK's total energy consumption.

There are no plans to limit the import of fuels. The consultation leading to the White Paper is considering all aspects of energy policy including the impact of the UK becoming a greater importer of fuels.

Performance Targets

Tony Wright: To ask the Secretary of State for Trade and Industry if she will list the performance targets that her Department, its agencies and non-departmental public bodies are required to meet, apart from those set out in the public service agreements for 1999 to 2002 and 2001 to 2004; and if she will specify for each target *(a)* who sets it and *(b)* who monitors achievement against it. [60461]

Ms Hewitt: Information on the Department's targets and priorities—including those in its Public Service and Service Delivery Agreements (both available on the Department's website)—and on how the Department is working towards them is contained in its annual Expenditure Plans Report, the next edition of which is to be published later this month covering 2002 to 2003–04. The targets are monitored as appropriate by the Department's Executive Board and Group Management Boards.

The performance of the Department's Executive non-departmental public bodies (NDPBs) are set out in the individual NDPB's annual reports, copies of which are available in the Libraries of the House (the first annual reports by the Gas and Electricity Consumer Council and the Consumer Council for Postal Services will be available in the Libraries of the House in the summer). Key performance targets are agreed by the Department and achievement against them is monitored by the relevant sponsor directorate within the Department. Ministers are currently considering with the nine regional development agencies a range of new targets for their single budget which will be finalised with the agencies later this year.

I have asked the chief executives of the Department's agencies to write direct to the hon. Member.

Letter from Roger Heathcote to Mr. Tony Wright, dated 11 July 2002:

You tabled a Parliamentary Question on 24 May to Patricia Hewitt, Secretary of State for Trade and Industry, asking for the performance targets that her Department, its agencies and non-departmental public bodies are required to meet, apart from those set out in the public service agreements for 1999 to 2002 and 2001 to 2004. You also asked, for each target, *(a)* who sets it and *(b)* who monitors achievement against it. I have been asked to reply in respect of the Employment Tribunals Service (ETS), which is an executive agency of the DTI.

My Agency is currently required to meet the following targets:

(i) To bring 75% of single Employment Tribunal cases to a first hearing within 26 weeks of receipt.

(ii) Each office to achieve a minimum of 65% in relation to the above target.

(iii) To issue 85% of Employment Tribunal decisions within 4 weeks of the final hearing.

(iv) To achieve 85% of Employment Tribunal users being satisfied with the service offered by the ETS.

(v) To have 90% of appeals to the Employment Appeal Tribunal registered for a preliminary hearing ready for listing within six weeks.

All of the above targets are approved by DTI Ministers following consideration at a meeting of the ETS Steering Board.

Performance against all of the above targets is monitored by the ETS Management Board, by the Internal Auditors of the Department of Trade and Industry, by the ETS Audit Committee, by the Steering Board, by the National Audit Office and by Ministers.

After agreement with Ministers, the targets are set out in the ETS Annual Report and Accounts. This report is laid before Parliament before the summer recess, prior to publication by the Stationery Office and electronically on the ETS website www.ets.gov.uk.

Letter from Alison Brimelow to Mr. Tony Wright, dated 11 July 2002:

I am replying to this Parliamentary Question, tabled on 24 May 2002, to the Secretary of State for Trade and Industry, about the performance targets of the Department, its agencies and non-departmental public bodies are required to meet, apart from those set out in the public service agreements for 1999 to 2002 and 2001 to 2004. You also asked for details about who sets the targets and who monitors the performance against them.

The Patent Office is responsible for the establishment and maintenance of the national framework of intellectual property rights (patents, designs, trade marks and copyright).

The agency targets are set by the Minister, Melanie Johnson and are published in the Patent Office Corporate Plan, and Annual Report and Accounts. The agency targets for 2002–03 were announced by the Secretary of State in Parliament on Wednesday 20 March 2002 (Hansard reference column: 365W). The performance against these targets are checked by internal audit and I am accountable to the Minister for the performance of the Patent Office.

Customer Service Standards have been set by the Patent Office and are published in the Annual Report and on our website. The performance against these standards are monitored monthly and reported to our Steering Board.

The Patent Office provides secretariat support for the new Intellectual Property Advisory Committee (IPAC). The role of this committee is to give the Minister and officials advice on identifying strategic issues within the intellectual property arena. Their first Annual Report is due to be published in the Autumn.

Letter from Mike Goddard to Mr. Tony Wright, dated 11 July 2002:

The Secretary of State for Trade and Industry has asked me to reply to your Question concerning performance targets for my Agency, excluding those set out in Public Service Agreements.

The Agency has a series of annual published quality of service targets, covering our licensing and enforcement activities, and correspondence. The targets are prepared as part of the Agency's Corporate plan, are endorsed by our Steering Board, and are approved by Ministers. They are announced formally by PQ, and those for the current financial year were announced on 26 March 2002 and recorded in columns 809–10W of the House of Commons Official Report.

Performance is monitored by the Department and our Steering Board. It is reported in our Annual Report and Accounts, which are audited by the National Audit Office, and in the Expenditure Plans Report produced by the Department.

Letter from Claire Clancy to Mr. Tony Wright, dated 11 July 2002:

I am responding to your recent Parliamentary Question about Departmental performance targets on behalf of Companies House, which is Executive Agency of the Department of Trade and Industry.

The targets for Companies House are agreed and set by Ministers, announced in Parliament by means of a Parliamentary Question, and published in the Companies House Business Plan. As Chief Executive, I am accountable to the Minister responsible for Companies House (the Parliamentary Under-Secretary of State for Competition, Consumers and Markets, Melanie Johnson, M.P.). Companies House's performance against the targets is monitored by the DTI and published in our Annual Report and Accounts.

The current targets are listed in the attached Annex and I hope that this will provide you with the information you require.

Companies House Executive Agency—Targets 2002–03

Operational Targets

To process 99% of statutory documents within 5 days of receipt at Companies House.

To achieve, on average, a monthly compliance rate for accounts submitted of 95%.

To ensure that 96% of all forms submitted to Companies House are captured error free.

To ensure that 98% of all images placed on the Companies House image system are error free.

Questions delegated to the Chief Executive

The Chief Executive to reply within 10 days to all letters from Members of Parliament delegated to her for reply.

Customer Service and Complaints Handling

To ensure that products and services on Companies House Direct are available for 98% of the time between the supported hours of 7am and 8pm, Monday to Friday.

To ensure that products and services on the Companies House website are available for 98% of the time between the supported hours of 7am and 8pm, Monday to Friday.

To achieve a score of more than 80% in each quarterly Companies House Customer Satisfaction Survey.

To clear up 90% of complaints within five days.

Financial Targets

To maintain a unit cost reduction of 3% in real terms on documentation registration.

To achieve, taking one year with another, a 6% average rate of return based on the operating surplus expressed as a percentage of average net assets.

To pay all bills due within 30 days, or other agreed credit terms, on receipt of goods or services or a valid invoice whichever is later.

Letter from Dr. J. W. Llewellyn to Mr. Tony Wright, dated 11 July 2002:

The Secretary of State for Trade and Industry has asked me to reply on behalf of the National Weights and Measures Laboratory (NWML) to your question about the performance targets that the Agency is required to meet, apart from those set out in the public service agreements for 1999 to 2002 and 2001 to 2004; and to specify for each target *(a)* who sets it and *(b)* who monitors achievement against it.

Each year DTI Ministers approve a corporate plan submitted by the Chief Executive of the National Weights and Measures Laboratory. The plan includes a basket of performance targets that cover operational, financial and efficiency issues. Ministers publicise their approval by means of an arranged Parliamentary Question. The Agency is required to report performance against the targets in the Annual Report and Accounts presented each year to Parliament. In year monitoring is the responsibility of the Agency and the Finance and Resource Management Directorate of DTI.

The performance targets for 2001–02 were subject to a PQ on 18 July 2001 and performance against those targets will be published in the 2001–02 Annual Report and Accounts in the next couple of months. A list of targets is attached at Annex A.

The corporate plan and performance targets for 2002–03 are currently being considered by DTI Ministers.

Summary of Ministerial Targets—2001–02

To report a break-even situation in the Income and Expenditure Account for 2001–02.

To meet the Agency's net vote target in 2001–02.

To contribute to continuous efficiency improvement by ensuring that total overhead costs are less than 55% of total costs.

To satisfy all its customers as demonstrated by at least 95% of them rating NWML's provision of services as satisfactory or better.

To meet the expectations of its customers by completing at least 90% of European type approvals within 10 weeks.

To complete European type approvals within an average of 6 weeks.

To complete calibration jobs within the time requested by customers, with at least 95% of all jobs (including preparation of certificates) completed within 18 working days of acceptance of the work and an average completion time of less than 14 days.

To complete the National Measurement System (NMS) legal metrology programme, and achieve 72% of the milestones in the programme by their due dates.

To achieve continuous growth in its non-DTI income, with an increase of 7.5% in 2001–02.

Chief Executive to reply within 10 working days to all letters from Members of Parliament delegated to him for reply.

MINISTER FOR WOMEN

Civil Service

31. **Julie Morgan:** To ask the Minister what plans she has to encourage more flexible working in the civil service to enable more women to reach the top grades. [66404]

Ms Hewitt: My Department is working with the Cabinet Office to increase the availability of flexible working at senior levels, including tackling the design of senior posts.

The civil service continues to make progress on increasing the numbers of women at senior levels. In the top 600 posts, the proportion of women has increased from 12.7 per cent. in 1998 to 21.2 per cent. in October 2001. In the senior civil service as a whole, the proportion has increased from 17.6 per cent. to 25.3 per cent. over the same period.

Flexible Working

32. **Gillian Merron:** To ask the Minister what analysis she has undertaken of the business benefits of flexible working. [66405]

David Taylor: To ask the Minister for Women what analysis she has undertaken of the business benefits of flexible working. [66402]

Ms Hewitt: Surveys carried out when drawing up the Green Paper on work and parents (published December 2000) showed that most employers identified benefits from flexible working. We have since continued to compile extensive case study evidence which demonstrate that employers can see real business benefits by implementing flexible working patterns. Our campaign is based on what shrewd employers are already doing, because of their own business needs.

Management Training

33. **Helen Jackson:** To ask the Minister what guidance she gives to public authorities on training women for managerial positions. [66407]

Ms Hewitt: While it is not my role to offer such guidance to public authorities, I do of course continue to work with others to ensure that women are encouraged to train for managerial positions and progress to senior and managerial positions in our public authorities. The Centre for Management and Policy Studies, which is at the heart of Government, offers a number of courses which specifically targets the personal development of women.

Gender Pay Gap

34. **Tom Brake:** To ask the Minister if she will make a statement on progress in reducing the gender pay gap in the financial services sector. [66408]

Ms Hewitt: The pay gap between men and women currently stands at 18 per cent, down from 20 per cent. in 1997. In the financial services sector, the gap has reduced from 30 per cent. to 29 per cent. over the same time period. The Government are taking a number of steps to reduce the pay gap further. As well as the introduction of the National Minimum Wage and the provisions in the Employment Bill, the Fair Pay Champions and Castle Awards, are helping to spread good practice on equal pay. All Government Departments are committed to carrying out a pay review by March 2003.

Affordable Child Care

35. **Lynne Jones:** To ask the Minister what action she is taking to improve access to affordable child care for working women. [66409]

Ms Hewitt: The Government is committed through its National Childcare Strategy to ensuring that accessible, affordable and quality childcare is available in every neighbourhood. There has been a substantial expansion in childcare nationwide and with a wide range of providers, ensuring real choice for parents. 497,000 new childcare places have been created since 1997, benefiting over 906,000 children and on track to meeting the Government's target of creating new places for 1.6 million children by 2004.

Regional Assembly Elections

36. **Dr. Starkey:** To ask the Minister what representations she is making to ensure the involvement of women in proposed elected regional assemblies. [66410]

Ms Hewitt: The Sex Discrimination (Election Candidates) Act 2002 allows political parties to use positive measures, in certain circumstances, when selecting candidates to stand for existing UK elections.

We are keen for political parties to make full use of this legislation, and I will continue to press for them to do so. We stated in the regional government white paper, 'Your Region, Your Choice: Revitalising the English Regions', that we propose to apply the provisions of the Act to elections for regional assemblies.

PRIME MINISTER

No. 10 Downing Street

Mr. Laws: To ask the Prime Minister how many staff have been employed at No. 10 Downing Street in each year from 1979–80 to 2002–03, broken down by Department; what the total annual staff cost was in each year; and if he will make a statement. [66295]

The Prime Minister: The total staff costs for No. 10 Downing Street from 1997 are as follows:

1997–98: £4.1 million
1998–99: £4.9 million
1999–2000: £5.9 million
2000–01: £6.9 million.

At 1 April 1998, there were 121 members of staff and at 1 April 2002 there were 190 staff on the No. 10 payroll.

Staff numbers and costs before these dates are not readily available and could be provided only at disproportionate cost.

Committee on Standards in Public Life

Mr. Dalyell: To ask the Prime Minister if he will instruct Alastair Campbell and Jonathan Powell to accept the invitation of Sir Nigel Wicks to appear before his committee to give evidence. [68852]

The Prime Minister: The Government's position on these invitations is as set out in a letter of 5 July 2002 from the Secretary of the Cabinet to the Chairman of the Committee on Standards in Public Life. A copy of the letter has been placed in the Library of the House.

CABINET OFFICE

Timber Procurement

Ms Walley: To ask the Minister for the Cabinet Office if he will make a statement on the outcome of his investigations into the concerns raised by Greenpeace on timber procurement in respect of the 22 Whitehall project. [69780]

Mr. Alexander: I am today placing a copy of the Cabinet Office's report on the issue of timber procurement for the 22 Whitehall project in the Libraries of the House.

The report shows that timber for the 22 Whitehall project was not procured in line with the Government's policy of seeking to procure timber from legal and sustainable sources. This has led to the procurement of sapele timber, for which there is no independent certification of sustainability available, from forests in Central Africa.

The report also sets out a number of actions that the Department of Environment, Food and Rural Affairs and the Office of Government Commerce will be taking to improve the Government's adherence to the policy on timber procurement. The Cabinet Office is also taking a number of steps to improve its own domestic position on timber procurement.

I am grateful to the hon. Member for Stoke-on-Trent, North (Ms Walley) for her interest in the issue of timber procurement. The specific case of the 22 Whitehall project has highlighted a significant level of confusion associated with the terminology used in connection with the specification of timber in contracts. This clearly has implications across Government Departments as employers of contractors, and among contractors themselves. The actions set out in the report published today reflect the importance the Government attaches to improving its position on the issue of timber procurement. The Government will also carefully consider any recommendations emerging from the Environmental Audit Committee's inquiry on the Government's role in promoting the use of timber from sustainable sources.

Departmental Waste

Sue Doughty: To ask the Minister for the Cabinet Office what proportion of waste produced in his Department was *(a)* recycled, *(b)* composted and *(c)* re-used, broken down into (i) paper, (ii) plastics, (iii) aluminium cans and (iv) other in each year since 1997; what plans there are to increase these proportions; and if he will make a statement. [65702]

Mr. Alexander: Figures for the proportion of waste recycled for the period September/October 2000 to 31 March 2001 is published in the Third Greening Government Annual Report. Data prior to that period are not available. Figures for 2001–02 will be shown in the first Sustainable Development in Government Questionnaire 2002 (previously Greening Government Annual Report) which is due to be published later this year.

Figures are not available for the proportion of waste produced that was composted or re-used.

The Cabinet Office is actively working with both our newly appointed facility management provider as well as with our Agencies to maximise the amount of waste sent for recycling.

Departmental Energy Use

Mr. Stunell: To ask the Minister for the Cabinet Office what the estimated *(a)* level and *(b)* cost of energy use in his Department and associated agencies was in each year since 1997; what proportion of energy was generated from renewable sources; and if he will make a statement. [65947]

Mr. Alexander: I have been asked to reply.

I refer the hon. Member to the answer given to him by my right hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) on 3 July 2002, *Official Report*, columns 384–87W. Figures prior to 1997–98 are not available.

Since 1 October 2001 over 75 per cent. of the power used across the Cabinet Office's central London estate is being generated from renewable energy sources which are exempt from the climate change levy.

Parliamentary Questions

Mr. Simon Thomas: To ask the Minister for the Cabinet Office how many oral questions he has transferred to other Departments in each of the last 18 months. [65514]

Mr. Alexander: I have been asked to reply.

My Department always makes sure that every question tabled receives an accurate answer by those best placed to provide it. Oral PQs are therefore transferred if it is more appropriate for other Departments to answer and they have agreed. Since June 2001 the figures are:

July 2001: 1
October 2001: 7
November 2001: 8
January 2002: 4
February 2002: 7
March 2002: 7
April 2002: 0
May 2002: 7
July 2002: 1.

TREASURY

North Sea Oil and Gas

Mr. Salmond: To ask the Chancellor of the Exchequer (1) what the expected revenues from the North Sea are likely to be for 2002–03 based on an oil price of *(a)* $10, *(b)* $15, *(c)* $25, *(d)* $30 and *(e)* $35 a barrel at current US/UK exchange rates; [59398]

(2) what the expected revenues from the North Sea are likely to be for 2003–04 based on an oil price of *(a)* $10, *(b)* $15, *(c)* $25, *(d)* $30 and *(e)* $35 a barrel at exchange rates of £1/$1.40; [59392]

(3) what the expected revenues from the North Sea are likely to be for 2002–03 based on an oil price of *(a)* $10, *(b)* $15, *(c)* $25, *(d)* $30 and *(e)* $35 a barrel at exchange rates of £1/$1.50; [59400]

(4) what the expected revenues from the North Sea are likely to be for 2002–03 based on an oil price of *(a)* $10, *(b)* $15, *(c)* $25, *(d)* $30 and *(e)* $35 a barrel at exchange rates of £1/$1.40; [59399]

(5) what the expected revenues from the North Sea are likely to be for 2003–04 based on an oil price of *(a)* $10, *(b)* $15, *(c)* $25, *(d)* $30 and *(e)* $35 a barrel at current US/UK exchange rates; [59391]

(6) what the expected revenues from the North Sea are likely to be for 2003–04 based on an oil price of *(a)* $10, *(b)* $15, *(c)* $25, *(d)* $30 and *(e)* $35 a barrel at exchange rates of £1/$1.50. [59393]

Dawn Primarolo: Revenue is dependent on the price of oil, the exchange rate and the levels of production and expenditure. Decisions on levels of production and expenditure will be taken by companies on the basis of actual and expected prices. A significant and sustained change in oil prices would lead to different levels of production and expenditure. The yield will also be affected by differential movements in gas prices relative to oil. By way of an estimate, at current levels of planned production and expenditure, at an exchange rate of £1/$1.40, a movement in the oil price of $5 could be expected to affect revenue by about £2.2 billion in a full year. At an exchange rate of £1/$1.50, a similar movement would affect revenue by about £2.0 billion in a full year. These estimates assume that gas prices would move broadly in line with the price of oil.

Gamebirds

Norman Baker: To ask the Chancellor of the Exchequer what *(a)* assessment he has made and *(b)* representations he has received in relation to the valuation rating of gamebird (i) rearing and (ii) premises. [69026]

Dawn Primarolo: The Valuation Office Agency (VOA) is the executive agency of the Inland Revenue that is responsible for preparing and maintaining rating lists. It has received representations from a number of bodies including Wales Opponents of Pheasant Shooting and Animal Aid requesting confirmation that specified game farms are assessed for non-domestic rates (NNDR).

The VOA has also been requested by the Game Farmers Association to ensure that their membership and others in the industry are all treated fairly in relation to non domestic rates.

Game farms have been assessed for NNDR in the 1990, 1995 and 2000 rating lists.

The Valuation Office Agency has undertaken various initiatives over recent years to identify this class of property and to enter them in the non-domestic rating lists. Where the valuation officer is aware of a property operating as a game farm and it is not assessed for non-domestic rates, then the circumstances are investigated.

Hearing Aids

Annabelle Ewing: To ask the Chancellor of the Exchequer what plans he has to exempt deaf employees from paying tax on their hearing aids; and if he will make a statement. [68847]

Ruth Kelly: The Government are continuing to remove barriers to work and ensure that disabled people do not face discrimination in the work place. Regulations came into force on 9 July 2002, to ensure that benefits for disabled employees which may be used both in and out of the work place, such as a hearing aid, will not be liable to a tax charge.

Climate Change Levy

Mr. Brazier: To ask the Chancellor of the Exchequer what recent representations he has received from the manufacturing sector regarding the climate change levy. [66384]

John Healey: I refer the hon. Gentleman to the answer I gave to the hon. Member for Tewkesbury (Mr. Robertson) on 20 June 2002, *Official Report*, column 398.

Taxation

Mr. Laws: To ask the Chancellor of the Exchequer what his estimate is of the number of households facing marginal deduction rates of over 70 per cent. in each year since 1997. [69090]

Dawn Primarolo: Historical estimates of the number of households facing marginal deduction rates in excess of 70 per cent. for 1997–98 through to 1999–2000 are contained in the Social Security Departmental Report—The Government's Expenditure Plans 2000–01 to 2001–02. Forward-looking estimates, which include the impact of the tax and benefit changes made in Budgets since 1997, are contained in the Budget 2002 report. Tax and benefit changes made since 1997 have reduced the number of households facing marginal deduction rates in excess of 70 per cent. by around half a million.

VAT

Norman Baker: To ask the Chancellor of the Exchequer (1) what recent *(a)* assessment he has made and *(b)* representations he has received regarding the imposition of VAT on game birds reared for country sports; [69027]

(2) how much VAT has been raised by the sale of shooting rights to operators for each of the last 10 years; and if he will make a statement. [69028]

John Healey: Sales of game birds reared for country sport are zero-rated for VAT. There have been no representations on this subject since the hon. Gentleman tabled a question which was answered on 15 October 2001, *Official Report*, column 851W.

Estimates of VAT raised from the sale of shooting rights for the last 10 years are not available.

David Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the number of small businesses that have benefited from the simplification of VAT. [66397]

John Healey: It is not possible to give a meaningful estimate for the number of small businesses that have benefited from the many VAT simplification initiatives that have taken place over the years. The table gives estimates for the small businesses VAT simplification measures that were announced in the last Budget.

Measure	*Estimate*
Registration threshold increased to £55,000.	Keeps another 4,000 small businesses out of the VAT net.
Optional flat rate scheme introduced on 25 April 2002.	Allows approximately 500,000 small firms to cut their compliance costs. 1,400 applications by the end of May and will be extended to a further 200,000 more small firms with turnovers up to £150,000 next April.
Changes to the annual accounting scheme allowing businesses with a turnover up to £100,000 to join the scheme as soon as they register for VAT.	About 10,000 businesses are already using the scheme and the changes extend eligibility to another 100,000 businesses.

Mr. Soames: To ask the Chancellor of the Exchequer if he will make a statement on his definition of *(a)* domestic and *(b)* personal care in relation to VAT on home care services. [66148]

John Healey *[holding answer 2 July 2002]:* There is no definition of 'domestic' or 'personal' care in VAT law. In the absence of a definition in law, these terms are given their ordinary everyday meaning. Examples of personal care include bathing, feeding and toileting. Examples of domestic care include cleaning, cooking and shopping.

The take-up figures for the flat rate and annual accounting schemes are expected to increase later in the year as the changes bed in and the benefits are given wider publicity.

Government Debt

Mr. Laws: To ask the Chancellor of the Exchequer whether his Department has met its performance target of reducing the yield differential between *(a)* British and *(b)* German long-term Government debt; and if he will make a statement. [69089]

Mr. Boateng: The differential between yields on UK and German 10-year Government bonds at the start of May 1997 was 1.7 per cent. The Treasury Departmental Report 2002, published in June, reported that this differential had averaged 0.14 per cent. over the year to publication. The differential is currently 0.16 per cent. (8 July 2002).

Resource Accounting

Mr. Laws: To ask the Chancellor of the Exchequer whether comprehensive departmental resource accounts were fully in place in 1999–2000; and if he will make a statement. [6[illegible]91]

Mr. Boateng: As part of the implementation of resource accounting and budgeting, Government Departments prepared resource and pension scheme accounts in parallel with the related appropriation accounts for 1999–2000. These accounts were laid before the House by the Treasury and published by Departments. All were subject to audit and examination by the Comptroller and Auditor General. Thirty nine of those accounts were laid before the House under the terms of the Exchequer and Audit Departments Act 1921 by the statutory deadline of 31 January 2001 and the remaining 10, with the agreement of the Treasury and the National Audit Office, were laid by 4 April 2001. Therefore these represent a comprehensive set of accounts for that period.

Housing Market

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what studies he has commissioned into sudden falls in the housing market in parts of the United Kingdom; and if he will make a statement. [68330]

Mr. McNulty: I have been asked to reply.

The information requested has been placed in the Library of the House.

PISA 2000 Survey

Mr. Gibb: To ask the Chancellor of the Exchequer, pursuant to his answer of 1 July 2002, *Official Report*, column 117W, if he will make a statement on the timing of the test in relation to GCSE exams. [67863]

Mr. Stephen Twigg: I have been asked to reply.

In England, the OECD PISA survey was conducted between 1 March 2000 and 14 April 2000, on a date chosen by each participating school. GCSE examinations were held in May and June 2000.

Zimbabwe

Mr. Wiggin: To ask the Chancellor of the Exchequer since the international coalition began freezing ZANU-PF members' assets, what activity has occurred within each of the accounts. [67134]

Ruth Kelly: European Council Regulation 310/2002 does not allow for the disclosure of details regarding individual accounts and amounts frozen, beyond the information already made available to the right hon. Member for Devizes (Mr. Ancram) on 15 April 2002.

Actions taken by other Governments in respect of individuals in Zimbabwe are a matter for those Governments. Within the European Union, it is for each member state to ensure that the terms of the regulation are implemented.

Receptions

Mr. Laws: To ask the Chancellor of the Exchequer if he will list the *(a)* date, *(b)* purpose and *(c)* cost of each reception held at No 11 Downing Street since 7 June 2001; and if he will make a statement. [66279]

Ruth Kelly *[holding answer 4 July 2002]:* A list of all receptions held at 11 Downing Street since 7 June 2001 has been placed in the Library.

The total cost to the Treasury for all official receptions held in the relevant period is £8,453 in 2001 and £6,505 in 2002. There is no cost to the Treasury or public funds for any private reception.

Contraband

Mr. Andrew Turner: To ask the Chancellor of the Exchequer what his estimate is of the value of contraband brought into the UK through *(a)* canalised, *(b)* non-canalised ports of entry and *(c)* in total (i) in sterling and (ii) as a percentage of the total through each of (a)-(c) in the last 12 months for which figures are available. [69018]

John Healey: I regret that this information is not available in the format requested but I am able to refer the hon. Member to some sources of information on the subject that he may find of interest.

The latest information about excise smuggling can be found in the documents "Measuring Indirect Tax Fraud and Tackling Indirect Tax Fraud" (HM Customs and Excise, November 2001). Details and results of Customs activities to counter other types of contraband smuggling are published in the Customs and Excise Annual Report 2000–01 (March 2002). Copies of all of these documents have been placed in the House of Commons Library.

Charities

Mrs. Helen Clark: To ask the Chancellor of the Exchequer if he will introduce a VAT refund scheme for charities; and if he will make a statement. [68877]

John Healey: Charities already benefit from a range of special VAT reliefs, but the Government recognise that irrecoverable VAT still represents a problem for some charities.

While we remain alive to opportunities to modernise and update the VAT system for charities wherever possible, this remains a difficult issue. The 1999 Review of Charity Taxation gave careful consideration to a scheme to refund charities' irrecoverable VAT, but concluded that for reasons of principle and cost this should not be pursued.

Exchange Rate

Mr. Andrew Turner: To ask the Chancellor of the Exchequer with which currencies sterling has maintained greatest exchange rate stability since 1997; and how that is measured. [69020]

Ruth Kelly: There is no unique measure of exchange rate stability. One possible measure is the co-efficient of variation. Since the start of 1997, of the currencies comprising sterling ERI, the Swiss franc-sterling exchange rate has had the lowest co-efficient of variation.

Euro

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if the five economic tests will include an assessment of the short-term and long-term consequences for public spending and fiscal policy of joining the euro. [69065]

Ruth Kelly: The Government have said they will complete an assessment of the five economic tests within two years of the start of this Parliament. All relevant economic issues will be dealt with as part of the assessment.

Poor Nations (Imports)

Mr. Andrew Turner: To ask the Chancellor of the Exchequer what steps he has taken, and what progress he has made, towards securing the support of EU Governments for the lifting of barriers to imports from the poorest nations. [69019]

Ruth Kelly: The Government are working closely with our EU partners for a successful resolution of the new WTO 'development' trade round, including the commitments in the Doha Ministerial Declaration of 14 November 2001 on market access for agricultural and non-agricultural products. And we are strongly encouraging other industrialised countries to follow the EU lead by granting duty and quota-free access to the least developed countries for all exports except arms, and by financing capacity building in developing countries so they can participate fully and effectively in the forthcoming negotiations.

Cars

Mr. Goodman: To ask the Chancellor of the Exchequer how many representations the Inland Revenue has received about the valuation of cars in each year since 1997; and if he will make a statement. [69457]

John Healey: For the purposes of calculating the tax charge on the benefit of a company car, the "price" of the car is based on the UK list price. Information about the number of representations received on this issue is not available.

Unemployment

Mr. Coleman: To ask the Chancellor of the Exchequer what the rate of unemployment is in each Government office region. [68900]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Kidgell to Mr. Iain Coleman, dated 11 July 2002:

The National Statistician has been asked to reply to your Parliamentary Question about the unemployment rate in each government office region. I am replying in his absence. (68900)

The latest available estimates, for the three month period ending April 2002, are given in the attached table. These estimates are from the Labour Force Survey and are seasonally adjusted.

ILO unemployment rate[1] *by Government office region; February to April 2002, seasonally adjusted*

Per cent.

	Rate
North-east	6.9
North-west	5.8
Yorkshire and the Humber	5.2
East Midlands	4.7
West Midlands	5.6
East	3.6
London	6.8
South-east	3.7
South-west	3.3
Wales	5.8
Scotland	6.8
Northern Ireland	5.7
United Kingdom	5.2

[1] ILO unemployed people aged 16+ as a percentage of the economically active.

TRADE AND INDUSTRY

Employment Relations Act

Mr. Dhanda: To ask the Secretary of State for Trade and Industry when the Employment Relations Act 1989 will be reviewed; and if she will make a statement. [68342]

Ms Hewitt: The review begins today. Its terms of reference are the following:

The Government has reformed the labour market to build a durable and fair basis for constructive employment relations. By a range of measures, the UK labour market is achieving high levels of employment and combining fairness and flexibility.

In line with commitments made in the 1998 Fairness at Work White Paper, the Government will review the operation of the statutory union recognition and derecognition procedures in the Employment Relations Act 1999. The review will also look at the operation of the other provisions of the Act.

The review will be carried out by the DTI through full public consultation. The DTI will complete this task to a timetable enabling any legislative recommendations which the review may make to be introduced within the lifetime of this Parliament.

I am placing in the Libraries of the House a Schedule describing the subjects covered in the Act.

TRANSPORT

A1 Upgrade (North Yorkshire)

Mr. Don Foster: To ask the Secretary of State for Transport (1) what assessment has been made of the environmental impacts of the forthcoming A1 upgrade in North Yorkshire; if he will place copies of related documentation in the Library; and if he will make a statement; [66318]

(2) what assessment or research has been conducted on the safety benefits of the forthcoming A1 upgrade in North Yorkshire; if he will place copies of related documentation in the Library; and if he will make a statement; [66320]

(3) what assessment has been made of the impact on businesses and economic development in the *(a)* north-east and *(b)* Yorkshire and Humber regions of the forthcoming A1 upgrade in North Yorkshire; if he will place copies of related documentation in the Library; and if he will make a statement; [66317]

(4) what assessment has been made of the impact on *(a)* traffic growth, *(b)* freight volume, *(c)* car journey numbers, *(d)* delays and *(e)* congestion of the forthcoming A1 upgrade in North Yorkshire; if he will place copies of related documentation in the Library; and if he will make a statement. [66316]

Mr. Jamieson: I have asked the Chief Executive of the Highways Agency, Tim Matthews, to write to the hon. Member.

Letter from Tim Matthews to Mr. Don Foster, dated 11 July 2002:

I have been asked by the Transport Minister, David Jamieson, to reply to your recent Parliamentary Questions about the forthcoming A1 upgrade in North Yorkshire.

The safety benefits of this scheme were assessed in the A1 Bramham to Barton Road Based Safety Study.

That Study, and the Scheme Appraisal Report, assessed traffic growth, Light and Heavy Goods Vehicle flows and traffic congestion, together with the environmental impact of the proposal.

During the study we consulted a wide range of organisations affected by, and having an interest in, the A1 in the North East and Yorkshire and Humber. These included The Regional Development Agencies for the North East and Yorkshire and Humber as well as local councils, freight associations and other transport bodies. The results are reported in the A1 Bramham to Barton Safety Study Problems and Issues Statement.

I have arranged for copies of all these documents to be placed in the House of Commons Library.

If you require any further information, Alec Briggs in our Leeds Office will be happy to assist you. He can be contacted on 0113 283 6303.

Railtrack

Mrs. May: To ask the Secretary of State for Transport if he will publish the letter of agreement of 27 June relating to the Government's undertaking to make sufficient funds available to ensure that the amount receivable by Railtrack group by way of consideration in respect of the disposal of the shares in Railtrack Plc on an after tax basis is equal to £500 million. [66545]

Mr. Jamieson *[holding answer 2 July 2002]:* The details of this letter, and the contingent liability contained within, are set out in paragraphs 24 and 25 of the non-statutory contingent liability Minute laid before the House of Commons on 27 June.

Strategic Rail Authority

Mrs. May: To ask the Secretary of State for Transport what the credit rating is of the SRA. [66598]

Mr. Jamieson *[holding answer 2 July 2002]:* In line with other non-departmental public bodies, the SRA would receive a high credit rating consistent with its statutory role.

Mrs. May: To ask the Secretary of State for Transport how many applications for membership of the board of the SRA were received in response to the most recent advertisements; and when resulting appointments to the board will be announced. [69164]

Mr. Jamieson: 603 applications have been received for membership of the Board of the Strategic Rail Authority. Appointments will be announced in due course.

Railways

Mrs. May: To ask the Secretary of State for Transport if he will list the special purpose vehicles being developed for enhancement works on the railways. [66603]

Mr. Jamieson *[holding answer 2 July 2002]:* I refer the hon. Member to the reply given to the hon. Member for Bath (Mr. Foster) on 9 July 2002, *Official Report,* column 807W.

Network Rail

Mrs. May: To ask the Secretary of State for Transport what representations he has received on Network Rail's proposal from *(a)* the ORR and *(b)* the SRA. [66544]

Mr. Jamieson *[holding answer 2 July 2002]:* My right hon. Friend the Secretary of State has discussed the matter with the ORR and SRA.

Mrs. May: To ask the Secretary of State for Transport if he will list the *(a)* statutory and *(b)* other powers of the SRA with regard to the control of Network Rail. [68391]

Mr. Jamieson *[holding answer 9 July 2002]:* The SRA's statutory powers are set out in the Railways Act 1993 and the Transport Act 2000. The SRA will be represented as a member of Network Rail and would have certain special rights as a member (e.g. the right to appoint an SRA non-executive director to the board).

Devolution

Angus Robertson: To ask the Secretary of State for Transport when the EU Technical Adaptation Committee on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [67756]

Mr. Jamieson: We do not know of any committee with this name and function.

Road User Charging

Mr. Kidney: To ask the Secretary of State for Transport what changes he plans to make to his policy on road user charging for inter-urban motorway and trunk roads in response to the prospective opening of the M6 toll road in 2004. [68080]

Mr. Jamieson: There are no plans to introduce inter-urban road user charging, but we shall want to see what lessons can be learned from practical experience with charging schemes, including the national scheme for lorries announced by the Chancellor of the Exchequer in his most recent Budget.

Driving Standards Agency

Mrs. May: To ask the Secretary of State for Transport (1) what evaluations have been conducted on the efficacy and value-for-money provided by the Driving Standards Agency's schools liaison programme; [68365]

(2) if he will place in the Library copies of guidelines and regulations given to the Driving Standards Agency with regard to their schools liaison programme; [68368]

(3) what Driving Standards Agency expenditure was on their schools liaison programme in each of the past five years; and what financial provision is being made for future development of such programmes; [68362]

(4) how much was spent *(a)* per school and *(b)* per school that actively took part by the Driving Standards Agency on their schools liaison programme in each of the past five years; [68363]

(5) what funding requests his Department is planning for the Driving Standards Agency's schools liaison programme; [68364]

(6) if he will make a statement on the selection procedure for schools to take part in the Driving Standards Agency's schools liaison programme; [68367]

(7) if he will list the schools that took part in the Driving Standards Agency's schools liaison programme. [68366]

Mr. Jamieson: In our road safety strategy "Tomorrow's Roads—Safer for Everyone" we gave the Driving Standards Agency (DSA) an expanded remit to contribute to improvements in road safety for young and novice drivers by establishing, developing and disseminating high standards and best practice in driving and riding on the road. We committed DSA to boosting road safety education in schools by expanding its programme of presentations to schools and colleges. Copies of the "Strategy" are available in House Libraries, and I am arranging for copies of the "Arrive Alive" material to be placed there too.

The schools programme was recently renamed "Arrive Alive" to reflect the wider target audience that has developed since the scheme was launched in 1996. Driving examiners now visit and make presentations to a wide range of organisations including schools and colleges, the armed forces, agricultural colleges, youth football teams, probation services and young offender units. There is no rigid procedure for DSA selecting schools, colleges or other institutions in which to carry out the presentations. In some cases a local Road Safety Officer will ask DSA to take part in a road safety presentation. In other cases, interest might be generated by a visit to the "Arrive Alive" website.

Independent research carried out in 1997 by the British Institute of Traffic Education and Research (BITER) concluded that the schools programme had proved effective in promoting key safety messages and in moulding attitudes among potential drivers.

The Department has funded the programme since 2000. Prior to that, DSA obtained funding from private business and from surpluses generated by DSA's non-statutory commercial activity—mostly the sale of books. DSA spent £65,000 in 1997–98, £94,000 in 1998–99 and £25,000 in 1999–2000. In 2000–01 funding by the Department amounted to £250,000 and in 2001–02 to £500,000. We plan to increase funding so that as many young learners and novice drivers as possible can benefit from the important road safety messages that the programme conveys—£750,000 for 2002–03 and £1 million for 2003–04.

Presentations are delivered to schools, colleges and the other institutions free of charge. Each presentation costs the Agency an average of £74 for the presenter's travel and subsistence.

In 2001–02, DSA delivered some 2,800 presentations to a number of organisations: A list has been placed in the Libraries of the House.

Trams

Mrs. May: To ask the Secretary of State for Transport if he will list the tram schemes *(a)* in operation, giving (i) the Government body responsible for oversight and (ii) the start date of the operation, *(b)* under appraisal and *(c)* under construction; and if he will make a statement. [68472]

Mr. Jamieson: For parts *(a)* and *(b)*, I refer the hon. Member to my previous replies of 2 July 2002, *Official Report*, columns 217–18W. There is only one tram scheme currently under construction—the Nottingham Express Transit (NET), which is due to open in November 2003. In addition, there are a further three schemes which are presently being procured: South Hampshire Rapid Transit System (SHRTS); Leeds Supertram; and the three extensions to Manchester Metrolink.

Thameslink 2000

Mrs. May: To ask the Secretary of State for Transport if he will make a statement as to the status of the Thameslink 2000 project. [68361]

Mr. Jamieson: A public inquiry into the project was held between June 2000 and May 2001. The report of the inquiry inspector is under consideration in the Office of the Deputy Prime Minister, as my right hon. Friend is responsible for deciding Railtrack's consent applications.

Railways (London)

Mrs. May: To ask the Secretary of State for Transport if he will list the London orbital rail routes that *(a)* have been completed in the last two years, *(b)* are under construction, giving the expected opening date, and *(c)* are being considered; and if he will make a statement. [68359]

Mr. Jamieson: No new railway lines have been constructed in London in the last two years. Work has already commenced on the extension of the East London line to connect it into the National Rail Network. The Strategic Rail Authority's Strategic Plan gives a target completion date of 2006. The SRA is seeking to enhance levels of orbital rail services over existing infrastructure. The Mayor of London's Transport Strategy details a number of aspirations for improved orbital rail services, and these are being examined in conjunction with the SRA.

Rail Services (Overcrowding)

Dr. Murrison: To ask the Secretary of State for Transport if he will make a statement on the level of overcrowding in trains in each year since 1992. [68232]

Mr. Jamieson: Overcrowding is primarily a problem in London in the morning peak. Overall overcrowding levels fell from 1992 to 1996, rose in 1997, fell in 1998, rose in 1999 and 2000 and are unchanged in 2001.

In 2001, nearly half a million people travelled by train into London each morning. This is the highest figure since the late 1980s. Despite this growth in use at peak times, overcrowding has decreased on eight out of the 10 London franchises since spring 2001, and the number of operators that have overcrowding levels exceeding the SRA's threshold has fallen from five to four. These four operators all have plans in place to reduce overcrowding.

Mersey Passenger Transport Authority

Mr. Ben Chapman: To ask the Secretary of State for Transport what assessment he has made of the level of rail expertise in the Mersey Passenger Transport Authority. [69121]

Mr. Jamieson: All Passenger Transport Executives have a range of expertise to enable them to formulate and implement local transport plans and to oversee related transport contracts. They also play a significant role in specifying and monitoring rail performance in their areas.

Car Tax

Mr. Gareth Thomas: To ask the Secretary of State for Transport what action he is taking to reduce numbers of untaxed cars on the road. [69174]

Mr. Jamieson: Detection of unlicensed vehicles on the public road is carried out by police and traffic wardens, who pass offence reports to the Driver and Vehicle Licensing Agency (DVLA) for enforcement action. Last year 800,000 offenders were brought to book, bringing in £110 million in fines, penalties and relicensing revenue.

This day to day enforcement activity is being supplemented by a number of other measures. Since 1997 a nationwide scheme has been operating to wheel clamp and impound unlicensed vehicles seen on the public road. Over 90,000 vehicles have been clamped since the scheme started. The scheme has been a success and we are investigating the possibility of expansion.

In addition, we significantly increased the number of joint DVLA/police campaigns against VED evaders last year and these are running at a record level. We also introduced mobile digital camera technology to detect unlicensed moving vehicles. This complements other activities which concentrate more on stationary vehicles.

DVLA is also working closely with other enforcement agencies in a pilot scheme to target both unlicensed and abandoned vehicles. Operation Cubit is a joint operation between DVLA, the police, fire service and local authorities which removes offending vehicles from the road immediately. It is proving to be very popular with members of the public with each vehicle being dealt with by the legislation which is appropriate to its condition.

Another pilot scheme recently proved the feasibility of local authorities using DVLA's powers to wheel clamp and impound unlicensed vehicles. This is now being rolled out to any local authorities that wish to join the scheme.

Mr. Gareth Thomas: To ask the Secretary of State for Transport what plans he has to require the DVLA to introduce *(a)* on-line and *(b)* telephone notification of untaxed cars. [69176]

Mr. Jamieson: DVLA currently accepts on-line notification of untaxed vehicles. Plans are also in hand to enhance the agency's website to make it even easier for customers to report untaxed vehicles on-line.

DVLA has also set up a trial telephone hotline notification scheme of untaxed vehicles in Hertfordshire. This started on 26 February 2002. The trial is being carefully monitored and if it proves a success, will be rolled out on a nationwide basis and will be given wide publicity.

Car Use

Mr. Breed: To ask the Secretary of State for Transport, pursuant to the answer of 4 July 2002, *Official Report*, column 466W, on car use, what the *(a)* location of and *(b)* amount spent on each bursary was in (i) 2000–01 and (ii) 2001–02. [68759]

Mr. Jamieson: In February 2001 we awarded 111 bursaries to 84 local authorities at a cost of £9 million over three years, to employ co-ordinators to support the development of travel plans for schools and places of work. The location and amount claimed by each local authority has been placed in the Libraries of the House.

Mr. Breed: To ask the Secretary of State for Transport, pursuant to the answer of 4 July 2002, *Official Report*, column 466W, on car use, what assessment he has made of the travel plans presented by the local authorities; and which plans were identified by his Department as examples of best practice. [68758]

Mr. Jamieson: Although we have carried out research to establish the number of plans being implemented by local authorities, we have not undertaken an evaluation of the individual plans themselves. However, we intend to publish shortly a guide on "Making Travel Plans Work: Lessons from UK Case Studies" together with the research report and the 20 case study summaries on which the guide is based. Two of these case studies are of plans prepared by local authorities, Buckinghamshire county council and Wycombe district. We are about to commission an evaluation of the bursary scheme for local authority travel plan co-ordinators and an evaluation of the programme of free site-specific advice on travel plans.

London Underground

Mrs. May: To ask the Secretary of State for Transport what statistics he collates on the number of people on the London Underground network who *(a)* manage to get on the first train that arrives from when they step onto the platform, *(b)* have to let one train go by due to overcrowding, *(c)* have to let two trains go by due to overcrowding and *(d)* have to let three or more trains go by due to overcrowding. [69177]

Mr. Jamieson: Detailed operational information of this nature is a matter for London Underground. However, I am informed that they do not collect information in the form requested.

Bus Lanes

Clive Efford: To ask the Secretary of State for Transport when he expects to consult on regulations enabling camera enforcement of bus lanes by local authorities outside London. [69925]

Mr. Spellar: We have today published draft regulations for consultation. Copies of the consultation letter and draft regulations will be placed in the Library. The draft regulations place the liability for payment of the penalty charge where a vehicle is driven illegally in a bus lane on the registered keeper, except that where a vehicle is subject to a hire agreement, liability falls upon the person who has hired the vehicle, and where a vehicle is being kept by a motor trader who is not the vehicle's registered keeper, liability falls upon the motor trader.

During the passage of the Transport Act 2000 we indicated that it was intended, at least initially, that regulations for bus lane enforcement outside London would be made on the basis of driver liability. In preparing the draft regulations, advice was taken from a working party of local authority representatives, and from the independent adjudication services dealing with parking appeals and, in London, bus lane appeals, flowing from local authority enforcement. They made representations that pursuing the driver is not a practical option for civil enforcement of bus lane contraventions. Merit is also seen in having a civil enforcement regime for bus lane contraventions that parallels the well established owner liability regime of decriminalised parking enforcement. Therefore, we decided that the draft regulations would place liability for payment of a penalty charge on the registered keeper, subject to the aforementioned exceptions.

Signage

Mr. Dhanda: To ask the Secretary of State for Transport what plans he has to replace miles with kilometres on traffic signs used to indicate speed limits and distances. [69926]

Mr. Jamieson: Although many drivers are familiar with metric units, it would not be appropriate to fix a date for converting speed limit and distance signs while there is still likely to be a significant proportion of drivers for whom the change could be potentially confusing.

HOUSE OF COMMONS

Energy Conservation

Mr. Stunell: To ask the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), representing the House of Commons Commission, what steps the Commission has taken to promote energy conservation and efficiency within the parliamentary estate since 1997. [65723]

Mr. Kirkwood: One hundred and ten staff of the House have been given special responsibility for energy conservation and efficiency. They receive monthly data on the energy consumption in their respective parts of the estate and manage housekeeping economy measures—for example, by reporting damaged windows and faulty lamps, and ensuring lights and water heaters are switched off when not in use.

Some £30,000 has been invested each year in energy saving schemes. Recent examples include lighting occupancy sensors and thermal insulation. A contract has recently been let to replace the main Palace boilers and chillers with modern high efficiency plant over this summer recess and the summer recess of 2003. A combined heat and power plant provides electricity and domestic hot water to the Norman Shaw buildings.

Portcullis House was specifically designed to be energy efficient. Cooling for the air conditioning is obtained by drawing cold water from a deep aquifer. Heat exchangers recover energy from discharging warm to cool air. The thermal mass of walls, floors and ceilings balances out daily temperature changes. External light shelves reduce the need for daytime artificial lighting.

Departmental Energy Use

Mr. Stunell: To ask the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), representing the House of Commons Commission, what the estimated level of energy use on the Parliamentary Estate was in each year since 1997; what proportion of energy used is generated from renewable sources; and what plans there are to increase this proportion. [65724]

Mr. Kirkwood: The energy used on the parliamentary estate in each financial year since 1997 is given in the table. Because the size of the estate has changed in this period the figures are calculated per square metre.

	KiloWatt hours per sq. m.
1997–98	342
1998–99	353
1999–2000	353
2000–01	334
2001–02	315

None of the energy used is generated from renewable sources; this issue was last considered by the Accommodation and Works Committee in November 2000, when it resolved that the situation should continue to be monitored. I have drawn my hon. Friend's question to the attention of the Chairman of that committee.

Select Committee Specialists

Mr. Dismore: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what plans he has to review salary rates for Select Committee specialists; and if he will make a statement. [65348]

Mr. Kirkwood: Salaries are kept under constant review, and a general review of pay for all staff throughout the House up to the grade above that of committee specialists is now under way.

To the best of my knowledge, committees have been able to secure suitably qualified staff to act as committee specialists, and have been content with the quality of their work, though I cannot of course tell whether other good candidates have been deterred from applying for such posts by salaries given in press advertisements.

The House recently approved the establishment of a review of committee support staff when it debated the Modernisation Committee's report on Select Committees on 14 May. That review is now beginning: I am sure that the review team will consider carefully the issue the hon. Gentleman has raised today.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

DEFRA Stand (Agricultural Shows)

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs who designed her Department's stand for this year's Countryside and Agricultural Show; and what the cost was of *(a)* the design work, *(b)* the production of the stand and *(c)* the stand excluding staff costs, at the shows. [63195]

Mr. Morley: The DEFRA stands being used at this year's agricultural shows were designed and built by two companies. Sabre International Exhibitions and Sasex. In both cases the stands are not new, each having been used at events during 2001. The contracts for this work were awarded following an established process of competitive tendering. While the costs involved are a matter of commercial confidentiality they are in line with commercial rates that Government Departments would expect to pay for stands of this sort.

EU Management Committee

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee of the common organisations of agricultural markets for sugar is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64890]

Mr. Morley: The EU Sugar Management Committee normally meets weekly on Thursdays. UK representation depends on the agenda items under discussion. Officials from the Scottish Executive and other devolved Administrations attend as necessary in accordance with their interests.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee on application of the Directive on the standardisation and rationalisation of reports on the implementation of certain Directives relating to the environment is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64885]

Mr. Meacher: I regret that I am not yet able to provide this information. I will write to the hon. Member shortly.

Fisheries

Mr. Letwin: To ask the Secretary of State for Environment, Food and Rural Affairs what contingency plans she has developed relating to the six and 12-mile inshore fisheries limits in the event that a new derogation is not in place by 31 December. [64380]

Mr. Morley *[holding answer 27 June 2002]:* I welcome the Commission's proposal to renew without any time limitation the current access arrangements for the six and 12-mile limits and their statement that these provisions have reduced fishing pressure in the most biologically-sensitive areas of the sea and provided economic stability for small-scale fishing activity. The proposal would apply from 1 January 2003 and a decision is due to be taken by the Fisheries Council during the course of this year's review of the common fisheries policy. There remains a consensus among member states in favour of renewing the limits.

Mr. Letwin: To ask the Secretary of State for Environment, Food and Rural Affairs what progress she is making in obtaining an EU wide ban on the fishing of bass while they are spawning. [64382]

Mr. Morley *[holding answer 27 June 2002]:* The International Council for the Exploration of the Seas' Advisory Committee for Fisheries Management has recently reported to the European Commission on the status of sea bass in European waters. The Commission will need to consider its response to this report. I will support any effective controls to ensure the sustainability of bass stocks.

Mr. Laws: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made towards reducing effort by 20 per cent. in those sectors of the UK fishing fleet with the most over-capacity; and if she will make a statement. [69158]

Mr. Morley: It has been a departmental target to reduce fishing effort, by 20 per cent. between 1997 and the end of December 2001, in those segments of the UK fishing fleet with the most overcapacity. This target was met by the due date.

Annabelle Ewing: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to the answer of 27 June 2002, *Official Report*, column 951, on fisheries, which member states regard relative stability as being in the best interests of all EU members. [67316]

Mr. Morley *[holding answer 8 July 2002]:* Following statements made by Ministers in the Fisheries Council and by officials in Council Working Groups, the following member states have declared that fishing opportunities should continue to be allocated according to the principle of relative stability: Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, the Netherlands, Portugal, Spain and Sweden.

Radioactive Waste

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs which bodies she *(a)* has consulted recently and *(b)* plans to consult in relation to radioactive waste management; and if she will make a statement. [65631]

Mr. Meacher: We and the devolved Administrations consulted over 1,000 people and organisations, including local authorities, green groups and others during the recent consultation on "Managing Radioactive Waste Safely". I shall write to the hon. Member with further details.

We will continue to involve these people and organisations as our radioactive waste management programme continues.

Flood Defence

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs which local authorities in England were asked to complete a policy statement to determine whether the authority would be able to meet Government aims and objectives in relation to flood defence; and which of these authorities are considered to be within official flood risk areas. [66687]

Mr. Morley *[holding answer 3 July 2002]:* All local authorities in England have been asked to complete a policy statement in line with Government flood defence aims and objectives. With the exception of Brighton and Hove unitary authority[1], London borough of Camden and London borough of Islington, all local authorities have some part of their boundary within the area shown on the Environment Agency's 2001 indicative floodplain maps.

[1] The area within Brighton and Hove UA boundaries has no main river, therefore, no fluvial floodplain. In addition, the land rises very steeply from the shoreline and is therefore deemed to be a coastal protection (more at risk of erosion and landslides) rather than a flood defence area.

Sustainable Development

Ms Walley: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to raise public awareness about the World summit on Sustainable Development over the next three months. [67078]

Mr. Meacher: In DEFRA we are continuing to work with other Government Departments and outside organisations to raise awareness of the World summit on Sustainable Development among both the media and the general public.

We are currently finalising proposals which not only build on the progress already made, but which also identify areas where we need to focus our resources, not only in the period running up to the event, but also during and immediately after the summit. These proposals include: producing a brochure about the summit which also highlights UK activity on sustainable development, focusing on locally based activities and making further improvements to the Government sustainable development website to enhance the information and networking opportunities it provides. The website can be found at www.sustainable-development.gov.uk

Johannesburg Summit

Ms Walley: To ask the Secretary of State for Environment, Food and Rural Affairs what budget has been allocated by her Department to raise awareness on environmental issues linked to the Johannesburg summit. [67077]

Mr. Meacher: The World summit on Sustainable Development takes place in Johannesburg from 26 August to 4 September. Many environmental issues relate to the agenda so it is not possible to isolate a specific budget. However, through the Environmental Action Fund we are helping voluntary organisations in England to promote sustainable development. For 2002–03 we have allocated £1.4 million to 25 projects promoting 'biodiversity' and £3.1 million to 58 projects promoting the 'understanding and awareness of sustainable development'. In 2001–02 the Environmental Action Fund supported 115 projects promoting 'sustainable living' to the tune of £4.2 million. In addition, DEFRA supports Environmental Campaigns Ltd and the Energy Saving Trust's Energy Efficiency Campaign, and last financial year provided over £8.2 million (it is not possible to disaggregate a small element of Scottish Executive support for the Energy Saving Trust from this figure) for both. We expect to provide a similar level of support for this financial year.

One of the aims of the DEFRA Sustainable Development Strategy, 'Foundations for our Future', launched last month, is to raise awareness of sustainable development within staff in DEFRA. £120,000 has been earmarked over this coming year for this.

Agricultural Forms

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to reduce the complexity of forms that have to be filled in by farmers. [67556]

Mr. Morley: Many of the forms farmers are required to complete relate to CAP support schemes. These forms are reviewed each year for need and content.

The Bovine Scheme Literature Project is currently reviewing the three major bovine schemes, Suckler Cow Premium Scheme (SCPS), Slaughter Premium Scheme (SPS) and Beef Special Premium Scheme (BSPS), with a view to producing a single form and set of scheme literature, thus reducing the time farmers spend on form filling.

Wherever possible, forms are pre-printed with information we already hold.

The Department is currently considering its overall approach to reviewing forms.

Angling

Mr. Caton: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to introduce a system of bag limits for sports anglers fishing around the UK coast. [67306]

Mr. Morley: As I explained to the right hon. Member for West Dorset (Mr. Letwin) on 1 July 2002, *Official Report*, column 60W, limits on the amount of crabs and lobsters that hobby fishermen can take from the sea are being considered as part of the proposed shellfish licensing scheme. The Department is also looking at the possibility of bag limits for other species and I would hope to be able to reach firm conclusions this autumn. Any proposals to introduce bag limits will be the subject of consultation with both commercial and recreational interests.

Mr. Caton: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what plans she has to introduce a licensing system for the sale of fish and lobsters from inshore waters so as to make it illegal to purchase fish or lobsters from anyone not holding a DEFRA licence; [67304]

(2) what plans she has to prevent sports fishermen and women selling their catches to the retail and restaurant trade; [67307]

(3) what assessment she has made of the impact of sale of fish caught by sports fishermen and women to the retail and restaurant sectors on the viability of the inshore fishing industry in the UK. [67305]

Mr. Morley: Under existing fisheries legislation it is only permissible to sell (for profit) fish caught from and landed by vessels which have been licensed by one of the Fisheries Departments in the UK. Sales of fish caught by unlicensed vessels can depress prices for legitimate landings and adversely affect the earnings of licensed fishermen. Steps to prevent unauthorised sales are kept under review and any proposals for additional measures will be the subject of consultation with interested parties.

Parrett Catchment Project

Mr. Liddell-Grainger: To ask the Secretary of State for Environment, Food and Rural Affairs what control her Department will have over the chairman of the Parrett Catchment project. [67585]

Mr. Morley: The Department does not have control over the chairman of the Parrett Catchment project.

Mr. Liddell-Grainger: To ask the Secretary of State for Environment, Food and Rural Affairs what checks will be carried out to assess the success of the Parrett Catchment project. [67586]

Mr. Morley: The Parrett Catchment project is a local partnership and as such will not be subject to Government checks. We have welcomed the initiative and continue to encourage the project to analyse proposed options further and to integrate with existing Government sponsored mechanisms such as the Catchment Flood Management Plan.

Combined Heat and Power

Mr. Colman: To ask the Secretary of State for Environment, Food and Rural Affairs when the exemption for combined heat and power from the climate change levy, as announced by the Chancellor in his Budget, will become operational; and whether the value of the exemption will be realised by the qualifying combined heat and power generator. [67602]

Mr. Meacher: The introduction of the full exemption of CHP from the climate change levy is subject to EC State Aid approval. We hope to have this approval by the end of November. Whether the qualifying CHP generator supplements its price by the full value of the levy exemption or the licensed supplier reduces the price he pays by sharing some of it, is a commercial matter. Either way, the effect should be to make the onward sale of good quality CHP electricity more attractive.

Curry Report

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs what recent representations she has received regarding the funding and implementation of the Curry report on the future of food and farming; and if she will make a statement. [67088]

Mr. Morley *[holding answer 5 July 2002]:* The Government's discussion document 'Sustainable Food and Farming: Working Together' invited views on how to take forward issues identified in the Policy Commission's report on the future of food and farming. Approximately 250 responses have been submitted, supplementing representations made during the extensive process of stakeholder engagement conducted recently. These responses are being analysed and will help inform the construction of a Strategy for Food and Farming in England, to be published this autumn.

Timber Procurement

Ms Walley: To ask the Secretary of State for Environment, Food and Rural Affairs what measures the United Kingdom Government are taking to encourage other EU Governments to adopt timber procurement policies similar to those in place in the United Kingdom in respect of timber sourced legally and sustainably; and if she will make a statement. [68032]

Mr. Morley: The Government have promoted their timber procurement policy to EU member states and other countries on a number of occasions. The Minister for the Environment gave a speech on implementation of the UK procurement policy, experiences gained and lessons learned on 23 May to an international audience including some EU member states, G8 countries and China. He encouraged them to adopt similar policies. The European Commission was sent a consultation paper on implementation of the policy in the UK to help the Commission prepare for the Forest Law Enforcement, Governance and Trade workshop held in Brussels over 22–24 April. The Government's consultation exercise itself was widely publicised and the discussion held on 25 March was attended by stakeholders from across Europe. The policy has been notified to the OECD Steering Group on Green Public Purchasing and in April a Government official gave a presentation on the policy at an international conference on illegal logging held in the USA.

It is the Government's intention to continue to work closely with other EU member states and the Commission both to further promote the UK timber policy and to share experience gained and lessons learned through implementation. When the next UK consultation exercise is complete and the report we have commissioned from ERM consultants finished we will ensure that the recommendations and actions that follow are widely publicised.

Foot and Mouth

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs (1) when she expects the European Commission to provide modulation payments to the United Kingdom for the foot and mouth outbreak; [67620]

(2) how much money she expects the European Commission to pay the United Kingdom as a modulation payment for the foot and mouth outbreak. [67621]

Mr. Morley *[holding answer 8 July 2002]:* Modulation is a mechanism which enables member states of the European Union to redirect a proportion of their CAP direct payments to rural development measures, should they choose to do so. It is not a mechanism through which EU funding is directed for FMD purposes.

Dr. Palmer: To ask the Secretary of State for Environment, Food and Rural Affairs when the Lessons Learned inquiry will publish its report; and if she will make a statement. [70079]

Margaret Beckett: I understand that the report of Dr. Iain Anderson's foot and mouth disease Lessons Learned inquiry is now expected to be published on Monday 22 July.

Committee Mandates

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee for the fisheries and aquaculture sector is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [68606]

Mr. Morley: The Committee usually meets at monthly intervals. The next meeting is scheduled for 23 July. The composition of the UK delegation is decided according to the agenda. Representatives of the Scottish Executive attend whenever the business of the Committee requires it.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee for Fisheries Products is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [68570]

Mr. Morley: The next meeting of the Committee is provisionally scheduled for 4 October. Outside the summer period it usually meets at monthly intervals. The composition of the UK delegation is decided according to the agenda. Representatives of the Scottish Executive attend whenever the business of the Committee requires it.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee for the Fisheries and Aquaculture Sector is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [68571]

Mr. Morley: The Advisory Committee on Fisheries and Aquaculture was set up to enable the Commission to consult representatives of the EU fishery products and aquaculture industry, and of related interests such as consumers and environmentalists, and to take their views on the drafting and implementation of relevant EU measures. It is not attended by officials.

Farming Statistics

Mr. Laws: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the statistics that are collected by her Department by English parliamentary constituency; and if she will make a statement. [67096]

Mr. Morley *[holding answer 8 July 2002]:* DEFRA produces statistics from the June Agricultural and Horticultural Census by parliamentary constituency in England for the following data sets:

Land use and crops

Livestock numbers

Labour force

Breakdown by total area size bands

Breakdown by farm type.

These statistics have been produced for the years 1999, 2000 and 2001. Copies of the 1999 and 2000 data sets are available in the Library. Statistics for 2001 are available on request and will shortly be deposited in the Library.

Sheepmeat

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs what exports of sheepmeat there were to each EU country in each of the last five years. [68270]

Mr. Morley *[holding answer 9 July 2002]:* The table shows the volume of sheepmeat exported to the EU in each of the last five years.

UK exports of sheepmeat to the EU 1997–2001[1]

Tonnes

Country	*1997*	*1998*	*1999*	*2000*	*2001*
France	76,843	77,532	78,085	70,355	23,832
Belgium-Luxembourg	8,091	8,193	8,288	8,397	1,681
Germany	8,241	7,522	6,812	6,940	1,241
Italy	2,102	3,866	4,865	4,264	1,153
Portugal	3,943	3,727	2,965	2,070	543
Spain	2,238	2,044	2,841	1,378	232
Greece	1,676	767	1,277	978	1
Netherlands	922	882	1,006	1,068	324
Irish Republic	467	1,302	597	566	883
Austria	1,217	1,078	755	659	27
Sweden	68	165	350	236	38
Denmark	131	255	278	93	40
Finland	41	45	59	70	14
Total	105,978	107,376	108,178	97,074	30,009

[1] Product weight. Excludes exports of live sheep.

Source:

HM Customs and Excise

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs how much sheepmeat has been exported to *(a)* North America, *(b)* Europe outside the EU and *(c)* other areas of the world in each of the last five years. [68087]

Mr. Morley *[holding answer 9 July 2002]:* The table shows the volume of sheepmeat exported to North America, Europe outside the EU and other areas of the world.

UK exports of sheepmeat 1997–2001[1]

Tonnes

Region	*1997*	*1998*	*1999*	*2000*	*2001*
North America	—	1	0	1	3
Europe outside the EU	1,427	1,176	969	1,170	241
European Union	105,978	107,376	108,178	97,074	30,009
Other countries	109	74	82	91	122
Total exports	107,514	108,627	109,230	98,336	30,374

[1] Product weight. Excludes exports of live sheep.

Source:

HM Customs and Excise.

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs how much sheepmeat was imported into the United Kingdom from *(a)* countries in Europe outside of the European Union, *(b)* Australia, *(c)* New Zealand and *(d)* other parts of the world in each of the last five years. [68094]

Mr. Morley *[holding answer 9 July 2002]:* The following table provides imports of sheepmeat into the United Kingdom in each of the last five years.

UK imports of sheepmeat 1997–2001[1]

Tonnes

Region/Country	*1997*	*1998*	*1999*	*2000*	*2001*
Europe outside the EU	150	57	25	166	281
European Union	15,182	12,398	11,882	11,061	13,426
New Zealand	106,357	99,197	97,958	96,012	83,245
Australia	12,779	12,386	13,959	13,039	10,282
Other countries	2,427	3,746	1,496	1,500	1,082
Total imports	136,895	127,784	125,320	121,777	108,316

[1] Product weight. Excludes exports of live sheep.

Source:

HM Customs and Excise.

Supermarkets

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to help farmers to develop a better relationship with supermarkets. [67575]

Mr. Morley *[holding answer 9 July 2002]:* The majority of farmers do not deal directly with supermarkets. However, those that do may benefit from the supermarkets Code of Practice which the Secretary of State for Trade and Industry announced on 18 December 2001. Although the Code is currently binding only on the four largest supermarkets, we have been encouraging smaller supermarkets and larger processors to sign up to its principles and practices.

The Policy Commission on the Future of Farming and Food stressed the potential of collaborative ventures for all farmers, large and small, and pointed out that collaboration can put farmers in a better negotiating position when dealing with large customers. We support this view and are looking at ways in which we might encourage greater collaboration between producers. We have already proposed that one of the priorities of the new Agricultural Development Scheme will be projects promoting co-operation and collaboration benefiting primary producers. We have also been considering with others the Policy Commission's Recommendation for the establishment of an English Collaborative Board that would encourage and support collaboration and co-operation among farmers.

Public Service Agreements

Mr. Laws: To ask the Secretary of State for Environment, Food and Rural Affairs how many and what proportion of the public service agreements of her Department set out in the document Public Services for the Future 1998 have been met; and if she will make a statement. [68713]

Mr. Morley *[holding answer 10 July 2002]:* Information relating to DEFRA's Public Service Agreement targets can be found in the DEFRA's departmental report 2002.

Recycling

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to encourage recycling of *(a)* paper, *(b)* glass, *(c)* aluminium and *(d)* inkjet cartridges. [67804]

Mr. Meacher *[holding answer 10 July 2002]:* This Government are committed to increasing reuse and recycling of all materials. Waste Strategy 2000 set a national target of recycling or composting at least 25 per cent. of household waste by 2005, 30 per cent. by 2010 and 33 per cent. by 2015. To underpin these targets, last year we set statutory performance standards for recycling for all local authorities in England. Authorities are required, on average, to double recycling by 2003–04 and triple it by 2005–06.

These recycling standards are not material specific. It is up to the individual authority to decide which materials to collect for recycling, depending on local circumstances. Many authorities have introduced kerbside collection of recyclables and these often include paper, glass and aluminium.

We are taking various steps to help local authorities increase recycling. For example, the Waste Minimisation and Recycling Programme provides £140 million for local authority activities, and grants for the first year of funding have just been allocated. Around 58 of the schemes to be funded this year involve kerbside collection and a great number of these target the paper, glass and aluminium waste streams. In addition, schemes to increase bring site recycling and schemes that should raise awareness and consequently recycling rates, have also been approved.

We have also set up the Waste and Resources Action Programme (WRAP) to tackle the market barriers to recycling. WRAP have made good progress so far, and have awarded a grant which will result in additional paper reprocessing capacity for 320,000 tonnes of waste paper per year.

The Waste Electrical and Electronic Equipment (WEEE) Directive, which the Government support, makes producers of electrical and electronic goods responsible for their recovery, treatment and environmentally sound disposal and covers inkjet cartridges if they are discarded with the printer.

Two of the amendments to the Directive proposed by the European Parliament are relevant to inkjet cartridges—amendment 7, which would give re-use of WEEE, its components, sub-assemblies and consumables priority over recycling, and amendment 22, which would prevent the production of equipment which has been manufactured in such a way as to prevent reuse. The Government fully support amendment 7 and support amendment 22 in principle. A final text is expected to be adopted by the end of this year.

Nitrate Vulnerable Zones

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what the percentage of respondents to the recent consultation on nitrate vulnerable zones preferred the option of designating 100 per cent. of England as a nitrate vulnerable zone; and if she will make a statement. [68100]

Mr. Meacher *[holding answer 10 July 2002]:* Overall 56 per cent. of respondents to the recent consultation "How should England implement the 1991 Nitrates Directive?" preferred application of Action Programme measures to the whole of England. Thirty six per cent. preferred the alternative designation of discrete areas as Nitrate Vulnerable Zones. The remainder failed to state a preference. We published an independent analysis of all the responses on 27 June 2002, which is available on the DEFRA web site at "www.defra.gov.uk/environment/water/quality/nitrate".

However, these responses were on the basis that 80 per cent. England would be designated under the discrete area option. Subsequent refinement of the mapping work has established that only 55 per cent. of England has to be designated. We took this into account in deciding how to proceed in the light of consultation.

Widdrington Carcase Disposal Site

Mr. Beith: To ask the Secretary of State for Environment, Food and Rural Affairs how the figure of £165,000 compensation paid to UK Coal in respect of the Widdrington carcases disposal site was arrived at. [66888]

Mr. Morley *[holding answer 10 July 2002]:* MAFF/DEFRA negotiated a six year lease for the Widdrington mass burial site, commencing 31 March 2001. In addition to a basic rent for the occupation of the site, since the area is zoned for future coal extraction, a further premium of £300,000 was paid for sterilised coal deposits.

This sum was determined by the local Mineral Valuer of the Valuation Office Agency in negotiation with UK Coal and was based on the area of land-take used exclusively by MAFF/DEFRA for carcase disposal and a calculation of the likely tonnage of coal that could have expected to be mined from the area.

The £165,000 referred to in the NAO Report relates to the purchase of Tow Law mass burial site. When MAFF/DEFRA acquired the site, it paid the negotiated purchase price. However, there was in the deeds a restrictive covenant which limited use of the site to open cast mining or agriculture. If any other use was made of the land, the former owners, in this case the Coal Authority, would have to be paid a clawback of 50 per cent. of the increase in the value of the site. The increase was calculated by taking the difference between the indexed sale price achieved by the Authority and deducting this from the price paid by DEFRA, and dividing the result by 2, giving £165k.

Mr. Beith: To ask the Secretary of State for Environment, Food and Rural Affairs how many businesses in the Widdrington area of Northumberland have received compensation or disturbance payments in respect of the carcase burial site there. [66889]

Mr. Morley *[holding answer 10 July 2002]:* No compensation or disturbance payments have been made to businesses in the Widdrington area of Northumberland in respect of the carcase burial site there.

Frozen Chicken Imports

Mr. Keith Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment of the risk to animal health has been made by her Department with regard to bovine DNA contained in imported frozen chicken breasts; [68842]

(2) whether she informed the inquiry into the lessons to be learned from the foot and mouth disease outbreak of 2001 of her Department's risk assessment with regard to bovine DNA contained in imported frozen chicken breasts; [68837]

(3) what evidence her Department presented to the National Audit Office report on the 2001 outbreak of foot and mouth disease concerning the risk assessment with regard to bovine DNA contained in imported frozen chicken breasts; [68839]

(4) when she informed the Scientific Review into foot and mouth by the Royal Society of her Department's risk assessment with regard to bovine DNA contained in imported frozen chicken breasts. [68841]

Mr. Morley: Since 1 August 2001, it has been illegal to feed any processed animal proteins—including avian proteins—to animals which are kept, fattened or bred for the production of food. These legislative requirements, designed to avoid any possibility of the BSE agent getting into feedingstuffs for farmed livestock, are backed up by robust surveillance arrangements to monitor compliance. The specially developed tests which are used to help enforce the feed controls include one specifically aimed at detection of avian proteins. Given the robust controls in place, no added value would be achieved from a separate risk assessment on the animal health implications of bovine DNA contained in imported frozen chicken breasts. Consequently, no risk assessment has been produced or sent to either the inquiry into the lessons to be learned from the foot and mouth disease outbreak of 2001, or the National Audit Office Value for Money Examination into the 2001 outbreak of foot and mouth disease, or the Royal Society Study into Infectious Diseases in Livestock.

BSE

Mr. Laws: To ask the Secretary of State for Environment, Food and Rural Affairs what her estimate is of the incidence of Bovine Spongiform Encephalopathy in each year since 1997; and if she will make a statement. [69092]

Mr. Morley: Confirmed cases of BSE in UK since 1997 are as follows.

	Passive surveillance[1]	*Active surveillance*[2]
1997	4,335	0
1998	3,198	0
1999	2,263	18
2000	1,331	99
2001	812	372
2002[3]	[4]253	[5]305

[1] Animals reported as showing clinical sign suspicious of having BSE.

[2] Animals tested on presentation for slaughter, without showing clinical signs suspicious of having BSE.

[3] To 28 June.

[4] 70 results pending at 28 June 2002.

[5] 22 results pending at 28 June 2002.

Weekly statistics showing the progress of the BSE epidemic in Great Britain are available on the DEFRA website at: http://defraweb/animalh/bse/bse-statistics/level-3-incidence.html.

Agri-environment Schemes

Mr. Laws: To ask the Secretary of State for Environment, Food and Rural Affairs how much land was covered by the major agri-environment schemes in *(a)* 1990, *(b)* 1995, *(c)* 1997, *(d)* 1998, *(e)* 1999, *(f)* 2000 and *(g)* 2001; and if she will make a statement. [69157]

Mr. Morley: Details for the Environmentally Sensitive Areas, the Countryside Stewardship and the Organic Farming Schemes are set out in the table in hectares. The area of land under these schemes continues to increase. The Government are firmly committed to agri-environment schemes, and a significant increase of funding was announced in 2000 at the beginning of the England Rural Development Programme.

	ESA	*CSS*	*OFS*
1990	111,550	—	—
1995	424,567	[1]90,900	2,118
1997	469,121	118,300	6,130
1998	501,255	139,900	10,683
1999	523,545	192,100	16,095
2000	531,900	263,300	[2]115,387
2001	579,204	[2]333,300	[2]112,832

[1] Total for 1991–95 when the scheme was operated by the then Countryside Commission. The former MAFF assumed responsibility for the scheme in 1996.

[2] Provisional estimates.

Note:

Organic Aid Scheme operated until 1999 when it became the Organic Farming Scheme.

EU Directive 1999/74/EC

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to her answer of 3 July 2002, *Official Report*, column 383W, on EU Directive 1999/74/EC, if she will place the *(a)* full and *(b)* partial regulatory impact assessments in the Library. [68834]

Mr. Morley: The full regulatory impact assessment concerning implementation of EC Directive 1999/74/EC has been placed in the Library.

A partial regulatory impact assessment is being produced for the proposal to ban enriched cages from 2012 and this will soon be placed in the Library together with the consultation letter.

Mr. Breed: To ask the Secretary of State for Environment, Food and Rural Affairs, pursuant to the answer of 3 July 2002, *Official Report*, column 383W, for what reasons she will not carry out a full regulatory impact assessment ahead of her Department's consultation. [68760]

Mr. Morley: A partial regulatory impact assessment is included with all public consultations. Subsequently, a full regulatory impact assessment will be produced, including the results of the consultation and will be submitted to Ministers.

Extraction

Mr. Edwards: To ask the Secretary of State for Environment, Food and Rural Affairs whether the Usk valley has been identified as an area for sand and gravel extraction. [67479]

Mr. McNulty: I have been asked to reply.

This is a matter for the Welsh Assembly Government.

Mr. Simon Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs if she will undertake a study of sand deposits and extraction in Ceredigion. [67027]

Mr. McNulty: I have been asked to reply.

This is a matter for the Welsh Assembly Government.

DEFENCE

Body Armour

Mr. Cousins: To ask the Secretary of State for Defence whether units of the British armed forces are equipped with full body armour based on ceramic plates; and what distribution of body protection *(a)* has been made and *(b)* is planned. [52125]

Mr. Ingram: Units of the United Kingdom armed forces, in operational theatres, are issued with the general service combat body armour (CBA), which is a vest designed to provide protection to the chest and much of the abdomen. There is also an explosive ordnance disposal (EOD) suit that provides head-to-toe protection for EOD units. Both are manufactured from textile ballistic fabric. Two ceramic plates can be added to the CBA vest, for extra front and back protection, if required. The current EOD suit does not have ceramic plates but a new lightweight EOD suit, which like the CBA would have ceramic plates to the front and back, has recently been trialled.

Aircraft Shortages

Angus Robertson: To ask the Secretary of State for Defence how many *(a)* training courses and *(b)* exercises have been cancelled owing to unavailability of aircraft in the last 12 months. [64848]

Mr. Ingram: From 1 June 2001 to 31 May 2002, twenty training courses were cancelled as a result of aircraft unavailability.

The Defence exercise programme is responsive to Operational tempo and decisions on which exercises to support with Tactical Air Transport (Tac AT) are taken on a case-by-case basis in the light of this, and their priority within the programme. From 1 June 2001 to 31 May 2002, four of the 13 exercises not offered Tac AT support were cancelled.

No exercises were cancelled as a result of aircraft unserviceability.

Territorial Army

Mr. Swire: To ask the Secretary of State for Defence what the strength of the Territorial Army is. [66717]

Dr. Moonie: As at 1 May 2002, the strength of the Territorial Army stood at 39,125 personnel, which includes those currently mobilised in support of operations.

Mr. Laws: To ask the Secretary of State for Defence when the restructuring of the Territorial Army was completed; and if he will make a statement. [69103]

Dr. Moonie: The Strategic Defence Review required the re-organised Territorial Army to be operationally effective by 31 March 2000. All units formed as required, although some units were retained beyond this date until such time as regular units could assume their role as planned. The process of converting to new roles is continuing, and shortfalls in manpower in some areas (in particular the Army Medical Service(TA)) are also being addressed.

Mr. Joyce: To ask the Secretary of State for Defence whether the Territorial Army intelligence specialists called out into service last February are to be replaced; and if he will make a statement. [69781]

Dr. Moonie: As a result of the significant increase in intelligence work following the events of 11 September, the need to augment the Defence Intelligence Staffs and other headquarters organisations by some 55 reservists continues. It is therefore necessary to call out compulsorily a second tranche of intelligence specialists to relieve the majority of those called out last February who now wish to resume their civilian employment. The individuals involved in the second tranche will primarily come from the Territorial Army, but a small number will also come from the Royal Naval Reserve and the Royal Auxiliary Air Force. They will commence their appointments in mid-August. We recognise the essential contribution made by these reservists to the operations against global terrorism and are grateful to them, their families and their employers for their support.

Browndown Site

Mr. Viggers: To ask the Secretary of State for Defence if he will cut back the higher trees and gorse on the Browndown site between Portsmouth Road and the sea at Lee-on-Solent. [67194]

Dr. Moonie: There are no plans to cut back trees and gorse at Browndown site. As this is a site of specific scientific interest, we would have to consult with English Nature before undertaking such work, and in any event, work would not start before the growing season ended in the autumn.

Nuclear Weapons

Llew Smith: To ask the Secretary of State for Defence if he will set out the types of circumstances in which he has judged it would be legal for the United Kingdom to use nuclear weapons; and whether it is United Kingdom policy never to be the first to use nuclear weapons. [68612]

Mr. Hoon: As the Government have made clear on many occasions, we would be prepared to use nuclear weapons only in extreme circumstances of self-defence. We would not use our weapons, whether conventional or nuclear, contrary to international law.

A policy of no first use of nuclear weapons would be incompatible with our and NATO's doctrine of deterrence, nor would it further nuclear disarmament objectives. We have made clear, as have our NATO allies, that the circumstances in which any use of nuclear weapons might have to be contemplated are extremely remote. Our overall strategy is to ensure uncertainty in the mind of any aggressor about the exact nature of our response, and thus to maintain effective deterrence.

Inglis Barracks, Mill Hill

Mr. Dismore: To ask the Secretary of State for Defence if he will make a statement on the findings of the recent survey of the Inglis Barracks site, Mill Hill, of low level radiation. [68668]

Dr. Moonie: An environmental survey was started on 4 July 2002 at Mill Hill to check for radioactive contamination on land that previously belonged to the Ministry of Defence. The first stage was a walk-over survey with meters to check for any radiological activity. Only two small areas meriting further investigation were found. These were on the Barnet council depot/MOD boundary and in open space in the vicinity of Notting Hill Housing Group flats. The risk to the general public is considered very low and no immediate action or special precautions are necessary.

Starting on Monday 15 July, trial pits will be dug and bore holes drilled for taking soil samples. The results from analysis of the samples will be used to decided what remedial action may be necessary.

The survey is a precautionary measure following a previous Land Quality Assessment of the military site at Mill Hill that identified low levels of radioactivity in a small area in the centre of the site. This activity arises from the residues of luminous paint buried in the ground. Radium based luminous paint was commonly applied to items such as vehicle dials during the second world war as well as on a wider commercial basis for watches and clock faces up to the late 1960s. The MOD intends to remove the contaminated material from Mill Hill, as it has successfully done from other sites, such as the former Admiralty Compass Observatory at Ditton Park, Slough, now sold and re-developed.

The survey is being undertaken jointly by Barnet borough council and the MOD, working with Annington Homes, Notting Hill Housing Group and the Environment Agency. Residents are being kept informed through mail drops and a telephone help line. An on-site information office was open during the walk-over survey. The results of the survey work will be shared with residents.

Phoenix

Mr. Keetch: To ask the Secretary of State for Defence (1) what the original estimated in-service life of the Phoenix UAV system that entered into service in 1999 was; and if he will make a statement; [68671]

(2) what the estimated in-service life of Watchkeeper is; and if he will make a statement; [68672]

(3) if the Phoenix UAV system will be upgraded; and if he will make a statement. [68673]

Mr. Ingram: The Phoenix UAV system entered service in December 1998 with a projected in-service life of 15 years. The Watchkeeper programme, which will subsume the capability offered by Phoenix, defines the capability required of UAV systems to contribute to overall Intelligence Surveillance Target acquisition and reconnaissance (ISTAR) requirements for the next 30 years.

Individual components that make up the capability, such as air vehicles, will change to reflect developments in technology and will not be expected to achieve in-service lives of 30 years. The question of further investment in the Phoenix system and its out of service date is being considered during the current Watchkeeper assessment phase.

Agency Performance Targets

Mr. Joyce: To ask the Secretary of State for Defence what key targets have been set for the Defence Communication Services Agency for financial year 2002–03. [69782]

Mr. Ingram: Key targets have been set for the Chief Executive of the Defence Communication Services Agency (DCSA) for financial year 2002–03. The targets build on progress already made and are as follows:

Key Target 1 Service Assurance

To meet an average of 98 per cent. for measured services against the performance targets agreed in the Agency's CSAs.

Key Target 2 Service Fulfilment

To commission an average 95 per cent. of new service requests on, or before, the dates agreed by customers with the DCSA.

Key Target 3 Service Restoration

To restore an average 97 per cent. of interrupted services classed as Operationally Urgent within four hours of the fault being reported to the DCSA, or within other specific periods agreed with customers and to restore Business Critical services in accordance with agreed periods in the CSAs.

Key Target 4 Service Support

To achieve an average 88 per cent. success rate against agreed standards in response to demands on all DCSA Operator Assistance centres and helpdesk facilities.

Key Target 5 Customer Satisfaction

To achieve an average 75 per cent. of customers/users who express moderate or high satisfaction with the way they have been treated by the Agency and the subsequent services and support provided by the DCSA.

Key Target 6 Efficiency Measurement

To achieve an improvement in efficiency by reducing the average unit cost of outputs by 3 per cent. per annum.

Key Target 7 Introduction of New Projects and Services on Time

The average cumulative slippage of in-service dates for new major projects is not to exceed 10 per cent.

Dr. Palmer: To ask the Secretary of State for Defence what key targets have been set for the Naval Recruiting and Training Agency for financial year 2002–03. [69928]

Mr. Ingram: The following key targets have been set for the Naval Recruiting and Training Agency for 2002–03:

Key Target 1

To deliver RN personnel to the trained strength (or to other training organisations) within 5 per cent. variance from the tasked requirement.

Key Target 2

To deliver RM recruits to Commandant General Royal Marines within 3 per cent. variance from the tasked requirement.

Key Target 3

To maintain success rates of 95 per cent. in Career Training and 97 per cent. in examined pre-joining training.

Key Target 4

To reduce the variance between RNR Trained Strength and Total Requirement to 28 per cent.

Key Target 5

To achieve, by 31 March 2003, a methodology for the implementation of an output cost based efficiency target.

Key Target 6

To achieve net benefits of £14 million in financial year 2002–03 from the partnering arrangement with Flagship Training Limited.

Dr. Palmer: To ask the Secretary of State for Defence what key targets have been set for the Veterans Agency for financial year 2002–03. [69929]

Dr. Moonie: The Key Targets that have been set for the chief executive of the new Veterans Agency for 2002–03 are as follows:

Service

Key Target 1:

To reduce the average time it takes to issue decisions on claims to war pensions to no more than 82 working days. This is an improvement of eight working days on the Agency's 2001–02 target; and it represents a cumulative improvement of 18 per cent. against its 2000–01 baseline level of 100 working days.

Key Target 2:

To reduce the average time it takes to issue decisions on war widow(er)s claims to no more than 34 working days. This is an improvement of two working days on the Agency's 2001–02 target; and it represents a cumulative improvement of 5 per cent. against its 2000–01 baseline level of 36 working days.

Key Target 3:

To achieve an externally validated claims accuracy rate of at least 95 per cent.

Personnel

Key Target 4:

To carry out an externally validated programme of internal IiP assessments during 2002–03 to determine whether the Agency continues to meet the requirements of the IiP standards.

Working in Partnership

Key Target 5:

To work with the Lord Chancellor's Department's Court Service to reduce the average time it takes an appeal to pass through the war pensions appeals process. By 31 March 2003 the average time should reduce to no more than 310 working days. This is an improvement of 198 working days on the Agency's 2001–02 target; and it represents a cumulative improvement of 45 per cent. against its 2000–01 baseline level of 565 working days.

Efficiency

Key Target 6:

To develop a methodology for costing agency outputs to provide the baseline to measure any future years' business efficiencies.

Dr. Palmer: To ask the Secretary of State for Defence what key targets have been set for ABRO as a trading fund for financial year 2002–03. [69930]

Mr. Ingram: The chief executive of ABRO, Michael Hayle, has been set the following Key Targets for the first year of operation:

Key Target 1:

Financial performance—Return on Capital Employed (ROCE). The measurement of ABRO's ROCE: to achieve at least a 6 per cent. average ROCE over the first three years of trading.

Key Target 2a:

Delivery performance. The measurement of Land (District) service delivery: to complete 95 per cent. of Land (District) Load tasks within the priorities agreed with the customer (Tech 3c).

Key Target 2b:

Delivery performance. The measurement of Programme service delivery: to complete 95 per cent. of critical Programme Load tasks within the times agreed with the customers (ES Land IPTs).

Key Target 3:

Efficiency—reduction in output price. The measurement of the reduction in price of ABRO output: to reduce the average equipment repair price, across the whole programme by 3 per cent. in the first year and by 12 per cent. over three years against the 2002–03 baseline.

Key Target 4:
Winning work. The measurement of ABRO winning work: to deliver more than £4 million of competed work in each of the next three years, but with the intention to change an "order book" measure from year two onwards.

Light Support Weapons

Mr. Keetch: To ask the Secretary of State for Defence what assessment his Department has made of the effectiveness of the *(a)* Minimi LSW and *(b)* SA80 LSW; and if he will make a statement. [69156]

Mr. Ingram: The Minimi Light Machine Gun (LMG) and the SA80A2 Light Support Weapon (LSW) are both deployed in support of the infantry with complementary but different roles. The Minimi LMG is capable of providing sustained suppressive firepower through belt fed ammunition at ranges of 300–400 m. The SA80A2 LSW can engage targets accurately at extended ranges (up to 600 m) at a lower rate of fire.

Mr. Keetch: To ask the Secretary of State for Defence which light support weapons were issued to UK troops as part of *(a)* Taskforce Jacana and *(b)* Operation Fingal; and if he will make a statement. [69154]

Mr. Ingram: Minimis and light support weapons were issued to troops on both operations. We always issue weapons to our forces which are appropriate for the tasks that we expect them to undertake.

Mr. Keetch: To ask the Secretary of State for Defence how many Minimi light support weapons have been issued to UK troops in Afghanistan and at what cost to his Department; and if he will make a statement. [69155]

Mr. Ingram: 149 Minimis were issued to United Kingdom troops involved in Operations Jacana and Fingal in Afghanistan. I am withholding details of the cost in accordance with Exemption 13 of the Code of Practice on Access to Government Information.

Joint Helicopter Command

Mr. Laws: To ask the Secretary of State for Defence when the Joint Helicopter Command was established; and if he will make a statement. [69096]

Mr. Ingram: The Joint Helicopter Command was established on 5 October 1999, as a result of the Strategic Defence Review.

Chief of Defence Logistics

Mr. Laws: To ask the Secretary of State for Defence on what date the first Chief of Defence Logistics was appointed; and if he will make a statement. [69098]

Mr. Ingram: General Sir Sam Cowan was appointed, initially as Chief of Defence Logistics (Designate), in the lead in to the DLO's former launch on 1 September 1998 for a four-year period. The appointment of Air Marshal Sir Malcolm Pledger was announced on 21 March 2002 in the normal way, and he will take up his appointment in the rank of Air Chief Marshal, on 2 September 2002.

Departmental Projects

Mr. Laws: To ask the Secretary of State for Defence on what date his Department completed *(a)* the formation of 1 Joint Force Logistic Component HQ and *(b)* the establishment of a regular ambulance regiment; and if he will make a statement. [69099]

Mr. Ingram: The Joint Force Logistic Component Headquarters is a capability that is formed as required. It is based on the core capability of a Logistic Brigade Headquarters enhanced by a Logistics Brigade Signal Squadron, other signals assets and augmentation from the other two Services. The first Joint Force Logistic Component HQ was able to be formed from April 2000, and we will have the capability to form a second such HQ from April 2003.

The capability which would have been provided by a regular Ambulance Regiment has been created within the Strategic Defence Review endorsed Medical Regiment Concept. This has been achieved by the creation of evacuation squadrons in each of the four medical regiments formed. These evacuation squadrons were fully formed by March 2001. Embedding the evacuation capability within each regiment, rather than creating a discrete capability, has enhanced our ability to deliver the ambulance and evacuation function.

Frigate and Destroyer Fleet

Mr. Laws: To ask the Secretary of State for Defence what the present size is of the United Kingdom frigate and destroyer fleet; and if he will make a statement. [69101]

Mr. Ingram: I refer the hon. Member to the answer I gave on 17 June 2002, *Official Report*, columns 36–37W, to the hon. Member for Upminster (Angela Watkinson).

Forces Relocation

Mr. Laws: To ask the Secretary of State for Defence when the first Army unit was permanently relocated from Germany after 1997; and if he will make a statement. [69102]

Mr. Ingram: The most recent troop reduction in Germany occurred as a result of the Strategic Defence Review. One Royal Tank Regiment was the first unit under this initiative to relocate back to the UK, in April 1999.

Mr. Laws: To ask the Secretary of State for Defence when the complete withdrawal of the RAF from Germany was completed; and if he will make a statement. [69100]

Mr. Ingram: The closure of RAF Bruggen, the RAF's last Main Operating Base in Germany, and its handover to the British Army was completed on 4 February 2002. The withdrawal of the RAF rear party from the station was undertaken on 28 February 2002. A number of RAF detachments remain in Germany.

Army Homes (Colchester)

Bob Russell: To ask the Secretary of State for Defence (1) how many dwellings in Colchester were sold to Annington Homes; when the sale took place; how many dwellings are available for married soldiers; how many have been demolished; and how many have been sold; [68854]

(2) how many houses in the private sector are rented in Colchester to accommodate *(a)* soldiers and *(b)* married families; [68856]

(3) what the average price per dwelling in Colchester sold by the Ministry of Defence to Annington Homes was; and what total sum was received for the dwellings in Colchester; [68855]

(4) if the Ministry of Defence will receive a share of the proceeds of former army houses at Colchester sold by Annington Homes. [68853]

Dr. Moonie: In 1996 most service families' accommodation in England and Wales was sold to Annington Homes Ltd. (AHL) under a sale and leaseback agreement. The sale raised £1.6 billion for the Exchequer, of which just under £35 million (about £25,000 per dwelling) related to some 1,400 family quarters in the Colchester area.

During 1996 and subsequently, a total of 182 houses in the Colchester area have been released to AHL for disposal. The rest (about 1,200) are still available for the Ministry of Defence to house service families. Of those released to AHL for disposal, some have been sold by the company, none have been demolished, but about 100 (of non-traditional construction) are awaiting development.

As part of the Sale of Agreement, a profit share scheme is in place under which the Exchequer receives a part of any profit AHL make from the properties released to them.

In the Colchester area, and separately from the arrangement with AHL, MOD rents 107 properties from the private sector, of which 106 accommodate single service personnel and one houses a service family.

War Pensions

Mr. Todd: To ask the Secretary of State for Defence if he will place current guidelines issued to the war pensions appeals tribunal in the Library. [68191]

Ms Rosie Winterton: I have been asked to reply.

The president of the pensions appeal tribunals issues practice directions which are distributed to all tribunal members. I have arranged for copies of the practice directions to be placed in the Library.

The Pensions Appeal Tribunals (England and Wales) Rules 1980 (as amended) detail the practice and procedure to be followed by the tribunals.

Sheik Hamad bin Jassim Jaber al-Thani

Norman Baker: To ask the Secretary of State for Defence on what date his Department was informed of payments made by *(a)* BAE Systems and *(b)* British Aerospace to His Excellency Sheik Hamad bin Jassim Jaber al-Thani; and if he will make a statement. [61106]

Dr. Moonie *[holding answer 13 June 2002]:* The first reference we have been able to trace in our records is a report in 1998 which stated that Shaik Hamad bin Jassim Jaber al-Thani had received commissions in connection with a defence equipment package signed in 1996 (for which BAe were the lead contractor).

INTERNATIONAL DEVELOPMENT

CDC Capital Partners

Gregory Barker: To ask the Secretary of State for International Development (1) what representations have been made to her by UK non-Governmental organisations regarding the change in investment policy at CDC Capital Partners; [67410]

(2) what representations have been made to her Department since 1997 by non-commonwealth non-Governmental organisations regarding the change in CDC Capital Partners' investment policy; [67406]

(3) what representations have been made to her Department since 1997 by non-United Kingdom Commonwealth non-governmental organisations regarding the change in CDC Capital Partners investment policy; [67411]

(4) what representations her Department has received from *(a)* the Commonwealth and *(b)* other nations regarding CDC Capital Partners' investment policy since 1997. [67351]

Clare Short: None.

Gregory Barker: To ask the Secretary of State for International Development what reserved rights she would retain after the sale of the majority holding in CDC Capital Partners. [67396]

Clare Short: I hold a number of reserved rights under the special share, which is referred to in Section 18 of the Commonwealth Development Corporation Act 1999. These are set out in Article 11 of the Articles of Association of CDC Group plc. They were designed to continue beyond sale of a majority holding in CDC to private sector investors. A copy of the Articles of Association has been placed in the Library of the House.

Gregory Barker: To ask the Secretary of State for International Development (1) if she will list CDC Capital Partners' investment partners by *(a)* sector, *(b)* country and *(c)* size since 1997; [67344]

(2) what proportion of CDC Capital Partners' *(a)* retail and *(b)* health care investments are in (i) low-income and (ii) least-developed nations; [67392]

(3) if she will list CDC Capital Partners' investment directors' investments by *(a)* country, *(b)* sector and *(c)* size since 1997; [67340]

(4) if she will list CDC Capital Partners executives' proportional *(a)* salary and *(b)* remuneration increases since 1997; [67356]

(5) what discussions she has had with CDC Capital Group board members regarding annual performance-related bonuses to CDC Capital Group executives; [67372]

(6) if she will list *(a)* those to whom CDC Capital Partners sold its enterprise investments in the last three years and *(b)* the enterprise investments sold to them; [67390]

(7) how many non-Commonwealth nationals have been employed by CDC Capital Partners in each year since 1997; [67412]

(8) if she will list CDC Capital Partners' investments by *(a)* sector, *(b)* size and *(c)* country since 1997; [67348]

(9) if she will list the funds containing private capital *(a)* managed and *(b)* joint-managed by CDC Capital Partners; and how much capital has been in each fund since 1997; [67364]

(10) if she will list, by country, the publicly guaranteed debt owed to CDC Capital Partners; [67386]

(11) if she will list the investments visited by CDC Capital Partners for monitoring purposes; and how many times each has been visited since 1997; [67362]

(12) if she will list by *(a)* country and *(b)* sector the environmental impact studies (i) performed and (ii) contracted by CDC Capital Partners since 1997; [67378]

(13) if she will list CDC Capital Partners' disposals of investments by *(a)* sector, *(b)* size and *(c)* country since 1997; [67342]

(14) if she will list the *(a)* nationality and *(b)* age of each CDC Capital Partners' office director; [67374]

(15) if she will make a statement on the *(a)* current and *(b)* proposed pension schemes for (i) office directors, (ii) other mid-level executives and (iii) professional staff employed by CDC Capital Partners; [67382]

(16) if she will list the unsuccessful formal investment and sale tenders in which CDC Capital Partners has participated, by sector, since 1997; [67398]

(17) what percentage of CDC Capital Partners' employees were non-United Kingdom Commonwealth nationals in *(a)* 1997 and *(b)* 2002; [67414]

(18) if she will list the countries where CDC Capital Partners *(a)* has received and *(b)* receives tax breaks on its investments; [67369]

(19) what the total cost of severance packages paid to CDC Capital Partners' redundant staff has been since 1997; [67409]

(20) if she will list CDC Capital Partners' agricultural investments in sub-Saharan Africa by country since 1997, describing the commercial activity in each case; [67361]

(21) if she will list the countries where CDC Capital Partners *(a)* has received and *(b)* receives exemptions on environmental regulations on its investments; [67377]

(22) what the proportional growth of CDC Capital Partners' *(a)* retail and *(b)* healthcare investments has been since 1997; [67393]

(23) if she will list the unsuccessful formal investment and sale tenders in which CDC Capital Partners has participated, by country, since 1997; [67341]

(24) what *(c)* current and *(b)* proposed (i) annual performance-related bonus programmes and (ii) long-term incentive plans exist for CDC Capital Partners' mid-level executives; [67373]

(25) how many Commonwealth nationals employed by CDC Capital Partners have been made redundant since 1997; [67413]

(26) if she will list the sub-Saharan agri-businesses advertised for sale in 2001 by CDC Capital Partners; and what proportion those businesses represented in 2001 in CDC Capital Partners' sub-Saharan agri-businesses; [67381]

(27) what criteria are used in determining annual performance-related bonuses to CDC Capital Group executives; [67371]

(28) if she will list the debts owed to the Treasury by CDC Capital Partners; [67388]

(29) if she will list, by office, the salaries and remuneration received by CDC Capital Partners' *(a)* office directors, *(b)* other mid-level executives and *(c)* professional staff since 1997; [67403]

(30) if she will break down by *(a)* region and *(b)* sector the representations her Department has received regarding the environmental impact of CDC Capital Partners' investments since 1997. [67367]

Clare Short: I shall reply to the hon. Member shortly, when the information is available without disproportionate cost.

Gregory Barker: To ask the Secretary of State for International Development (1) if she will list, by office, CDC Capital Partners' travel expenses for *(a)* each executive director, *(b)* each non-executive director, *(c)* each office director, *(d)* other mid-level executives and *(e)* professional staff employed since 1997; [67384]

(2) if she will list the number of applicants since 1997 to CDC Capital Partners' by *(a)* office and *(b)* position; and if she will list the percentage of this figure that is represented by (i) women and (ii) ethnic minorities; [67400]

(3) how many CDC Capital Partners' employees with *(a)* PhDs, *(b)* masters' degrees, and *(c)* bachelors' degrees have been made redundant since 1997; [67408]

(4) if she will list CDC Capital Partners' expenditures related to website construction and maintenance; [67360]

(5) if she will list CDC Capital Partners-funded air flights of CDC Capital Partners' *(a)* Chairman and *(b)* Chief Executive, and of each member of the (i) Board of Directors and (ii) Management Committee since 1997; [67376]

(6) if she will list the years of CDC Capital Partners service for each CDC Capital Partners office director; [67404]

(7) if she will list the CDC Capital Partners' *(a)* vocational training, *(b)* medical, *(c)* educational and *(d)* housing facilities closed by (i) sector and (ii) country, since 1997; [67380]

(8) if she will list CDC Capital Partners-funded air flights of each CDC Capital Partners office director since 1997; [67370]

(9) if she will list the average years of employees' service for each CDC Capital Partners office; [67402]

(10) if she will list, by office, the vehicles owned by CDC Capital Partners; [67358]

(11) how many visits there have been to the CDC Capital Partners' website; [67353]

(12) if she will list the positions of employment at CDC Capital Partners' by office; and if she will give the positions *(a)* filled and *(b)* unfilled; [67401]

(13) if she will list payments to, and remuneration received by, financial advisers retained by CDC Capital Partners since 1997; [67357]

(14) if she will list the qualification requirements for each employment position at CDC Capital Group; [67397]

(15) if she will list the CDC Capital Partners expenditures related to *(a)* team-building and *(b)* staff-development exercises since 1997; [67365]

(16) if she will list CDC Capital Partners' expenditure on *(a)* vocational training, *(b)* medical, *(c)* educational and *(d)* housing facilities, by (i) sector and (ii) country, since 1997; [67379]

(17) how many and what percentage of CDC Capital Partners' employees, broken down by office, hold *(a)* PhDs, *(b)* masters degrees and *(c)* bachelor degrees; and how many and what percentage of such employees are (i) women and (ii) ethnic minorities; [67395]

(18) if she will list, by office, CDC Capital Partners' expenditures related to *(a)* vehicle purchasing and *(b)* vehicle maintenance since 1997; [67359]

(19) if she will list CDC Capital Partners' yearly expenditure, broken down by office, on corporate entertainment since 1997; [67375]

(20) if she will list the monthly operating expenses of each CDC Capital Partners office in each year since 1997; [67391]

(21) if she will list, by office, CDC Capital Partners' expenditure on office equipment since 1997; [67383]

(22) if she will list each CDC Capital Partners' employment grade; and if she will list the *(a)* total number of persons employed at each CDC Capital Partners' office and *(b)* percentage of this figure that is represented by (i) women and (ii) ethnic minorities. [67399]

Clare Short: This information is not held by the Government. CDC will write to the hon. Member with as much information as CDC can provide without disproportionate cost. Copies of the reply will be placed in the Library of the House.

WORK AND PENSIONS

Appeal Tribunals

Mrs. Anne Campbell: To ask the Secretary of State for Work and Pensions when he will publish the second annual report of the president of appeal tribunals on the standards of decision-making coming before tribunals. [70046]

Maria Eagle: The second report by the president of appeal tribunals is published today and has been placed in the Library. Of those cases where the appeal tribunal overturned or amended the decision the main reasons given were because new evidence was produced at the hearing, the presence of the appellant at the hearing shed new light on the existing evidence or they took a different view of the same evidence.

The president has highlighted some areas where improvements have been made following his first annual report. Some examples of these are; more obvious use of the reconsideration process before cases reach the tribunal, improved standards of decision-making and the use of the medical evidence in disability living allowance cases and a reduction in the number of medical reports under-estimating the severity of disability.

The president has suggested that the agencies should concentrate on engaging appellants fully during the dispute period and encourage them to provide additional evidence earlier. This could lead to problems being resolved without the need to go to an appeal tribunal. I welcome the president's report, which provides an independent view of the standard of Secretary of State decision-making in cases coming to the appeal tribunal.

Industrial Accidents (Compensation)

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions what measures he has in place to ensure that those who suffer from industrial accidents are fully compensated for their injuries. [55334]

Mr. Nicholas Brown *[holding answer 13 May 2002]:* With certain prescribed exceptions, the Employers' Liability (Compulsory Insurance) Act 1969 (ELCI) requires all employers carrying on business in the United Kingdom to insure their liability to their employees for bodily injury or disease sustained in the course of their employment in Great Britain. There is currently a penalty of up to £2,500 for failure to insure on any day.

Employers are required to display copies of certificates of employers' liability compulsory insurance while the underlying policy is in force. There is currently a penalty of up to £1,000 for failure to display a certificate. The Health and Safety Executive is responsible for enforcing ELCI.

Industrial injuries disablement benefit is payable on a no fault basis to employed earners who have sustained an industrial accident or prescribed disease. It is paid according to the degree of disablement and takes no account of factors other than the physical or mental condition of the injured person. It can be paid whether or not the person continues to work and is not taxable.

In each case, advice on the assessment of disablement and its likely duration is given by doctors specially trained in industrial injuries disablement matters. Benefit is normally paid only in respect of disablement of 14 per cent. or more.

Ministerial Salaries

Mr. Bercow: To ask the Secretary of State for Work and Pensions what the annual cost was of ministerial salaries in his Department in *(a)* 1997–98 and *(b)* 2001–02. [60936]

Mr. McCartney: The level of ministerial salaries are recommended by the Senior Salaries Review Body and are already a matter of public record.

The Department for Work and Pensions was created in April 2001. The information given for 1997 relates to the Department of Social Security. From May 1997 there was one Cabinet Minister (Commons), one Minister of State

(Commons), two Parliamentary Under-Secretaries of State (Commons) and one Parliamentary Under-Secretary of State (Lords).

From June 2001, there was one Cabinet Minister (Commons), two Ministers of State (Commons), two Parliamentary Under-Secretaries of State (Commons) and one Parliamentary Under-Secretary of State (Lords).

Jobseekers (Interview Costs)

Chris Grayling: To ask the Secretary of State for Work and Pensions if he will make a statement on the financial support available to jobseekers for the cost of travelling to interviews. [64269]

Mr. Nicholas Brown: We recognise that it can sometimes be difficult for unemployed people to meet the cost of travelling to job interviews. The travel to interview scheme, which is available from the first day of unemployment, encourages people to widen their job search by helping with travelling costs to attend interviews outside their usual travel to work area. From June this year we have widened the scope of the scheme to give personal advisers the discretion to make payments for travel to local interviews where the costs exceed £4.

Additional help can also be provided through the Adviser Discretion Fund which gives New Deal personal advisers the opportunity to make available up to £300 for anything that will help a jobseeker obtain a job, or if offered a job, to accept that job. This can include help with the costs of travel to interviews.

Employment Zones are also helping long-term unemployed people in the most deprived areas get and keep work. Employment Zones are about meeting the needs of individuals. They help rebuild the confidence of participants and overcome the barriers to work such as debt, transport and housing problems. Help can be provided through Employment Zones with the cost of travelling to interviews.

Our Action Teams for Jobs, which focus on small areas with particular problems of labour market disadvantage, offer tailored help to enable people overcome barriers to employment. This can include financial assistance to help them secure and retain employment, such as help with the cost of attending job interviews. In addition, we introduced the Transport Projects Fund in April which provides an additional £5 million for Action Teams to address the particular transport difficulties faced by some unemployed people seeking to enter the labour market.

Jobcentre Plus

Phil Sawford: To ask the Secretary of State for Work and Pensions when he expects the roll-out of Jobcentre Plus to be fully implemented; and when this will be implemented in Northamptonshire. [61486]

Mr. Nicholas Brown: Our current plans are to extend the integrated Jobcentre Plus offices progressively to cover the whole of Great Britain over the next four years, starting with a further 225 offices in 2002–03. A firm date for rolling out the new service in Northamptonshire as part of this programme has yet to be determined.

Better Government for Older People

Mr. Burstow: To ask the Secretary of State for Work and Pensions how many people have been employed in Better Government for Older People over the last five years. [64526]

Annabelle Ewing: To ask the Secretary of State for Work and Pensions (1) how many older people are involved in Better Government for Older People, broken down by nation and region; [64840]

(2) what the procedure is for electing people to the Regional Committees of Better Government for Older People; [64841]

(3) how many people took part in the most recent election to the Regional Committees of Better Government for Older People; [64842]

(4) what the relationship is between Better Government for Older People and *(a)* Scotland's Older People Advisory Group and *(b)* the National Pensioners' Convention. [64844]

Mr. McCartney: These are matters for Better Government for Older People (BGOP) which is a non-Government organisation.

Disability Living Allowance

Mr. Webb: To ask the Secretary of State for Work and Pensions (1) pursuant to the answer of 18 March 2002, *Official Report*, column 157W, on carers, what information is collected on the removal of invalid care allowance from carers when the adult for whom they care has their disability living allowance or attendance allowance removed as a consequence of hospitalisation; [66585]

(2) pursuant to his answer of 18 March 2002, *Official Report*, column 157W, on disability living allowance, what data his Department hold on the number of disabled adults who have been affected by *(a)* the rules under which DLA is withdrawn after a person has been in hospital for four weeks and *(b)* the cumulative effect of short periods of hospitalisation in each of the last three years; [66589]

(3) pursuant to his answer of 18 March 2002, *Official Report*, column 157W, on pensioners (hospital care), what data his Department hold on the number of pensioners who have been affected by *(a)* the rules under which attendance allowance is withdrawn after a person has been in hospital for four weeks and *(b)* the cumulative effect of short hospital stays in each of the last three years. [66593]

Maria Eagle: Information is not collected *(a)* on the number of cases where payments of invalid care allowance to carers cease because the recipient of attendance allowance or disability living allowance for whom they provide care is in hospital, or *(b)* on the annual number of cases where payments of attendance allowance or disability living allowance are suspended because the recipient is in hospital. Information is collected quarterly on the number of people whose attendance allowance or disability living allowance payments are suspended because they are in hospital. The information as at 30 November in each of the last three years is in the table.

Numbers of attendance allowance and disability living allowance cases in payment at 30 November of each year in the period 1999 to 2001, and numbers of cases in which payments are recorded as suspended because the recipient is in hospital

	1999	*2000*	*2001*
Attendance allowance			
Cases in payment	1,256,800	1,291,300	1,295,400
Cases with payment suspended because recipient in hospital	12,100	13,500	15,600
Disability living allowance			
Cases in payment	2,098,300	2,197,700	2,298,000
Cases with payment suspended because recipient in hospital	9,700	10,200	11,500

Notes:

1. Figures are rounded to the nearest 100.

2. Figures for suspensions refer only to cases where the reason is known.

3. All AA recipients are aged 65 or over.

Source:

Analytical Services Division Information Centre: 5 per cent. data

Pensioners

Mr. Hogg: To ask the Secretary of State for Work and Pensions if he will estimate the value of the assets, including pension funds, which *(a)* a man aged 65 and *(b)* a woman aged 60 years would need in order to receive a higher income than if they had no such assets. [67226]

Mr. McCartney: The value of assets needed for the individuals described will depend upon the level of entitlement to state pension benefits that have been built up over the individuals working lives.

For illustrative purposes, the following estimates can be made for a man aged 65 who has built up rights to a full single basic state pension but has no other sources of income. At current market rates assets of about £14,000 or more are currently needed to purchase an annuity that generates a higher income level than if he had no such assets. The equivalent figure for a woman aged 60 is approximately £17,000. In practice, it is common for someone with full basic state pension entitlement to also have additional income from SERPS but this has been excluded in the above illustration.

From October 2003, the introduction of the pension credit will mean that these levels will fall to zero. Any individual with a full basic state pension who has saved for their retirement will have a higher income from doing so, regardless of the amount of this saving.

These estimates use current 2002–03 single rates for the basic state pension and minimum income guarantee, and the most favourable annuity rates quoted by The Annuity Bureau as at 4 July 2002 for an index-linked annuity with spouses benefits. It is assumed that the full pension pot is annuitised and no tax-free lump sum is taken.

Disabled People (Employment Opportunities)

Mr. Boswell: To ask the Secretary of State for Work and Pensions if he will make a further statement on progress with the job preparation and retention pilots for disabled people. [67108]

Mr. Nicholas Brown *[holding answer 9 July 2002]:* We will make an announcement in due course.

DEPUTY PRIME MINISTER

Throckmorton Asylum Centre

Sir Michael Spicer: To ask the Deputy Prime Minister (1) if the planning inspector leading the inquiry into the application to build an asylum seekers centre at Throckmorton may reach his conclusion only on planning issues; [68756]

(2) if it is his policy that the planning inspector's decision will be decisive in determining whether permission will be granted for the asylum seekers centre at Throckmorton in Worcestershire. [68755]

Mr. McNulty: The Home Office has not yet served a Notice of Proposed Development on Wychavon district council. If it does, and the council objects, the dispute will be referred to the Deputy Prime Minister, who may decide to hold a non-statutory public inquiry. The planning inspector holding any such inquiry would treat it as if it were into an appeal against refusal of planning permission. Every relevant planning issue, whether of local or national importance, which is a material consideration in assessing the proposal, would be taken into account. The inspector would weigh all the arguments and evidence presented by the parties before reaching his conclusions and recommendations, including the likely effect of the proposed development on the surrounding area, and taking into account the views of the local planning authority and local residents.

The inspector would be making a report to the Deputy Prime Minister, not making the determination himself. It would be for the Deputy Prime Minister to determine the dispute between the developing Department and the local planning authority taking into account the inspector's report and all other material considerations.

Members of Parliament (Personal Data)

Mr. Forth: To ask the Deputy Prime Minister what information is held by his Department on each hon. Member in relation to *(a)* personal relationships, both current and past, *(b)* financial status and dealings, *(c)* connections with companies and interest groups, *(d)* connections with Governments and *(e)* published works; and what was held in January 2002. [61818]

Mr. Leslie: Ministers and officials in the Office of the Deputy Prime Minister have access to published reference sources, as well as the information about hon. Members made publicly available by the House authorities, for the purpose of parliamentary business.

Social Housing Allocation

Mr. Laws: To ask the Deputy Prime Minister what assessment he has made of the incentives there are in the system of allocation for social housing for young people to have children at an early age; and if he will make a statement. [62399]

Mr. McNulty: S167 of the Housing Act 1996 provides that local housing authorities must give reasonable preference in the allocation of social housing to families with dependent children, and to households consisting of or including someone who is expecting a child. Under S16 of the Homelessness Act 2002, which will come into effect early next year, the "reasonable preference categories" are revised to reflect housing need more clearly in their formulation.

The Government's Teenage Pregnancy Strategy aims to halve the under 18 conception rate by 2010 and increase the participation of teenage parents in education and employment. Early signs of the strategy's impact are encouraging with figures for 2000 showing a 6.2 per cent. reduction from 1998 in both under-18 and under-16 conception rates. The percentage of teenage parents in education or employment has increased from 17 per cent. in 1996 to 29 per cent. in 2001.

Our strategy also sets the aim that all lone parents under 18, who cannot live with their parents or partner, should be provided with suitable accommodation with support by 2003. To date the Housing Corporation has approved funding for over 1,500 new units of supported accommodation for young parents. Supported housing offers young parents adult and peer support to help prepare them for independent living and facilitate their return to education or employment.

Local Government Finance

Mr. Dismore: To ask the Deputy Prime Minister (1) what plans he has to take account of the costs of council tax collection within the review of the local government finance system; [67828]

(2) what plans he has to take account of the costs associated with homelessness within the review of the local government finance system; [67812]

(3) what plans he has to take account of the costs associated with visitors in the allocation of formula grant to each local authority; [67824]

(4) what estimate he has made of the financial effects of the removal of the density indicator within the environmental, protective and cultural services formula grant, broken down by local authority; [67826]

(5) what plans he has to take account of the costs associated with services to non-residents in the allocation of formula grant to each local authority; [67827]

(6) if he will make a statement on the impact of his proposed changes to the environmental, protective and cultural services block within the local authority formula grant on London. [67717]

Mr. Leslie: My right hon. Friend the Minister for Local Government launched a consultation on options for the reform of the local government finance system. This included authority-by-authority detailed exemplification of options for the Environmental, Protective and Cultural Services block, to which all these questions relate. No decisions have yet been taken and we welcome representations from all interested parties.

Housing Corporation

Ms Buck: To ask the Deputy Prime Minister how he plans to ensure that in *(a)* the financial year 2003–04 and *(b)* future years the Housing Corporation investment programme for London reflects housing need. [67496]

Mr. McNulty: The Housing Corporation's National Investment Strategy sets out the national objectives for the Approved Development Programme and the national targets. The Corporation also produces a London Investment Strategy which contains priorities for investment in that region. In addition, the Government office for London and the Housing Corporation's London office produce a London Housing Statement working closely with local and regional stakeholders including local authorities and housing associations. The statement highlights key housing issues and pressures and helps to identify regional priorities.

Ms Buck: To ask the Deputy Prime Minister if he will list the criteria by which the recent additional grant to the Housing Corporation Draft Programme in London will be allocated; and what steps he will take to ensure that those areas with the most acute levels of housing need and homelessness derive the maximum amount of additional assistance. [67495]

Mr. McNulty: The regional cash limit for London for 2002–03 was increased in line with priorities set out in the Housing Corporation's Regional Investment Strategy. Of the programme: 60 per cent. is targeted on schemes to increase the supply of affordable housing; 20 per cent. is going to the London Housing Partnership supply initiative which is specifically focused on homeless families; 15 per cent. to support regeneration programmes which have a significant housing element; and 5 per cent. to projects that demonstrate innovation, address pan-London issues or sub-regional supported housing schemes.

Ms Buck: To ask the Deputy Prime Minister what plans he has to ensure that in financial year 2003–04 the London boroughs are consulted about the Housing Corporation investment programme. [67497]

Mr. McNulty: When drawing up the Regional Housing Statement and the Regional Investment Strategy, the Housing Corporation's London office consults all the London boroughs through an Officers' Working Group. The Housing Corporation also consults the association of London Housing Directors, and meets a representative group of Association of London Members as a matter of routine.

Affordable Housing

Ms Buck: To ask the Deputy Prime Minister (1) what plans he has to ensure that *(a)* the development of affordable housing on major regeneration sites in London is economically sustainable and *(b)* households will choose to move to such developments; [67500]

(2) what plans he has to ensure that local authorities in London are consulted in relation to proposals for the development of affordable housing on major regeneration sites. [67499]

Mr. McNulty: The Government see the provision of new affordable housing to meet the needs of homeless households and key workers in London as a key priority for the capital. For this reason we have increased the Housing Corporation's Approved Development Programme for 2002–03 to enable more affordable homes for rent and low-cost home ownership to be built. We are also keen to ensure that new affordable housing is developed cost-effectively so as to maximise the contribution that funding can make. At the same time we remain aware of the need to take into account local housing needs and priorities to meet the demand at local level and create sustainable communities in places where people will want to live.

Investment in affordable housing on major regeneration sites in London is an issue being addressed as part of the on-going work on the preparation of the 2002 edition of the London Housing Statement which is due for publication in a few weeks time. The Government office for London is continuing to work closely with the Housing Corporation and representatives of the London boroughs to ensure that all parties are adequately consulted before final investment decisions are made.

Planning

Mr. Pickles: To ask the Deputy Prime Minister what plans he has to implement the proposals on planning tariffs set out in the Planning Green Paper; and if he will make a statement. [67443]

Mr. McNulty: The Government's consultation paper "Reforming Planning Obligations: delivering a fundamental change", published in December 2001, proposed the introduction of a tariff-based approach to planning obligations. We received over 500 responses, the majority of which welcomed our proposals. Ministers are considering policy options and there will be a policy statement in due course.

Mr. Wiggin: To ask the Deputy Prime Minister what recent representations he has received from groups interested in housing development and conservation; what the conclusions from those meetings were; and if he will make a statement. [68540]

Mr. McNulty: The Office of the Deputy Prime Minister has received representations from a number of local and national groups interested in housing development and conservation. These groups include the RSPB, CPRE, FoE, WWF and Green Alliance. The representations have principally concerned our proposals to reform the planning system but have underlined the importance of planning to meet housing needs in the most sustainable way practicable. This is entirely consistent with our planning policies for housing.

Special Advisers

Mr. Pickles: To ask the Deputy Prime Minister when he last met the Government's special adviser on urban policy; and if he will make a statement. [67449]

Mr. McNulty: The Government have no special adviser specifically for urban policy. However, I assume the hon. Member is referring to Lord Rogers of Riverside, who chaired the Urban Task Force which reported in June 1999. The Deputy Prime Minister is due to meet Lord Rogers this week to discuss urban policy issues and how the Government can help deliver a lasting urban renaissance.

Young Disabled People (Housing)

Mr. Boswell: To ask the Deputy Prime Minister what steps he is taking to increase the supply of independent housing available to young disabled people. [67109]

Mr. McNulty: Local housing authorities have a responsibility to produce a housing strategy which sets out plans to address the range of housing needs in their area. This includes all groups with special needs where the strategy must link into the provision of associated support services. Decisions on how these should be addressed are taken locally on the basis of the assessment of the nature and scale of the different housing needs.

The Housing Corporation through the Approved Development Programme (ADP) and Supported Housing Management Grant (SHMG) provide specially adapted housing and support for the disabled. The Housing Corporation through its National Investment Strategy sets out the priorities against which registered social landlords should bid for resources for both ADP and SHMG. Included in these priorities are supported housing for people with physical disabilities. The ADP is set to rise to £1.2 billion in 2003–04, almost double the planned expenditure for 2000–01.

Local housing authorities have a statutory duty to offer Disabled Facilities Grants (DFGs) to eligible applicants who require adaptations to help them live independently in their own homes. The grant is available to home owners and tenants in both the private and social rented sector. It is subject to a means test. The Government meet 60 per cent. of the total local authority expenditure incurred on DFGs through the payment of specified capital grant. The budget for this grant for English authorities in 2002–03 is £88 million compared with £56 million in 1997–98, an increase of nearly 60 per cent.

Evictions

Ms Buck: To ask the Deputy Prime Minister how many *(a)* council tenants and *(b)* RSL tenants were evicted for (i) rent arrears, (ii) anti-social behaviour and (iii) other reasons in each year from 1992–93 to 2001–02. [67683]

Mr. McNulty: The information requested is not held centrally and could be provided only at disproportionate cost.

However, ongoing discussions between the Office of the Deputy Prime Minister and the Court Service are looking at ways of getting a more detailed breakdown of the data on possession order cases by social landlords.

Ms Buck: To ask the Deputy Prime Minister how many families with children have been evicted in each of the last 10 years. [67857]

Mr. McNulty: The information requested is not held centrally, and could be provided only at disproportionate cost

Planning Green Paper

Mr. Pickles: To ask the Deputy Prime Minister if he will place in the Library a list of the respondents to the planning Green Paper. [67651]

Mr. McNulty: A copy was placed in the Library on 27 May.

Local Government Boundaries

Mr. Rosindell: To ask the Deputy Prime Minister if he will introduce legislation to reform local government terminology to make clear the difference between administrative boundaries and the historic boundaries of the traditional counties of the United Kingdom; and if he will make a statement. [67727]

Mr. Raynsford: The Government have no plans to introduce legislation for changes in terminology. The legislative agenda is already substantial and there are many other and pressing priorities in the Government's programme.

Social Exclusion

Mr. Frank Field: To ask the Deputy Prime Minister how much public expenditure went to each of the excluded neighbourhoods defined by the Social Exclusion Unit in the last 12 months; and what the average sum was. [67611]

Mr. McNulty: It is not currently possible to break down all public expenditure to a small area level such as the excluded neighbourhoods defined by the SEU. We recognise the importance of gathering this information on a national basis. We are designing mechanisms to do this and aim to take this forward through the Neighbourhood Statistics Initiative.

For the Neighbourhood Renewal programmes that are targeted on the 88 most deprived areas, the provisional outturn figure for expenditure in 2001–02 is £305.7 million. All of the £200 million provision of the Neighbourhood Renewal Fund has been issued as per Special Grant Report 78 made under Section 88a of the Local Government Finance Act 1988. On this basis the average sum spent by these programmes in each of the 88 deprived areas in 2001–02 was £3.47 million.

European Congress of Twinned Towns

Mr. Hayes: To ask the Deputy Prime Minister if he will make a statement on the 8th European Congress of Twinned Towns; what the nature of the United Kingdom representation was; what funding share fell to the United Kingdom; and if it is his policy to divest these meetings of a party political slant. [68337]

Mr. Leslie: UK representation at the 8th European Congress of Twinned Towns, held in Antwerp on 22–24 May 2002, included a cross party delegation from the Local Government Association's Local Government International Bureau, which has responsibility for arranging town twinning, and representatives of several local authorities. The Congress was co-funded by the European Commission, the City of Antwerp and by private sponsorship. In the UK, town twinning is a politically neutral activity and is supported on a cross party basis.

Disability Access

Mr. Wiggin: To ask the Deputy Prime Minister what steps the Government are taking to improve disability access; and if he will make a statement. [68531]

Mr. McNulty: My officials, with the assistance of the Building Regulations Advisory Committee, have been preparing proposals for amendments to Part M of the Building Regulations relating to access for disabled people. I expect to make an announcement before the summer recess about publication of the proposals for public consultation.

Empty Properties

Mr. Gordon Prentice: To ask the Deputy Prime Minister what estimate he has made of the number of domestic properties in England left empty for *(a)* six to 12 months and *(b)* more than a year since 1997. [68329]

Mr. McNulty: The information requested is not held centrally and could be provided only at disproportionate cost. Data for local authority (LA), Registered Social Landlord (RSL) and 'other' private sector tenures is available and shown in the tables. Length of time 'other' public sector dwellings are vacant is not collected centrally.

Table 1: Number of LA vacant dwellings in England at 1 April

	All vacants	Vacant more than 6 months and less than 12 months	Vacant more than 12 months
2001	80,300	11,100	20,400
2000	87,200	11,700	21,500
1999	83,900	10,600	18,100
1998	81,700	10,600	16,000
1997	81,200	9,400	13,000

Table 2: Number of RSL vacant dwellings in England at 1 April

	All vacants	Vacant more than 6 months and less than 12 months	Vacant more than 12 months
2001	41,300	5,100	9,800
2000	37,500	5,100	7,200
1999	32,600	3,800	5,500
1998	29,300	4,100	4,800
1997	26,800	[1]—	[1]—

[1] Not applicable

Data for 'other' private sector vacant dwellings are not collected in exactly the same format as for LA and RSL dwellings. Only data on dwellings vacant for more than six to 12 months are collected (as opposed to data on those dwellings vacant for more than six, but less than 12 months).

Table 3: Number of 'other' private sector vacant dwellings in England at 1 April

	All vacants	Vacant more than 6 months	Vacant more than 12 months
2001	622,600	310,200	[1]—
2000	623,200	278,900	201,900
1999	637,000	[1]—	212,900
1998	623,300	[1]—	220,100
1997	640,200	[1]—	233,300

[1] Not available

Notes:

1. Figures rounded to the nearest 100.

2. There will always be a certain level of empty homes for operational reasons, including those waiting to be demolished or those vacant for very short periods between tenants.

Sources:

ODPM's annual Housing Investment Programme (HIP) returns (Tables 1 and 3) and the Housing Corporation's annual HAR 10 and Regulatory and Statistical Return (RSR) (Table 2)

Bed-and-breakfast Accommodation

Sandra Gidley: To ask the Deputy Prime Minister if he will make a statement on the numbers of homeless households in bed-and-breakfast accommodation. [68660]

Mr. McNulty: The latest figures indicate that there are nearly 12,000 households in bed-and-breakfast hotels (B&B) of which an estimated 6,500 are families with children.

In March this year, a £35 million programme was launched to help local authorities ensure that by March 2004 no homeless family with children are in B&B other than in an emergency, and even then for no more than six weeks. On 17 June £25 million was allocated to the 42 local authorities with the highest number of families with children in B&B hotels to help them meet the March 2004 commitment. We will now be working with the next 40 highest using authorities to see how we can help them reduce B&B hotel numbers.

Authorities have also been sent a 10-point check list of good practice outlining the key 'building blocks' in reducing B&B use. Regional seminars have been held and examples of good practice have been shared through a newsletter and via the ODPM website at: www.housing.odpm.gov.uk/bbu/news/pdf/news0302.pdf.

In addition, all local authorities will benefit from recent changes to housing benefit subsidy levels, worth an estimated £10 million, which provide an incentive to lease private sector homes as a better quality alternative to B&Bs.

New Homes

Mr. Wiggin: To ask the Deputy Prime Minister how many homes have been newly built in each of the last five years, broken down by region. [68539]

Mr. McNulty: The numbers of homes newly built in each of the last five years, broken down by region, are shown in the table.

Thousands

	Government office region									
Financial year	*North East*	*North West*	*Yorkshire and the Humber*	*East Midlands*	*West Midlands*	*East*	*London*	*South East*	*South West*	*England*
1997–98	7.6	19.2	15.5	14.6	13.4	21.3	13.6	25.4	19.0	149.6
1998–99	6.7	19.0	13.1	14.7	14.0	19.9	12.9	23.3	15.9	138.6
1999–2000	7.4	18.9	13.4	16.4	15.3	18.7	12.5	23.2	15.9	141.8
2000–01	6.8	19.7	13.4	13.6	13.9	16.2	14.2	22.0	15.0	134.7
2001–02[1]	6.3	16.7	13.1	13.9	13.3	15.5	13.8	21.8	15.4	129.9

[1] Provisional

Social Housing

Jeremy Corbyn: To ask the Deputy Prime Minister if he will list for each English housing authority the level of *(a)* investment in new council housing and *(b)* public financial support through the Housing Corporation for the last five years. [68617]

Mr. McNulty: The table provides figures for total expenditure on new council housing and funding provided through the Housing Corporation in England. I am arranging for a table setting out the figures for individual local authorities to be placed in the Library.

		Support from Housing Corporation through:	
	Local authority new build[1]	*Approved Development Programme*	*Local authority Social Housing Grant*
1997–98	45.1	683.4	363.1
1998–99	44.2	606.4	334.6
1999–2000	48.4	638.1	327.7
2000–01	21.5	717.0	399.9
2001/02	[2]—	774.5	410.4

[1] Figures for 1997–98 to 1999–2000 include acquisitions of dwellings

[2] Not available

Jeremy Corbyn: To ask the Deputy Prime Minister how many *(a)* council and *(b)* RSL dwellings there were at the latest available date in each constituency. [68614]

Mr. McNulty: Latest available information as reported by local authorities in England on their annual Housing Investment Programme returns, is presented in the table. Figures relate to stock within each local authority's geographical administrative area.

Dwelling stock owned by local authorities and registered social landlords in England: 2001

Local/unitary authority	*Region*	*LA*[1]	*RSL*[2]
Adur	SE	2,965	687
Allerdale	NW	4	9,110
Alnwick	NE	2,139	617
Amber Valley	EM	6,076	1,333
Arun	SE	3,715	1,983
Ashfield	EM	8,395	1,157
Ashford	SE	5,979	1,122
Aylesbury Vale	SE	8,198	977
Babergh	E	3,870	968
Barking and Dagenham	L	22,902	1,936
Barnet	L	12,029	5,332
Barnsley	YH	24,701	1,815
Barrow-in-Furness	NW	3,462	608
Basildon	E	12,507	4,653
Basingstoke and Deane	SE	0	11,004
Bassetlaw	EM	8,360	771
Bath and North East Somerset	SW	0	11,283
Bedford	E	0	10,117
Berwick-upon-Tweed	NE	2,351	229
Bexley	L	0	13,249
Birmingham	WM	85,516	33,618
Blaby	EM	2,431	577
Blackburn with Darwen	NW	252	3,050
Blackpool	NW	6,172	1,278
Blyth Valley	NE	7,846	1,873

Dwelling stock owned by local authorities and registered social landlords in England: 2001

Local/unitary authority	*Region*	*LA*[1]	*RSL*[2]
Bolsover	EM	6,241	850
Bolton	NW	21,749	6,170
Boston	EM	3	5,143
Bournemouth	SW	5,421	2,366
Bracknell Forest	SE	6,257	1,610
Bradford	YH	26,197	9,259
Braintree	E	9,127	1,304
Breckland	E	2	8,095
Brent	L	10,801	11,563
Brentwood	E	3,050	534
Bridgnorth	WM	2,610	430
Brighton and Hove	SE	13,179	4,674
Bristol	SW	32,242	8,109
Broadland	E	0	4,262
Bromley	L	0	17,377
Bromsgrove	WM	3,417	503
Broxbourne	E	3,675	869
Broxtowe	EM	5,124	922
Burnley	NW	0	6,653
Bury	NW	9,327	3,992
Calderdale	YH	0	15,583
Cambridge	E	8,237	3,035
Camden	L	26,797	8,153
Cannock Chase	WM	6,675	1,158
Canterbury	SE	5,592	1,498
Caradon	SW	3,827	570
Carlisle	NW	8,010	2,673
Carrick	SW	4,012	894
Castle Morpeth	NE	2,874	334
Castle Point	E	1,686	383
Charnwood	EM	6,476	1,741
Chelmsford	E	7,054	1,882
Cheltenham	SW	5,349	1,550
Cherwell	SE	4,072	2,527
Chester	NW	0	8,000
Chesterfield	EM	11,246	1,260
Chester-le-Street	NE	5,529	353
Chichester	SE	249	6,859
Chiltern	SE	0	4,585
Chorley	NW	3,393	2,931
Christchurch	SW	0	2,280
City of London	L	475	231
Colchester	E	6,976	2,546
Congleton	NW	0	4,181
Copeland	NW	4,276	3,194
Corby	EM	6,577	655
Cotswold	SW	0	5,044
Coventry	WM	0	25,450
Craven	YH	1,647	593
Crawley	SE	9,027	1,372
Crewe and Nantwich	NW	6,317	981
Croydon	L	15,233	8,106
Dacorum	E	11,417	1,942
Darlington	NE	6,500	1,708
Dartford	SE	4,780	935
Daventry	EM	3,469	1,090
Derby	EM	15,528	6,479
Derbyshire Dales	EM	3,287	346
Derwentside	NE	9,075	1,037
Doncaster	YH	26,845	2,154
Dover	SE	5,182	1,841
Dudley	WM	27,279	3,283
Durham	NE	7,550	1,333
Ealing	L	14,660	8,018
Easington	NE	12,297	1,701
East Cambridgeshire	E	0	4,394
East Devon	SW	4,506	1,193
East Dorset	SW	0	2,900
East Hampshire	SE	0	4,863
East Hertfordshire	E	6,029	1,212
East Lindsey	EM	0	6,116
East Northamptonshire	EM	0	4,836
East Riding of Yorkshire	YH	12,474	1,896
East Staffordshire	WM	0	6,659
Eastbourne	SE	4,166	2,015
Eastleigh	SE	0	5,697
Eden	NW	0	768
Ellesmere Port and Neston	NW	6,906	646
Elmbridge	SE	0	5,354
Enfield	L	13,183	5,074
Epping Forest	E	7,088	1,134
Epsom and Ewell	SE	0	2,145
Erewash	EM	6,066	827
Exeter	SW	5,598	2,827
Fareham	SE	2,646	764
Fenland	E	4,180	804
Forest Heath	E	2,933	546
Forest of Dean	SW	3,874	841
Fylde	NW	0	2,299
Gateshead	NE	26,165	4,222
Gedling	EM	3,839	1,346
Gloucester	SW	5,038	1,544
Gosport	SE	3,939	1,855
Gravesham	SE	6,579	667
Great Yarmouth	E	6,846	1,024
Greenwich	L	27,595	9,308
Guildford	SE	5,858	1,367
Hackney	L	28,364	18,449
Halton	NW	7,379	8,374
Hambleton	YH	0	4,549
Hammersmith and Fulham	L	14,421	10,941
Harborough	EM	2,413	459
Haringey	L	18,908	8,892
Harlow	E	11,014	1,075
Harrogate	YH	4,316	1,681
Harrow	L	5,929	2,257
Hart	SE	1	2,591
Hartlepool	NE	8,338	2,751
Hastings	SE	7	6,006
Havant	SE	0	4,550
Havering	L	12,004	1,613
Herefordshire	WM	5,974	4,959
Hertsmere	E	0	6,401
High Peak	EM	4,641	861
Hillingdon	L	11,574	3,944
Hinckley and Bosworth	EM	3,602	1,065
Horsham	SE	41	6,077
Hounslow	L	15,069	5,188
Huntingdonshire	E	0	8,627
Hyndburn	NW	3,774	1,376
Ipswich	E	9,117	2,982
Isle of Wight	SE	0	6,112
Isles of Scilly	SW	130	32
Islington	L	31,401	10,635
Kennet	SW	0	5,810
Kensington and Chelsea	L	7,167	11,910
Kerrier	SW	0	4,797
Kettering	EM	4,342	926
Kings Lynn and West Norfolk	E	7,846	1,639
Kingston upon Hull	YH	35,153	6,280
Kingston upon Thames	L	5,138	1,629
Kirklees	YH	28,269	4,420
Knowsley	NW	18,283	4,535
Lambeth	L	35,687	16,424
Lancaster	NW	4,285	1,906
Leeds	YH	69,925	13,740
Leicester	EM	25,837	8,801
Lewes	SE	3,533	1,124
Lewisham	L	31,378	8,686
Lichfield	WM	0	5,381
Lincoln	EM	8,803	1,005
Liverpool	NW	35,859	32,259
Luton	E	9,310	2,784
Macclesfield	NW	5,925	1,916

Dwelling stock owned by local authorities and registered social landlords in England: 2001

Local/unitary authority	*Region*	*LA*[1]	*RSL*[2]
Maidstone	SE	6,731	1,042
Maldon	E	0	2,864
Malvern Hills	WM	0	4,280
Manchester	NW	53,054	25,059
Mansfield	EM	8,228	1,952
Melton	EM	2,040	359
Mendip	SW	0	5,589
Merton	L	7,046	3,875
Mid Bedfordshire	E	3,184	4,155
Mid Devon	SW	3,452	748
Mid Suffolk	E	3,762	721
Mid Sussex	SE	0	5,502
Middlesbrough	NE	13,904	4,412
Milton Keynes	SE	13,396	5,626
Mole Valley	SE	3,726	646
New Forest	SE	5,293	2,184
Newark and Sherwood	EM	6,125	1,642
Newcastle upon Tyne	NE	35,280	6,709
Newcastle-under-Lyme	WM	0	10,811
Newham	L	23,143	9,134
North Cornwall	SW	3,632	975
North Devon	SW	0	4,207
North Dorset	SW	0	3,546
North East Derbyshire	EM	9,344	477
North East Lincolnshire	YH	9,264	1,854
North Hertfordshire	E	8,656	1,767
North Kesteven	EM	4,208	516
North Lincolnshire	YH	11,123	1,087
North Norfolk	E	5,146	1,007
North Shropshire	WM	2,622	547
North Somerset	SW	6,675	1,579
North Tyneside	NE	20,151	4,653
North Warwickshire	WM	3,406	686
North West Leicestershire	EM	5,084	1,274
North Wiltshire	SW	0	6,607
Northampton	EM	14,205	2,146
Norwich	E	18,206	2,972
Nottingham City	EM	34,792	8,778
Nuneaton and Bedworth	WM	7,128	1,230
Oadby and Wigston	EM	1,391	386
Oldham	NW	18,818	5,007
Oswestry	WM	2,166	411
Oxford	SE	8,211	2,931
Pendle	NW	4,024	1,178
Penwith	SW	0	4,026
Peterborough	E	11,300	4,008
Plymouth	SW	17,506	5,972
Poole	SW	4,860	1,886
Portsmouth	SE	11,285	3,854
Preston	NW	7,678	5,258
Purbeck	SW	1,660	665
Reading	SE	7,609	2,922
Redbridge	L	5,344	3,014
Redcar and Cleveland	NE	12,109	2,087
Redditch	WM	7,132	1,131
Reigate and Banstead	SE	4,859	1,271
Restormel	SW	0	4,167
Ribble Valley	NW	1,343	454
Richmond upon Thames	L	0	9,249
Richmondshire	YH	1,925	248
Rochdale	NW	16,831	5,268
Rochford	E	1,906	871
Rossendale	NW	4,650	856
Rother	SE	0	3,943
Rotherham	YH	27,489	3,188
Rugby	WM	4,342	1,548
Runnymede	SE	3,268	637
Rushcliffe	EM	3,622	551
Rushmoor	SE	0	5,372
Rutland	EM	1,340	234
Ryedale	YH	2	2,752
Salford	NW	30,119	6,070
Salisbury	SW	5,703	1,497
Sandwell	WM	37,623	4,854
Scarborough	YH	5,221	1,590
Sedgefield	NE	10,597	1,339
Sedgemoor	SW	4,558	1,634
Sefton	NW	13,546	6,866
Selby	YH	3,673	861
Sevenoaks	SE	0	6,310
Sheffield	YH	63,173	8,398
Shepway	SE	3,793	1,422
Shrewsbury and Atcham	WM	5,593	745
Slough	SE	7,758	2,314
Solihull	WM	12,153	1,574
South Bedfordshire	E	5,710	1,307
South Buckinghamshire	SE	15	3,264
South Cambridgeshire	E	6,067	1,083
South Derbyshire	EM	3,712	496
South Gloucestershire	SW	8,473	2,252
South Hams	SW	16	3,934
South Holland	EM	4,242	442
South Kesteven	EM	7,182	793
South Lakeland	NW	3,706	858
South Norfolk	E	4,556	1,105
South Northamptonshire	EM	3,076	469
South Oxfordshire	SE	0	6,010
South Ribble	NW	0	5,029
South Shropshire	WM	16	2,124
South Somerset	SW	0	9,694
South Staffordshire	WM	0	6,173
South Tyneside	NE	22,731	4,000
Southampton	SE	18,486	4,588
Southend-on-Sea	E	6,579	2,592
Southwark	L	48,999	11,797
Spelthorne	SE	0	4,862
St. Albans	E	5,664	1,299
St. Edmundsbury	E	6,278	1,182
St. Helens	NW	15,087	3,849
Stafford	WM	6,361	1,268
Staffordshire Moorlands	WM	0	3,727
Stevenage	E	9,533	1,222
Stockport	NW	13,305	4,425
Stockton-on-Tees	NE	14,049	3,080
Stoke-on-Trent	WM	22,329	5,908
Stratford-on-Avon	WM	0	6,377
Stroud	SW	5,579	972
Suffolk Coastal	E	32	5,986
Sunderland	NE	0	39,663
Surrey Heath	SE	0	3,000
Sutton	L	8,934	3,023
Swale	SE	0	7,577
Swindon	SW	11,488	2,916
Tameside	NW	0	20,574
Tamworth	WM	5,522	1,213
Tandridge	SE	2,885	487
Taunton Deane	SW	6,672	1,293
Teesdale	NE	1,026	546
Teignbridge	SW	3,771	944
Telford and Wrekin	WM	0	14,886
Tendring	E	3,547	1,943
Test Valley	SE	25	6,239
Tewkesbury	SW	0	3,919
Thanet	SE	3,539	4,028
The Medway Towns	SE	3,364	3,270
Three Rivers	E	4,180	875
Thurrock	E	11,046	1,191
Tonbridge and Malling	SE	0	6,988
Torbay	SW	0	4,498
Torridge	SW	1,810	555
Tower Hamlets	L	27,045	13,527
Trafford	NW	10,699	6,328
Tunbridge Wells	SE	43	6,888
Tynedale	NE	0	3,808

Dwelling stock owned by local authorities and registered social landlords in England: 2001

Local/unitary authority	*Region*	*LA*[1]	*RSL*[2]
Uttlesford	E	3,066	703
Vale of White Horse	SE	11	5,627
Vale Royal	NW	7,165	1,160
Wakefield	YH	36,559	3,199
Walsall	WM	26,952	5,548
Waltham Forest	L	13,439	7,450
Wandsworth	L	18,496	9,186
Wansbeck	NE	6,883	532
Warrington	NW	10,738	4,667
Warwick	WM	6,111	2,166
Watford	E	4,593	846
Waveney	E	5,284	2,194
Waverley	SE	5,333	1,050
Wealden	SE	3,405	1,269
Wear Valley	NE	5,847	1,335
Wellingborough	EM	5,259	808
Welwyn Hatfield	E	9,953	1,760
West Berkshire	SE	58	8,143
West Devon	SW	0	1,802
West Dorset	SW	0	5,932
West Lancashire	NW	8,067	732
West Lindsey	EM	0	4,320
West Oxfordshire	SE	0	4,717
West Somerset	SW	0	2,220
West Wiltshire	SW	22	6,205
Westminster	L	13,578	11,923
Weymouth and Portland	SW	0	3,771
Wigan	NW	26,590	2,763
Winchester	SE	5,597	1,612
Windsor and Maidenhead	SE	0	7,265
Wirral	NW	16,237	8,150
Woking	SE	3,659	1,070
Wokingham	SE	2,941	1,113
Wolverhampton	WM	29,427	4,970
Worcester	WM	5,059	1,438
Worthing	SE	11	4,139
Wychavon	WM	0	7,186
Wycombe	SE	6,946	1,826
Wyre	NW	0	3,496
Wyre Forest	WM	0	6,717
York	YH	8,775	3,389

[1] At 1 April 2001

[2] At 31 March 2001

Note:

Local authority stock is that owned by the authority and within its geographical boundary

Source:

LA stock: ODPM Housing Investment Programme annual returns

RSL stock: Housing Corporation annual Regulatory and Statistical returns

EDUCATION AND SKILLS

Class Sizes

Mr. Laws: To ask the Secretary of State for Education and Skills if she will list the local education authorities in which *(a)* primary and *(b)* secondary school class sizes have risen since 1 May 1997, ranking these from largest to smallest increase in class sizes; and if she will make a statement. [66275]

Mr. Miliband *[holding answer 4 July 2002]:* The available information is shown in the table. The change in average class size is not readily available for those local education authorities that underwent local Government reorganisation in 1997 and 1998. The table is therefore shown in two parts: the list for local education authorities which are unaffected by local Government reorganisation; and the second for those that are.

A. Local education authorities unaffected by local government reorganisation ranked in order by the increase in the average class size[1] *in maintained primary and secondary schools in England*

As at January each year

	Maintained Primary				*Maintained Secondary*		
	1997	*2002*[2]	*Difference between 1997 and 2002*		*1997*	*2002*[2]	*Difference between 1997 and 2002*
Lambeth	25.2	26.3	1.1	North Somerset	20.4	22.3	1.9
Barnet	26.2	27.0	0.8	Kingston upon Thames	20.2	21.8	1.6
Haringey	26.9	27.7	0.8	Sutton	20.7	22.1	1.4
Kensington and Chelsea	25.3	26.1	0.8	Bristol, City of	21.1	22.4	1.3
Lewisham	26.1	26.8	0.8	Wakefield	22.2	23.4	1.2
Dudley	26.5	27.1	0.6	Lincolnshire	20.2	21.4	1.2
Brent	26.5	27.1	0.6	Hackney	22.3	23.4	1.2
Sheffield	26.9	27.3	0.4	East Riding of Yorkshire	21.0	22.2	1.2
Hackney	26.1	26.5	0.4	Lewisham	20.7	21.9	1.1
Tower Hamlets	26.2	26.4	0.2	Croydon	22.2	23.3	1.1
Westminster	24.2	24.3	0.2	Wandsworth	22.0	23.0	1.1
Surrey	26.2	26.4	0.1	Barking and Dagenham	20.8	21.9	1.1
Newham	27.9	28.0	0.1	Solihull	21.9	22.9	1.0
Hounslow	26.8	26.9	0.1	Kensington and Chelsea	20.2	21.2	1.0
Islington	26.6	26.6	0.1	Brent	20.5	21.5	1.0
Hammersmith and Fulham	25.3	25.3	0.0	Bromley	20.4	21.3	1.0
Wandsworth	25.8	25.7	–0.1	Barnet	19.8	20.7	0.9
Hertfordshire	27.1	26.9	–0.1	Harrow	22.9	23.7	0.9
Redbridge	28.4	28.3	–0.2	Northamptonshire	21.0	21.8	0.9
Waltham Forest	26.6	26.4	–0.2	Enfield	20.7	21.5	0.8
Camden	27.1	26.9	–0.2	Bexley	21.8	22.6	0.7
North Somerset	27.8	27.5	–0.3	Haringey	21.6	22.3	0.7
Greenwich	26.0	25.7	–0.3	Hertfordshire	20.3	20.9	0.6
Hillingdon	27.2	26.8	–0.3	Wigan	21.5	22.1	0.6
Southwark	26.4	26.1	–0.4	Gateshead	20.4	21.0	0.6
Wolverhampton	26.9	26.5	–0.4	Barnsley	23.2	23.7	0.5

A. Local education authorities unaffected by local government reorganisation ranked in order by the increase in the average class size[1] in maintained primary and secondary schools in England

As at January each year

	Maintained Primary				*Maintained Secondary*		
	1997	*2002*[2]	*Difference between 1997 and 2002*		*1997*	*2002*[2]	*Difference between 1997 and 2002*
Suffolk	25.0	24.6	–0.4	Sheffield	22.7	23.2	0.5
Ealing	27.1	26.6	–0.5	Norfolk	20.2	20.7	0.5
Barking and Dagenham	27.0	26.4	–0.6	Trafford	21.7	22.1	0.5
Birmingham	27.7	27.1	–0.7	Kirklees	22.5	22.9	0.4
North Lincolnshire	27.7	27.0	–0.7	Leeds	20.7	21.1	0.4
West Sussex	26.8	26.1	–0.7	Rochdale	22.8	23.2	0.4
Havering	27.9	27.2	–0.7	Westminster	21.5	21.9	0.4
Harrow	27.5	26.8	–0.8	St. Helens	19.9	20.3	0.4
Bristol, City of	27.2	26.5	–0.8	Ealing	22.4	22.8	0.4
Richmond upon Thames	27.2	26.4	–0.8	Bath and North East Somerset	20.7	21.1	0.4
Bromley	28.5	27.7	–0.8	West Sussex	21.6	22.0	0.4
Lincolnshire	26.9	26.0	–0.8	Surrey	21.7	22.0	0.4
Norfolk	25.9	25.1	–0.8	North Lincolnshire	22.5	22.8	0.4
Enfield	29.1	28.2	–0.8	Gloucestershire	21.5	21.9	0.3
Croydon	28.3	27.4	–0.9	Cornwall	22.0	22.4	0.3
Sutton	28.1	27.2	–0.9	Bury	23.1	23.4	0.3
Cornwall	27.3	26.3	–1.0	Somerset	23.2	23.5	0.3
Bath and North East Somerset	27.0	26.0	–1.0	Suffolk	21.1	21.3	0.2
Bexley	28.8	27.6	–1.1	Calderdale	20.9	21.1	0.2
Newcastle upon Tyne	27.6	26.5	–1.1	Hillingdon	21.1	21.2	0.1
Manchester	27.2	26.1	–1.2	Manchester	22.4	22.5	0.1
Gateshead	25.8	24.6	–1.2	Sunderland	21.3	21.4	0.1
Doncaster	28.1	26.9	–1.2	Knowsley	22.1	22.2	0.1
Liverpool	26.8	25.6	–1.2	Stockport	23.1	23.2	0.1
Bury	28.3	27.1	–1.2	Stockton-on-Tees	22.2	22.3	0.1
Kingston upon Thames	29.4	28.1	–1.3	Walsall	20.7	20.8	0.1
Wakefield	28.2	26.9	–1.3	North East Lincolnshire	23.2	23.3	0.1
South Gloucestershire	28.5	27.2	–1.3	Northumberland	22.6	22.6	0.0
Rotherham	27.7	26.4	–1.3	Havering	21.8	21.8	0.0
Salford	27.3	25.9	–1.3	Hounslow	21.1	21.1	0.0
Walsall	26.2	24.8	–1.4	Sandwell	21.7	21.7	0.0
Barnsley	28.9	27.4	–1.5	Doncaster	21.5	21.5	0.0
Stockton-on-Tees	26.8	25.3	–1.5	North Yorkshire	20.6	20.6	0.0
Wirral	26.3	24.8	–1.5	Wirral	20.5	20.5	0.0
Sefton	27.6	26.1	–1.5	Greenwich	22.5	22.4	0.0
North Tyneside	27.1	25.6	–1.5	Wolverhampton	21.0	20.9	0.0
Oldham	29.3	27.8	–1.5	Merton	22.7	22.7	–0.1
Northamptonshire	27.0	25.5	–1.5	Bolton	22.1	22.0	–0.1
Sunderland	26.0	24.4	–1.5	Salford	22.1	22.1	–0.1
Somerset	27.6	26.0	–1.6	Hartlepool	22.0	21.9	–0.1
North Yorkshire	26.3	24.6	–1.7	Tameside	23.0	22.9	–0.1
East Riding of Yorkshire	28.3	26.6	–1.7	Hammersmith and Fulham	22.6	22.5	–0.1
Isle of Wight	25.9	24.1	–1.7	Richmond upon Thames	24.0	23.9	–0.1
Middlesbrough	26.5	24.7	–1.7	Oxfordshire	22.2	22.1	–0.1
Redcar and Cleveland	27.4	25.6	–1.7	Dudley	23.1	23.0	–0.1
St. Helens	27.8	26.0	–1.7	Redcar and Cleveland	22.2	22.0	–0.1
Stockport	27.8	26.0	–1.8	Warwickshire	22.2	22.0	–0.2
Solihull	27.9	26.1	–1.8	South Gloucestershire	21.5	21.3	–0.2
Calderdale	28.0	26.2	–1.8	Sefton	21.1	20.9	–0.2
Cumbria	26.3	24.5	–1.8	Rotherham	21.7	21.4	–0.2
Merton	27.3	25.4	–1.8	Liverpool	21.1	20.9	–0.3
South Tyneside	27.0	25.2	–1.8	Newcastle upon Tyne	21.5	21.2	–0.3
Coventry	27.6	25.7	–1.9	Coventry	22.6	22.3	–0.4
North East Lincolnshire	28.1	26.3	–1.9	Redbridge	21.0	20.6	–0.4
Leeds	28.3	26.4	–1.9	Oldham	22.2	21.8	–0.4
Bradford	28.3	26.3	–2.0	Birmingham	21.8	21.4	–0.4
Wigan	28.5	26.5	–2.0	Tower Hamlets	24.0	23.5	–0.5
York	27.6	25.6	–2.0	Newham	24.5	24.0	–0.5
Trafford	28.9	26.9	–2.0	North Tyneside	21.9	21.4	–0.5
Kirklees	29.0	27.0	–2.0	Isle of Wight	22.3	21.8	–0.5
Oxfordshire	27.2	25.1	–2.1	Camden	20.3	19.8	–0.5
Gloucestershire	27.4	25.4	–2.1	Southwark	24.4	23.8	–0.5
Hartlepool	28.0	25.8	–2.2	Cumbria	21.2	20.7	–0.5
Knowsley	27.7	25.5	–2.2	Kingston Upon Hull, City of	24.3	23.7	–0.6
Sandwell	28.9	26.8	–2.2	Islington	24.0	23.3	–0.7
Warwickshire	28.5	26.4	–2.2	South Tyneside	22.7	22.0	–0.8
Bolton	28.9	26.7	–2.2	York	21.6	20.8	–0.8
Kingston Upon Hull, City of	28.8	26.6	–2.2	Lambeth	21.9	20.9	–1.0

A. Local education authorities unaffected by local government reorganisation ranked in order by the increase in the average class size[1] in maintained primary and secondary schools in England

As at January each year

	Maintained Primary				*Maintained Secondary*		
	1997	*2002*[2]	*Difference between 1997 and 2002*		*1997*	*2002*[2]	*Difference between 1997 and 2002*
Northumberland	27.0	24.5	−2.4	Waltham Forest	23.6	22.6	−1.0
Rochdale	29.6	27.0	−2.7	Middlesbrough	22.0	21.0	−1.0
Tameside	29.3	26.5	−2.8	Bradford	23.2	21.8	−1.4
City of London	26.0	[3]—	—	City of London	0.0	[3]—	—
Isles of Scilly	17.3	[3]—	—	Isles of Scilly	21.0	[3]—	—

[1] Classes taught by 1 teacher.

[2] Provisional

[3] At the time of publication, submissions from these local education authorities had not been validated.

Source:

Annual Schools' Census

B. Average class sizes[1] for local education authorities affected by local Government reorganisation in maintained primary and secondary schools in England

As at January each year

	Maintained Primary			*Maintained Secondary*		
	1997	*2002*[2]	*Difference between 1997 and 2002*	*1997*	*2002*[2]	*Difference between 1997 and 2002*
Bedfordshire[2]	27.4	—	—	22.5	—	—
Bedfordshire[3]	—	24.6	—	—	22.2	—
Luton[3]	—	26.0	—	—	23.3	—
Berkshire[2]	27.5	—	—	20.7	—	—
Bracknell Forest[3]	—	26.6	—	—	20.6	—
Reading[3]	—	25.7	—	—	19.0	—
Slough[3]	—	25.6	—	—	20.6	—
West Berkshire[3]	—	24.8	—	—	20.3	—
Windsor and Maidenhead[3]	—	24.9	—	—	21.0	—
Wokingham[3]	—	25.7	—	—	20.8	—
Buckinghamshire[2]	27.9	—	—	21.3	—	—
Buckinghamshire[3]	—	25.4	—	—	22.1	—
Milton Keynes[3]	—	25.9	—	—	22.1	—
Cambridgeshire[2]	28.2	—	—	22.1	—	—
Cambridgeshire[3]	—	27.1	—	—	23.0	—
Peterborough[3]	—	27.1	—	—	21.0	—
Cheshire[2]	27.5	—	—	21.3	—	—
Cheshire[3]	—	25.6	—	—	21.2	—
Halton[3]	—	24.6	—	—	21.5	—
Warrington[3]	—	26.3	—	—	22.3	—
Derbyshire[2]	29.3	—	—	22.2	—	—
Derbyshire[3]	—	27.0	—	—	22.3	—
Derby[3]	—	27.1	—	—	22.4	—
Dorset[2]	28.2	—	—	21.8	—	—
Dorset[3]	—	25.4	—	—	22.7	—
Bournemouth[3]	—	27.2	—	—	22.2	—
Poole[3]	—	27.0	—	—	20.2	—
Devon[2]	27.4	—	—	21.4	—	—
Devon[3]	—	25.4	—	—	22.2	—
Plymouth[3]	—	27.1	—	—	21.3	—
Torbay[3]	—	27.9	—	—	20.8	—
Durham[2]	28.5	—	—	22.5	—	—
Durham[3]	—	25.3	—	—	21.9	—
Darlington[3]	—	28.0	—	—	23.6	—
East Sussex[2]	28.2	—	—	21.4	—	—
East Sussex[3]	—	27.6	—	—	21.9	—
Brighton and Hove[3]	—	26.8	—	—	22.5	—
Essex[2]	27.3	—	—	21.7	—	—
Essex[3]	—	26.5	—	—	21.9	—
Southend-on-Sea[3]	—	28.0	—	—	21.0	—
Thurrock[3]	—	25.5	—	—	23.5	—
Hampshire[2]	27.9	—	—	22.2	—	—
Hampshire[3]	—	27.1	—	—	22.9	—
Portsmouth[3]	—	26.4	—	—	23.8	—
Southampton[3]	—	27.3	—	—	22.2	—
Hereford and Worcester[2]	26.0	—	—	22.0	—	—
Herefordshire[3]	—	24.7	—	—	21.7	—

B. Average class sizes[1] for local education authorities affected by local Government reorganisation in maintained primary and secondary schools in England

As at January each year

	Maintained Primary			*Maintained Secondary*		
	1997	*2002[2]*	*Difference between 1997 and 2002*	*1997*	*2002[2]*	*Difference between 1997 and 2002*
Worcestershire[3]	—	25.8	—	—	22.4	—
Kent[2]	28.0	—	—	20.3	—	—
Kent[3]	—	27.2	—	—	21.0	—
Medway[3]	—	26.7	—	—	20.8	—
Lancashire[2]	28.8	—	—	22.5	—	—
Lancashire[3]	—	26.7	—	—	22.4	—
Blackburn with Darwen[3]	—	27.2	—	—	23.0	—
Blackpool[3]	—	27.9	—	—	24.2	—
Leicestershire[2]	26.7	—	—	22.3	—	—
Leicestershire[3]	—	25.9	—	—	22.7	—
Leicester[3]	—	25.8	—	—	24.1	—
Rutland[3]	—	25.2	—	—	23.3	—
Nottinghamshire[2]	28.7	—	—	21.7	—	—
Nottinghamshire[3]	—	26.8	—	—	21.5	—
Nottingham[3]	—	26.0	—	—	21.9	—
Shropshire[2]	27.4	—	—	21.9	—	—
Shropshire[3]	—	25.6	—	—	22.3	—
Telford and Wrekin[3]	—	27.1	—	—	21.8	—
Staffordshire[2]	27.5	—	—	22.3	—	—
Staffordshire[3]	—	25.2	—	—	22.0	—
Stoke-on-Trent[3]	—	25.4	—	—	22.7	—
Wiltshire[2]	27.2	—	—	21.7	—	—
Wiltshire[3]	—	26.1	—	—	21.9	—
Swindon[3]	—	27.5	—	—	23.3	—

[1] Classes taught by 1 teacher

[2] Before local Government re-organisation

[3] After local Government re-organisation

Temporary Staff

Sandra Gidley: To ask the Secretary of State for Education and Skills how many part- and full-time employees under contract from temping agencies work within her Department; and how much was spent on temporary staff *(a)* in total and *(b)* as a percentage of the total staffing budget for each of the last five years for which figures are available. [66744]

Mr. Stephen Twigg *[holding answer 5 July 2002]:* From January 2002 to May 2002 the Department has employed 850 agency staff at a cost of £1,072,019.32 which was 1.49 per cent. of the staffing budget. The following table provides details for the past five years.

Year	*Number of agency staff*	*Financial year*	*Agency spend for the financial year (£)*	*Percentage of staffing budget*
1997	[1]—	[1]—	[1]—	[1]—
1998	[1]—	1997–98	133,670.63	0.09
1999	468	1998–99	238,525.40	0.15
2000	932	1999–2000	930,625.49	0.6
2001	1619	2000–01	1,828,956.64	1.15

[1] Figures not available

Teacher:Pupil Ratio

Mr. Hepburn: To ask the Secretary of State for Education and Skills what the average teacher to pupil ratio in infant classes in South Tyneside was in each year since 1997. [67045]

Mr. Ivan Lewis: The information requested is not available centrally.

Information for Primary schools is shown in the following table:

Pupil:teacher ratio in maintained primary schools in South Tyneside local education authority

Position in January each year

	Pupil:teacher ratio[1]
1997	23.4
1998	23.1
1999	22.5
2000	22.2
2001	21.3
2002[2]	21.2

[1] The pupil:teacher ratio within schools is the ratio of the full-time equivalent number of pupils to the full-time equivalent number of teachers.

[2] Provisional

Source:

Annual Schools Census

Mr. McLoughlin: To ask the Secretary of State for Education and Skills what the average pupil to teacher ratio was in Derbyshire in each year between 1996 and 2001 in *(a)* primary and *(b)* secondary schools. [67430]

Mr. Ivan Lewis: The information requested is shown in the table.

Maintained primary and secondary schools: pupil:teacher ratios by type of school primary, secondary schools: time series 1996 to 2001

Position in January each year

Derbyshire local education authority	*Pupil:teacher ratio*	
	Primary schools[1]	*Secondary schools*[1]
1996	25.3	17.0
1997	25.9	17.4
1998	26.2	17.7
1999	25.1	17.8
2000	25.2	17.8
2001	24.2	17.5

[1] Includes middle schools as deemed

Source:

Annual Schools' Census

Mr. Spring: To ask the Secretary of State for Education and Skills, pursuant to her answer of 1 July 2002, *Official Report*, column 15W, on the pupil:teacher ratio, what the overall average pupil:teacher ratio in Suffolk was in each year since 1997. [67469]

Mr. Ivan Lewis *[holding answer 5 July 2002]:* The information requested is shown in the table.

Maintained primary and secondary schools: pupil:teacher ratios by type of school primary, secondary schools: time series 1997 to 2002[2]

Position in January each year

Suffolk local education authority	*Pupil:teacher ratio*	
	Primary Schools[1]	*Secondary Schools*[1]
1997	22.3	16.6
1998	22.2	16.5
1999	22.0	16.6
2000	22.1	16.9
2001	22.0	17.1
2002[2]	21.6	16.9

[1] Includes middle schools as deemed

[2] Provisional

Source:

Annual Schools' Census

Infant Class Sizes (South Tyneside)

Mr. Hepburn: To ask the Secretary of State for Education and Skills what the average infant class size in South Tyneside was in each year since 1997; what the average sizes were in England in those years; and how many infants there were in classes in South Tyneside in each of these years. [67046]

Mr. Ivan Lewis: The information requested is shown in the table.

Key Stage 1 classes taught by one teacher in maintained primary schools[1]*—position in January each year: Time series 1997 to 2002 (provisional)—England and South Tyneside local education authority*

	South Tyneside		*England*	
	Number of pupils	*Average class size*	*Number of pupils*	*Average class size*
1997	5,669	26.6	1,646,660	26.9
1998	5,583	27.0	1,654,287	27.1
1999	5,441	25.0	1,629,716	26.5
2000	5,333	24.6	1,614,641	25.8
2001	5,031	24.0	1,575,160	25.2
2002[2]	4,660	24.3	1,550,373	25.2

[1] Classes as taught during the one selected period in each school on the day of the census in January

[2] Provisional

Source:

Annual Schools' Census

Special Educational Needs

Mr. Boswell: To ask the Secretary of State for Education and Skills if she will make a statement on the availability of transition plans to young people over 14 with a statement of special educational needs with particular reference to the obligations and compliance of local education authorities. [67110]

Mr. Stephen Twigg *[holding answer 9 July 2002]:* The Education (Special Educational Needs) (England) (Consolidation) Regulations 2001 make provision for all young people over 14 with statements of special educational needs to have a transition plan. Head teachers are responsible for drawing up a transition plan following the year 9 annual review of a young person's statement where he or she is in school and submitting this to the local education authority. Where the young person attends either a non-maintained special school or an independent school or does not attend school the local education authority is responsible for preparing the transition plan.

Figures on the numbers of young people with statements in year 9 onwards who have transition plans are not held centrally. The Department is aware of the importance of securing successful transitions for this group of young people and has commissioned a longitudinal study of 'Post-16 Transitions of Pupils with Special Educational Needs'. Its findings will inform policy development.

Mr. Paice: To ask the Secretary of State for Education and Skills (1) if it is her policy that parents of children with severe learning difficulties may choose whether to send their children to special schools or be integrated in mainstream schools; [69204]

(2) if it is her policy to allow parents of children with complex and severe special needs to choose whether to send their children to special schools or be integrated in mainstream schools. [69205]

Mr. Stephen Twigg: Children with special educational needs must be educated in a mainstream school unless that is incompatible with the wishes of the child's parents, or the provision of efficient education of other children. Where a child has a statement, and the parents do not wish the child to be educated in a mainstream school, then the local education authority may educate the child in a special school. The local education authority must name the parents' preferred choice of school on the statement unless the school is unsuitable, or the child's inclusion would be incompatible with the efficient education of other children or the efficient use of resources.

Both mainstream and special schools have a role to play in the education of pupils with special educational needs, including those with severe and complex learning difficulties.

Mr. Paice: To ask the Secretary of State for Education and Skills what guidance she issues to local education authorities regarding *(a)* the optimum size of special schools and *(b)* whether children with severe learning difficulties should be taught within such schools or in mainstream schools. [69201]

Mr. Stephen Twigg: The Secretary of State does not issue specific guidance to local education authorities on the optimum size of special schools. Children with special educational needs must be educated in a mainstream school unless that is incompatible with the wishes of the child's parents, or the provision of efficient education of other children. Where a child has a statement, and the parents do not wish the child to be educated in a mainstream school, then the local education authority may educate the child in a special school. The local education authority must name the parents' preferred choice of school on the statement unless the school is unsuitable, or the child's inclusion would be incompatible with the efficient education of other children or the efficient use of resources.

Grammar Schools

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what information she collates on the proportion of pupils of ethnic minority heritage selected to attend grammar schools in *(a)* Kent, *(b)* Buckinghamshire, *(c)* Bexley, *(d)* Wiltshire, *(e)* Torbay, *(f)* Lancashire and *(g)* Birmingham, compared with the proportions of those groups in the appropriate age cohort. [67188]

Mr. Miliband *[holding answer 5 July 2002]:* The available information is collected through the Annual Schools' Census and records the ethnic background of pupils of compulsory school age and above in schools in England in January each year. The ethnic background of pupils in all maintained secondary schools is provided in the table as a proxy for the proportions in the general population.

Percentage of pupils of ethnic minority heritage in grammar schools and all maintained secondary schools

January 2001

	Bexley	*Birmingham*	*Buckinghamshire*	*Kent*	*Lancashire*	*Torbay*	*Wiltshire*
Grammar schools							
Number of schools	4	8	13	33	4	3	2
Percentage of pupils classified as:							
'White' minority ethnic origin[1]	89.2	56.1	77.7	97.1	93.1	98.8	98.4
'Other' minority ethnic origin[1,2]	10.8	43.9	22.3	2.9	6.9	1.2	1.6
All maintained secondary schools							
Number of schools	16	77	34	105	89	8	34
Percentage of pupils classified as:							
'White' minority ethnic origin[1]	89.4	56.4	79.7	96.5	93.3	98.6	98.4
'Other' minority ethnic origin[1,2]	10.6	43.6	20.3	3.5	6.7	1.4	1.6

[1] Expressed as a percentage of total pupils for which an ethnic origin has been reported.

[2] Includes pupils of Black Heritage, Indian, Pakistani, Bangladeshi and Chinese ethnic groups and any other minority ethnic group.

Source:

Annual Schools Census

School Playing Fields

Phil Sawford: To ask the Secretary of State for Education and Skills what her Department's policy is on the sale of school playing fields. [67227]

Mr. Ivan Lewis: The Department has a presumption against the need to change the current pattern of playing field provision at schools. We are committed to funding schools and local education authorities so they are no longer forced to sell school playing fields to pay for school repairs. We have provided over £7 billion over the last five years for capital investment in schools and are making £6.5 billion available over the next two years for investment in school buildings.

Before October 1998, there was nothing to prevent a local authority selling a school playing field if it wanted to. To protect school playing fields from such indiscriminate disposal, we introduced legislation on 1 October 1998 that requires local authorities to obtain the Secretary of State's consent before they can dispose, or change the use, of any school playing field or any part of a school playing field that has been used by schools in the last ten years.

Applications to dispose, or change the use, of school playing fields are assessed against the following criteria:

a. Schools' needs: that playing field provision and curriculum requirements at the school making the disposal, and at other schools in the local area, will be met;

b. Community needs: that community use of a school's playing fields is taken into account, with alternative facilities made available if necessary;

c. Finance: that any sale proceeds are re-invested to provide new or improved sports facilities at schools, or are used to help to raise standards by providing better educational facilities.

Only those applications that meet the criteria are approved. All applications made since July 2001 have been scrutinised by the independent School Playing Fields Advisory Panel to make sure that they conform to the published criteria. The panel comprises representatives from the National Playing Fields Association, the Central Council of Physical Recreation, the education organisation Learning through Landscapes, the National Association of Head Teachers and the Local Government Association.

School Sponsorship

Mrs. Calton: To ask the Secretary of State for Education and Skills when the rules governing school sponsorship were last reviewed. [67338]

Mr. Miliband: The rules governing specialist school sponsorship were last reviewed in May this year. As a result, we made one significant change to the criteria by reducing the amount of sponsorship required by small mainstream schools (defined as those with under 500 pupils on roll) to £100 per pupil, subject to a minimum of £20,000, rising to £50,000 for a school with 500 pupils.

Specialist Schools

Mrs. Calton: To ask the Secretary of State for Education and Skills for what reason schools cannot count funds raised by the school in their bids for specialist school status. [67477]

Mr. Miliband: The guiding principles governing the eligibility of specialist school sponsorship are that it must be raised for the purpose of the application and be from a private sector source. Sponsorship from privately sourced school foundations and from parent teacher associations is acceptable. Where the school raises money by use of a public asset, such as the school's own premises, the funds are not eligible.

School Safety Surfaces

Harry Cohen: To ask the Secretary of State for Education and Skills what assessment she has made of the effectiveness of the advice on impact absorbing surfaces contained in Building Bulletin 85 on school premises; if she will make a statement on the extent to which reprocessed scrap tyres have been used for safety surfaces in schools; and what plans she has to increase such use. [67681]

Mr. Ivan Lewis: The Department for Education and Skills does not have the statistics required to make an assessment of reprocessed scrap tyre usage in schools. It is for the individual local authorities and school governors to apply the guidance on good practice in the way they consider most appropriate. The DfES has no plans to recommend an increase in the use of reprocessed scrap tyres in the future.

School Building Repairs

Chris Grayling: To ask the Secretary of State for Education and Skills (1) what measures are being taken to ensure that the additional funds provided to local education authorities secure a significant reduction in the backlog on school building repairs identified in the 2001 Asset Management Plan; [67807]

(2) when she will set a timetable for the elimination of the backlog on repairs to the school building stock; [67808]

(3) what steps she has taken to monitor annual progress towards the delivery of *(a)* new schools and *(b)* the refurbishment of schools as promised in the 2000 comprehensive spending review; [67809]

(4) what steps she is taking to ensure that the public funds allocated under the current comprehensive spending review are spent on *(a)* new schools and *(b)* refurbishment of schools. [67810]

Mr. Ivan Lewis: The great bulk of capital funding for schools is now allocated by formula to schools and local education authorities for them to address the investment priorities of their school buildings. These priorities are decided locally in the context of each authority's Asset Management Plan. The Department appraises each plan to ensure that prioritisation is done in an open, rigorous and consultative process, based on a full survey of the building needs of all the schools in the authority, and reflecting Government priorities. This process increases the amount and quality of local decision making and reduces the bureaucratic burden of bid based and hypothecated funding.

While we wish to see the backlog of repairs eliminated, and provided £1.3 billion of New Deal for Schools capital grant funded from the windfall tax from 1998 until 2001 directly to address the most urgent needs, we also wish to move away from the patch and mend approach of the past to a strategic modernisation of our schools. Subsequent capital funding, such as the £6.5 billion being made available over the two years to 2003–04, is intended both to address repair needs and to take forward the modernisation of schools for the teaching and learning needs of the 21st century. Progress on each of these objectives will depend on the balance of local priorities in each local authority between repairs and modernisation needs.

To reduce the bureaucratic burden, the Department does not require detailed information on how formulaic capital funding is invested. We do, however, have more detailed information on how capital funding is used from bid based programmes, including the New Deal for Schools from the windfall tax, the Private Finance Initiative and the Targeted Capital Fund, as well as investment in schools in the voluntary aided sector. Asset Management Plan returns provide periodic information on needs and, from this year, also on major capital projects in each authority. We have recently conducted a sample survey of the use of major formulaic programmes, and are considering how this information could be extended with minimum bureaucracy to provide evidence from which a national picture can be extrapolated.

Teacher Retirement

Tony Cunningham: To ask the Secretary of State for Education and Skills what the policy is on setting a fixed age of retirement for teachers in adult education. [68114]

Mr. Ivan Lewis: Adult education tutors are employed by the local authority, college or provider for whom they work. Their age of retirement is therefore a matter agreed between themselves and the employer. This means that the local authority, college or provider is able to retain tutors beyond the customary retirement age if there is a particular need or a shortage of expertise in a given area.

We have no plans to restrict this and fully support colleges and providers in being able to plan and manage flexibly to meet the needs of learners.

Adult Education Courses

Tony Cunningham: To ask the Secretary of State for Education and Skills what her policy is on funding adult education courses which do not lead to a recognised qualification. [68115]

Mr. Ivan Lewis: In setting the remit for the Learning and Skills Council (LSC), the Government stressed that qualifications are very important and accreditation will continue to be appropriate for many courses. But we also want to see the LSC provide a wide range of opportunities including learning not leading to awards. The Government are increasing funding for adult education secured through local education authorities and now funded through the LSC. Nationally the budget is £167 million in 2002–03, an increase of 9 per cent. on the previous year.

Ring-fenced Grants

Mrs. Calton: To ask the Secretary of State for Education and Skills what ring fenced grants were made available to local authorities in financial year 2001–02. [68290]

Mr. Miliband: The following table shows the Department's ring-fenced grants made available to local education authorities in 2001–02. These are specific grants ring-fenced for specific purpose or activities or special grants paid under section 88B of the Local Government Finance Act 1988.

	£000
Standards Fund	1,583,000
School Standards Grant	631,307
Education Budget Support Grant	52,394
Teachers Pay Grants	479,275
Nursery Education Grant	184,000
Education Maintenance Allowance	98,000
Childcare Grant	148,750
GM Transitional Grants	10,335
Education Action Zone Grant	62,615
Capital Grants	704,000

Note:
Figures are in cash terms.

The Government have simplified the operation of the Standards Fund, by far the largest specific grant for education. Since April 2001, schools have had more freedom to move funds between the different Standards Fund activities; separate auditing of the Standards Fund is no longer required; and the spending period for the Standards Fund was extended from 12 months to 17 months to give schools even more flexibility in planning expenditure. The School Standards Grant offers further freedom to schools.

Home Economics

Dr. Stoate: To ask the Secretary of State for Education and Skills if she will make it her policy to ensure that all schoolchildren at Key Stages I, II and III are taught *(a)* basic cooking skills and *(b)* good diet and nutrition; and if she will make a statement. [68344]

Mr. Stephen Twigg: All primary pupils have a statutory entitlement to food technology within the national curriculum. They learn practical food handling skills, including food hygiene, and are encouraged to develop positive attitudes to food. At Key Stage 3, the Government strongly encourage secondary schools to offer pupils the opportunity to study food technology, and 90 per cent. do so. Food, nutrition and healthy eating are also taught within science and personal, social and health education.

Schools (Financial Reserves

Mr. Dobson: To ask the Secretary of State for Education and Skills what her Department's estimate is of the total financial reserves held by schools in the *(a)* last year for which figures are available and *(b)* preceding five years. [68516]

Mr. Miliband *[holding answer 10 July 2002]:* The following table sets out the information requested, in respect of schools maintained by local education authorities in England.

Financial year	*Aggregate balances at end of year (£ million)*
2000–01	[1]1,041
1999–2000	723
1998–99	556
1997–98	507
1996–97	524
1995–96	581

[1] Provisional

The figures contained in the table have been derived from the outturn statements prepared by local education authorities under section 52 of the School Standards and Framework Act 1998 (and corresponding previous legislation), and represent surpluses net of deficits. The figures for 2000–01 and 1999–2000 include the balances held by former grant-maintained schools, which amounted in total to approximately £108 million and £92 million respectively. I am investigating the practicability of providing information on grant-maintained schools' aggregate balances for 1998–99 and previous years, and I will write to my right hon. Friend to advise him of the outcome.

Teacher Work Load

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what proposals she has to decrease the work load of teachers. [68518]

Mr. Miliband: The School Teachers' Review Body recently published its report on teacher work load. A consultation on the principles contained in the report concluded on 3 July. The Government will issue a formal response to the report later this year. This is an important part of our more general drive to enable teachers to focus on the core professional elements of their job.

Teacher Retention

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what measures are in place to improve teacher retention rates. [68519]

Mr. Miliband: My right hon. Friend, the Secretary of State for Education and Skills set out our plans to transform the school work force in her speech of last November to the Social Market Foundation. These plans directly address the key issues that we know teachers are most concerned about—work load, bureaucracy, professional development and status. 30 Pathfinder schools are testing different approaches for making improvements, and we will use the lessons learned to help the whole school work force nationwide. The number of teachers in our schools has already increased by more than 20,000 since 1997, and the number of support staff by more than 70,000.

Classroom Support Staff

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills how many classroom support staff are employed; and what plans there are to increase the number. [68520]

Mr. Miliband: The provisional figure for full-time equivalent number of support staff in maintained schools in England in January 2002 is 213,012. This includes 103,624 teaching assistants, 49,050 administrative staff, 16,528 technicians and some 43,809 other staff. Plans for increasing this number will depend upon the spending review and decisions taken locally by schools.

Teacher Morale

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what measures she is taking to improve morale among teachers. [68521]

Mr. Miliband: Freeing teachers to concentrate on the core of their job and improving the status of the teaching profession more generally are central to our school work force reform agenda. The package of recommendations on work load made in a recent report by the School Teachers' Review Body reflects many of the issues raised by teachers themselves. A consultation on the principles contained in the report concluded on 3 July. The Government will issue a formal response to the report later this year.

New Teachers' Contract

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what consultations she will have on the proposed new contract for teachers. [68522]

Mr. Miliband: Consultation on the recommendations in the School Teachers' Review Body's report on teacher work loads came to an end on 3 July. The Department's consultation letter of 8 May said that my right. hon. Friend would consult again on practical measures as appropriate in the light of this initial consultation. For the time being the Department is evaluating the initial consultation responses. Further consultation is likely to take place in the early autumn.

Educational Maintenance Allowance (Scotland)

Annabelle Ewing: To ask the Secretary of State for Education and Skills whether the educational maintenance allowance scheme applies in Scotland; and if she will make a statement. [69083]

Margaret Hodge: This is a matter for the Scottish Parliament.

Graduate Teacher Programme

Norman Lamb: To ask the Secretary of State for Education and Skills how many training places have been allocated in each county in England under the Graduate Teacher Programme in *(a)* this school year and *(b)* next school year. [68931]

Mr. Miliband: The information is not available in the form requested. The table shows total numbers of Graduate Teacher Programme places awarded in 2001–02 by Government office region and the numbers of places for 2002–03 that have been awarded to date. Figures for 2002–03 do not therefore include approximately 600 places that have still to be allocated.

	Number of places	
Government office region	*2001–02*	*2002–03*
London	552	551
South East	555	531
South West	174	212
North West	314	236
North East	99	65
Eastern	745	549
Yorkshire and Humberside	161	131
West Midlands	327	267
East Midlands	289	245
Total	3,216	2,787

Source:
Teacher Training Agency

Special Schools

Mr. Paice: To ask the Secretary of State for Education and Skills if she will list special schools with foundation school status which *(a)* were previously grant maintained and *(b)* have become foundation schools since grant maintained status was abolished. [69203]

Mr. Stephen Twigg: From the data available, the list of special schools with foundation school status is as follows:

	LEA number	*Estab. number*	*School name*
Lambeth	208	5950	Turney Primary and Secondary Special School
Lambeth	208	5952	Thurlow Park Special School
Lambeth	208	5951	Willowfield School
Bromley	305	5950	Glebe School
Hillingdon	312	5950	Chantry School
Kingston upon Thames	314	5950	Bedelsford School
Redbridge	317	5950	Little Heath School
Waltham Forest	320	5950	Whitefield Schools and Centre
Bedfordshire	820	5950	St. Margaret's Residential School
Bedfordshire	820	5951	St. John's School
Dorset	835	5950	Beaucroft Foundation School
Poole	836	5951	Montacute School
Dorset	835	5953	Westfield Technology College
Bournemouth	837	5952	The Bicknell School
Southend-on-Sea	882	5950	The St. Christopher School
Essex	881	5951	The Endeavour School
Leicester	856	5950	Emily Fortey School
Nottinghamshire	891	5950	Foxwood Foundation School

All of the above schools were previously grant maintained and all became foundation schools since grant maintained status was abolished.

Entry to Employment

Shona McIsaac: To ask the Secretary of State for Education and Skills if she will make a statement about progress in introducing Entry to Employment provision. [69293]

Mr. Stephen Twigg: In making its recommendations to encourage greater take up of Modern Apprenticeships, Sir John Cassels' Modern Apprenticeship Advisory Committee proposed the establishment of pre-employment provision for those young people not immediately able to enter a Modern Apprenticeship or other employment. The Learning and Skills Council and the Department have been working together over recent months with other relevant interests to develop a more effective set of arrangements in work-based learning that will enable more young people to progress to higher learning opportunities. To this end a pathfinder Entry to Employment programme will be introduced in the following areas from this August:

Bedfordshire and Luton

Bristol

Central Birmingham and North Solihull

Derbyshire

Greater Manchester(Rochdale)

Oxfordshire

North Yorkshire

Nottinghamshire

Portsmouth and the South East Hampshire area

Tyne and Wear (Newcastle and Gateshead).

Current work-based learning provision beneath National Vocational Qualification at Level 2 will be subsumed within the new programme in which there will be a better focus on meeting individual aspiration and need. The Learning and Skills Council plan to evaluate the effectiveness of these pathfinders with a view to wider introduction of a new Entry to Employment programme by August 2003.

EU Committees

Angus Robertson: To ask the Secretary of State for Education and Skills when the EU Advisory Committee on veterinary training is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66454]

Mr. Morley: I have been asked to reply.

The last meeting of the Advisory Committee on Veterinary Training (ACVT) was held on 16 June 2000 and it was abolished later that year.

Representatives of the Scottish Executive have never been members of this committee. Representation was at UK level.

FOREIGN AND COMMONWEALTH AFFAIRS

United Arab Emirates

Mr. Burstow: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps have been taken by the embassy in the United Arab Emirates to contact lawyers on the embassy list on behalf of Mr. Clark since 20 February; and with what results. [64364]

Mr. Mike O'Brien *[holding answer 25 June 2002]:* At the meeting with my noble Friend Baroness Amos on 20 February 2002, your constituent, Jason Clark, told us that his father was unable to find a lawyer to represent him. He understood that his father had tried, without success, all the lawyers on our embassy list.

Following the meeting, embassy staff spoke with a local law firm on our list on 5 March 2002. Firstly, they advised us that any local lawyer would require a substantial fee in advance, and secondly, if Mr. Michael Clark were to recommence legal action, his appeal for clemency might not be considered by the Abu Dhabi authorities while proceedings were on-going. They also had no record of Michael Clark getting in touch with them previously.

We advised Michael Clark accordingly. We also reminded him that our staff are not able to appoint a lawyer on behalf of a British national. However, if he wished to pursue a legal case, our offer to assist putting him in touch with a local lawyer remained. We also said that it would be helpful to us if he could list the local lawyers he had already tried.

This issue had been discussed previously with Michael Clark himself during a meeting at the embassy on 20 January. However, at that time, he did not want to pursue any legal action.

Departmental Energy Use

Mr. Stunell: To ask the Secretary of State for Foreign and Commonwealth Affairs what the estimated *(a)* level and *(b)* cost of energy use in his Department and associated agencies was in each year since 1997; what proportion of energy was generated from renewable sources; and if he will make a statement. [65951]

Mr. MacShane: I refer the hon. Member to the answer given him by my right hon. Friend the Minister of State for Rural Affairs, at the Department for Environment, Food and Rural Affairs on 3 July 2002, *Official Report,* columns 384–86W.

UN Racism Summit

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people attended the UN Racism summit in Durban in September 2001, from *(a)* his Department and *(b)* other UK Government Departments; and what the total cost of the visit was. [66215]

Mr. MacShane: In addition to Foreign and Commonwealth Office Minister Baroness Amos and Home Office Minister Angela Eagle, 19 officials from UK Government Departments attended the UN World Conference Against Racism in Durban in September 2001 at an average cost of approximately £3,100.

10 of these officials were from the Foreign and Commonwealth Office, seven were from the Home Office, one was from the Department for Education and Skills and one was from the Scottish Executive.

The Government publish on an annual basis details of all Ministers' visits overseas. Details of travel undertaken during the period 1 April 2001 to 31 March 2002 will be published in a similar form to previous years as soon as possible. Copies of the lists are available in the Libraries of the House.

Building Values

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the buildings owned by his Department and estimate the market value of each of them. [66944]

Mr. MacShane: I refer the hon. Member to the answer given him by my right hon. Friend the Chief Secretary on 3 July 2002, *Official Report,* column 339W.

The FCO Section of the Register can be found at: http://www.hm-treasury.gov.uk/mediastore/otherfiles/218.pdf

Female Staff

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of the staff of his Department are women; and what the percentage was in June 1997. [66920]

Mr. Mike O'Brien: I refer the hon. Member to the answer given by my hon. Friend the Minister of State, Cabinet Office on 5 July 2002, *Official Report,* column 622W.

Buildings Insurance

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what the cost of buildings insurance to his Department was *(a)* before and *(b)* after 11 September 2001. [66926]

Mr. MacShane: The Government's general policy on insurance, set out in Government Accounting, Chapter 30, notes that Government only needs to purchase insurance to protect the viability of its business, where the value of claims met would exceed the cost of insurance premiums. Commercial insurance of a building is acceptable in cases where *(a)* insurance is a condition of a lease; *(b)* the lessor will not accept a Government indemnity; *(c)* incurring the total cost of the accommodation in question, including the cost of the insurance, is more cost-effective than other accommodation options.

The FCO follows this policy.

Peacekeeping Forces

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment has been made of the impact on British peacekeeping forces *(a)* in Bosnia, *(b)* in other regions in the world and *(c)* not yet deployed of the refusal by the US to extend its Bosnia mission by six months; and if he will make a statement. [66820]

Mr. MacShane: On 30 June the US vetoed the UNSC resolution renewing the UNMIBH/SFOR mandate for Bosnia. An extension was agreed until 3 July to allow more time to seek a solution. It did not prove possible by this deadline to find a solution acceptable to Security Council Members. The Council therefore decided to extend the mandate until 15 July, to allow for further efforts to resolve the issue.

The practical effect of this is that the UN police operation in Bosnia may continue for the time being. The basic operational capability of the SFOR peacekeeping mission is not affected. The legal base for this operation is also the Dayton peace agreement and the consent of the Bosnian parties. The US have made clear that they intend to maintain their contribution to SFOR.

Nepal

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will break down the £30 million package for the Nepalese Government according to *(a)* development aid and *(b)* military assistance. [67038]

Mr. Mike O'Brien: The UK has a substantial bilateral development programme in Nepal through DFID. The programme for this financial year amounts to £22 million. Of this, approximately £4 million will be spent on support for rural livelihoods, £5 million on enhancing rural infrastructure, £5 million on health programmes and £8 million on Government reform.

We have also approved a further package of measures totalling approximately £6.5 million to be run jointly by FCO, DFID and MOD. These projects will assist in the development and implementation of aid projects in Nepal and reinforcing their military and police capacity.

In particular, this package will fund the creation of a Civil Society Joint Forum, support for a rural development programme, a programme to promote and monitor human rights, peace support and separate human rights training to the Royal Nepalese Army (RNA) and the provision of low-level logistical communications and transport equipment. The package will also cover the costs of infrastructure support to the UN Peacekeeping Centre in Panchkal.

Zimbabwe

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to assist the enforcement of the Southern African Development Communities Programme for free and fair elections in Zimbabwe; if he will hold discussions on this issue; and if he will make a statement. [67122]

Mr. MacShane: There is no Southern African Development Community Programme for free and fair elections in Zimbabwe. However, the SADC parliamentary forum has published electoral norms and standards. These formed the basis by which the EU judged the presidential election in Zimbabwe on 9–11 March.

Our policy towards Zimbabwe is to work with concerned members of the international community, including SADC, to promote democracy, good governance, respect for human rights and the rule of law.

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had on an unconditional asset freeze and travel ban on ZANU-PF members, unqualified by international treaty obligations. [67120]

Mr. MacShane: My right hon. Friend, the Foreign Secretary had discussions with EU colleagues resulting in a travel ban and asset freeze on key ZANU-PF leaders, but has not held subsequent discussions on an unconditional asset freeze and travel ban on ZANU-PF members unqualified by international treaty obligations.

My right hon. Friend, the Foreign Secretary continues to discuss with EU partners how to ensure maximum coercive pressure is placed on Mr. Mugabe and his allies.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends to reply to the letter to him dated 29 May from the right hon. Member for Manchester, Gorton with regard to Keith Marks. [67865]

Mr. Mike O'Brien: My right hon. Friend the Foreign Secretary replied to the right hon. Member for Manchester, Gorton on 8 July.

Secondments

Phil Sawford: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will review the Civil Service Commissioners Recruitment Code in order to allow self-employed people to be considered for secondment positions at his office. [67735]

Mr. MacShane: Review of the Civil Service Commissioners' Recruitment Code is the sole responsibility of the Civil Service Commissioners.

I shall raise this matter with them and write to my hon. Friend in due course.

Weapons (Outer Space)

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's position on recent proposals by China and Russia to the conference on disarmament for the control of weapons in outer space. [68188]

Mr. Mike O'Brien: The UK recognises the importance China and Russia attach to international consideration of proposals for further controls on weapons in space. We have signed and ratified the outer space treaty and other treaties that place important limits on military activity in space, including a prohibition on the deployment of weapons of mass destruction. Space-based assets play a prominent role in security and military operations. While we do not wish to see a general ban on the military use of outer space, we would be ready to engage in further discussions of issues relating to the prevention of an arms race in outer space at the conference on disarmament.

Future of Europe

Mr. Hayes: To ask the Secretary of State for Foreign and Commonwealth Affairs what the cost to date has been of the national debate on the future of Europe broken down by type of expenditure. [68339]

Peter Hain: The debate on the future of Europe is just one part of the Government's wider commitment to making the European Union better understood by the British public. The budget for the Foreign and Commonwealth Office's EU public diplomacy programme in 2002–03 is £260,000.

Gibraltar

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs what end date has been set with Spain for the conclusion of talks on the future status of Gibraltar. [R] [68454]

Peter Hain: I refer my hon. Friend to my statement in Westminster Hall on 18 June 2002, *Official Report*, column 38WH.

Democratic Republic of Congo

Mr. Joyce: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received in respect of abuses of human rights against the Banyamulenge population in the towns of Uvira and Bukauu in the Democratic Republic of Congo. [68447]

Mr. MacShane: None.

Greece

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what role police forces from the United Kingdom are playing in the hunt for members of the November 17 terrorist group in Greece; and if he will make a statement. [68207]

Mr. Mike O'Brien: A team of Metropolitan police officers travelled to Athens at the invitation of the Greek Government on 8 June 2000, the day the British Defence Attache, Stephen Saunders, was murdered by N17. British police officers have remained in Athens since that date, working closely with the Greek police on their investigation into Brigadier Saunders' assassination and providing advice and training for their Greek counterparts.

Following an explosion in Piraeus on 29 June and the subsequent detention of an N17 suspect, an additional team of Metropolitan police officers flew to Athens on 30 June and have remained there to assist the Greeks with their investigation.

The Government remain committed to bringing Brigadier Saunders' murderers to justice, and more widely to helping Greece fight the terrorism menace of N17. The Metropolitan police team will remain in Athens as long as its presence there is useful.

Afghanistan

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the UK's involvement in Afghanistan. [68541]

Mr. Mike O'Brien: The UK is working alongside the Afghan Transitional Administration and international partners to support the Bonn political process. The UK is committed to achieving its campaign objectives of defeating international terrorism and breaking the link between Afghanistan and terrorism (the details of which were placed in the Library of the House on 16 October 2001).

The UK was the first western nation to reopen a diplomatic mission in Kabul on 19 November 2001.

The UK has given £60 million since 11 September to UN agencies, the Red Cross and other organisations towards the rehabilitation and reconstruction of Afghanistan. The UK has pledged a further £200 million from the UK over the next five years for both reconstruction and humanitarian assistance in Afghanistan. The UK was the first donor to contribute to the Afghanistan Reconstruction Trust Fund with £100 million. Development assistance focuses on five key areas: economic management; security sector reform (funded from the joint DFID/FCO/MOD Global

Conflict Prevention Pool); humanitarian assistance; the development of sustainable livelihoods; and support to the political process.

The UK leads in co-ordinating international efforts and developing a strategy to assist the Afghan Government to tackle drugs.

The UK has developed close links with the new Transitional Administration and it's predecessor, the Interim Administration, through a number of high level visits including by my right hon. Friend the Prime Minister and other ministerial colleagues to Afghanistan, and President Karzai to the UK. The UK is contributing towards the future development of Afghan leaders through an expanded Chevening scholarship scheme.

After successfully leading ISAF in Afghanistan for the past six months, the UK handed over this role to Turkey on 20 June. The UK will continue to play a role in ISAF, with around 400 military personnel still committed. We remain committed to coalition activities in Afghanistan.

China (Human Rights)

Vernon Coaker: To ask the Secretary of State for Foreign and Commonwealth Affairs what was discussed at the Human Rights Dialogue held between the United Kingdom and China in May. [69927]

Mr. MacShane: The eighth round of the UK-China Human Rights Dialogue took place in Beijing on 15 May.

The theme of this round was the management of ethnic minority affairs. In this context, the talks in Beijing were preceded by a four-day field trip to Gansu Province where the UK delegation visited both Tibetan and Muslim minority groups. The UK delegation included a senior British expert on race relations.

At the main session of talks in Beijing, the UK delegation raised a wide range of human rights concerns including: Tibet and Xinjiang; freedom of expression, religion and association; Falun Gong; criminal justice issues, including the death penalty; North Korean refugees; co-operation with UN human rights mechanisms, including visits by special rapporteurs; the ratification of the ICECSR and ILO Conventions; and the blocking of the BBC World Service website and Mandarin Service. The UK delegation also discussed the programmes of practical co-operation between the UK and China to promote human rights and the rule of law.

They raised over 50 individual cases of concern.

Bahrain

Mr. Dhanda: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Bahrain authorities regarding the case of Richard Mechan, a constituent. [68761]

Mr. Mike O'Brien: Our embassy staff have not had any discussions with the Bahrain authorities regarding the case of Richard Mechan.

East Timor

Annabelle Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 21 June 2002, *Official Report,* column 634W on East Timor, whether the unverified reports of Indonesian involvement in East Timor ahead of the invasion of 1975 were obtained from *(a)* press reports, *(b)* British diplomats in Indonesia and *(c)* the Australian embassy in Jakarta. [69031]

Mr. Mike O'Brien: As will be seen when the files are made available shortly, reports such as these the FCO received about Indonesian involvement in East Timor ahead of the invasion of 7 December 1975 came from all three sources referred to by the hon. Member.

Annabelle Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the answer of 21 June 2002, *Official Report,* column 633W, on East Timor, whether the regular contacts between UK and Australian officials concerning the UN investigation of the deaths of British and other newsmen in East Timor have included discussion of the documentation published by Australia by the Department of Foreign Affairs and Trade in September 2000 on those deaths. [69033]

Mr. Mike O'Brien: Yes.

Annabelle Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 21 June 2002, *Official Report,* column 634W, if he will raise with the Indonesian Government the problems that have been experienced by the UN investigation on obtaining access to possible witnesses in Indonesia concerning the deaths of Malcolm Rennie and others in East Timor. [69032]

Mr. Mike O'Brien: Further to my answer of 21 June 2002, *Official Report,* column 634W, the Government have raised this case with the Indonesian authorities at every appropriate opportunity and will continue to do so.

Annabelle Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received from the former special representative of the UN Secretary-General in East Timor, Mr. Sergio Vieira de Mello, concerning the status of the UN investigation into the deaths of Malcolm Rennie and others; and if he will make a statement. [68933]

Mr. Mike O'Brien: Before he left Dili in May, Sergio Vieira de Mello confirmed that responsibility for the Balibo investigation remains with the Serious Crimes Unit in East Timor. I have since written to his successor Kamalesh Sharma to ask him to ensure that our ambassador in Dili is informed of any further developments with the UN investigation.

Annabelle Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 21 June 2002, *Official Report,* column 634W, on East Timor, if the documents on non-intelligence aspects of Balibo case that he plans to release will include the full text of *(a)* the report to his department of mid-1975 by the Chancery Department of the British Embassy in Jakarta on East Timor's prospects and *(b)* the covering letter attached thereto sent by the then British Ambassador to Indonesia. [69030]

Mr. Mike O'Brien: Yes. The full text of these documents will be released when the files are made available shortly.

SCOTLAND

Mental Health

Mr. Peter Duncan: To ask the Secretary of State for Scotland if she will make a statement on the training of mental health professionals in Scotland. [65243]

Mrs. McGuire: The standards to which NHS mental health professionals are trained are set by UK regulatory bodies. However, the training routes by which mental health professionals meet these standards are devolved and are a matter for the Scottish Executive.

Government Liabilities

Matthew Taylor: To ask the Secretary of State for Scotland what assessment she has made of the proportion of the rise in Government liabilities resulting from unfunded parts of Scottish *(a)* teachers and *(b)* NHS pension schemes in the last five years due to (i) wage inflation, (ii) longevity, (iii) extension of the rights of part-time workers and (iv) other factors; and if she will make a statement. [67026]

Mrs. McGuire: The regulation and administration of the teachers and NHS pension schemes in Scotland is a devolved matter for the Scottish Executive.

Consumer Credit Act

Mr. Weir: To ask the Secretary of State for Scotland what recent representations she has received from organisations in Scotland relating to reform of procedures relating to time orders under the Consumer Credit Act 1974. [67146]

Mrs. McGuire: Citizens Advice Scotland have sent the Scotland Office their briefing on this matter.

Mr. Weir: To ask the Secretary of State for Scotland what recent discussions she has had with the Department of Trade and Industry on possible reform of procedures relating to Time Orders under the Consumer Credit Act 1974. [67147]

Mrs. McGuire: The Department of Trade and Industry is currently reviewing the Consumer Credit Act 1974. The Scotland Office is working closely with the DTI in this area and the Government will consider whether it is necessary to make any changes to the provisions on Time Orders as part of the review.

Mr. Weir: To ask the Secretary of State for Scotland what recent discussions she has had with the Scottish Executive on reform of procedures relating to time orders under the Consumer Credit Act 1974. [67145]

Mrs. McGuire: The Government will consider whether it is necessary to make any changes to the provisions on Time Orders as part of our review of the Consumer Credit Act. We will fully consult the Scottish Executive on this matter.

SOLICITOR-GENERAL

Crown Prosecution Service

Mrs. Curtis-Thomas: To ask the Solicitor-General how many *(a)* inspections and *(b)* thematic reviews have been undertaken in each CPS area since the inception of the HM Crown Prosecution Service Inspectorate; and how long each took on average. [59348]

The Solicitor-General *[holding answer 12 June 2002]:* Between May 2000 and May 2002 the Inspectorate inspected 37 of the 42 CPS areas. Gloucestershire was also the subject of a short follow-up inspection. Reports have been published on all these 38 inspections. West Midlands was also the subject of a follow-up inspection confined to a small aspect of its work, namely discharged committals. The inspection was extended to include scrutiny of police performance as well. The Inspectorate was assisted in the follow-up by HM Inspectorate of Constabulary and HM Magistrates Courts Service Inspectorate. A report on this joint inspection is expected to be published in July 2002.

First inspections of the remaining five CPS areas are in progress and reports on all of them should be published by the end of September 2002.

The Inspectorate has carried out nine thematic reviews between January 1998 and May 2002. Each review involved visits to CPS branches or areas, varying in number between six and 16. Since April 1999 each of the 42 areas has featured in a thematic review on at least one occasion and several of them twice.

The length of an inspection of a CPS area will vary with the size of the area. The core inspection phases take 10 weeks for a smaller area and 20 weeks for a larger area, longer in the case of CPS London, the largest CPS area. Consultation with the area, agreeing the draft report and publishing the final version takes a further seven weeks or more after the completion of the field work.

Mrs. Curtis-Thomas: To ask the Solicitor-General what action has been taken to reduce the number of *(a)* judge-ordered and *(b)* judge-directed acquittals since 1999. [60203]

The Solicitor-General *[holding answer 10 June 2002]:* In 1999, the Crown Prosecution Service (CPS) introduced an adverse outcome analysis system. This provides CPS areas with a consistent means to identify reasons for adverse outcomes and also to allocate responsibility of any failure. This information is collated centrally.

For the last seven years, many areas of the CPS have had in place, with the police, a system of joint performance management that involves an appraisal of Crown Court acquittals, including those ordered and directed by the judge. This process provides areas with information showing particular trends and a means by which improvements can be made.

The Crown Prosecution Service produces quarterly summaries of unsuccessful case outcomes from information drawn from its various case tracking systems. This year the CPS and the police have begun to develop a joint case outcome analysis which builds on these two processes and will focus on avoidable case failure. Under this system, the reasons for judge ordered and judge directed acquittals in individual cases will be jointly assessed for individual training needs and other joint strategies for performance improvement.

The process will be supported by more sophisticated management information following the introduction of the CPS' Compass Case Management System due to roll out between April and December 2003.

The figures in the table show a fall in judge directed acquittals from 1,777 in 1999 to 1,471 last year, a reduction of 17.2 per cent. Over the same period judge ordered acquittals rose from 9,616 to 11,825, an increase of 23 per cent. Much of this increase can be attributed to recent changes in procedures. Since January 2001, the prosecution, unlike before, have been able to discontinue cases in the Crown Court. Although this is a prosecution decision, the current system records these as judge ordered acquittals.

Judge ordered and judge directed acquittals, 1999–2002

	Judge ordered acquittals	*Judge directed acquittals*
1999–2000		
Number of acquittals	9,616	1,777
Percentage of completed cases	11.1	2.0
2000–01		
Number of acquittals	10,145	1,755
Percentage of completed cases	12.3	2.1
2001–02		
Number of acquittals	11,825	1,471
Percentage of completed cases	14.0	1.7

CULTURE, MEDIA AND SPORT

Television (Subtitling)

Paul Holmes: To ask the Secretary of State for Culture, Media and Sport if it is her policy that the forthcoming communications legislation will have the power to ensure that video on demand and other forms of developing television are covered by the requirement to carry subtitles and other ancillary services. [66251]

Dr. Howells: No. The draft Communications Bill extends obligations for the provision of subtitling, sign language and audio-description services from terrestrial broadcasters to all licensed broadcasters. It is not proposed to extend them to other media unless such media were brought into the licensing regime by order, having met the criteria set out in the Bill for licensable television services. Under the Bill as drafted, true video on demand would not be licensable and, therefore, would not have legal obligations for subtitling any more than on-demand services provided over the internet. It would be for those who provide such services to decide whether to offer ancillary services for viewers with disabilities.

Football and Hockey

Mr. Heald: To ask the Secretary of State for Culture, Media and Sport how many coaches Sport England funds for *(a)* football, *(b)* hockey, *(c)* men's football, *(d)* women's football, *(e)* men's hockey and *(f)* women's hockey. [66769]

Mr. Caborn *[holding answer 4 July 2002]:* Sport England funds the Football Foundation who provide funding for grassroots football.

Sport England does not directly fund any individuals except through the World Class programmes. Sport England put Exchequer funding into the coach education programme of hockey.

The figures for hockey are as follows:

11 full-time coaches or core consultant coaches;

9 national age group coaches;

43 sessional coaches.

No further breakdown can be provided.

Arts Council

Nick Harvey: To ask the Secretary of State for Culture, Media and Sport if she will provide a list of consultants and change managers employed by the Arts Council of England to assist the change process over the last 15 months; and if she will make a statement. [68346]

Dr. Howells: The following consultants and change managers were employed by the Arts Council of England to assist the change process over the last 15 months: Richard Pulford; Graham Devlin; Jeremy Brown; Carol Beckford Associates; People Initiatives; Thorpeworks Ltd; Lesley Payne; PwC; Anite Consulting; Network Marketing Group; Bacon Woodrow; Baker Tilley; Gregory Consulting Ltd; SGS Consulting; The Management Centre; Marketlink Research; Leonard Hull; The Change Partnership; Office for Public Management.

Historic Buildings (Public Access)

Mr. Gareth Thomas: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 3 July 2002, *Official Report,* column 314, if there is an automatic access requirement when historic buildings are grant-aided by the Heritage Lottery Fund. [68301]

Dr. Howells: As part of the condition of grant, the Heritage Lottery Fund requires that grantees ensure that the general public has appropriate access to properties and that no one is unreasonably denied access.

Tobacco Sponsorship

Mr. Whittingdale: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the impact of the removal of tobacco sponsorship on the sport of darts; and if she will make a statement. [68469]

Mr. Caborn: I am aware of the extent to which the British Darts Organisation is reliant on tobacco sponsorship and of the difficulties it faces in finding replacement sponsorship. I can assure my hon. Friend that the Government have looked very carefully at how best to achieve an end to the advertising and promotion of tobacco at sports events in a way that will minimise any damage to the sports concerned.

My Department has maintained a constant dialogue with the British Darts Organisation, partly through the Tobacco Sponsorship Task Force, and I fully understand its concern about the impact of a ban on British darts. As it remains the Government's intention, subject to consultation, to end tobacco sponsorship for non-global sports by the end of July 2003, it is vital that the British Darts Organisation continue its efforts to find replacement sponsorship.

I will, of course, continue my own efforts in helping the British Darts Organisation and all other sports that would be affected by the ban, to ensure that they do not suffer unduly during the transition away from tobacco sponsorship.

Mr. Whittingdale: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the future of the Tobacco Sponsorship Task Force. [68468]

Mr. Caborn: The Sponsorship Tobacco Task Force last met in October 1999. Following that meeting it was agreed that the task force had completed its initial work of identifying the needs of sports affected by the ban on tobacco sponsorship. At that time these sports believed that it was too soon to be looking to replace existing contracts, and that the situation should be reviewed before the expiry of current contracts.

Following the introduction of the Tobacco Advertising and Promotion Bill, and the proposed consultation on draft regulations, I wrote to the seven sports represented on the Tobacco Task Force on 14 April to ask for their thoughts on whether this might be an appropriate time for it to resume its work. So far, I have only received a response from the British Darts Organisation. Should the other six members respond favourably, the Government would be happy to reconvene the Tobacco Sponsorship Task Force.

Tourism

Mr. Wray: To ask the Secretary of State for Culture, Media and Sport what assistance has been given to *(a)* the tourist industry and *(b)* coastal towns since the foot and mouth epidemic. [68239]

Dr. Howells: The Department for Culture, Media and Sport gave an additional £14.2 million to the British Tourist Authority in 2001–02. This funding was one element in the Government's package of recovery assistance that included rural business recovery funding, hardship business rate relief and interest-free deferral of tax payments. This year, the British Tourist Authority has launched a £40 million 'Million Visitor Campaign' aimed at promoting Britain in seven key international markets through a unique partnership between Government and the tourism industry.

Assistance for tourism in Scotland and Wales, outside the programmes of the British Tourist Authority, is a matter for the devolved Administrations. Coastal towns have continued to benefit from a range of Government programmes.

Mr. Wray: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on tourism in the UK in 2002; and what assessment she has made of the prospects for tourism. [68238]

Dr. Howells: The British Tourist Authority has forecast that inbound tourism trips to the UK in 2002 will be up by 5 per cent. to 7 per cent., and inbound tourism expenditure up by 8 per cent. to 10 per cent., on 2001.

The English Tourism Council (ETC) has said that it expects tourism to return to pre-foot and mouth levels during 2002. A recent survey by the ETC has suggested that 59 per cent. of tourism businesses have already returned to normal business levels.

Domestic tourism forecasts in Scotland and Wales are matters for the devolved Administrations.

Music Industry

Mr. Connarty: To ask the Secretary of State for Culture, Media and Sport what progress has been made in establishing an office in the USA to assist and promote the British music industry. [66389]

Dr. Howells: The Government share the UK music industry's assessment of the importance of the US market, and are working closely with the industry on ways of improving our export performance in it. We welcome the industry's innovative approach, and are considering very carefully the proposal, set out in its report of 28 May, to establish a music office in the US.

Hockey

Mr. Heald: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the role hockey will play in the plans to invest in school sports recently announced by the Prime Minister. [68111]

Mr. Caborn: Hockey, together with other sports played in schools and clubs, will benefit from initiatives to improve access to, and the quality of, PE, school sport and club links for five to 16-year-olds. These initiatives include: expanding the specialist sport college network and school sport co-ordinator programme; "Step into Sport", a leadership and volunteering programme and investment in school sport facilities with an element of community use. Sports clubs will be helped to develop stronger links with local schools and to attract more children and young people as members and volunteers.

Mr. Heald: To ask the Secretary of State for Culture, Media and Sport (1) how many new astroturf hockey pitches have been opened in each of the last five years; [68113]

(2) how many *(a)* water based astroturf hockey pitches and *(b)* sand based astroturf hockey pitches there are in England. [68112]

Mr. Caborn: We have contacted Sport England to request the information required, and I will write to the hon. Member as soon as it is available, placing copies of my letter in the Libraries of both Houses.

NORTHERN IRELAND

District Policing Partnerships

Mr. Donaldson: To ask the Secretary of State for Northern Ireland what the timetable is for the establishment of district policing partnerships in each of the district command units in Northern Ireland. [66696]

Jane Kennedy: It is the Policing Board's intention to establish Direct Policing Partnerships (DPPs) as soon as practicable. Recruitment consultants have been appointed to facilitate the process leading to the appointment of independent members, and the Government will shortly issue a code of practice providing guidance as to how that process is to be managed. The final decision as to when positions are advertised rests with the Policing Board.

Paramilitary Symbols

Lembit Öpik: To ask the Secretary of State for Northern Ireland if he will make a statement on the role of the Terrorism Act 2000 in addressing the problems of *(a)* paramilitary flags, *(b)* paramilitary murals and *(c)* kerbstone painting; and if he will make a statement. [67223]

Jane Kennedy: Section 13 of the Terrorism Act makes it an offence to wear clothing or to wear, carry or display an article which arouses reasonable suspicion that the individual concerned is a member or supporter of a proscribed organisation. The Act makes no specific provision about flags, murals or kerbstone painting. Many of the flags, murals or kerbstone paintings in Northern Ireland are in any event of sectarian rather than paramilitary nature.

Police Service for Northern Ireland

Mrs. Calton: To ask the Secretary of State for Northern Ireland what recent progress has been made in improving ethnic minority representation in the Police Service for Northern Ireland. [67330]

Jane Kennedy: At 1 November 2001 there were 17 police officers in Northern Ireland from an ethnic minority background (0.16 per cent. of the total). Since recruitment to the Police Service of Northern Ireland (PSNI) began on 4 November 2001, there has been one new recruit from an ethnic minority community background, bringing the total number within the PSNI to 18 (0.18 per cent.)

While the Report of the Independent Commission on Policing in Northern Ireland (the Patten Report) noted that ethnic minorities comprise less than 1 per cent. of the Northern Ireland population (para. 14.6), particular account is being taken of the need to increase ethnic minority representation in the new policing service. This is reflected through both the design and publication of recruitment advertisements, and the organisation of familiarisation days for members of the Chinese community.

Mrs. Calton: To ask the Secretary of State for Northern Ireland what recent progress has been made in improving the gender balance in the Police Service for Northern Ireland. [67336]

Jane Kennedy: At 1 November 2001 there were 931 (12.9 per cent.) female officers in the Northern Ireland police service. Since recruitment to the Police Service of Northern Ireland (PSNI) began on 4 November 2001, this figure has risen to 1,012 (14.9 per cent.) female police officers (as at 1 June 2002).

Particular effort is being made to increase female representation in the PSNI, through targeted recruitment advertising and the organisation of familiarisation days for women. In addition, section 48 of the Police (Northern Ireland) Act 2000 requires the Policing Board to make an action plan for monitoring the number of women in the service and for increasing their numbers if they are under-represented.

Public Service Agreement Targets

Mrs. Calton: To ask the Secretary of State for Northern Ireland what progress has been made in reviewing PSA targets. [67331]

Jane Kennedy: Discussions are ongoing between the Department and the Treasury to finalise the details of NIO's revised PSA, covering the three-year period of the 2002 Spending Review, commencing 2003–04 and ending 2005–06. This will appear in a Treasury White Paper, to be published within the next few weeks.

Mrs. Calton: To ask the Secretary of State for Northern Ireland what progress the Northern Ireland Office has made in meeting objectives and targets in its PSA. [67332]

Jane Kennedy: Details of progress made in meeting objectives and targets in the NIO's PSA as at 31 March 2002 are contained in the Northern Ireland Office 2002 departmental report, "Expenditure Plans and Priorities" (Cm 5432), published in June 2002 (Table 4.1).

Small Business Security Grant Scheme

Mrs. Calton: To ask the Secretary of State for Northern Ireland what progress has been made by the Northern Ireland Office with the Small Business Security Grant Scheme. [67333]

Jane Kennedy: The Small Business Security Grant Scheme is administered by the Northern Ireland Crime Prevention Panel (NICPP), a registered charity which aims to promote initiatives that help reduce crime locally. The NIO has provided funding amounting to £650,000 for the scheme. The panel established a scoring system based against which to assess applications. After a slow start, 1,800 applications were received by the closing date of 31 January 2002 exceeding expectations and the funding available. £560,000 has already been distributed to 631 successful applicants. The NICPP's Awards Panel has recently met to approve a further tranche of grants and to finalise the arrangements finalising the scheme at the end of November 2002 by which time all applicants to the scheme will have been informed as to the outcome of their application.

HOME DEPARTMENT

Asylum Accommodation

Mr. Luff: To ask the Secretary of State for the Home Department if he will offer undertakings to *(a)* West Mercia police authority police and *(b)* Hereford and Worcester fire authority about their protection from legal liability for the consequences of disturbances at the proposed asylum accommodation centre at Throckmorton. [59799]

Beverley Hughes: We are considering the insurance provisions necessary for accommodation centres.

Asylum Seekers

Mrs. Ellman: To ask the Secretary of State for the Home Department if he will conduct an inquiry into NASS's supervision of contracts related to landmark properties in Liverpool. [62423]

Beverley Hughes *[holding answer 17 June 2002]:* Arrangements already exist to monitor the performance of the National Asylum Support Service (NASS). Like any other directorate within Immigration Nationality Directorate (IND), NASS and its management is subject to investigation by the Home Office Internal Audit and the National Audit Office on financial issues. However I have asked the director of NASS to arrange for an inquiry into issues arising from NASS's dealings with the Landmark company to be carried out. The terms of reference for the inquiry are as follows:

> To carry out an investigation into and to establish the facts surrounding the transfer of NASS supported asylum seekers from the Landmark building and The Inn on the Park in May/June 2002;
>
> To review the actions of Landmark, its directors and employees during the period up to and including the removal of asylum seekers from these two properties with particular reference to the terms of NASS's contract with Landmark and to make a report on any contract compliance issues that arise;
>
> To review and report on NASS's dealings with Landmark and the asylum seekers resident in these two buildings throughout the transfer period;
>
> To review and report on the extent to which the rights and reasonable expectations of the NASS supported asylum seekers were met during this transfer period;
>
> To review more generally NASS's handling of its contracts with Landmark: and
>
> To make recommendations for any immediate actions to be taken in relation to the transfer and to make recommendations in relation to NASS's management of such contracts and similar situations in the future.

Asylum Seekers (Afghanistan)

Ross Cranston: To ask the Secretary of State for the Home Department what his policy is towards unsuccessful asylum seekers from Afghanistan; and if he will make a statement. [69923]

Beverley Hughes: Our long standing approach to Afghan asylum applications has been that we would not, other than in exceptional circumstances, normally seek to return to Afghanistan asylum seekers whose applications have been found not to meet the criteria set down in the 1951 United Nations Refugee Convention. In those circumstances we would normally grant the unsuccessful asylum applicant four years exceptional leave to remain (ELR) in the United Kingdom. We modified that policy in April this year so as to grant only 12 months ELR to reflect the improving situation in Afghanistan.

Large numbers of Afghans have come to the United Kingdom to seek asylum in recent years. We have provided them with asylum when they have needed it or granted ELR. But the situation in Afghanistan has now changed.

We believe there has been a real and sustained improvement in the country situation. The recent establishment of the Transitional Government serves to underline the improvements which continue to be made. The improvement in the country situation no longer justifies a blanket policy of granting exceptional leave to remain in the United Kingdom to all asylum seekers from Afghanistan who do not meet the criteria in the 1951 United Nations Refugee Convention. We will of course continue to honour our international obligations under the 1951 United Nations Refugee Convention and European Convention on Human Rights.

Asylum caseworkers will continue to consider—on a case by case basis—whether in the individual circumstances of a particular case it is appropriate to grant exceptional leave to remain in the United Kingdom to an unsuccessful asylum applicant and taking into full account the country situation. If the circumstances of an individual case justify it, exceptional leave to remain will be granted but, for the reasons stated above, I have decided that a blanket policy of granting exceptional leave to remain in all such cases is no longer justified. In cases where asylum has been refused, and exceptional leave has not been granted, we will take the appropriate enforcement action.

Further, in order to facilitate voluntary returns to Afghanistan I am considering whether for a limited period of time, incentive payments could be made to returnees. The payments would help returnees to re-establish themselves in Afghanistan. The payments would be closely administered and time limited: it is essential that they not act as a pull-factor to the United Kingdom, nor their provision abused. We will also be looking into what other support may be needed in order to ensure the sustainability of returns.

This would be the start of a number of packages we intend to develop to encourage return to help in the reconstruction of Afghanistan. Other packages will involve, for example, different forms of re-integration programmes and explore and prepare visits. This demonstrates our long-term commitment to the reconstruction of Afghanistan.

Criminal Cases Review Commission

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many cases the Criminal Cases Review Commission are reviewing; how cases are classified; what percentage of all cases concern sexual abuse and of those, how many cases are *(a)* related to historic sexual abuse in care homes and *(b)* within a domestic context; and what period of time has elapsed between the sex crime being committed, the case being brought to court and the CCRC considering the case in each case. [64267]

Hilary Benn: At 30 April 2002 there were 402 cases under review and 309 waiting for allocation distributed as follows:

Stage	*Cases*
Waiting for Stage 1 review	3
Under Stage 1 review	35
Waiting for Stage 2 Screen review	120
Under State 2 Screen review	171
Waiting for Stage 2 review	186
Under Stage 2 review	187
Under Stage 3 review	9

The Commission includes abuse in care homes cases in the category of "Sexual Offences". Sexual offences cases constitute a very significant percentage of all the applications received.

Of the 834 applications received in the 12 months to 31 March 2002 the sexual offences were as shown:

Sexual offences	*Number of offences*	*Percentage of all offences*	*Number of counts*	*Percentage of all counts*
Indecent assault	129	12.1	328	18.9
Rape	124	11.8	195	11.2
Other	67	6.3	165	9.5
Total	320	30.2	688	39.6

The Commission has set up a working group to analyse and refine its approach to child sex abuse cases and this group will gather more detailed data on the type and circumstances of the offences and convictions. This will include information on the institutional/domestic environment of the offence and the elapsed time from the crime to the conviction.

The average time between conviction and application to the Commission for all applications is 3.5 years.

Parliamentary Questions

Mr. Dismore: To ask the Secretary of State for the Home Department when he will answer the questions from the hon. Member for Hendon, refs 25180 and 25186. [31629]

Mr. Bob Ainsworth: I replied to question 25180 on 15 January 2002 and to question 25186 on 23 January 2002. Unfortunately, there was an error in the printing of the *Official Report,* and the answers appeared with the wrong questions. This error has been rectified for the Bound Volume of *Hansard*. In the meantime, I have resubmitted the correct versions of these questions and answers to my hon. Friend.

New Prisons

Simon Hughes: To ask the Secretary of State for the Home Department who will pay insurance for future new prisons in England and Wales; and if he will make a statement. [66620]

Hilary Benn *[holding answer 2 July 2002]:* I refer the hon. Member to the reply I gave to my hon. Friend the Member for Hayes and Harlington (John McDonnell) on 3 July 2002, *Official Report,* column 439W.

Departmental Expenditure Limit

Mr. Bercow: To ask the Secretary of State for the Home Department how much and what proportion of the departmental expenditure limit for 2002–03 had been spent by 31 May; what the figures were for 2001–02; and if he will make a statement. [61012]

Beverley Hughes: The information requested is provided in the table.

	2001–02	*2002–03*
Annual departmental expenditure limit (DEL) (£ million)	10,731	10,230
Spend to 31 May (£ million)	1,823	2,140
Spend to 31 May as proportion of annual DEL (per cent.)	17.0	20.9

The 2001–02 DEL includes £826 million from the DEL Reserve, voted in the spring Supplementary Estimates, mainly to fund asylum expenditure. If this is discounted, the spend to 31 May 2001 constitutes 19.9 per cent. of that year's DEL.

Case Numbers

Mr. Andrew Turner: To ask the Secretary of State for the Home Department how many cases *(a)* his Department and *(b)* each of its agencies have defended in (i) industrial tribunals and (ii) the courts in each year since 1997; what proportion were concluded in their favour; and what the costs of cases fought were, including damages paid. [38033]

Beverley Hughes *[holding answer 27 February 2002]:* The information is given in the table. I am sorry for the delay in replying.

Financial Year	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Home Office					
Court cases opened	1,730	1,768	1,954	2,474	2,436
Billable casework	3,062,229.64	3,299,971.95	3,476,051.50	5,180,641.93	4,176,102.76
Prison Service					
Court cases opened	743	911	1,314	1,173	1,047
Billable casework	4,169,656.24	4,129,371.72	3,788,272.50	5,688,196.36	4,214,200.61
Home Office					
Tribunal cases opened	22	22	33	35	44
Billable casework	74,502.46	108,813.04	113,300.15	242,767.23	296,473.51
Prison Service					
Tribunal cases opened	80	83	118	178	134
Billable casework	359,250.63	273,758.80	464,692.55	794,655.63	1,023,295.85

Notes:

1. Figures given for the Home Office include its agencies apart from the Prison Service.
2. The figures are supplied by the Treasury Solicitor's Department, which is responsible for litigation on behalf of the Home Office and its agencies.
3. Court cases include judicial review and personal injury litigation. There is a small amount of commercial litigation not reflected in these figures.
4. These figures do not include the proportion of cases concluded in favour of the department or the amount of damages paid. These items could not be obtained without disproportionate effort.
5. The figures for billable casework include amounts charged by the Treasury Solicitor in respect of both time and disbursements.

These figures show the arising amount and cost of litigation over the last five years. Around 2,500 cases were opened in the financial year 1997–8; over 3,500 have been opened to date in this financial year. The cost has arisen from roughly £7.5 million to £9.7 million. Prison Service litigation represents about a third of the total number of cases; while immigration judicial review covers about 90 per cent. of the judicial review cases which themselves form about two thirds of all the litigation.

While the rise in the number and cost of judicial review and personal injury cases has been about 50 per cent. over the past five years, in the employment field the cases have doubled and the costs have all but trebled. This matter is under active consideration by the Prison Service.

Paul Wright

Mr. Battle: To ask the Secretary of State for the Home Department when he will publish the report of the independent investigation into the circumstances of Paul Wright's death at Leeds Prison on 7 November 1996, ordered by Mr. Justice Jackson on 27 June 2001. [69924]

Hilary Benn: I welcome this report, which is today being placed in the Library together with our response to the five findings and 20 recommendations made in the report. The Prison Service has previously accepted partial liability for the death of Paul Wright because failure to provide proper medical treatment was a contributory factor to his death, and in October 2000 apologised to the family, followed by an out-of-court settlement in December 2000. This independent investigation provides a very thorough review of the circumstances surrounding the death of Paul Wright and associated issues. Two of the findings reflect conflicts of evidence that are unlikely ever to be resolved.

This was a unique investigation in circumstances unlikely to be repeated, largely because of changes made since 1996, including: provision of health care services in prison has been changed through a partnership between the Prison Service and the NHS at local, regional and national level; procedures for recruitment and supervision of prison medical officers have been improved, with training and qualification requirements tightened; and all self-inflicted deaths in prisons are now routinely investigated and investigation reports disclosed to families. In addition, a clinical review of the treatment provided to a prisoner dying in custody from natural causes routinely now takes place. Procedures for investigating all deaths in prison custody are currently under review. In parallel, a wider Home Office and Government review of investigations and inquiries is taking place against a background of emerging jurisprudence from both the domestic and European Courts. This investigation has provided some valuable insights which will help inform this debate, specifically in relation to the introduction of independence in future investigations.

I hope that the changes which have been made show that we are trying to learn from what's happened as a result of our failure to look after Paul Wright in the way that we should have done.

LORD CHANCELLOR'S DEPARTMENT

Contact Orders

Ms Shipley: To ask the Parliamentary Secretary, Lord Chancellor's Department how many schedule 1 offenders have been granted unsupervised contact orders in each year since 1999. [68208]

Ms Rosie Winterton: The Department keeps routine statistics on the numbers of applications for contact and orders made but does not keep information about the party in whose favour an order was made. When considering making a contact order the court has the child's welfare as its paramount consideration. This includes taking into account any harm a child has suffered or is at risk of suffering.

Ms Shipley: To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on how contact arrangements will be made safe for children before new measures are introduced; and how she will enforce contact orders. [68212]

Ms Rosie Winterton: When considering applications for contact the court is obliged to make the welfare of the child its paramount concern. This includes considering any harm a child has suffered or is at risk of suffering. The court can attach conditions to contact and make orders for the protection of children and their parents in any family proceedings. In addition to case law and the Guidelines prepared by the Children Act Sub Committee of the Lord Chancellor's Advisory Board on Family Law (CASC), the Department is considering possible amendments to court rules to ensure consistency in the treatment of applications for contact where there are allegations of violence. The Department is also facilitating the Child Contact Centre Working Group. The group is prioritising measures to ensure the safety of those using such services. The Government are considering the recommendations of CASC's report 'Making Contact Work' on the facilitation and enforcement of contact and will be making an initial response shortly. Ensuring contact is safe is a key consideration.

Ms Shipley: To ask the Parliamentary Secretary, Lord Chancellor's Department how many contact orders under section 8 of the Children Act 1989 were *(a)* refused and *(b)* granted in (i) 1999, (ii) 2000 and (iii) 2001. [68213]

Vera Baird: To ask the Parliamentary Secretary, Lord Chancellor's Department how many contact orders were *(a)* granted and *(b)* refused under section 8 of the Children Act 1989 in (i) 1999, (iii) 2000 and (iii) 2001. [68319]

Ms Rosie Winterton: The figures sought are published annually in Judicial Statistics.

	1999	*2000*	*2001*
Granted	41,862	46,070	55,030
Refused	1,752	1,276	713

Contact orders include ones made for indirect contact or supervised contact. Although no breakdown is currently available, we will be undertaking a sampling exercise later this year to obtain information on this area.

Ms Shipley: To ask the Parliamentary Secretary, Lord Chancellor's Department if courts are required to ensure contact arrangements are safe for children. [68209]

Ms Rosie Winterton: When considering applications for contact the court is obliged to make the welfare of the child its paramount concern. This includes determining whether a child has suffered or is at risk of suffering harm and taking steps to protect the child and any other party to proceedings. The court can attach conditions to contact and make orders for the protection of children and their parents in any family proceedings if the court believes this is necessary, regardless of whether or not such conditions or orders have been requested. The Department is considering possible amendments to court rules to ensure consistency in the treatment of applications for contact where there are allegations of violence.

Public Consultations

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what the length was of each public consultation undertaken by his Department since 8 June 2001. [68744]

Ms Rosie Winterton: The length of each public written consultation undertaken by the Department since 8 June 2001 is as follows.

Title	*Month*	*Length of consultation (weeks)*
Report of the Review Group on the Royal Peculiars	July 2001	11
Administrative Court—Proposed Changes To Primary Legislation Following Sir Jeffrey Bowman's Review of the Crown Office List	July 2001	12
Towards Effective Enforcement—a single piece of bailiff law and a regulatory structure	July 2001	12
Payments into Court in Satisfaction of a claim	August 2001	13
Report of the Review of Tribunals by Sir Andrew Leggatt	August 2001	15
General Preaction Protocol	October 2001	16
Damages for Future Loss: Giving the Courts the Power to Order Periodical Payments for Future Loss and Care Costs in Personal Injury Cases	March 2002	12
Payments to Witnesses	March 2002	12
Freezing Injunctions and Search Orders in Civil Proceedings	March 2002	12
Promoting Inter-Agency Working in the Family Justice System	March 2002	14
Making Decisions: Helping People Who Have Difficulty Deciding for Themselves	April 2002	13
Selection Procedures for the Circuit Bench and Recordership	April 2002	[1]13

[1] Subject to request for extension until 22 July 2002

Comprehensive Spending Review

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department how many staff have contributed to her Department's input to the Spending Review. [68678]

Ms Rosie Winterton: The Lord Chancellor's Department employed six officials within the central finance function to work on the Spending Review on a near full-time basis in recent months. In addition, two senior civil servants devoted a substantial proportion of their time to the review. A large number of officials from discrete business areas also contributed.

Asylum Applications

Mr. Lepper: To ask the Parliamentary Secretary, Lord Chancellor's Department how many appeals in relation to rejected asylum applications were *(a)* received, *(b)* withdrawn and *(c)* heard in the periods (i) April 2000 to March 2001 and (ii) April 2001 to February 2002. [42897]

Ms Rosie Winterton: I apologise for the delay in responding.

(a) The IAA received 37,573 asylum appeals during the period April 2000 to March 2001 and 46,578 cases during the period April 2001 to February 2002.

(b) Reliable data on withdrawals and hearings was not held prior to October 2000.

(b) During the periods:

October 2000 to March 2001:

1,181 applications for appeal were withdrawn; 1,124 at the adjudicator level, two at leave to appeal to tribunal level and 55 at tribunal level.

April 2001 to February 2002:

3,047 applications for appeal were withdrawn; 2,932 at the adjudicator level, nine at leave to appeal to tribunal level and 106 at tribunal level.

(c) During the periods:

October 2000 to March 2001:

The IAA heard 26,603 appeal applications; 25,528 at the adjudicator level and 1,075 at the tribunal level.

April 2001 to February 2002:

The IAA heard 57,718 appeal applications; 54,828 at the adjudicator level and 2,890 at the tribunal level.

HEALTH

Homeless People

Dr. Evan Harris: To ask the Secretary of State for Health if he will make a statement on homeless people's ability to gain access *(a)* to health services in (i) primary and (ii) secondary care and *(b)* to social services. [56155]

Mr. Lammy: Primary care trusts are responsible for developing in partnership with social services departments, other agencies and local communities, a local health improvement and modernisation plan (HIMP) that outlines the health and social care services available for their local population, including homeless people. In conjunction with local authorities' homeless strategies, the HIMP should assess local need and address any gaps in services.

Ministerial Salaries

Mr. Bercow: To ask the Secretary of State for Health what the annual cost was of ministerial salaries in his Department in *(a)* 1997–98 and *(b)* 2001–02. [60935]

Mr. Lammy: The level of ministerial salaries are recommended by the Senior Salaries Review Body. The figures below exclude the salaries House of Commons Ministers receive as Members of Parliament.

From May 1997 to July 1998, in this Department there was one Cabinet Minister at an annual salary of £43,991; two Ministers of State at an annual salary of £31,125; one Parliamentary Under-Secretary of State at an annual salary of £23,623; and one Minister of State (House of Lords) at an annual salary of £51,838.

From June 2001, there was one Cabinet Minister at an annual salary of £68,157; two Ministers of State at an annual salary of £35,356; two Parliamentary Under-Secretaries of State at an annual salary of £26,835; and one Parliamentary Under-Secretary of State (House of Lords) at an annual salary of £60,961.

Medical Students

Dr. Fox: To ask the Secretary of State for Health how many letters Ministers in his Department have received in the last three months from *(a)* hon. Members, *(b)* medical students and their representatives and *(c)* others regarding problems faced by medical students. [61442]

Mr. Lammy: The Department cannot provide the information in the format requested.

Strategic Health Authorities

Dr. Fox: To ask the Secretary of State for Health how many strategic health authorities have nurses on their boards. [61446]

Mr. Lammy: Information on the number of nurses on the boards of the new health authorities (to be known as strategic health authorities) is as follows:

midlands and east of England: four of the eight health authorities (HAs) have members on the board with nursing qualifications;

north: seven of the eight HAs have nurses/people with nursing qualifications on their boards;

London: at present there are no nurses on the boards of the five HAs in London. However, nurse views are represented on the North West London health authority board by the chief executive, who is a qualified nurse. In addition to this, two HAs in the London area are currently in the process of recruiting Directors of Nursing;

south: four of the seven HAs have nurses/people with nursing qualifications on their boards.

Of those HAs in the country who do not have nurses/people with nursing qualifications on their boards, they propose to have such people on their top management teams or are ensuring that they have direct access to senior nursing advice.

Coronary Care

Dr. Gibson: To ask the Secretary of State for Health whether guidance has been provided to primary care trusts on the provision of drug eluting stents for use in percutaneous coronary intervention. [61629]

Ms Blears: No guidance has been given to primary care trusts on the provision of drug eluting stents for use in percutaneous coronary intervention. The Department referred drug eluting stents to the National Institute of Clinical Excellence (NICE) on 20 May this year for appraisal. NICE will produce technology appraisal guidance for the national health service on the clinical and cost-effectiveness of drug eluting stents and on the appropriate use of this new technology.

Private Finance Initiative

Mr. Hancock: To ask the Secretary of State for Health what the *(a)* start date and *(b)* completion date is for the private finance initiative at the Queen Alexandra Hospital, Portsmouth; whether the initiative is on schedule for completion; and if he will make a statement. [61670]

Ms Blears: The Queen Alexandra Hospital, Portsmouth re-issued its Official Journal of the European Community in August 2001, and is expected to reach financial close by the end of February 2003. Start on site will commence shortly after and completion is anticipated in 2007.

Consultant Neurologists

Bob Russell: To ask the Secretary of State for Health when he expects both positions for consultant neurologists at Colchester General Hospital will be filled; when the posts were advertised; and if he will make a statement. [63469]

Ms Blears: The local primary care trusts have been seeking to expand the neurology service at Essex Rivers Healthcare National Health Service Trust from a one-consultant to a two-consultant service.

The trust held interviews on 25 June to appoint a consultant neurologist. Once the first consultant neurologist is in post, the trust will recruit to the second post.

Affordable Housing

Brian Cotter: To ask the Secretary of State for Health what action is being taken by his Department with regard to the provision of affordable housing for NHS staff. [65729]

Mr. Hutton: We fully recognise the importance to recruitment and retention of good quality, affordable accommodation being available for nurses and other health workers, and this is why we set out a target of providing 2,000 additional units by July 2003 in the NHS Plan.

We have established the national health service housing initiative and, since the launch of the NHS Plan, 1,273 additional units of accommodation have been sourced through negotiation with registered social landlords and other providers. In addition, contracts have been agreed on a further 243 units of accommodation and 725 units are agreed subject to contract. The housing initiative has been extended to include the south-east and other hotspots, including a new staff hotel at the John Radcliffe in Oxford. We have also established an accommodation bureau and website so that available accommodation is used more efficiently.

We also recognise the importance of home ownership in the retention of staff and by 2004, around 5,000 NHS staff should have benefited from the £250 million allocated under the starter home initiative. Assistance is in the form of equity loans, interest free loans and shared ownership.

Recycling

Sue Doughty: To ask the Secretary of State for Health what proportion of waste produced in his Department was *(a)* recycled, *(b)* composted and *(c)* re-used, broken down into (i) paper, (ii) plastics, (iii) aluminium cans and (iv) other in each year since 1997; what plans there are to increase these proportions; and if he will make a statement. [65680]

Mr. Lammy: Figures are only available from 2001–02. These show that of the total waste collected in the main buildings occupied by the Department, 84.1 per cent. has been recycled. There is no breakdown to show what proportions have been composted or re-used.

Of the amount recycled, 80.5 per cent. was paper, 0.7 per cent. cans and 18.8 per cent. all other waste.

The levels of waste and recycled materials are continually monitored and opportunities and initiatives to increase the levels of waste material recycled or re-used are under constant consideration.

Sue Doughty: To ask the Secretary of State for Health what proportion of *(a)* paper and *(b)* other goods purchased by his Department was recycled paper in each year since 1997; what the annual total cost of these purchases was; what plans there are to increase these proportions; and if he will make a statement. [65774]

Mr. Lammy: It is only possible to answer in the detail required for the last year 2001–02.

The Department has a central stationery contract through which its normal supply of paper is purchased. For 2001–02, the amount of recycled paper purchased constituted 73.8 per cent. of the total paper purchased by the Department. The cost of this purchase was £138,864.

The Department continues to monitor usage of paper and seeks, where possible, to reduce use of paper in favour of electronic communications. Where paper products are necessary, the Department encourages the use of recycled paper. This is an on-going initiative.

NHS Direct

Mr. Paul Marsden: To ask the Secretary of State for Health how many complaints have been made about NHS Direct in each region in each month since its launch; and if he will make a statement. [65585]

Mr. Lammy: It is not possible to provide a comprehensive breakdown of complaints made about NHS Direct in each region. In the financial year 2000–01, 148 written complaints were received about NHS Direct in England. These figures are collected annually and not monthly. This equates to one complaint in over 20,000 calls made to NHS Direct.

Details of all written complaints can be found on the Department's website: www.doh.gov.uk/nhscomplaints

0870 Telephone Numbers

Mr. Randall: To ask the Secretary of State for Health what his policy is on using 0870 telephone numbers for inquiries by the public to the Department and its agencies. [66195]

Mr. Lammy: The Department decides on the appropriate tariff for national lines on a case by case basis, taking account of the purpose of the line, its intended audience and the ability of the target audience to pay.

Clinical Nurse Specialists

Mr. Bruce George: To ask the Secretary of State for Health (1) how many clinical nurse specialists there are in the field of skin cancer; [66658]

(2) what plans he has to increase the number of clinical nurse specialists in skin cancer. [66659]

Mr. Lammy: The Department does not collect information on nurse sub-specialities.

The NHS Cancer Plan sets out the Government's commitment to investment in cancer services, including the nursing work force. We expect to see an increase in specialist cancer nurses in line with needs identified in local cancer service delivery plans.

Infliximab

Mr. Gareth Thomas: To ask the Secretary of State for Health what additional funding has been made available to primary care trusts and acute hospitals to help fund the cost of patients using infliximab. [66814]

Mr. Lammy: We have not allocated earmarked funding for National Institute for Clinical Excellence (NICE) recommended treatments such as infliximab. However, national health service bodies have a statutory obligation to fund such treatments. General allocations to health authorities take account of the pressures on pay, prices and the cost of implementing NICE recommendations which they all face. Allocations have increased by at least 6 per cent. in real terms in 2002–03.

Smallpox Vaccine

Mr. Bellingham: To ask the Secretary of State for Health whether Bavarian Nordic were approached directly and invited to bid during the negotiations to award the smallpox vaccine contract. [67549]

Mr. Hutton: Yes, Bavarian Nordic were approached directly regarding the supply of smallpox vaccine, but made it clear that Powderject were their nominated supplier for smallpox vaccine in the UK.

Mr. Bellingham: To ask the Secretary of State for Health whether other bidders for the smallpox vaccine awarded to Powderject committed themselves to supply a vaccine that was free of BSE agents. [67543]

Mr. Hutton: Yes, other bidders for the smallpox vaccine awarded to Powderject committed themselves to supply a vaccine that was free of bovine spongiform encephalopathy (BSE) agents. European legislation demands that an application for marketing authorisation of a medicinal product in the European Union must include satisfactory demonstration of compliance with the European note for guidance on minimising the risk of transmitting animal spongiform encephalopathy agents via human and veterinary medicinal products.

If a manufacturer wishes to produce smallpox vaccine using virus culture in bovine cells, the appropriate regulatory guidance on cell characterisation and storage would have to be followed.

Mr. Bellingham: To ask the Secretary of State for Health whether IDT were approached directly during the negotiations to award the smallpox vaccine contract and invited to make a bid. [67540]

Mr. Hutton: Impfstoffwerke Dessau Tornav Gmbh (IDT) were not approached during the negotiations to award the smallpox vaccine contract and were not invited to make a bid. It was known from the outset that IDT were a sub-contracting partner of Bavarian Nordic, with whom Powderject had an exclusive agreement to act as their suppliers. An official from the Department accompanied officials from the Ministry of Defence on a visit to Bavarian Nordic and IDT at the end of January (31) on a fact-finding visit to discuss vaccine developments and manufacturing techniques and capacity for both types of smallpox vaccine being made by the company.

Mr. Bellingham: To ask the Secretary of State for Health whether the relevance of the nationality of the supplier to national security was considered during the tendering process for the smallpox vaccine contract. [67545]

Mr. Hutton: The key selection criteria upon which the contract for the supply of smallpox vaccine was awarded were the company's ability to provide vaccine of the chosen strain and its ability to complete supply within the preferred timescale. The security of supply in the event of an emergency was a factor that was considered, but not the nationality of the supplier.

Racial Harassment

Mr. Hancock: To ask the Secretary of State for Health what measures have been implemented to reduce racial harassment of NHS staff; how many incidents of racial *(a)* abuse and *(b)* attacks have been recorded in the last year in each health authority; and if he will make a statement. [67420]

Mr. Hutton: The Government is fully committed to diversity and equality of opportunity for all health service staff and patients and we are taking vigorous action to achieve this. There is no place for discrimination or harassment in the National Health Service on grounds of race or ethnicity, gender, sexual orientation, disability, religion, or age.

The Improving Working Lives (IWL) Standard establishes targets and measures for promoting real improvements in the working lives of NHS staff. It makes it clear that every member of staff is entitled to work in an organisation which can prove that it is investing in, and improving, diversity and tackling discrimination and harassment.

Activity to achieve this aim is occurring on a number of fronts. We have launched an equalities framework ('The Vital Connection') which incorporates clear requirements for the NHS in promoting equality and introduces a package of indicators, standards and monitoring arrangements to support progress and manage performance as part of human resources performance management. It includes specific measures on race and harassment.

In addition, the 'Positively Diverse' programme is developing the knowledge and capacity of NHS organisations to build and manage a diverse workforce. It provides the process for achieving the equalities related aspects of IWL and the targets set by the equalities framework and supports NHS organisations in meeting the workforce challenges set by the Race Relations (Amendment) Act 2000. In addition, new guidance and publicity posters, aligned with the NHS zero tolerance zone campaign, on dealing with harassment from service users has been developed and will be launched in September.

Information on incidents of racial abuse or attacks is not collected centrally, but may be held at a local level by NHS employers. The findings of the 2000–2001 survey of reported violent or abusive incidents, accidents involving staff and sickness absence in NHS trusts and health authorities, in England, were published on 13 June. A copy of the report setting out the main findings of the survey has been placed in the Library.

Junior Doctors' Time-sheets

Dr. Murrison: To ask the Secretary of State for Health if he will make a statement on the reliability of junior doctors' time-sheets. [67701]

Mr. Hutton: The monitoring of the hours worked by junior doctors is the responsibility of local employers. They and the juniors themselves are accountable for the accuracy of the figures, and the returns are required to be certified by the doctors in post.

Devon and Cornwall Health Authorities

Mrs. Browning: To ask the Secretary of State for Health by how much the Devon and Cornwall Strategic Health Authority is overspent; and by how much this will reduce health spending from central Government allocations in the year 2002–03. [69186]

Ms Blears: The new health authority (HA) for the south-west peninsula is currently within budget. The HA running costs of £4 million were top sliced from the overall allocation to the local health community.

Waiting Times (Mid-Essex)

Mr. Burns: To ask the Secretary of State for Health how many people *(a)* were waiting for in-patient treatment, *(b)* had been waiting for over 12 months for in-patient treatment and *(c)* had been waiting over 15 months for in-patient treatment, in the Mid-Essex hospital trust area in the last two months for which figures are available. [69029]

Mr. Lammy: The latest available information on patients waiting for inpatient treatment at the Mid-Essex Hospital National Health Service Trust are shown in the table.

	End of April 2002	*End of May 2002*
For inpatient treatment	4,149	4,199
Waiting over 12 months	192	162
Waiting over 15 months	0	0

Source:
DHSC monthly fast track figures

Delayed Discharges

Mrs. Calton: To ask the Secretary of State for Health if he will provide the latest delayed discharge percentages by local authority within the star rating system. [68394]

Jacqui Smith: There is no direct numerical relationship between the local authority star ratings and the figures for delayed discharge. The evidence upon which the ratings are based includes a wide range of information from inspections, joint reviews and monitoring, as well as the performance indicator data. Judgments that lead to the ratings are made against a set of standards, taking all this information into account. Information from Quarter 4 of 2001–02 on the numbers and percentage of delayed discharges at national and regional level, together with the reasons for delay, has been placed in the Library.

Social Services Grants

Mrs. Calton: To ask the Secretary of State for Health if he will make a statement on schemes submitted by local authorities for the personal social services performance grant for 2002–03. [68395]

Jacqui Smith: Councils have until 25 July 2002 to provide final details of their performance fund schemes to the Department. There is therefore as yet no information on the final schemes.

Doctors (Suspensions)

Dr. Evan Harris: To ask the Secretary of State for Health, pursuant to his answer of 25 June 2002, *Official Report*, column 846W, on doctors (suspensions), whether the definition of suspension includes absence on special leave, gardening leave and other paid absence; what the total costs to the NHS are of the suspensions for *(a)* the latest quarter for which figures are available and *(b)* the equivalent quarter for each of the previous six years; and if he will make a statement on the other information that is available from the Department's data collection exercise. [68657]

Mr. Hutton: For the purposes of the central quarterly data collection exercise into the long-term suspension of hospital medical and community dental staff, the definition of suspension does not include special leave, gardening leave or any other paid absence.

Based on national health service trust returns to the Department, the total cumulative costs of current suspensions lasting over six months for the first quarter of 2002 (1 January to 31 March) is £5,095,742.

Figures for the first quarter for the last three years is as follows:

1 January 2000 to 31 March 2000: £3,956,225

1 January 2001 to 31 March 2001: £4,245,789

1 January 2002 to 31 March 2002: £5,095,742.

Comparable and reliable data for the previous four years are not available.

The Department collects details which identify the individual doctor concerned in order to validate information relating to the suspension. This is not published in order to protect the confidentiality of the individual.

Dr. Evan Harris: To ask the Secretary of State for Health how many doctors were suspended for *(a)* less and *(b)* more than six months (i) at the latest date for which figures are available and (ii) for the equivalent quarter for each of the last six years. [68656]

Mr. Hutton: National health service trusts routinely report suspensions lasting six months or longer to the Department. Figures are not available for suspensions lasting less than six months.

As at quarter ended 31 March 2002 (the latest date for which figures are available) there were 29 doctors suspended for more than six months.

The figures for the last three years is as follows:

1 January 2000 to 31 March 2000: 32

1 January 2001 to 31 March 2001: 31

1 January 2002 to 31 March 2002: 29.

Comparable and reliable data for the previous four years is not available.

Mental Health

Mr. Heald: To ask the Secretary of State for Health if there is an *(a)* named person, *(b)* named organisation and *(c)* multi-agency group responsible for mental health promotion in County Durham and Darlington. [68141]

Jacqui Smith: A health promotion lead has been identified for County Durham and Darlington. Easington Primary Care Trust (PCT) is the lead organisation for mental health promotion, on behalf of all PCTs in County Durham and Darlington. The multi-agency group responsible for mental health is the County Durham and Darlington mental health promotion steering group. There are 34 members of the group which includes all PCTs, County Durham and Darlington Priority Services National Health Service Trust and representatives from general practitioner practices, users and carers, prisons, health promotion services, the police and social services.

Mr. Heald: To ask the Secretary of State for Health whether his Department has started to collect data on *(a)* the number of NHS nurses who work in mental health, *(b)* how many leave the service each year and *(c)* how many NHS nurses are recruited to mental health each year. [68155]

Mr. Hutton: The non-medical work force census currently includes community psychiatry, other psychiatry, community learning disabilities and other learning disabilities among other detailed areas.

An exercise to re-define occupation codes and collect work force data by care groups is under way and will provide a more accurate picture of number of nurses working in mental health.

In a separate exercise we are also modelling nurse labour market by branch, including mental health. This work will include consideration of mental health nurses joining and leaving the national health service each year.

Mr. Heald: To ask the Secretary of State for Health, (1) pursuant to his answer of 5 February 2002, *Official Report*, column 926W, on mental health, if he will list the data for 2001–02 in the same form; [68294]

(2) what the highest level of occupancy of beds on a single day in an acute mental health ward in London has been in 2002. [68168]

Jacqui Smith: Occupancy levels are not collected on a daily basis for acute mental health wards. The average bed occupancy rate for each National Health Service trust, including London, in the financial year 2000–01 is available from http://www/doh.gov.uk/hospitalactivity/

Data for 2001–02 are not yet available.

Mr. Heald: To ask the Secretary of State for Health whether the evaluation of the Working Minds programme includes an assessment of how many people with a diagnosis of severe mental illness have found employment as a result of the programme; and if he will make a statement. [68123]

Jacqui Smith: The evaluation of the mind out for mental health campaign, including the Working Minds programme, does not include an assessment of how many people have found employment as a result of the programme. However, as I indicated to the hon. Member in my reply on 30 October 2001, *Official Report*, column 648W, the Working Minds programme works in partnership with employers to create positive shifts in workplace attitudes and behaviour surrounding mental health. Its objectives are far greater than helping people with mental health problems to find employment; the programme seeks to bring about a fundamental, long-term change in employers' policy and practice so that people with mental health problems are able to participate fully in the workplace. We are currently considering the findings of the evaluation.

Mr. Heald: To ask the Secretary of State for Health what progress has been made on the draft strategy on mental health services for people from black and ethnic minorities. [68149]

Jacqui Smith: The draft strategy is still being developed. We are aiming to publish a consultation document in the autumn.

Mr. Heald: To ask the Secretary of State for Health how many primary care mental health workers are in *(a)* employment and *(b)* training. [68140]

Jacqui Smith: I refer the hon. Member to the reply I gave on 13 February 2002 at column 469W, when I said that funds to support the appointment of 1,000 new graduate primary care mental health workers would be allocated in 2003–04. This year, £2.5 million has been made available to establish new training programmes to support them when they are employed. This initiative is being led by South Trent workforce development confederation.

Mr. Heald: To ask the Secretary of State for Health how much money has been spent on the National Institute for Mental Health; and what its budget is for 2002–03. [68165]

Jacqui Smith: The National Institute for Mental Health—England has a budget of £6,818,000 in 2002–03.

The budget will fund eight development centres across the country which will act as a main point of contact for frontline staff to, network, find solutions and put them into practice. It will also fund a mental health research network and eight other national programmes, to deliver change at a national level, help staff implement national plan commitments, and broaden capacity in the development centres to support the frontline.

Mr. Heald: To ask the Secretary of State for Health how many "Working Minds Employers' Toolkit" have been produced in the current financial year. [68125]

Jacqui Smith: I refer the hon. Member to the reply I gave him on 8 July 2002, *Official Report*, column 783W.

An additional 2,000 copies of the "Working Minds Employers' Toolkit" were printed in March 2002. Copies of the toolkit are still available and there are no plans at present to produce additional copies in this financial year.

Mr. Heald: To ask the Secretary of State for Health (1) if he will list the 10 community mental health teams with the highest caseload per care staff member; [68129]

(2) what the total caseload is of early intervention teams for mental health; [68137]

(3) how many early intervention teams for mental health *(a)* are in place and *(b)* offer a comprehensive service as described in the model. [68135]

Jacqui Smith: The numbers and configuration of community mental health teams are being monitored by the mental health mapping project. Data from autumn 2001 have recently become available. Copies of a mental health mapping atlas, which contains this information, have been deposited in the Library.

Mr. Heald: To ask the Secretary of State for Health (1) how much money is allocated for the Mind Out for Mental Health campaign in 2002–03; and how much was spent in 2001–02; [68166]

(2) what the communications expenditure of the Mind Out for Mental Health campaign was in 2000–01 and 2001–02; and what the communications budget is for 2002–03. [68167]

Jacqui Smith: Expenditure on the Mind Out for Mental Health campaign was as follows:

	£
2000–01	573,000
2001–02	1,300,000

Decisions have not yet been made on communications expenditure for 2002–03.

Mr. Heald: To ask the Secretary of State for Health what the reasons are for variations in the use made of guardianship under section 7 of the Mental Health Act 1983. [68143]

Jacqui Smith: The purpose of guardianship, under the Mental Health Act 1983, is to enable patients to receive community care where it cannot be provided without the use of compulsory powers. Local social services authorities have the responsibility for applying guardianship orders and we know that there is variation in their use. We believe that the reasons for this may include a lack of awareness and understanding of the provisions, and a lack of powers to compel compliance with a guardianship order.

The draft Mental Health Bill which was published on 25 June 2002 addresses these problems by introducing a legal framework that will enable patients on orders, under the Mental Health Act, to be based in the community. These will supersede guardianship orders and will provide a clearer statutory basis for protecting patients in the community.

Mr. Heald: To ask the Secretary of State for Health what proportion of local implementation teams for mental health services have emergency beds available for a crisis. [68138]

Jacqui Smith: Local implementation teams (LIT) have a planning function and also report back on progress with implementation of the mental health national framework service and NHS Plan. The teams do not themselves have available any service resources. However the trusts and social services departments supply information on the availability of services in their areas to the appropriate LIT.

All trusts will have beds available for the needs of people in an emergency and many now have 'crisis beds' available at special crisis houses supported by trusts, social services and/or voluntary organisations.

Mr. Heald: To ask the Secretary of State for Health what assessment he has made of the contribution made by *(a)* the electronic media and *(b)* the written media in changing attitudes and behaviour surrounding mental health as part of the Mind Out for Mental Health campaign. [68124]

Jacqui Smith: An evaluation of the Mind Out for Mental Health campaign, including the media strand, has been undertaken by an independent research company. We are currently considering the findings of this evaluation which covered all the main aspects of the campaign, including the campaign website.

Mr. Heald: To ask the Secretary of State for Health which services within mental health are collecting the mental health minimum data set. [68106]

Jacqui Smith: The mental health minimum data set has been designed to provide person-based information about adult and elderly people in contact with specialist mental health care services in England. The data set is being implemented on a phased basis with all adult and elderly services due to assemble it from their operational systems from April 2003.

Mr. Heald: To ask the Secretary of State for Health what steps he is taking to improve the mental health of children in local authority care. [68110]

Jacqui Smith: A number of initiatives are under way to improve the mental health of children in local authority care. These include several targeted projects funded through the child and adolescent mental health services innovation grant, new guidance on promoting the health of looked after children and the development of a national healthy care standard which will support care providers in developing a healthy care environment.

Mr. Heald: To ask the Secretary of State for Health what progress has been made by his Department in developing reporting lines which differentiate between *(a)* mental health crisis admissions out of areas which are not clinically indicated and *(b)* those which are so indicated; and if he will make a statement. [68153]

Jacqui Smith: The Department is looking at the best way of capturing information on admissions that are appropriately referred and dealt with by out of area services and those that are not.

This is a complicated area, and the Department needs to develop a way of assessing the use of out of area treatments that does not overburden the service with additional data collection, instead trying to use the systems already in place like the hospital episode statistics. This will take time, and in the meantime we are focusing attention on the development of crisis resolution services that will help avoid unnecessary out of area treatments.

Nursing Vacancies

Mr. Heald: To ask the Secretary of State for Health how many nursing posts there are in *(a)* London and *(b)* England which have been vacant for three months or more. [68157]

Mr. Hutton: The information requested is provided in the table.

	England	*London region*
Three month vacancy rate		
Qualified staff (per cent.)	3.1	6.1
Three month vacancy numbers (wte)		
Qualified staff	8,390	2,750
Staff in post (wte)		
Qualified staff	255,760	41,980
Staff in Post (head count)		
Qualified staff	299,950	46,470

Notes:

1. Three month vacancies are vacancies as at 31 March 2002 which trusts are actively trying to fill, which have lasted for three months or more (whole time equivalent)
2. Three month vacancy rates are three month vacancies expressed as a percentage of three month vacancies plus staff in post from this survey.
3. Vacancy and staff in post numbers are rounded to the nearest 10.
4. Percentages are rounded to one decimal place.
5. Due to rounding calculating the vacancy rates using the above data may not equal the actual.
6. Staff in data is from the non-medical work force census September 2001.

Source:

Department of Health Vacancy Survey 2002

Department of Health non medical work force census September 2001

NHS Costs

Mr. Heald: To ask the Secretary of State for Health what the cost of the NHS was per head of population in 2001–02. [68147]

Mr. Hutton: Public expenditure on the National Health Service in England is estimated to be £980 per head of population in 2001–02.

NHS Staff (Qualifications)

Mr. Heald: To ask the Secretary of State for Health if he will make a statement on progress made by the NHS in England in staff undertaking NVQ levels two and three in care. [68158]

Mr. Hutton: In 2001–02, the investment identified in the NHS Plan enabled over 9,000 staff to undertake National Vocational Qualification (NVQ) training and/or assessment. The investment is designed to help those National Health Service staff without a professional qualification to access either NVQ training to levels 2 or 3 or a NHS learning account.

Overseas Recruitment

Mr. Heald: To ask the Secretary of State for Health which directorate within his Department is responsible for overseas recruitment of staff. [68109]

Mr. Hutton: The human resources directorate is responsible for the international recruitment of staff.

Non-EU Nurse Training

Mr. Heald: To ask the Secretary of State for Health, pursuant to his answer of 4 March 2002, *Official Report*, column 122W, whether the figures for the year to 31 March 2001 are available; and if he will make a statement. [68295]

Mr. Hutton: The figures for the year ending 31 March 2001 are provided in the table.

Admissions to the register 2000–01

Country	*Number*	*Percentage*
Australia	1,046	12.42
Canada	89	1.06
New Zealand	393	4.67
Nigeria	347	4.12
Philippines	3,396	40.33
South Africa	1,086	12.90
USA	147	1.75
West Indies	172	2.04
Zimbabwe	382	4.54
India	289	3.43
Other	1,073	12.74
Total	8,420	100.00

Central Council for Physical Recreation

Mr. Heald: To ask the Secretary of State for Health what assessment he has made of the Central Council for Physical Recreation report "Saving Lives, Saving Money"; and if he will make a statement. [68152]

Ms Blears: Increasing participation in physical recreation has an important role to play in raising the rates of physical activity and improving public health. The national service framework for coronary heart disease requires the National Health Service to develop local programmes of effective policies on increasing physical activity. We welcome the findings of the Central Council of Physical Recreation report which documents the progress being made by primary care trusts towards this milestone. We are currently developing a primary care handbook which will provide guidance on delivering the national service frameworks, including advice on developing local prevention strategies and effective approaches to increasing physical activity.

Eating Disorders

Mr. Heald: To ask the Secretary of State for Health what the timetable is for the guidelines on the management of eating disorders to be produced by NICE. [68151]

Mr. Lammy: Full information about the guideline on the management of eating disorders to be produced by the National Institute for Clinical Excellence (NICE) may be found on the NICE website at www.nice.org.uk

The guideline is expected in September 2003.

Primary Care Trusts

Mr. Heald: To ask the Secretary of State for Health if he will place in the Library a list of the primary care trusts which have been established. [68145]

Mr. Hutton: A full list of all 303 primary care trusts in operation at 1 April 2002 will be placed in the Library.

Student Nurses and Midwives

Mr. Heald: To ask the Secretary of State for Health what plans he has to improve the help available to student *(a)* nurses and *(b)* midwives in financial hardship. [68154]

Mr. Hutton: The Government is confident that the National Health Service bursary scheme continues to provide satisfactory support for the great majority of students. At the same time we recognise that there are undoubtedly individual cases of hardship, and work is continuing to ensure we address any specific weaknesses in the support arrangements.

The Government is increasing the financial support provided for all health professional students through the NHS bursary scheme (including trainee nurses and midwives), both in terms of the basic bursary and other elements of the package. This will help ensure that as few a students as possible experience financial difficulties during their training.

The overall level of additional support available to those studying at degree level, through higher education (HE) access and hardship funds (funded by the Department for Education and Skills) in 2001–02 is £93 million, over four times that provided in 1997–98.

Nurses

Mr. Heald: To ask the Secretary of State for Health, pursuant to his answer of 12 June 2002, *Official Report*, column 1312W, if NHS Professionals' administration has been contracted to private nurses agencies; and if he will make a statement. [66848]

Mr. Hutton *[holding answer 4 July 2002]:* NHS Professionals is the NHS-led approach to temporary staffing for the NHS. The administration has not been contracted out to private nurses' agencies.

Cognitive Behaviour Therapy

Mr. Heald: To ask the Secretary of State for Health how widespread the use of cognitive behaviour therapy is; and in which parts of England it is not available. [68139]

Jacqui Smith: The Department has made no recent assessment of the use of cognitive behaviour therapy. However, cognitive behaviour therapy is recognised as an effective treatment for a range of mental health problems and information relating to this treatment can be found in the national service framework for mental health (www.doh.gov.uk/mentalhealth). The Department has also published a guideline 'Treatment Choice in Psychological Therapies and Counselling' and a booklet for service users that contain information about cognitive behaviour therapy and the common mental disorders for which its use is indicated.

Food Standards Agency

Mr. Laws: To ask the Secretary of State for Health what action he has taken to put in place a system for measuring the performance of the Food Standards Agency; and if he will make a statement. [69088]

Ms Blears: As a non-ministerial Government Department the system for measuring the performance of the Food Standards Agency (FSA) is the same as for other Government Departments. The FSA independently prepares its own submissions as part of Her Majesty's Treasury's (HMT) Spending Review although these are submitted to the HMT through my right hon. Friend the Secretary of State for Health. HMT approve the funding of the FSA on the basis of their submission and also agree a service delivery agreement setting out the main aims and targets to be achieved over the Spending Review period. A Departmental Report is prepared annually setting out the achievements of the FSA including an assessment of progress against each of the targets.

Drug Treatment Programmes

Mr. Laws: To ask the Secretary of State for Health what proportion of problem drug misusers, including prisoners, were in drug treatment programmes in each year since 1997–98; and if he will make a statement. [69106]

Ms Blears: The estimated number of problem drug users in the United Kingdom is between 260,000 and 340,000.

It is estimated that there were around 118,500 drug misusers in treatment in England, in 2000–01 (from 'Statistics from the Regional Drug Misuse Databases on drug misusers in treatment in England, 2000/01'); comparable information is not available for earlier years. The number of users presenting to drug misuse agencies (including both general practitioners and other agencies) in England in each of the six month periods ending 31 March 1997 to 31 March 2001 is given in the table.

Number of users presenting for treatment to drug misuse agencies in England during the six month periods ending 31 March 1997 to 31 March 2001

Six month period ending	*Number of users*
March 1997	25,925
September 1997	21,996
March 1998	23,916
September 1998	28,599
March 1999	28,499
September 1999	30,545
March 2000	31,815
September 2000	33,093
March 2001	33,234

Source: Statistics from the Regional Drug Misuse Databases, Department of Health

The figures above exclude treatment in prisons. The Prison Service does not hold this information. Figures on the number of prisoners entering drug treatment programmes is available but only for the period 2000 to 2002. They are:

2000–01, there were 3,100 entrants

2001/02 there were 4,691 entrants.

Food Safety

Mr. Keith Simpson: To ask the Secretary of State for Health (1) what evidence his Department presented to the National Audit Office report on the 2001 outbreak of foot and mouth disease concerning the risk assessment with regard to bovine DNA contained in imported frozen chicken breasts; [68838]

(2) whether he informed the Scientific Review into Foot and Mouth by the Royal Society of his Department's risk assessment with regard to bovine DNA contained in imported frozen chicken breasts; [68840]

(3) whether he informed the Inquiry into the lessons to be learned from the foot and mouth disease outbreak of 2001 of his Department's risk assessment with regard to bovine DNA contained in imported frozen chicken breasts. [68836]

Ms Blears: As this is not an issue which comes under the remit of either the inquiry into the lessons to be learned from the foot and mouth disease outbreak of 2001, or the National Audit Office value for money examination into the 2001 outbreak of foot and mouth disease, or the Royal Society study into infectious diseases in livestock, neither the Food Standards Agency (FSA) nor the Department for Environment, Food and Rural Affairs has raised it with them.

The FSA's survey investigating composition and labelling of frozen chicken breasts sold in the United Kingdom catering sector, published in December 2001, found pork DNA in two samples, but no bovine DNA was detected in any of the samples. However, a recent Irish survey published by the Food Safety Authority (Ireland) this May, found samples showing the presence of either pork DNA or beef DNA or both.

Correspondence

Mr. Drew: To ask the Secretary of State for Health when he will respond to the letter submitted by Mrs. Taylor of Stroud in November 2001, which was subsequently passed to the NHS Information Authority. [58340]

Mr. Lammy *[holding answer 22 May 2002]:* A letter answering the queries raised was sent by the chief executive of the National Health Service information authority to my hon. Friend on 24 June 2002.

NHS-PPP Estates Bid

Mr. Wyatt: To ask the Secretary of State for Health when he will announce the winning consortia of the NHS-PPP Estates bid; and if he will make a statement. [65595]

Mr. Lammy *[holding answer 1 July 2002]:* The winning consortia will be announced following the approval of the business case, which is planned for the autumn 2002.

Medicinal Products

Mr. Heald: To ask the Secretary of State for Health (1) if he will make a statement on the progress to the changes proposed to the definition of a medicinal product and the Government's position on these changes; [66854]

(2) if he will make a statement on progress that has been made to secure Her Majesty's Government's policy for no change to the scope of the centralised procedure with regards to the EU proposed amendments to the authorisation of human and veterinary medicines; [66850]

(3) if he will make a statement on the proposals to extend the use of the centralised system for the authorisation of human medicines; [66853]

(4) what assessment he has made of the impact the reduction in the amount of mutual recognition work concerning medicinal products will have on the relevant UK regulatory bodies. [66857]

Mr. Lammy *[holding answers 4 July 2002]:* The European Commission published proposals for wide-ranging amendments to the regulatory regime for human and veterinary medicines in December 2001. Among the proposed changes were the mandatory use of the centralised system for the authorisation of human medicines containing a New Active Substance (NAS) and a new definition of a medicinal product.

The UK, together with a number of other member states, has strongly opposed the mandatory use of the Centralised Procedure in negotiations. We do not see any scientific justification for this proposal, as it is the regulatory bodies in the member states who possess the expertise to carry out the scientific work. Nor do we believe that the proposal will improve the competitiveness of the pharmaceutical industry, as it reduces business flexibility.

The UK has promoted this view in the Council of Ministers and in the European Parliament and we have the support of a number of other member states. Final decisions have not been taken in either institution and the UK will continue to argue its case strongly in the meantime.

The Government agrees that there is a need to ensure that definition of a medicine is drafted in such a way that will allow new therapies to be appropriately regulated. However, the UK view is that the extension of the scope of the medicines legislation, particularly when linked to the new definition, is unwarranted and unacceptable, as it would capture many products already covered by other sectoral legislation. The Government sees no justification for this proposal and will continue to resist it. This position is shared by most other member states.

Outpatients, Lister Hospital

Mr. Heald: To ask the Secretary of State for Health what the average waiting time is for an outpatient appointment in the Maxilla/Facial Orthodontic and Restorative Department at the Lister hospital, Stevenage. [66765]

Mr. Lammy *[holding answer 4 July 2002]:* Figures are not available for the average waiting time for an outpatient appointment in the Maxilla/Facial Orthodontic and Restorative Department at the Lister hospital.

The table provides latest waiting time information for orthodontics and plastic surgery at East and North Hertfordshire NHS trust on how long the number of general practitioner referrals seen in quarter 4 2001–02 waited before they received their appointment.

	0 to 3 weeks	*4 to 12 weeks*	*13 to 25 weeks*	*26 plus weeks*
East and North Hertfordshire Hospitals NHS Trust				
Orthodontics	9	20	13	106
Plastic surgery	134	225	161	417
England				
Orthodontics	3,484	8,980	5,597	3,115
Plastic surgery	7,781	10,237	7,367	7,093

Source:

QM08

Ashford and St. Peter's Hospitals NHS Trust

Mr. Wilshire: To ask the Secretary of State for Health how many *(a)* extra beds and *(b)* extra staff he estimates will be required at the Ashford & St Peter's Hospitals NHS Trust to enable the new chief executive to achieve the franchise plan that he has approved. [67462]

Ms Blears *[holding answer 5 July 2002]:* I refer the hon. Member to my reply to him on 3 July 2002, *Official Report*, column 456W. The franchise plan for Ashford & St. Peter's Hospitals NHS Trust does not make any commitment to extra staff and beds. The Trust is assessing its capacity requirements in the longer term but plans have yet to be finalised.

Mr. Wilshire: To ask the Secretary of State for Health how many extra midwives are required by the Ashford & St. Peter's Hospitals NHS Trust to achieve full establishment. [67461]

Ms Blears *[holding answer 5 July 2002]:* I am advised by Ashford & St. Peter's Hospitals National Health Service Trust that the current funded establishment of midwives is 103 whole-time equivalents (WTE). There are currently 75 WTE staff in permanent positions. Therefore an additional 28 WTE staff are required to achieve full establishment.

However, in addition to the current permanent WTE staff of 75, the Trust has informed me that it also has a dedicated team of midwives temporarily employed to cover the shortfall, under the new NHS Professionals initiative. This results in an overall vacancy rate of 14 per cent. at the current time.

Mr. Wilshire: To ask the Secretary of State for Health (1) what the required reduction in expenditure arising from the merger of the Ashford Hospital NHS Trust and the St. Peter's Hospital NHS Trust was *(a)* in the year the merger took place and *(b)* in each subsequent year; [67464]

(2) what reduction in expenditure by Ashford & St. Peter's Hospitals NHS Trust was required by West Surrey Health Authority's Sustainable NHS plan. [67463]

Ms Blears *[holding answer 5 July 2002]:* In 1998–99, the year the hospitals merged, West Surrey Health Authority required strategic change savings of £300,000. As a result of the merger, the Ashford & St. Peter's Hospitals NHS Trust actually saved £1.4 million in management costs (£1.2 million in 1998–99 and £0.2 million in 1999–2000) and £0.6 million in support service costs. The benefits of the savings have been ongoing in subsequent years. The savings made met the strategic change target and helped fund cost pressures at the Trust.

The Trust was required to contribute the sums shown in the table to the West Surrey sustainable National Health Service project on a recurring basis:

	£000
1999–2000	1,072
2000–01	1,665
2001–02	324
Total	3,061

In 2000–01, the Trust received non-recurrent support of £1.24 million against the contribution of £1.665 million.

Bed Blocking

Mr. Wilshire: To ask the Secretary of State for Health how many beds have been blocked in Surrey hospitals in each month in 2002. [67467]

Ms Blears *[holding answer 5 July 2002]:* Information on delayed discharges is collected at health authority level and has been placed in the Library. The most recent figures available are for quarter 4 of 2001–02.

National Health Service Act

Mr. Heald: To ask the Secretary of State for Health whether he intends to use powers under section 97(6) of the National Health Service Act 1977 to ring-fence funds for the implementation of NICE guidance; and if he will make a statement as to his policy on the use of section 97(6). [67966]

Mr. Lammy *[holding answer 8 July 2002]:* We have no plans to ring fence funds for the implementation of guidance from the National Institute for Clinical Excellence (NICE). National health service organisations are expected to meet the cost of implementing NICE guidance from their general allocations.

Anti-psychotic Drugs

Mr. Heald: To ask the Secretary of State for Health if he intends to restrict the use of typical anti-psychotic drugs to a named patient basis. [67967]

Mr. Lammy *[holding answer 8 July 2002]:* There are no plans to restrict the use of the traditional or typical anti-psychotic drugs to a named patient basis. The recently published guidance from the national institute for clinical excellence stated that oral atypical anti-psychotic drugs should be considered in the choice of first-line treatments for individuals with newly diagnosed schizophrenia and where there are unacceptable side effects with the typical anti-psychotics in people with a more long-established schizophrenic illness.

Mr. Heald: To ask the Secretary of State for Health what representations he has received concerning the implementation of the NICE guidance on atypical anti-psychotic drugs. [67965]

Mr. Lammy *[holding answer 8 July 2002]:* The Secretary of State has not received representations concerning the implementation of the National Institute for Clinical Excellence's guidance on atypical anti-psychotic drugs. The national health service has, since 1 January 2002, been required to provide appropriate funding for recommended treatments within three months of the publication of technology appraisal guidance.

Child Welfare

Mr. Heald: To ask the Secretary of State for Health how many whole-time equivalent national health service *(a)* consultant child and adolescent psychiatrists, *(b)* clinical psychologists working with children and *(c)* psychotherapists working with children there are. [67970]

Mr. Hutton *[holding answer 8 July 2002]:* The Department's non-medical work force census does not break down the area of work for clinical psychologists and psychotherapists. The information shown in the table for these two professions covers all staff, regardless of whether they work with children.

NHS hospital and community health services (HCHS): consultants working in the child and adolescent psychiatry specialty and qualified scientific, therapeutic and technical staff employed within the clinical psychology and psychotherapy areas of work as at 30 September 2001

	Whole time equivalents
Child and adolescent psychiatry consultants	420
Clinical psychologists	4,400
Psychotherapists	470

Notes:

Figures are rounded to the nearest 10.

Source:

Department of Health Non-Medical Work Force Census

Department of Health Medical and Dental Work Force Census

Health Professions Council

Mr. Heald: To ask the Secretary of State for Health what progress has been made as regards grandparent rights for non state-registered chiropodists; and if he will make a statement on progress in the negotiations taking place under the auspices of the Health Professions Council. [67978]

Mr. Hutton *[holding answer 8 July 2002]:* There is a continuing dialogue, facilitated by the Department, between the health professions council (HPC), those bodies representing the currently unregulated chiropody sector and those representing the regulated sector. The arrangements for grandparenting (the assimilation of unregulated practitioners to regulated status) will not be finalised until after the HPC have completed and analysed the results of their public consultation. This is likely to be April 2003.

Stalybridge and Hyde

James Purnell: To ask the Secretary of State for Health what impact his Department's policies have had on the Stalybridge and Hyde constituency since 1997. [54335]

Jacqui Smith *[holding answer 7 May 2002]:* Detailed information on the impact of the Department's policies nationally is set out in the Department's annual reports. A copy of the most recent report 'Department of Health—Government Expenditure Plans 2001–02' is available in the Library and on the Department's website at www.doh.gov.uk/dhreport

The impact of policies are not examined by constituency.

Written Answers to Questions

Friday 12 July 2002

INTERNATIONAL DEVELOPMENT

Nepal

Dr. Tonge: To ask the Secretary of State for International Development, pursuant to her answer of 8 July 2002, *Official Report*, column 702W, on Nepal, if she will make a statement on the failure of the Nepalese Government to allow journalists and aid agencies access to the western districts of Nepal. [69513]

Clare Short: UK funded development assistance, and that of other donor agencies too, continues throughout Nepal, including in many of the Mid- and Far-Western districts of the country where the conflict situation is worse. However, development staff based in Kathmandu do not, for security reasons, visit areas of active conflict. There are no Government restrictions per se.

There has been some press coverage recently of visits made by journalists to districts in the west of the country. However, the current State of Emergency is deterring many journalists from visiting parts of the country.

World Bank

Dr. Tonge: To ask the Secretary of State for International Development, pursuant to her answer to the hon. Member for Meriden (Mrs. Spelman) of 8 July 2002, *Official Report*, column 613W, on World Bank loans, how much the UK Government contributed to the 12th Replenishment of the International Development Association IDA-12; and how much it contributed to IDA-13. [69515]

Clare Short: The British Government contributed £511m to the 12th Replenishment of the International Development Association (IDA-12), equating to a 7.3 per cent. share. This made the UK the joint fourth largest donor to IDA.

The UK's contribution to the 13th Replenishment of IDA (IDA-13) has not yet been finalised. An announcement will be made shortly.

Dr. Tonge: To ask the Secretary of State for International Development, pursuant to her answer to the hon. Member for Meriden (Mrs. Spelman) of 8 July 2002, *Official Report*, column 613W, on World Bank loans, what provisions are in place to ensure that the level of overall IDA resources does not decrease in future as a result of the conversion of some loans to grants; and if she will make a statement. [69514]

Clare Short: Around 40 per cent of the International Development Association's (IDA's) resources currently come from re-flows from previous loans being repaid. During negotiations for the 13th Replenishment of the International Development Association (IDA-13), the British Government argued consistently that if some loans were to be converted to grants under IDA-13, IDA donors should ensure that a scheme was agreed to compensate IDA for the resulting future loss in re-flows. Such a scheme would require donors to start putting aside a small amount of resources now and during future replenishments.

Very regrettably, IDA donors have not yet managed to agree such a scheme, despite strong UK pressure to do so. Donors have, however, accepted the principle that extra resources do need to be put aside in advance of future shortfalls. They have agreed to make a final decision on what sort of scheme should be used during the Mid-Term Review of IDA-13, which is scheduled to begin in around six months' time. The British Government will continue to press hard to ensure a satisfactory outcome which will protect IDA's long-term financial sustainability.

LORD CHANCELLOR'S DEPARTMENT

Court Service

Harry Cohen: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) if he will make a statement on the effectiveness of the collection of fines by the Court Service; [62600]

(2) what the level of arrears of fines was, and what percentage of fines had not been collected within the due time *(a)* in the last 12 months and *(b)* in the 12 month period before the change in the collection system; and if he will make a statement. [62601]

Yvette Cooper: Fines are imposed by both Magistrates' Courts and the Crown Court. The Crown Court is part of the Court Service, which is an executive agency of the Lord Chancellor's Department. The Court Service does not collect fines. Fines are collected by Magistrates' Courts and their staff, which constitute an independent local service with statutory powers for the enforcement and collection of financial penalties.

The Government are committed to improving the enforcement of financial penalties. Variations in performance across the country are too wide. We have transferred lead responsibility for warrant execution from the police to Magistrates' Courts Committees, on 1 April 2001.

We have established an information sharing scheme, which enables Magistrates' Courts to obtain basic information on defaulters from the Department for Work and Pensions. We have set performance targets for 2002–03 and Magistrates' Courts Committees have also been given nearly £10 million extra from April 2002, ring-fenced for enforcement purposes. We will monitor the position carefully to check that performance improves.

Magistrates' Courts Committees have responsibility for the collection of a range of debts imposed through the courts, including not only fines but also fees, compensation, confiscation orders, legal aid contributions and some maintenance orders. It is not possible to separate out just the fines from the total.

Arrears is described as the total of missed lump sums or missed instalments on impositions where deferred payment was allowed. The latest available figures for the level of arrears of all debt are:

(c) £246 million as at 31 March 2002; and

(d) £226 million as at 31 March 2001.

Data are only collected on the financial value of the debt, not the number of fines. Fines are normally payable from the moment of imposition unless time to pay is granted.

Since the transfer, the write-off rate has reduced from 19 per cent of total debt imposed in 2000–01 to 15 per cent. of total debt imposed in 2001–02, which was equivalent to £19.5 million.

Judiciary (Sexual Offences and Domestic Violence Cases)

Vera Baird: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will amend the rules of the Supreme Court to ensure that a woman judge is a member of appeal courts hearing a case concerning *(a)* rape, *(b)* other sexual offences and *(c)* domestic violence. [65211]

Yvette Cooper: The Government have no proposals to amend the Rules of the Supreme Court on the composition of courts hearing appeals.

Rape

Vera Baird: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps he is taking to ensure that judges receive equivalent training about rape offences to that recommended for police and prosecutors by the HMIC/CPSI thematic inquiry into rape. [65213]

Yvette Cooper: Judicial Training is the responsibility of the Judicial Studies Board (JSB) which is an independent non-departmental public body. It is chaired by Lord Justice Waller.

The Board provides specialist training to those judges authorised to hear cases of rape through its regular Serious Sexual Offences Seminars.

The Criminal Committee of the JSB will be considering the comments made in the Joint Inspectors' Report over the coming months.

Vera Baird: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps he will take to ensure that the recommendations of the Sentencing Advisory Panel on rape are implemented by the judiciary. [65210]

Yvette Cooper: The decision on whether or not to issue guidelines based on the Sentencing Advisory Panel's advice to the Court of Appeal is for that Court.

Fines

Mr. Gibb: To ask the Parliamentary Secretary, Lord Chancellor's Department what proportion of fine-defaulters were in receipt of income support and income-related jobseekers allowance in each year since 1990. [65119]

Yvette Cooper: It is not possible to provide proportions of fine defaulters who were in receipt of Income Support (IS) or Income-based Jobseeker's Allowance (JSA IB). The table below shows numbers of IS/JSA (IB) claimants at a point in time each year since 1994, with a deduction in force on their benefit for fines recovery. It is not possible to provide historical figures back to 1990 as fines recovery data was not collected.

Year	*IS Claimants (1000s)*	*JSA (IB) Claimants (1000s)*
May 1994	7	—
May 1995	9	—
May 1996	16	—
May 1997	14	8
May 1998	13	7
May 1999	13	6
May 2000	12	5
May 2001	13	4
Feb 2002	14	4

Notes:

1. Based on 5 per cent. sample, therefore subject to sampling variation.
2. IS figures from May 1994 to May 1997 include unemployed claimants claiming Income Support.
3. JSA (IB) replaced IS for the unemployed in October 1996.
4. Some Income-based JSA claimants may also have entitlement to benefit via the contributory route.

Mr. Gibb: To ask the Parliamentary Secretary, Lord Chancellor's Department what proportion of fines imposed by Sussex magistrates were *(a)* paid, *(b)* written off, *(c)* cancelled and *(d)* in arrears in each year since 1990. [65120]

Yvette Cooper: Magistrates' Courts Committees have responsibility for the collection of a range of debts imposed through the courts, including not only fines but also fees, compensation, confiscation orders, legal aid contributions and some maintenance orders. It is not possible to separate out just fines from the total.

Sussex Magistrates' Courts Committee IT system includes cancellations in the write off figures. The figures available for Sussex Magistrates' Courts Committee are as follows:

2001–02—Imposed: £7,990,163 *(a)* £4,106,942 *(b)* £2,462,123 *(d)* £3,441,695;

2000–01—Imposed: £9,066,983 *(a)* £4,648,440 *(b)* £3,475,773 *(d)* £2,728,719;

1999–2000—Imposed: £8,094,313 *(a)* £5,611,954 *(b)* £ 3,406,299 *(d)* £7,404,347.

Prior to 1999, the Magistrates' Courts Committees were not asked as part of their data collection to provide full-information on the amounts imposed, paid or cancelled. The national data for the period 1996 – 1998 for amounts "written off" were only collected for the last quarter of each calendar year; while the "amounts in arrears" show the position as at 31 December for each year.

1998—(b) £572,651 *(d)* £4,544,567;

1997—*(b)* £451,266 *(d)* £4,461,302;

1996—*(b)* £712,100 *(d)* £4,807,596.

For the period 1993 – 1995 only figures for the total arrears at the year's end are available:

1995—*(d)* £4,062,847;

1994—*(d)* £4,859,747,

1993—*(d)* £2,086,118. (Data only provided by East Sussex.)

Prior to 1993 data were not collected centrally.

Electoral Systems

Mr. Laws: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on *(a)* the (i) timing and (ii) structure of the proposed review of the new voting systems in the devolved administrations and *(b)* the report of the Jenkins Commission. [65572]

Yvette Cooper: I refer the hon. Member to the answer given to him on Tuesday 3 July 2001 by my right hon. Friend the Prime Minister, *Official Report*, column 93W.

Magistrates' Court, Liverpool

Mr. Pickthall: To ask the Parliamentary Secretary, Lord Chancellor's Department what the total level of fines imposed by Liverpool Magistrates' Court was in each year since 1998–99. [66689]

Yvette Cooper: Magistrates' Courts have responsibility for the collection of a range of debts imposed through the courts, including not only fines but also fees, compensation, confiscation orders, legal aid contributions and some maintenance orders. It is not possible to separate out just fines from the total.

Liverpool Magistrates' Court has imposed the following amount of debt:

April 2001–March 2002—£3,754,209

April 2000–March 2001—£5,053,315

April 1999–March 2000—£5,523,974

April 1998–March 1999—£5,459,562

The fall in impositions over the period April 2001 to March 2002 was due to the fact that under the Human Rights Act introduced in October 2000 some of the accommodation at Liverpool was judged to be unsuitable and so work had to be transferred to other courts within Merseyside while remedial building work was completed at Liverpool.

TRANSPORT

South West Trains

Mr. Redwood: To ask the Secretary of State for Transport (1) for how long the Strategic Rail Authority has been in negotiation with South West Trains for its franchise renewal; [67427]

(2) when he intends to announce the South West Trains franchise renewal. [67425]

Mr. Spellar: The Strategic Rail Authority (SRA) signed heads of terms with Stagecoach in April 2001. Negotiation of a new franchise agreement is continuing. On 1 July the SRA announced that, while negotiations for a long-term franchise continue, the existing South West Trains franchise has been amended to provide a £29 million package of improvements for passengers including new Desiro trains.

M1

Mr. Greg Knight: To ask the Secretary of State for Transport for what reason a tall fence is being erected adjacent to the hard shoulder on the southbound carriageway of the M1 motorway south of junction 25; what the total cost is of the works; who authorised the same; and who is bearing the cost. [67764]

Mr. Spellar: The Highways Agency has received numerous complaints from local residents living adjacent to the M1 south of junction 25 about the high level of traffic noise. As part of the Government's "New Deal for Trunk Roads in England", revised criteria and a ring fenced annual budget have been established to help the Agency to deal with some of the most serious and pressing cases of noise from the motorway and trunk road network.

Following an initial assessment of sites on the network, the M1 junction 25 was identified as an area with a particular noise problem and was subsequently included in the list of locations to be prioritised for treatment published in *Hansard* in November 1999. This was followed by a detailed Scheme Identification Study to determine the most appropriate and viable method of reducing the noise problems at this location. Environmental barriers were found to be the most cost effective solution. A local consultation exercise was carried out in October 2000.

The estimated final cost of the works is £1.2 million, but this includes an element for the upgrade of part of the motorway communications network (approximately £130,000), which is being carried out at the same time. The work was authorised and is being funded by the Highways Agency.

Devolution

Angus Robertson: To ask the Secretary of State for Transport when the EU Committee on application of the legislation on access to the ground-handling market at Community airports is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if he will make a statement. [68596]

Mr. Jamieson: The mandate of the ground handling committee is to advise the Commission when member states apply for exemptions from the ground handling directive. There are no cases currently being considered by the committee and so there is no date set for its next meeting. Officials from my Department represent the UK on the Committee as policy responsibility on access to the groundhandling market is a reserved matter. However, my officials consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the Devolved Administrations.

Hazardous Cargoes

Mrs. Dunwoody: To ask the Secretary of State for Transport how many vessels with hazardous cargoes have been allowed to transit a compulsory pilotage district since 12 December 2001 *(a)* in total and *(b)* without an authorised pilot on board. [68763]

Mr. Spellar: The Department does not hold this information nationally. The new arrangements for pilotage on the Humber began on 12 December 2001: it is understood that no vessels with bulk hazardous cargoes have been allowed to transit that pilotage district since that date without an authorised pilot on board.

Humber Pilots

Tom Brake: To ask the Secretary of State for Transport what recent representations he has received on the countries of origin of the pilots' certificates of the Humber Pilots employed by ABP; and if he will make a statement. [69544]

Mr. Jamieson: None. The criteria for pilot applicants is a matter for the competent harbour authority, in accordance with the Pilotage Act 1987.

Rural Bus Services

Mr. Breed: To ask the Secretary of State for Transport if he will list those schemes supported by the Rural Bus Challenge competition identified by his Department as providing best practice examples. [69352]

Mr. Jamieson: Research commissioned by my Department on the impact of the rural bus grant schemes introduced in 1998–99 is currently on-going. This work includes consideration of examples of good practice supported under the Rural Bus Challenge. The research report is expected by the end of this year and will be published.

Road Safety

Mr. Alan Duncan: To ask the Secretary of State for Transport how many *(a)* fatal motor vehicle accidents, *(b)* fatalities, *(c)* motor vehicle accidents resulting in serious injury and *(d)* motor vehicle accidents requiring the attendance of an ambulance there were on the (i) A47 between Uppingham and Leicester and (ii) A52 between Barrowby and Bingham in each of the last five years; and if he will make a statement. [69516]

Mr. Jamieson: The number of fatal accidents, fatalities and serious road accidents for the stretches of road requested are shown in the tables below. Information is not available on the number of accidents requiring the attendance of an ambulance.

Personal Injury Road Accidents and Casualties on the A47 Uppingham[1] to Leicester[2]

Year of Accident	*Fatal accidents*	*Fatalities*	*Serious accidents*
1997	2	3	1
1998	0	0	6
1999	2	3	8
2000	2	3	5
2001(P)	4	5	7

[1] Uppingham is taken as OS reference (48639,30066).

[2] Leicester is taken as OS reference (46145,30540).

(P) Figures for 2001 are provisional.

DEFENCE

Munitions

Mr. Key: To ask the Secretary of State for Defence what *(a)* factors and *(b)* criteria were used by Defence Estates Organisation in their table-top evaluation of the likely sale value of Dean Hill Munitions Depot. [68912]

Mr. Ingram: In June 2001 Defence Estates SW provided an outline desktop valuation of the Dean Hill Munitions Site to advise the Defence Munitions Rationalisation Study 2 Investment Appraisal.

The valuation was based on the estimated realisation price, assuming that the sites had been subject to a Phase 2 Land Quality Assessment. It had been proposed that the eventual value for the site would be abated by the cost of the remedial work once known. Site inspections were permitted. However, in view of the sensitivity of the issues and as the purpose was to inform an investment appraisal, no approach was made to the local planning authority at that stage.

Due to the absence of clear planning guidance, with the exception of the residential property and agricultural land, the possible future uses of the remainder of the site were limited, The value was established by assuming disposal of the residential and agricultural property, and based on the limited redevelopment and re-use of the remaining area for potential employment uses.

Mr. Key: To ask the Secretary of State for Defence how many copies of Defence Munitions Rationalisation Study 2 Consultative Document (D/DM/72/46/1) dated 24 June were printed; and if he will list the locations to which they were distributed. [69422]

Mr. Ingram: 131 hard copies of the Defence Munitions Rationalisation Study 2 Consultative Document were printed. These were distributed to:

46 to National Trades Union officials at various locations nationwide, 57 to civilian employees at Defence Munitions (DM) Dean Hill, 21 to the Ministry of Defence Police Officers stationed at DM Dean Hill. One copy each to the DM Whitley, Vice Chair and Vice Secretaries at DM Longtown (Cumbria), DM Beith (Ayrshire), DM Kineton (Warwickshire) and London.

Three copies for internal MOD distribution (one Bath, one Andover, one Wethersfield (Essex).

In the interests of openness, efficiency and better use of resources, the Consultative Document itself has been posted on the Defence Munitions Web Site where it can be viewed by MOD staff as required. It was also sent electronically to each Defence Munitions establishment at Beith, Crombie, Glen Douglas, Gosport, Kineton, Longtown and Plymouth. Each DM Depot reproduced sufficient hard copies from this for their local needs as appropriate. Main MOD customers and stakeholders were advised of the existence of the Consultative Document on the DM Web Site.

Mr. Key: To ask the Secretary of State for Defence if the Director of Military Operations participated in Defence Munitions Rationalisation Study 2. [68908]

Mr. Ingram: Director of Military Operations did not participate in the Defence Munitions Rationalisation Study 2. The study drew its knowledge of anticipated Tri Service munitions requirements from both the current and future munitions equipment owners who were asked to take into account the latest output from the Ministry of Defence's Stockpile Planning Group.

Other MOD customers and internal stakeholders (particularly Strike Command given the nature of the RAF tasks currently undertaken at Defence Munitions Dean Hill) have been made aware of the proposal to close DM Dean Hill.

Mr. Key: To ask the Secretary of State for Defence what assessment he has made of whether the recommendations of Defence Munitions Rationalisation Study 2 will achieve a 20 per cent reduction in operating costs by March 2004. [68914]

Mr. Ingram: Defence Munitions is part of the DG Defence Supply Chain (DG Def SC) that, in turn, is part of the Defence Logistics Organisation. Defence Munitions Rationalisation Study 2 identified a number of potential efficiency initiatives pertinent to the Defence Munitions environment, including the proposal to close Defence Munitions Dean Hill. Taken together as a package these initiatives will, if implemented, contribute towards the DG Def SC Strategic Plan which is designed to deliver a 20 per cent reduction in operating costs by Financial Year 2005–06.

Mr. Key: To ask the Secretary of State for Defence what modifications were made to the terms of reference for Defence Munitions Rationalisation Study 2 after 11 September 2001. [68913]

Mr. Ingram: There were no modifications made to the Terms of Reference for the Defence Munitions Rationalisation Study 2 after 11 September 2001.

Mr. Key: To ask the Secretary of State for Defence when the team responsible for Defence Munitions Rationalisation Study 2 presented their final report. [68910]

Mr. Ingram: The Defence Munitions Rationalisation Study 2 presented their final report to the Defence Munitions Management Board in February 2002. There then followed an internal Departmental approvals procedure which culminated in a submission to Minister (Armed Forces) in June 2002.

Mr. Key: To ask the Secretary of State for Defence whether Defence Munitions Rationalisation Study 2 included a strategic analysis. [68909]

Mr. Ingram: Defence Munitions Rationalisation Study 2 was in itself a strategic analysis of the Defence Munitions business. Among those elements addressed were:

Capacity versus long-term liability
Risk to outputs
Uniqueness of facilities
Transferability of tasks
Proximity to customers
Health and safety and explosives safety regulations
Scale and quality of facilities
Cost of transferring tasks
Remediation
Potential savings to operating costs
Potential site realisable value

Mr. Key: To ask the Secretary of State for Defence if private sector commercial advice was sought by *(a)* Defence Estates Organisation and *(b)* the Defence Munitions Rationalisation Study 2 team in their assessment of the likely sale value of Dean Hill Munitions Depot. [68911]

Mr. Ingram: In June 2001 Defence Estates South West were requested to provide an outline desktop valuation of the Dean Hill Munitions Site to inform the Defence Munitions Rationalisation Study 2 Investment Appraisal. Given the nature of the valuation requested no external advice was sought.

HMS Nottingham

Mr. Gray: To ask the Secretary of State for Defence when the last refit of HMS Nottingham was; how long she has been deployed on her current deployment; what task she is carrying out; and if he will make a statement. [68771]

Mr. Ingram: HMS Nottingham's last refit began in August 1999 and she returned to the Fleet in February 2001 following sea trials.

HMS Nottingham deployed from Portsmouth on 18 March 2002 and was scheduled to return to the United Kingdom on 6 December 2002. She deployed for duties as the Five Power Defence Arrangements (FPDA) ship but was subsequently assigned to Operation ORACLE in support of the fight against terrorism and was being held at notice for this purpose while deployed to the Asia Pacific to honour our commitments to the FPDA. The main focus of this deployment was to have been participation in the FPDA Exercise STARDEX in September with other FPDA partners (Australia, Malaysia, New Zealand and Singapore). HMS Nottingham was also scheduled to undertake a series of visits in support of Defence Diplomacy, wider security objectives, and Defence Export Services and United Kingdom industry initiatives. Her immediate programme will no longer proceed. The impact on Fleet programming is being assessed.

Prisoners of War/Unlawful Combatants

Mr. Wiggin: To ask the Secretary of State for Defence if it is his policy to treat POWs and captured unlawful combatants in the same manner. [69008]

Mr. Hoon: It is the Government's policy to treat both POWs and unlawful combatants in accordance with their rights under the Geneva Convention.

Rosyth Dockyard

Mr. Streeter: To ask the Secretary of State for Defence if it is the intention of his Department to cease the allocation of surface ship refits to Rosyth Dockyard in 2005; and what plans he has to allocate further refits to Rosyth Dockyard. [69402]

Mr. Ingram: The last refit in the programme of surface ship work allocated to Rosyth Dockyard is due to be completed in 2005. There are no plans to allocate further refit work to the Dockyard, as the Department is opening up the wider ship refit and repair programme to competition. Rosyth Dockyard is expected to bid for that work.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Pig Industry

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what representations she has received from the UK pig industry about overseas restrictions on the export of British pigs; [64463]

(2) what representations she has made, and to which countries, to remove restrictions on the export of pigs from the United Kingdom. [64462]

Margaret Beckett: I have received a number of letters from the UK pig industry, which is naturally anxious that overseas restrictions on the import of British pigs are removed as soon as possible. The Chief Veterinary Officer wrote to his opposite numbers in other countries on 25 January this year asking them to recognise the UK's foot and mouth disease free status and requesting import certification requirements for livestock and genetic material. Officials in my Department are working closely with representatives from the livestock industry to identify the priority markets and to pursuade those countries to lift any remaining restrictions. The priority countries for pigs and porcine genetic material include Brazil, Bulgaria, Canada, Cyprus, Czech Republic, Estonia, Hungary, Korea, Latvia, Lithuania, Malaysia, Malta, Mexico, Philippines, Poland, Romania, Slovenia, Slovak Republic, South Africa, Thailand, USA. This is being pursued by a variety of methods such as lobbying officials at trade shows, bringing them in on inward missions, getting British Embassies to make representations and through further correspondence.

Fox Hunting

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs which interested parties received an invitation to contribute to the consultation on the future of fox hunting; which of those bodies she *(a)* has met and *(b)* plans to meet before the consultation finishes; and if she will make a statement. [64362]

Margaret Beckett: My right hon. Friend, the Minister of State for Rural Affairs (Alun Michael) continues to meet with representatives of the three main interest organisations on a regular basis. They are the Countryside Alliance, the Middle Way Group and the Campaign for the Protection of the Hunted Animal. In addition to these regular meetings, he is holding a number of meetings with a wide range of groups with more specific interests

Following my right hon. Friend's statement to the House on 21 March, he has written to all Members of both Houses of Parliament, Welsh Assembly members, interested individuals and interested organisations.

Overcharging

Mr. Martlew: To ask the Secretary of State for Environment, Food and Rural Affairs what action she is taking to implement the NAO recommendation on the pursuit of cases where the Department believes it was overcharged for goods and services and the investigation and resolution of irregularities in contractors' claims. [65188]

Mr. Morley: The accounts of the principal contractors used by DEFRA during the FMD outbreak have been the subject of detailed examination. This has been an extensive exercise as the contractors concerned carried out work to the value of hundreds of millions of pounds involving the generation of tens of thousands of invoices. This work is on-going.

It has necessitated DEFRA obtaining legal advice from a number of external law firms as well as the establishment of invoicing panels and commercial teams staffed by forensic accountants and quantity surveyors, all of whom come from external professional firms.

It is on the recommendation of these panels and teams following examination of the accounts that further payments have been made by DEFRA to contractors and/or deductions have been sought from the contractors' invoiced sums. In many cases, the deductions have been substantial. The process is on-going.

Wide-ranging issues have arisen on the accounts. These include legal issues such as matters of contractual interpretation, forensic accountancy issues and evidential issues involving the assessment of both a large amount of documentation and proofing of witnesses.

Some of these disputes will inevitably result in court proceedings although DEFRA remains committed to resolving matters by mediation where appropriate. We will have no hesitation in taking whatever action is required to protect taxpayer interest in the light of forensic examination of the accounts of contractors.

EU Management Committee

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Management Committee of the common organisations of agricultural markets for poultrymeat and eggs is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [64889]

Mr. Morley: The next meeting of the EU Poultrymeat and Eggs Management Committee will be held on Tuesday, 17 September 2002. UK representation depends on the agenda items under discussion. Officials from the Scottish Executive and other devolved Administrations attend as necessary in accordance with their interests. However, there have been no occasions in the last 12 months where the Scottish Executive have sought to have an official form part of the delegation.

CO_2 Emissions

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee for the implementation of the Directive relating to the availability of consumer information on fuel economy and CO_2 emissions in respect of the marketing of new passenger cars is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66460]

Mr. Jamieson: I have been asked to reply.

At present there are no meetings of the Committee of Directive 99/94/EC scheduled. Fuel consumption and CO_2 labelling of passenger cars is a reserved issue and

Committee meetings would therefore generally be attended by officials of the Department for Transport only. However, officials will continue to ensure that their counterparts in the Devolved Administrations are kept informed of developments in this area and consulted on any proposals to amend the directive put to the Committee.

My response on 21 May 2002 to the hon. Member for Buckingham (John Bercow), *Official Report,* column 214W–15W, was incorrect. It stated that this Committee had not yet met, whereas it did in fact meet on 15 November 2000 to agree a format for reporting on the effectiveness of the Directive. Since this question was answered, the Committee has met a further time although as yet no proposals to amend the Directive have been received.

Marine Pollution

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when the EU Committee for the implementation of the Community framework for co-operation in the field of accidental or deliberate marine pollution is next due to meet; whether experts nominated by the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [66450]

Mr. Jamieson: I have been asked to reply.

The Management Committee on Marine Pollution is scheduled to meet on 4 October 2002 in Brussels. Officials from the Maritime and Coastguard Agency (MCA), part of my Department, represents the UK on the Committee. However, my officials consult the Scottish Executive on agenda items in which it might have an interest in accordance with our Concordat with the Devolved Administrations.

Bovine TB

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what the average time taken is *(a)* in the territory of each of her Department's regional offices, and *(b)* in England, between an animal reacting positive to a test for Bovine TB and that animal being taken for slaughter. [65472]

Margaret Beckett: The information requested is given in the table below.

The average length of time taken to remove TB-infected reactors from farms in each State Veterinary Service region with a breakdown between 21 June 2001 and 20 June 2002

SVS Region	*Number of observations*	*Average no. days between date of reading the tuberculin test and date of slaughter*
West	968	30.4
East	21	13.1
North	92	9.7
England total	1081	17.7

Note:

The *TB-infected reactors* reported are animals with a reaction to the tuberculin test that were compulsorily slaughtered and had samples submitted to VLA for microbiology. Provided that they *(a)* had lesions of TB visible at the slaughterhouse, and/or *(b)* VLA found the TB organism in the sample.

The time reported represents the number of days between reading the skin test and removing an animal from the farm.

Figures for West region include cases where animals became reactors in the month before the disruption of normal TB control procedures caused by Foot and Mouth Disease.

Comprehensive Spending Review

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how many staff have contributed to her Department's input to the Spending Review. [68680]

Mr. Morley: A small team of six staff reporting to the Director of Finance has co-ordinated input to the Spending Review, drawing on material contributed by staff across the Department.

National Parks

Shona McIsaac: To ask the Secretary of State for Environment, Food and Rural Affairs when the report of the Review of National Park Authorities will be published. [70288]

Mr. Michael: The report will be published tomorrow. Copies will be available in the House libraries and the vote office. The report will also be available on the Department's website: www:efra.gsi.gov.uk/countryside-wildlife. The responses to the public consultation will be deposited in the Department's library.

SOLICITOR-GENERAL

Crown Prosecution Service

Mr. Boris Johnson: To ask the Solicitor-General what category of offences require the appointment of *(a)* a senior Treasury counsel, *(b)* a leading junior counsel and *(c)* a disclosure counsel by the CPS. [68084]

Solicitor-General: There are no categories of offence which require the appointment of a particular type of counsel but guidance is as follows:

(a) Senior Treasury counsel:

The appointment of Treasury Counsel ought to be considered for prosecutions of the following offences:

Murder (including attempt/conspiracy/incitement).

Manslaughter.

Offences involving terrorism.

Official Secrets Act.

Unduly Lenient Sentences.

Cases where the Director (or the court) wishes to brief counsel as Amicus (Advocate to the Court), e.g. where PII is an issue.

Obscene Publications Act offences involving difficult questions of law or which are considered "sensitive", e.g. racial hatred.

Offences of "special rarity", e.g. blasphemy, piracy.

Serious offences committed by public servants (including police officers) tried at the Crown Court, the magistrates having declined jurisdiction.

Serious offences by a public figure or person in the public eye.

Serious offences by a CPS employee.

Large scale public disorder.

Serious offences where the evidence includes a participating informer/cover police operation.

Offences where the prosecution is likely to make an ex parte application to withhold disclosure of sensitive material on PII grounds.

Offences by members of organised crime syndicates, e.g. Mafia; Triads; Yardies.

Multiple indictable only offences committed by one or more people, e.g. serial/gang rapes.

Robberies where a firearm was discharged.

Large scale/complex frauds.

"Sensitive" frauds, e.g. frauds:

- (i) involving foreign government or foreign public bodies;
- (ii) involving British public bodies or public figures in this country as either victims or defendants, e.g. very high profile businessmen; national or local politicians;

Local government officers; persons holding public office:

- (i) which might generate grave public disquiet, e.g. offences by doctors or pharmacists against hospitals or the NHS;
- (ii) involving national or local government spending and procurement;
- (iii) where public confidence may be undermined, e.g. Pension fund frauds.

The list is not exhaustive and there will be other cases of sensitivity or complexity, which, regardless of the offence type, may warrant instructing Treasury Counsel.

Treasury Counsel are appointed by the Attorney General to advise on, and if necessary present, on behalf of the Crown Prosecution Service, prosecutions of important and complex cases at the Central Criminal Court and other London Courts.

(b) leading junior counsel

The CPS will adopt objective criteria in its decision to instruct a leading junior counsel. This will depend on a number of factors:

Number of defendants charged on the indictment.

The volume of the case (pages of documents).

The weight and complexity of the evidence.

Whether there are significant factors of gravity, sensitivity complexity or responsibility to warrant a leading junior counsel.

(c) disclosure counsel by the CPS

The appointment/instruction of a disclosure counsel is considered by the CPS according to the merits of the individual case rather than by reference to any category of offences.

The term "disclosure counsel" is not commonly applied across CPS. In a small number of cases, junior counsel can be instructed specifically to assist in complex cases where there are voluminous quantities of unused material to be examined.

CULTURE, MEDIA AND SPORT

Drugs (Sport)

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport if she will place a copy of Dr. Richard Johnson's report on drugs administration in the UK commissioned by the UK Sports Council in the Library. [69508]

Mr. Caborn: I refer my hon. Friend to the answer I gave to my hon. Friend the member for Vauxhall (Kate Hoey) on 9 July 2002, *Official Report,* column 865W.

Overseas Tourist Offices

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport, how many tourist offices the UK has overseas; where they are located; and what plans she has to extend the UK tourist offices overseas. [66084]

Dr. Howells *[pursuant to his reply, 4 July 2002, c. 515W]:* The British Tourist Authority is active in Austria, Finland and Saudi Arabia but does not have physical offices in these countries. These markets are operated from the BTA's offices in Zurich, Stockholm and Dubai respectively.

CABINET OFFICE

Government Targets

Tony Wright: To ask the Minister for the Cabinet Office if he will list those targets which apply across Government and which are not contained in individual Departments' public service agreements. [64608]

Mr. Alexander: The Cabinet Office is responsible for the following such targets.

Targets which apply across government have been incorporated into its own Public Service Agreement (PSA) and across Departments through the guidance on Service Delivery Agreements (SDAs) which underpin PSAs. Examples include targets on:

electronic delivery;

handling correspondence promptly;

Civil Service Reform including diversity, interchange, sickness absence and other aspects of managing people.

Departmental PSAs/SDAs and related guidance are available on the HM Treasury website.

An area which is not currently included in PSA/SDAs is the National Learning Targets for 2002 which were adopted by the Civil Service in 1999:

50 per cent of adults to have at least a "level 3" qualification (roughly equivalent to 2 A-levels);

28 per cent of adults to have at least a "level 4" qualification (roughly equivalent to a first degree).

These are monitored separately by the Civil Service Corporate Management and Reform group within Cabinet Office.

TREASURY

Waste Minimisation

Mr. Lazarowicz: To ask the Chancellor of the Exchequer if he will set aside funds in the comprehensive spending review to invest in waste minimisation. [68670]

Mr. Boateng: Spending Review 2002 is still under way, and until its completion it would be premature to comment on specific elements.

Waste growth is part of the broader challenge of reforming waste management in the UK. The Performance and Innovation Unit is currently undertaking a thorough review of waste policy, and waste minimisation is one of the issues that the Performance and Innovation Unit will address in their forthcoming report.

Public Service Agreements

Mr. Laws: To ask the Chancellor of the Exchequer how many times since December 1998 he has met Ministers from other Government Departments to review progress in achieving public service agreements; and if he will make a statement. [69299]

Mr. Boateng: The Cabinet Committee on Public Services and Public Expenditure, chaired by my right hon. Friend the Chancellor of the Exchequer, meets regularly to discuss progress by departments against their PSA targets.

Barnett Formula

Mr. Liddell-Grainger: To ask the Chancellor of the Exchequer if the calculations relating to the provision for Scotland under the Barnett formula are based upon spend per head of population on *(a)* health and *(b)* education. [69400]

Mr. Boateng: The Barnett formula provides the devolved Administrations with a population based share of comparable increases in spending of UK Government departments, including the Department of Health and the Department for Education and Skills.

Contingent Liabilities

Matthew Taylor: To ask the Chancellor of the Exchequer if he will list contingent liabilities incurred by Government departments since May 1997 with the permission of the Treasury; and if he will make a statement. [69349]

Mr. Boateng: I refer the hon. Member to the Consolidated Fund and National Loans Fund Accounts Supplementary Statements. Those for 2000–01 were published on 19 December 2001 (HC 381 of 2000–01) and follow the reporting pattern in the Supplementary Statements for each of the financial years from 1997–98 to 1999–2000. They list all non-statutory contingent liabilities which are reportable to Parliament under the guidance in chapter 26 of *Government Accounting*. The guidance requires a department, when reporting a contingent liability to state that the Treasury has approved it in principle. The Supplementary Statements also list all statutory contingent liabilities incurred where they are above £100,000.

Travel Insurance

Clive Efford: To ask the Chancellor of the Exchequer what action he is taking to review the regulation of the selling of travel insurance. [69512]

Ruth Kelly: The Treasury will issue a consultation document on the proposed new regulatory regime for the sale of general insurance following the adoption of the Insurance Mediation Directive.

Silver Items

Barbara Follett: To ask the Chancellor of the Exchequer what his plans are for the future of the Treasury's silver items formerly associated with the Privy Council. [70452]

Ruth Kelly: The Treasury has agreed to transfer the items concerned to the Department for Culture, Media and Sport. This will ensure that the cost of holding them is borne by the Department whose objectives include broadening access for all to a rich and varied cultural life. That Department will lend them to the Victoria and Albert Museum, on condition that they are shared with appropriate regional institutions. The transfer will ensure that the items are available to public view for the first time in many years.

TRADE AND INDUSTRY

Export Licences

Dr. Cable: To ask the Secretary of State for Trade and Industry how many arms export licences have been granted in the last 12 months; how many have been rejected; and if she will make a statement. [66750]

Ms Hewitt: Between 1 July 2001 and 1 July 2002 the Department of Trade and Industry's Export Control Organisation issued 6,449 Standard Individual Export Licences (SIELs) and 312 Open Individual Export Licences (OIELs) for items on the military list. During that same period the ECO refused 137 SIEL and 4 OIEL applications in full, for items on the military list.

Details of all relevant export licences issued and refused are published in the Government's Annual Reports on Strategic Export Controls; copies of which are placed in the Libraries of the House.

Mr. Chope: To ask the Secretary of State for Trade and Industry when a decision will be made in relation to individual export licence applications numbered 35307, 35313, 35315 and 35316. [68051]

Ms Hewitt: Licences to export arms and other items whose export is controlled for strategic reasons are issued by me as Secretary of State for Trade and Industry acting through the Export Control Organisation (ECO).

Decisions have not yet been reached on export licence applications 35307, 35313, 35315 and 35316, but will be taken as quickly as possible consistent with the need to give full consideration to the issues involved.

Norman Lamb: To ask the Secretary of State for Trade and Industry what consideration is given during the deliberation of export licence applications to the recent human rights record of the country to which the items in question are being exported; and if she will make a statement. [68510]

Mr. O'Brien: I have been asked to reply.

All relevant export licence applications are rigorously assessed on a case by case basis against the consolidated EU and national arms export licensing criteria, in the light of the circumstances prevailing at the time and taking account of other relevant factors. The consolidated criteria were announced by my right hon. Friend the Minister for Europe in a written reply to my hon. Friend the Member for Crawley (Laura Moffatt) on 26 October 2000, *Official Report*, column 199–203W. The criteria clearly set out our commitment to take account of the risk that exports might be used for internal repression. In making our assessments we take account of reliable evidence, including for example, reporting from diplomatic posts, relevant reports by international bodies, intelligence and information from open sources and non-governmental organisations. This will include any relevant information about the recent human rights record of the recipient country.

Recycling

Sue Doughty: To ask the Secretary of State for Trade and Industry what proportion of *(a)* paper and *(b)* other goods purchased by her Department was recycled paper in each year since 1997; what the annual total cost of these purchases was; what plans there are to increase these proportions; and if he will make a statement. [65764]

Ms Hewitt: The proportion and cost of recycled paper purchased is as follows:

Year	*Proportion of recycled per cent*	*Annual Cost (£)*
1997–98	18	55,333
1998–99	11	36,999
1999–2000	44	104,817
2000–01	61	137,985
2001–02	68	141,540

Information on the proportion of recycled paper in other goods purchased is not readily available and could only be obtained at disproportionate cost.

I am fully committed to increasing the proportion of recycled paper that is being used and my Department is working closely with our stationery supplier to achieve this. An environmental switch programme was recently introduced for the purchase of copier paper via the on-line stationery ordering system. This involves an automatic switch to the recycled option whenever copier paper is selected.

National Weights and Measures Laboratory

Mr. George Howarth: To ask the Secretary of State for Trade and Industry what targets she has set her Department's National Weights and Measures Laboratory. [70222]

Miss Johnson: I have set the National Weights and Measures Laboratory the following quality of service and efficiency targets for 2002–03.

Financial Targets To report a deficit of no more than £310,000 in the Income and Expenditure Account for 2002–03.

To achieve £566,000 worth of new external income during the next four years.

Efficiency Target To contribute to continuous efficiency improvement by ensuring that total overhead costs are less than 58 per cent. of total costs.

Operational Targets To meet the expectations of its customers by completing at least 90 per cent. of European type approvals within 10 weeks.

To complete European type approvals within an average of 5 weeks.

To complete calibration jobs within the time requested by customers, with at least 95 per cent. of all jobs (including preparation of certificates) completed within 18 working days of acceptance of the work and an average completion time of less than 14 days.

To complete 72 per cent. of the milestones schedule for year 1 of the National Measurement System (NMS) legal metrology programme by their due dates.

To satisfy all its customers as demonstrated by at least 95 per cent. of them rating NWML's provision of services as satisfactory or better.

Questions Delegated to the Chief Executive Chief Executive to reply within 10 working days to all letters from Members of Parliament delegated to him for reply.

Scientific Research

Mr. Kidney: To ask the Secretary of State for Trade and Industry what estimate she has made of the total amount spent on scientific research that has taken place in the UK in each of the last five years; and what her estimate is of the proportions that were funded *(a)* privately and *(b)* publicly. [61092]

Ms Hewitt: The total amount spent on research and development in the UK in £ billion is as follows:

	1995	*1996*	*1997*	*1998*	*1999*
Cash terms	14,172	14,470	14,781	15,582	16,663
Real terms (base year = 1999)	15,827	15,656	15,551	15,940	16,663

The percentage funded privately (businesses and private non-profit organisations) and publicly (government departments, Research Councils and Funding Councils) is as follows:

	1995	*1996*	*1997*	*1998*	*1999*
Private	52	51	54	51	54
Public	34	33	32	32	29

The balance (14 to 18 per cent.) comes from abroad and includes contributions from the EU. Further information can be found in Table 6.3 on the Science, Engineering and Technology Statistics website at http://www.dti.gov.uk/ost/setstats.

The increase in the level of R&D investment by the private sector funders indicates that greater "leverage" is being achieved by the Government investment in science, and that the publicly funded UK Science Base is fit for purpose in meeting the requirements of those other groups in society which fund.

Nuclear Industry (Special Advisers)

Mr. Liddell-Grainger: To ask the Secretary of State for Trade and Industry how many special advisers in her Department *(a)* have had experience of the nuclear industry and *(b)* of advising the nuclear industry. [69399]

Ms Hewitt: No special adviser in the department has, or ever has had, a commercial relationship with a company in the nuclear industry. However they have experience of working with representatives of the nuclear industry and will consult with them from time to time as part of their current job, just as they consult routinely with other companies, organisations and interest groups.

Ministerial Visits (Wales)

Mr. Llwyd: To ask the Secretary of State for Trade and Industry what the *(a)* date, *(b)* location and *(c)* purpose was of visits by Ministers in her Department to Wales since 1997; and when she next intends to visit Wales. [62071]

Ms Hewitt: Since 1999 this Government have published an annual list of all visits undertaken by Cabinet Ministers costing £500 or more during each financial year. This Government have also published on an annual basis the cost of all Ministers' visits overseas. Information in respect of UK travel is not held centrally and could only be provided at disproportionate cost.

All travel is undertaken fully in accordance with the guidelines set out in the Ministerial Code and Travel by Ministers, copies of which are available in the Libraries of the House.

DTI Ministers have plans to undertake engagements in Wales before the end of the year.

EU Committees

Angus Robertson: To ask the Secretary of State for Trade and Industry when the EU Committee on Projects of Common Interest in the Field of trans-European Telecommunications Networks (TEN-telecom) is next due to meet; whether representatives of the Scottish Executive *(a)* have been and *(b)* are members of it; and if she will make a statement. [68572]

Ms Hewitt: The Committee on the trans-European telecommunications networks (TEN-Telecom) programme is next due to meet on 29 October 2002. One official from the Department of Trade and Industry normally represents all of the UK. Officials from the devolved Administrations are consulted as appropriate.

Parliamentary Questions

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry how many oral questions she has transferred to other departments in each of the last 18 months. [67048]

Ms Hewitt: The information is as follows:

	Number
January 2001	0
February	0
March	3
May	3
July	3
November (2 oral sessions)	8
January 2002	2
February	2
March	2
May	3
June	6

World Trade Organisation

Dr. Tonge: To ask the Secretary of State for Trade and Industry if she will make a statement on the Government's negotiating position with regard to *(a)* TRIPS and *(b)* GATS with the WTO framework. [66867]

Ms Hewitt: On TRIPS, we are strong advocates of the need to find a solution by the end of 2002 to the problem of the difficulties which some WTO Members could face in making effective use of compulsory licensing under the TRIPS Agreement as a result of having insufficient or no manufacturing capacities in the pharmaceutical sector.

Beyond that, we support continued discussions in the TRIPS Council on the relationship between TRIPS and the Convention on Biological Diversity (CBD) and how TRIPS and the CBD can be implemented in a mutually supportive manner.

We also support the EC position in the TRIPS Council on considering the possible extension of protection for Geographical Indications.

On GATS, the Government strongly support the current negotiations. The UK is the second largest exporter of services in the world. Our aim is to achieve further steps in the progressive liberalisation of trade in services, which we believe will have a positive impact not only on our own economic interests but also on the development of developing countries. That said, the EC has made clear in its liberalisation requests that it is not seeking the dismantling of public services nor the privatisation of state owned companies. Under GATS, countries cannot be forced to privatise services where it is not in their interest to do so.

Business Regulation

Mr. Waterson: To ask the Secretary of State for Trade and Industry what representations she has received to reduce the regulatory burden on businesses by introducing regulations that would lapse after a certain time period. [69077]

Nigel Griffiths: The Government's policy is always to consider whether sunset clauses ought to be included in legislation it brings forward.

These are appropriate particularly where technology in a given sector is changing rapidly, where a given piece of legislation deals with a situation which is itself expected to last only for a given period of time (e.g., a road closure), or where an issue is so sensitive that it is considered appropriate that it should be regularly debated and reviewed.

CHURCH COMMISSIONERS

Church Commission Properties

Ms Buck: To ask the hon. Member for Middlesbrough representing the Church Commissioners, how many Church Commission properties are let on assured shorthold tenancies; and how many tenants holding assured shorthold tenancies have not had these renewed on request in the last three years. [68246]

Mr. Bell: The Church Commissioners have 781 Assured Shorthold Tenancies. No records are kept as to how many tenants do not have their tenancies renewed upon request but it is estimated that there have been approximately 25 such cases in the last three years.

HOME DEPARTMENT

Asylum Seekers

Mr. Malins: To ask the Secretary of State for the Home Department what the average time has been between initial decisions in asylum cases and the hearing of appeals arising from them in the last 12 months. [68637]

Beverley Hughes: The requested information is not available and could only be obtained by examination of individual cases files thereby incurring a disproportionate cost.

Dr. Evan Harris: To ask the Secretary of State for the Home Department how many asylum seekers from Zimbabwe have been turned back at point of entry since 15 January. [49967]

Beverley Hughes: The Government are committed to ensuring that this country adheres to its obligations under the 1951 Convention Relating to the Status of Refugees, and that those who are fleeing persecution are given the protection they need. It is not Home Office policy to turn asylum seekers back at ports of entry to the United Kingdom at any time before their claims are fully considered, unless there is an alternative safe country which should be responsible for considering the claim.

On 15 January 2002, we announced a temporary suspension of returns of unsuccessful asylum applicants to Zimbabwe. We will resume returns only when we are satisfied that it is safe to do so. We are monitoring events in the aftermath of the Zimbabwe presidential election before making a decision on the resumption of returns.

Mr. Malins: To ask the Secretary of State for the Home Department what the average time taken was from first application to initial decison in asylum cases in each of the last six months. [68647]

Beverley Hughes: The data requested are given in the table.

Average time from date of application to initial decision for initial decisions made between October 2001 and March 2002[1,2,3,4]

Month of initial decision	*Average time (months) to initial decision*
October 2001	12
November 2001	11
December 2001	8
January 2002	8
February 2002	7
March 2002	7

[1] Excluding dependants.

[2] Figures are estimates based on cases for which information is recorded.

[3] The average length of time (in months) is calculated from date application is lodged to the date of initial decision, and relates to the month in which the decisions were made.

[4] Provisional data. These data are still subject to revision following quality checking.

The corresponding figure for April 1997 was 20 months.

The latest provisional data indicate that 53 per cent. of applications[5] received in the period April to December 2001, inclusive, had initial decisions reached and served within two months[6]. The data are subject to revision following the results of further data cleansing. Data for 2001–2002 will be published on the Home Office RDS website on 30 August, subject to data quality.

[5] The Immigration and Nationality Directorate's (IND's) target for 2001–02 is to reach and serve initial decisions on 60 per cent of applications. These exclude 3rd country cases which may be the responsibility of other European Union member states under the terms of the Dublin Convention,. Details of government targets relating to the proportion of decisions served within two months are provided in the 2000 Spending Review Public Service Agreements White Paper available from http://www.treasury.gov.uk/

[6] "Two months" is defined as 61 days.

ASBOs

Mr. Malins: To ask the Secretary of State for the Home Department how many ASBOs have been made in Surrey in each of the last 12 months. [68624]

Mr. Denham: Anti-social behaviour orders (ASBOs) were introduced from 1 April 1999. The data given in the table show the number of ASBOs reported to the Home Office up to the end of December 2001 (latest available).

Number of anti-social behaviour orders issued within Surrey from 1 April 1999 to 31 December 2001.

1 April 1999– 31 December 2000[1]	*1 January 2001– 31 December 2001*	*Total*
2	2	4

[1] From 1 April 1999 to 31 May 2000 information collected on the total number of ASBOs issued by police force area only.

We are currently considering whether any further checks are needed to ensure the accuracy of the number reported.

Pension Schemes

Matthew Taylor: To ask the Secretary of State for the Home Department what assessment he has made of the proportion of the rise in Government liabilities resulting from unfunded parts of the police and fire pension scheme in the last five years due to *(a)* wage inflation, *(b)* longevity, *(c)* extension of the rights of part-time workers and *(d)* other factors; and if he will make a statement. [67025]

Mr. Denham: In relation to the police pension scheme, which is unfunded, I refer the hon. Member to the answer of 1 July 2002 given by myself to the hon. Member for Isle of Wight (Andrew Turner), *Official Report*, column 186W. There is no baseline at present by which to measure the increase in liabilities, but the main driving factors are price inflation, and real earnings growth for current employees and new pensioners.

Matters relating to firefighters' pensions are for my right hon. Friend the Deputy Prime Minister.

ID Cards

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what plans he has to introduce ID cards; at what estimated cost; and if he will make a statement. [67203]

Beverley Hughes: My right hon. Friend the Home Secretary made a statement to the House on 3 July 2002, announcing the publication of a consultation paper on Entitlement Cards and Identity Fraud. The consultation period will last until 10 January 2003. The Government have made it clear that the introduction of an entitlement card would be a major step and that it would not proceed without consulting widely and considering all the views expressed very carefully.

The paper includes a number of estimates of what a scheme would cost, depending on the sophistication of the card. A reasonable estimate would be that a scheme would cost around £1.5 billion over a 13 year period covering the three years it would take to set up the necessary Information Technology systems and the 10 year period for which the first cards would be valid.

This would include much more stringent identity checks than currently apply for passports and driving licences in response to increased levels of fraudulent applications.

It would also include the costs of using biometric information (fingerprints or iris images) which would uniquely link the card holder with a card.

This estimate does not include any savings to Government through more efficient administration and reductions in fraud. The paper also sets out how the costs might be recovered through increases in fees for driving licences and passports and charging a fee for entitlement cards issued to those who did not qualify for or who did not want to apply for a card in the form of a photocard driving licence or passport card. It would not be the Government's intention to use funds allocated for investment in public services for a card scheme.

Brixton Cannabis Experiment

Mr. Andrew Turner: To ask the Secretary of State for the Home Department what the objectives and criteria for success were of the Brixton experiment on policing cannabis use. [67191]

Mr. Ainsworth: The Commissioner of Police of the Metropolis informs me that the key objective for the Lambeth cannabis pilot study was to allow police officers to devote more time to deal with serious crimes by reducing the amount of time they spent at the police station completing the necessary paperwork associated with persons arrested for the possession of cannabis.

During the initial pilot period, a total of 13:50 hours were saved.

Over the period of the pilot there was a 10 per cent. increase in arrests for Class A dealings, and a 44 per cent. increase in arrests for dealing crack.

Police

Keith Vaz: To ask the Secretary of State for the Home Department how many people died in police custody in 2001. [68017]

Mr. Denham: Sixty-four people died in police custody or otherwise following contact with the police during 2001. Two of these deaths occurred in police stations.

Mr. Laws: To ask the Secretary of State for the Home Department if he will estimate the overall crime detection rate for each police force in England in each year from 1990–91 to 2001–02; if he will rank each force in order of highest to lowest detection rate for the latest year for which information is available; and if he will make a statement. [66883]

Mr. Denham: Details for the calendar years 1990 to 1997, and financial years thereafter, were published in table 2.11 of "Criminal Statistics England and Wales 2000", and are given in the table.

There was a change in counting rules for recorded crime on 1 April 1998, which increased the total number of crimes counted in each police force area, and therefore may have affected the detection rate. Detection rates after this date are therefore not directly comparable with previous years.

There was a change in the counting rules for detections on 1 April 1999, the new instructions providing more precise and rigorous criteria for securing a detection, with the underlying emphasis on the successful result of a police investigation. For example, detections obtained by the interview of a convicted prisoner were no longer included. Numbers of detections before and after this date are therefore not directly comparable.

As different police forces have different crime mixes, comparing overall detection rates between forces is of limited value. This is because different types of crime tend to have different detection rates, and so a police force with which has a higher proportion of types of crime with high detection rates will tend to have a higher overall detection rate. Also, police forces may give priority to tackling particular types of crime, with the detection rate of those crimes having some effect on the force's overall detection rate.

England and Wales 1990–2000/01 Percentages

Police force area	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1997–8*[1]	*1998–9*[2]	*1999–2000*[3]	*2000–01*[3]
Suffolk	41	37	39	37	35	34	33	37	39	41	36	35
Devon and Cornwall	32	29	18	25	27	27	30	32	34	36	35	34
Cumbria	43	40	37	38	37	40	36	40	41	44	39	34
Durham	34	30	30	30	32	30	30	31	30	33	32	34
Northamptonshire	35	31	30	27	31	28	34	35	35	33	33	33
Gloucestershire	33	35	24	20	24	27	23	24	26	31	31	31
Northumbria	40	35	17	20	22	23	24	26	26	30	31	31
North Yorkshire	40	36	33	30	25	23	25	26	26	33	31	30
Wiltshire	44	40	37	35	36	32	29	32	32	38	33	30
Cheshire	50	41	29	26	30	31	34	36	34	37	31	30
Hampshire	32	28	26	26	27	28	28	30	30	35	32	29
West Midlands	36	31	27	27	25	24	23	24	25	30	27	28
Leicestershire	36	29	30	28	30	29	31	34	34	34	30	28
Surrey[4]	27	23	22	20	30	31	29	33	35	40	32	28
Merseyside	44	45	42	39	33	27	29	31	31	31	26	28
Kent	25	23	27	25	29	26	32	31	31	34	33	28
Bedfordshire	19	19	20	21	22	22	33	35	35	33	25	27
West Mercia	46	35	34	29	29	28	26	28	27	34	29	27
London, City of	21	20	20	22	27	23	27	26	28	33	32	27
Lancashire	44	40	37	35	33	34	33	29	29	34	29	27
Essex[4]	29	32	29	32	36	33	29	27	28	29	30	26
Norfolk	37	37	34	28	34	31	32	37	36	37	30	26
Derbyshire	32	28	22	21	21	20	21	25	26	31	28	26
South Yorkshire	44	36	26	20	24	24	23	29	32	32	25	25
Dorset	35	41	32	33	30	28	27	29	30	31	26	25
Lincolnshire	43	46	39	37	32	39	42	48	46	40	28	25
Cambridgeshire	38	36	27	25	25	19	24	27	28	29	25	24
Hertfordshire[4]	30	33	26	21	24	28	30	32	33	34	27	24
Sussex	26	23	23	24	24	28	29	26	26	25	25	23
Staffordshire	39	37	30	29	31	32	34	35	34	32	22	23
West Yorkshire	34	28	25	18	20	21	24	27	27	27	25	23
Warwickshire	29	24	23	21	24	25	24	27	29	26	22	22
Thames Valley	26	22	19	21	22	23	25	24	25	25	20	22
Greater Manchester	32	36	35	34	34	24	17	20	20	25	23	22
Avon and Somerset	29	24	17	17	21	23	24	26	26	24	22	22
Cleveland	25	33	32	27	19	25	24	25	23	23	22	21
Humberside	37	32	23	16	17	19	20	20	21	22	19	21
Nottinghamshire	35	27	26	29	28	23	28	28	26	25	21	20
Metropolitan Police[4]	17	17	16	17	23	25	23	26	25	22	16	15
England	31	29	25	25	26	26	26	28	28	28	24	24

[1] The number of crimes recorded in that financial year using the coverage and rules in use until 31 March 1998.

[2] The number of crimes recorded in that financial year using the expanded offence coverage and revised counting rules which came into effect on 1 April 1998.

[3] Revised detections guidance was implemented on 1 April 1999. The new instructions provide more precise and rigorous criteria for recording a detection, with the underlying emphasis on the successful result of a police investigation.

[4] On 1.4.2000, parts of the Metropolitan police area were transferred to Surrey, Essex and Hertfordshire. This may have had an effect on detection rates in these areas.

Police Custody

Dr. Murrison: To ask the Secretary of State for the Home Department how many *(a)* fatalities and *(b)* suicides have taken place among those in police custody in each year since 1992. [68234]

Mr. Denham: The Home Office publishes annual statistics of deaths in police custody or otherwise following contact with the police. Relevant figures derived from those statistics are shown in the following table. Statistics for 2001–02 are currently being finalised.

Year	*Total number of deaths in police custody*	*Deaths that occurred in police stations*	*Inquest verdicts of suicide*	*Inquest verdicts awaited*
1992	48	17	6	0
1993	31	16	4	0
1994	39	17	12	0
1995–96	50	22	12	0
1996–97	57	16	5	0
1997–98	69	11	11	0
1998–99	67	16	12	1
1999–2000	70	7	10	1
2000–01	53	5	3	8

Crime Fighting Fund

Phil Sawford: To ask the Secretary of State for the Home Department at what level he plans to set the crime fighting fund in future years; and what plans he has to fund an increase in the number of police officers. [68040]

Mr. Denham: Under the Government's Crime Fighting Fund (CFF) recruitment initiative, forces have been allocated funding for 9,000 recruits over and above their previous recruitment plans for the three years to March 2003 which will ensure a total 130,000 officers by April 2003.

£454 million has been provided to cover the cost of officers recruited under the scheme during these three years. In addition, the Spending Review 2000 also provided £272 million for 2003–04 to meet the continuing cost of officers recruited under the CFF initiative.

Provision for funding CFF officers beyond 2003–04 is a matter for the current Spending Review. Further provision for the Crime Fighting Fund or other central government funding specifically to increase the number of police officers will be determined in the light of the outcome of the Spending Review 2002.

Police Authority Budgets

Phil Sawford: To ask the Secretary of State for the Home Department what adjustments he proposes to make to the base budget of police authorities relating to funding for officers. [68039]

Mr. Denham: Total Standard Spending for police authorities will be determined in the light of the outcome of the Spending Review 2002. It is for police authorities to determine their own budgets in the light of funding available to them.

PC Taiwo Oduntan

Peter Bottomley: To ask the Secretary of State for the Home Department which police service and inspectorate is reporting to him on the assault on British Transport police constable Taiwo Oduntan. [68074]

Mr. Denham: Sussex Police are investigating the matter on behalf of the Metropolitan Police Service, as agreed by the Police Complaints Authority. The Police Complaints Authority inform us that the agreed terms of reference are:

> To investigate objectively and thoroughly the circumstances surrounding an incident that took place on 22 April 2002, when Taiwo Oduntan was arrested at his home address by officers of the Metropolitan Police Service, detained at Uxbridge Police Station, and suffered injuries;
>
> To investigate specifically the allegation that the actions of the officers were racially motivated;
>
> To take full account of the perspective of each party to the investigative process; and
>
> To ensure that the investigation itself is non-discriminatory.

There is no involvement of Her Majesty's Inspectorate of Constabulary at present but the Police Complaints Authority informs us that any issues of concern will be highlighted to them at the conclusion of the investigation.

Street Crime

Mr. Laws: To ask the Secretary of State for the Home Department what role Baroness Blackstone has in overseeing the street crime initiative of the Avon and Somerset Constabulary; and if he will make a statement. [67692]

Mr. Denham: The cross-government Street Crime Action Group, chaired by my right hon. Friend the Prime Minister agreed that it would be helpful for each of the 10 street crime areas to be supported by a minister. As one of the sponsor ministers Baroness Blackstone is undertaking visits to Avon and Somerset to meet with and support local agencies, to promote a shared approach to tackling street crime at local level, and to identify any issues on which further action by government agencies would be helpful.

Illegal Working

Mr. Malins: To ask the Secretary of State for the Home Department how many prosecutions for illegal working have taken place in the last 12 months; and with what results. [68644]

Beverley Hughes: The information requested is not available centrally, as illegal working is a circumstance rather than a specific offence and the Home Office Court Proceedings Database does not hold information on offence circumstances. However, in the year 2000, 32 persons were prosecuted under section 8 of the Asylum and Immigration Act 1996. This section makes it an offence for employers knowingly or negligently to employ persons aged 16 or over who are subject to immigration control unless they fall into one of two categories. They must either have current and valid permission to be in the United Kingdom which does not prevent them taking the job in question, or they must fall into a category where such employment is otherwise allowed.

Information on the number of prosecutions in 2001 is due to be published in the Command Paper "Control of Immigration Statistics United Kingdom 2001" in late autumn of this year.

Heart Detector Machines

Mr. Malins: To ask the Secretary of State for the Home Department how many full-time staff are employed at *(a)* Dover and *(b)* Folkestone to operate a heart detector machine. [68629]

Beverley Hughes: There are the equivalent of 68 immigration officers, based on the number of staff days worked in a typical week, deployed on freight searching duties at Dover. The officers operate the heartbeat detector as well as other methods for detecting clandestine illegal entrants, such as dogs and carbon dioxide detectors.

The heartbeat detector is not deployed at Folkestone. However the Immigration Service deploys 56 officers in the United Kingdom Control Zone at Coquelles to operate the heartbeat detector and other detection methods.

Robbery

Mr. Bercow: To ask the Secretary of State for the Home Department what the estimated cost to public funds is of the failure to achieve the Public Service Agreement target to reduce robbery. [68777]

Mr. Denham: The Public Service Agreement target is to reduce robbery in the Greater Manchester, West Yorkshire, Merseyside, West Midlands and Metropolitan Police Service areas by 14 per cent by 2005. The target is ongoing and the forces concerned are continuing to work towards its delivery.

Police Treatment of Detainees

Mr. Bercow: To ask the Secretary of State for the Home Department when the PACE Code of Practice on police treatment of detainees will be issued for consultation; and how long the consultation will last. [68789]

Mr. Denham: A draft revised version of the Police and Criminal Evidence Code of Practice (PACE) Code of Practice C on the detention, treatment and questioning of persons by police officers was issued for consultation on 12 June 2002. The consultation period lasts until 16 August.

Domestic Violence

Mr. Cox: To ask the Secretary of State for the Home Department how many cases of domestic violence have been prosecuted by the Crown Prosecution Service in each of the last three years. [63585]

Solicitor-General: I have been asked to reply.

In 1999, the CPS prosecuted 6,404 cases of domestic violence. In 2000, the CPS prosecuted 7,680 cases of domestic violence. In 2001, the CPS prosecuted 7,996 cases of domestic violence. The figures include cases where a defendant agreed to be bound over and are based on the CPS monitoring system of annual 3-month snapshots carried out between 1999 and 2001.

FOREIGN AND COMMONWEALTH AFFAIRS

Diplomatic Missions

Ms Coffey: To ask the Secretary of State for Foreign and Commonwealth Affairs how many serious offences were committed in 2001 by persons entitled to immunity by virtue of their employment by a diplomatic mission or an international organisation, and by their dependants. [70289]

Mr. Macshane: From a community of over 19,500 persons entitled to immunity, 21 serious offences, allegedly committed by such persons, were drawn to the attention of the Foreign and Commonwealth Office in 2001. "Serious offences" are defined in accordance with the 1985 White Paper on Diplomatic Immunities and Privileges—i.e. as offences that would, in certain circumstances, carry a penalty of 12 months or more imprisonment.

Non-Domestic Rates

Ms Coffey: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will name the diplomatic missions in the United Kingdom that owed more than £10,000 as at 5 April in respect of national non-domestic rates for office premises. [70290]

Mr. Macshane: Most diplomatic missions in the United Kingdom meet their obligations and pay the NNDR requested from them. However, as at 5 April 2002, the following missions owed over £10,000 in respect of NNDR:

£

Country	*Amount*
Bulgaria	117,511.13
Iran	97,352.55
Sierra Leone	48,274.76
Algeria	43,194.62
Mozambique	31,116.14
Cameroon	27,646.19
Uganda	24,760.37
Bangladesh	20,636.91
Syria	20,004.66
Zambia	19,276.56
Senegal	14,600,98
Jordan	13,154.29
Cote d'Ivoire	12,066.16
Total	489,595.32

Eleven additional diplomatic missions who each owe more than £10,000 in respect of NNDR have made arrangements with the Valuation Office Agency to clear their outstanding debts have not been included in the list. These eleven missions owe £729,731.66. The total amount outstanding from all missions, therefore, is £1,219,326.98.

Traffic Offences

Ms Coffey: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the number of outstanding parking and other minor traffic violation fines incurred by diplomatic missions during the year ended 31 December 2001. [70291]

Mr. Macshane: At the end of 2001, unpaid fines in respect of parking and other minor traffic violations incurred by Diplomatic Missions and International Organisations in the United Kingdom totalled 5,842 (£276,410.00). In April this year the Foreign and Commonwealth Office wrote to all affected Diplomatic Missions and International Organisations giving them the opportunity either to pay their outstanding fines or to appeal against them if they considered that the fines had been issued incorrectly. As a result payments totalling £62,931.00 were received, leaving a total of 4,485 (£213,479.00) unpaid fines for 2001. The attached table details those Diplomatic Missions and International Organisations that have more than 10 undisputed fines unpaid.

Unpaid parking and minor traffic violation fines—2001—diplomatic vehicles

Diplomatic Mission/ International Organisation	*No. of fines outstanding*	*Amount in £*
Angola	1088	44,470.00
United Arab Emirates	287	14,150.00
Libya	222	10,710.00
China	156	6,400.00
Egypt	151	7,030.00
Mozambique	147	5,940.00
Iran	140	8,250.00
Ukraine	140	7,949.00
Qatar	122	5,790.00
Greece	111	5,650.00
Ghana	96	4,090.00
France	95	5,330.00
Turkey	87	4,980.00
Algeria	69	3,840.00
Morocco	68	3,830.00
Zambia	64	3,710.00
Russia	51	2,800.00
Ethiopia	47	1,990.00
Jamaica	43	2,670.00
Jordan	42	2,480.00
International Maritime Organisation	40	2,000.00
Vietnam	40	2,280.00
Cyprus	39	1,790.00
Mongolia	39	2,630.00
Georgia	38	2,250.00
Brunei	37	1,540.00
Kazakhstan	37	2,180.00
Philippines	37	2,000.00
Albania	35	1,430.00
Afghanistan	34	1,940.00
Hungary	32	1,390.00
Poland	31	1,250.00
Bahrain	30	1,650.00
Malaysia	30	1,360.00
Yemen	30	1,410.00
Pakistan	29	1,680.00
Peru	29	1,680.00
United States of America	27	1,010.00
Cuba	26	950.00
Oman	26	3,010.00
Portugal	25	3,550.00
Dominican Republic	23	1,390.00
Romania	22	1,140.00
Rwanda	20	850.00
Tunisia	20	1,200.00
Uganda	20	840.00
Kenya	19	730.00
Sierra Leone	19	2,120.00
Commonwealth Secretariat	18	1,400.00
Kuwait	16	6,810.00
Sudan	16	760.00
Cote D'Ivoire	15	1,810.00
Barbados	15	600.00
Belgium	15	780.00
Brazil	14	950.00
Zimbabwe	14	560.00
Mexico	13	1,210.00
Spain	13	1,050.00
Germany	12	540.00
Bulgaria	11	670.00
Gabon	11	780.00
Uzbekistan	11	470.00
Total	4254	217,699

Arms Exports

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations Her Majesty's Government have undertaken *(a)* within the UK and *(b)* with European partners in arriving at the new criteria on arms export components. [69507]

Mr. O'Brien: The other factors referred to by my right hon. Friend the Foreign Secretary in his response to the question from the hon. Member for Sherwood (Paddy Tipping), 8 July 2002, *Official Report*, columns 650–52W, were the result of extensive discussion within Government. Since they were an elaboration of existing policy covering a limited category of cases, we did not conduct consultations outside the Government within the UK. But we conducted two rounds of consultations with other EU Member States to check carefully their approach in such cases. Our consultations confirmed that other EU MS recognise the need for a special approach in such cases.

Gibraltar

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the reforms put in place since 1996 in Gibraltar in relation to company law and practice; and what deficiencies these were aimed at correcting. [67847]

Mr. Hain: Since 1996 the Government of Gibraltar has introduced both new legislation and amendments to existing legislation concerning company law and practice. These legislative changes have been made to implement EU Directives impacting on company law.

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the reforms put in place since 1996 in Gibraltar in relation to company law and practice; and what deficiencies these were aimed at correcting. [69353]

Mr. Hain: I refer my hon. Friend to the above answer I gave to my hon. Friend the Member for Thurrock.

Sheik Hamad bin Jassin bin Jaber al-Thari

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date his Department was informed of payments made by BAE Systems for its predecessor British Aerospace to his Excellency Sheik Hamad bin Jassin bin Jaber al-Thari; and if he will make a statement. [61120]

Mr. O'Brien: The first reference we have been able to trace in our records is a report in 1998 which stated that Shaik Hamed bin Jassin bin Jaber al-Thari had received commissions in connection with a defence equipment package signed in 1996 (for which BAe were the lead contractor).

HEALTH

Foundation Hospitals

Mr. Hoban: To ask the Secretary of State for Health how many three star hospitals have indicated a willingness to become a foundation hospital. [64325]

Mr. Lammy: Thirty-one of the acute National Health Service trusts that were awarded 3 stars in the NHS performance ratings announced in 2001 have expressed an interest in foundation status. The first wave of NHS foundation trusts will be selected from among the cohort of NHS acute trusts that achieve 3 stars in the performance ratings to be published in July 2002.

NHS Doctors

Mr. Hoban: To ask the Secretary of State for Health how many doctors were employed in the NHS in *(a)* 2000 and *(b)* 2001, broken down by nationality. [64336]

Mr. Hutton: The Department does not collect data on individual nationalities of doctors but does collect the countries in which they qualified, broken down into United Kingdom, the rest of the European Economic Area and elsewhere.

The table only shows hospital medical staff working in the National Health Service in England. The country of qualification for dental staff is not collected.

Hospital medical staff by country of qualification

	numbers	
England as at 30 September	*2000*	*2001*
All countries of qualification	65,374	67,838
United Kingdom	45,016	46,205
Rest of EEA	3,643	3,662
Elsewhere	16,715	17,971

Source:.

Department of Health medical and dental workforce census.

Notes:

Figures are rounded to the nearest ten.

The following table shows data for general practitioners. The Department does not collect data on doctors by nationality. Information is provided by country of primary medical qualification.

General medical practitioners in England by country of first qualification, 2000 and 2001

	headcount	
	2000	*2001*
	Total	Total
All practitioners[1]	31,369	31,835
of which:		
UK	25,367	26,002
Rest of EEA	1,204	1,253
Elsewhere	4,798	4,580

[1] All Practitioners include GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA), PMS Other and GP Retainers.

Data as at 30 September 2000 and 2001.

Source:

Department of Health General and Personal Medical Services Statistics.

Beta Interferon

Miss McIntosh: To ask the Secretary of State for Health what recent representations he has received on the discrepancies between health authorities in prescribing beta interferon and Interferon for MS; and if he will make a statement. [64459]

Mr. Lammy: My right hon. Friend the Secretary of State has received the hon. Member's letter of 20 June. According to the Department's records we have not received any other recent representations about prescribing discrepancies under the risk-sharing scheme for drugs for people with multiple sclerosis announced on 4 February. The scheme started to operate on 6 May and the guidance in Health Service Circular 2002–04 recognised that it may take 18 months or longer for treatment to be initiated for all eligible patients.

Mr. Heald: To ask the Secretary of State for Health what plans are in place and what the timetable is to introduce the beta interferon risk-sharing scheme to Hertfordshire. [68107]

Mr. Lammy: The National Health Service organisations in Hertfordshire are close to finalising arrangements to meet the requirements of the guidance in health service circular 2002–04 so that patients who meet the criteria developed by the association of British neurologists benefit from treatment with Beta Interferon.

Social Services Departments

Mr. Burstow: To ask the Secretary of State for Health (1) when he proposes to *(a)* start and *(b)* finish the consultation exercise on social service department fines as set out in paragraph 8.10 of Delivering the NHS Plan; [64514]

(2) if he will set out his plans for social services departments who are consistently fined under his proposals in Delivering the NHS Plan, paragraph 8.10. [64517]

Jacqui Smith: I refer the hon. Member to the response I gave him on the 18 June 2002, *Official Report*, column 235W.

Female Staff

Mr. Bercow: To ask the Secretary of State for Health what percentage of the staff of his Department are women; and what the percentage was in June 1997. [66921]

Mr. Lammy: I refer the hon. Member to the reply given by the Minister of State, Cabinet Office on 5 July 2002, *Official Report*, column 622W.

Building Values

Mr. Bercow: To ask the Secretary of State for Health if he will list the buildings owned by his Department and estimate the market value of each of them. [66943]

Mr. Lammy: I refer the hon. Member to the reply given my right hon. Friend the Chief Secretary to the Treasury on 3 July 2002, *Official Report*, column 339W.

Teenage Pregnancies

Mr. Brady: To ask the Secretary of State for Health which voluntary groups are assisting the Government develop and deliver its teenage pregnancy strategy. [66711]

Ms Blears: The teenage pregnancy unit has invited a wide range of voluntary organisations to become members of a non-statutory forum, which meets twice a year. The organisations are listed below.

ACET
Barnados
Black Health Agency
British Pregnancy Advisory Service

Brook
The Children's Society
Crisis
Education for Choice
Fathers Direct
The Foyer Federation
fpa
Gingerbread
Girls Friendly Society
The Guide Association
Health Action for Homeless People
Homestart
Image in Action
Marie Stopes International
Maternity Alliance
National Association of Governors and Managers
National Childbirth Trust
National Children's Bureau
National Children's Home
National Council of Voluntary Child Care Organisations
National Family and Parenting Institute
National Foster Carers Association
National Housing Federation
National Newpin
National Council for One Parent Families
National Pyramid Trust
NSPCC
Parentline Plus
Parenting, Education and Support Forum
PIPPIN
The Princes Trust
Relate
Save the Children
Trust for the Study of Adolescence
Working with Men
YMCA
YWCA

Professionals from the voluntary sector also attend the independent advisory group on teenage pregnancy where, in their personal capacity, they provide advice on the teenage pregnancy strategy.

Mr. Brady: To ask the Secretary of State for Health if he will list the religious organisations which are involved in helping the Government deliver their teenage pregnancy strategy; and if he will make a statement on their role. [66707]

Ms Blears: Development of the teenage pregnancy strategy was informed by consultation with individuals and organisations representing a wide range of faiths.

To ensure on-going dialogue with faith groups during the implementation of the strategy, the teenage pregnancy unit has established an inter-faith forum. The forum meets twice a year to discuss particular aspects of the teenage pregnancy strategy, to consider what role faith members can play in supporting its implementation and to share examples of work in practice with faith communities. The forum has over 40 members and includes representation from the following faiths.

Church of England
Roman Catholic
Methodist
Moslem
Hindu
Jewish

In addition to the inter-faith forum, there are two members of the independent advisory group on teenage pregnancy who provide advice on the strategy from a faith perspective.

Mr. Brady: To ask the Secretary of State for Health if he will make a statement on the funding mechanisms and funding streams for the delivery of his teenage pregnancy strategy. [66704]

Ms Blears: Since April 2002, funding to support implementation of local teenage pregnancy strategies has been routed to top tier local authorities through the teenage pregnancy local implementation grant. The resources support locally agreed teenage pregnancy strategies and action plans, developed jointly by health and local authority partners, with the aim of pump-priming promising approaches and new developments, and facilitating effective local co-ordination. The local teenage pregnancy partnership board, with representation from the local authority, primary care trusts (PCTs) and other key local partners, make recommendations on the use of the grant and oversee implementation of the local action plan.

Local teenage pregnancy partnership boards also liaise with the local authorities, PCTs, and other local organisations to secure additional mainstream sources of funding to support implementation of the strategy.

In addition to the local implementation grant, the teenage pregnancy strategy is supported by other relevant Government initiatives such as the Connexions service, neighbourhood renewal and the children's fund, and funding from other Government Departments, including:

teenage pregnancy standards fund to support school age parents in continuing with their education;

sure start plus and childcare pilots to provide better support for pregnant teenagers and teenage parents;

approved funding from the housing corporation for 1,500 new units of supported housing for teenage parents.

Mr. Brady: To ask the Secretary of State for Health how much funding the Government are making available for reducing teenage conceptions, broken down by non-statutory group funded in the current financial year. [66710]

Ms Blears: During this financial year, we are investing £16 million to support the implementation of local teenage pregnancy strategies which will include, at local discretion, the involvement of the voluntary sector, and a further £900,000 to support regional coordination. An additional £4 million will be invested in the teenage pregnancy strategy national campaign which includes the provision of the sexwise helpline, through the Essentia Group, and funding for Parentline Plus. In addition, a small number of projects undertaken by non-statutory organisations are supported at national level and are listed below.

	£
National Family and Parenting Institute, for consultation with parents.	37,000
GFS Platform Great Yarmouth, for a conference on young parents.	5,000
National Children's Bureau, for consultation with young people and to support further developments in Personal Social and Health Education, including Sex and Relationship Education.	68,000
Brook, for the development of a quality assurance framework for youth contraceptive services.	£20,000

Air Pollution

Ms Buck: To ask the Secretary of State for Health what estimate he has made of the costs borne by the National Health Service as a result of illness caused from air pollution, in each Government Office Region, in the last 12 months for which figures are available. [67491]

Ms Blears: The Department's committee on the medical effects of air pollutants published a report in 1998 on "Quantification of the Health Effects of Air Pollution on Health in the United Kingdom", a copy of which is available in the Library. The report was based on levels of pollutants in 1995. It estimated that the deaths of between 12,000 and 24,000 vulnerable people (mainly those with heart or lung disease) may be brought forward and between 14,000 and 24,000 respiratory hospital admissions and readmissions may be associated with short term exposure to air pollution each year. There was insufficient information to allow quantification of other health effects of air pollution.

The Department's ad-hoc group on the economic appraisal of the health effects of air pollution estimated that the average cost to the National Health Service of a respiratory hospital admission was about £1,390[1].

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[1] For 1994–5 at 1996–7 prices.

Dementia

Mr. Hepburn: To ask the Secretary of State for Health what his Department is doing to help increase the early diagnosis of dementia; what support groups and services there are for people with dementia and their carers in *(a)* Jarrow constituency, *(b)* South Tyneside and *(c)* England; and what his Department is doing to increase the availability of information about dementia to the public. [67040]

Jacqui Smith: The importance of early diagnosis of dementia is recognised in the national service framework (NSF) for older people, which was published in March 2001. Implementation of Standard 7, on mental health in older people, will increase early diagnosis. Introduction of the single assessment process, also required by the NSF, will also help.

There are a number of national organisations which provide support and services for people with dementia and their carers, including the alzheimer's society, dementia voice and carers UK. In South Tyneside, there is a network of community services, provided through the community services department, which support people with dementia and their carers; and other services are being developed. The Alzheimer's Society provides a wide range of support services in collaboration with the personal advisor service which works in local primary health care teams and with the specialist mental health trust. Day care facilities are provided at Palmers Community Hospital in Jarrow.

The Department is promoting the availability of information through implementation of Standard 2 of the NSF, and of the information strategy which underpins the NSF, and through more general developments to promote patient and public involvement, for example, through patient advice and liaison services.

Ambulances

Mr. McLoughlin: To ask the Secretary of State for Health how many ambulance vehicles were involved in *(a)* slight injuries, *(b)* serious injuries and *(c)* fatal accidents in the last five years. [67435]

Mr. Lammy: The information requested is not collected centrally.

Mr. Jenkins: To ask the Secretary of State for Health if he will make a statement on ambulance response times for the Staffordshire Ambulance Service NHS Trust. [66898]

Mr. Lammy: Staffordshire Ambulance Service National Health Service Trust has consistently been one of the best performers for "Category A" response times in the United Kingdom. In 2001–02, they not only exceeded the national target of 75 per cent. of calls responded to within eight minutes, but also exceeded the target for 2002–03 of 80 per cent of calls responded to within eight minutes. Their response rate was listed by the National Audit office in figures published recently as achieving an average of 87.5 per cent., the top performer in the UK. The trust is to be commended on their continuing excellent response rates.

Yellow Card Scheme

Dr. Murrison: To ask the Secretary of State for Health how many *(a)* adverse incidents and *(b)* deaths have been reported under the yellow card scheme since 1997 involving (i) proprietary analgesics, (ii) aspirin-based products, (iii) paracetamol-based products, (iv) non-steroidal anti-inflammatory drug-based products and (v) anti-histamines. [67424]

Mr. Lammy: Reports of suspected adverse drug reactions (ADRs) to medicines are collected by the Medicines Control Agency (MCA) and the Committee on Safety of Medicines (CSM) through the spontaneous reporting scheme, the yellow card scheme.

The number of suspected ADR reports including reports with a fatal outcome received via the yellow card scheme from 1 January 1997 to 4 July 2002 for aspirin-based products, paracetamol-based products, non-steroidal anti-inflammatory drug (NSAID) based products and anti-histamines are provided in the following table.

	No. of ADR reports	*No. of reports with a fatal outcome*
Aspirin-based products	572	41
Paracetamol-based products	368	38
NSAID-based products	7833	256
Anti-histamines	1039	19

Proprietary analgesics are difficult to define as a group and include aspirin-based, paracetamol-based and NSAID based products, the data for which are provided in the table above. These data should be seen in the context of the very wide usage of these drugs with millions of patients being treated every year in the United Kingdom.

It is important to note that submission of a suspected ADR report does not necessarily mean that it was caused by the drug. Many factors have to be taken into account in assessing causal relationships including temporal association, the possible contribution of concomitant medication and the underlying disease.

Data from the yellow card scheme cannot be used to measure the frequency of an adverse reaction as it is associated with a degree of underreporting which varies between different medicines.

The MCA/CSM has provided guidance on safe prescribing of NSAIDs to health professionals in 1994 and most recently in April 2002.

Cancer

Mr. Jim Cunningham: To ask the Secretary of State for Health how much has been spent by the NHS on *(a)* cancer research and *(b)* cancer treatment in each of the last three years. [67801]

Ms Blears: Total Department and National Health Service expenditure in England for cancer research was £77.4 million in 1999–2000 and £83.8 million in 2000–01. Figures for 2001–02 are not yet available.

The Department does not collect figures on the cost of NHS services in a way that enables an accurate figure to be calculated for the cost of a particular disease.

Mr. Heald: To ask the Secretary of State for Health what assessment his Department has made of Datamonitor's recently published research on five year cancer survival rates. [68279]

Ms Blears: The Datamonitor survey was based on survival rates for cancer patients diagnosed over a decade ago. These figures showed that survival rates in this country were lower than for comparable European countries. That is why, in September 2000, we published the NHS Cancer Plan which sets out a programme of action to improve cancer prevention, detection, treatment and research which are intended to bring our survival rates in line with the rest of Europe.

Mr. Oaten: To ask the Secretary of State for Health what epidemiology studies his Department have carried out to investigate the causes of cancer clusters. [67136]

Ms Blears: The Department has funded a number of epidemiology studies on specific cancer clusters. The following studies were commissioned from the Small Area Health Statistics Unit at Imperial College and all are published in the scientific literature:

Incidence of cancer of the larynx and lung near incinerators of waste solvents and oils in Great Britain. (Elliott *et al.*, Lancet (1992): Volume 339, pp. 854–858.)

Cancer incidence and mortality near the Baglan Bay petrochemical works, South Wales. (Sans *et al.*, Occupational and Environmental Medicine (1995): Volume 52, pp. 217–224.)

Lympho-haematopoetic malignancy around all industrial complexes that include major oil refineries in Great Britain. (Wilkinson *et al.*, Occupational and Environmental Medicine (1999): Volume 56, pp. 577–590.)

Cancer incidence near radio and television transmitters in Great Britain. 1. Sutton Coldfield Transmitter and 2. All high power transmitters. (Dolk *et al.*, American Journal of Epidemiology (1997): Volume 145, pp. 1–9 and 10–17.)

Cancer incidence and mortality around the Pan Britannica Industries pesticide factory, Waltham Abbey. (Wilkinson *et al.*, Occupational and Environmental Medicine (1997): Volume 54, pp. 101–107.)

The Committee on Medical Aspects of Radiation in the Environment (COMARE) recommended (COMARE Third Report) an investigation of the geographical distribution of childhood cancer and leukaemia in Great Britain and how the pattern of cases around nuclear installations compares with the national pattern. A study has been commissioned by the Department of Health Radiological Protection Research Programme (RPRP) and is a multicentre study co-ordinated by the childhood cancer research group in Oxford. This study is nearing completion and the Department has asked COMARE to advise on which, if any, nuclear installations in Great Britain have incidences of childhood cancer and leukaemia in their vicinity which are statistically outside the distribution seen nationally. COMARE is hoping to report on this aspect of the study to the Department in 2003. The study is investigating, among other topics, clustering as a feature of childhood cancer. This will be broken down as leukaemia and other childhood cancers and other groupings considered relevant. The study will also relate leukaemia and non-Hodgkin lymphoma around nuclear installations to the Great Britain clustering analysis.

When complete, the database will also allow investigation of other environmental factors and their potential relevance to the temporal and spatial distribution of childhood cancer.

The RPRP is also funding a study into the possible association between childhood cancer, electromagnetic fields (emf) and powerlines. The Department also contributes to the Electromagnetic Field project, which is examining possible associations between emf and general disease patterns (including cancer).

Breast Cancer

Mr. Hancock: To ask the Secretary of State for Health how many women have been diagnosed with breast cancer in the Isle of Wight, Portsmouth and South East Hampshire Health Authority in each of the last five years; what the local survival rate is; how much funding has been given to breast cancer treatment in each of the last five years; and if he will make a statement. [67421]

Ms Blears: Information held centrally on diagnoses of breast cancer in the former Isle of Wight, Portsmouth and South East Hampshire Health Authority area is shown in the table.

Finished consultant episodes (FCEs) where the main diagnosis was "Malignant neoplasm of breast" or "Carcinoma in situ of breast", for patients resident in Isle of Wight and Portsmouth & South East Hampshire Health Authority

Health Authority	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
QD2 Portsmouth & South East Hampshire HA	471	558	531	494	836
QD4 Isle of Wight HA	451	498	508	548	249
Total	992	1,056	1,039	1,042	1,085

Notes:

1. An FCE is defined as a period of patient care under one consultant in one health care provider. The figures do not represent the number of patients, as one person may have several episodes within the year.
2. The main diagnosis is the first of seven diagnosis fields in the HES data set, and provides the main reason why the patient was in hospital.
3. Data in this table are adjusted for both coverage and unknown/invalid clinical data, except for 2000–01 which are not yet adjusted for shortfalls.

Source:

Hospital Episode Statistics (HES), Department of Health.

Additional information on registrations and survival rates can be found in the Compendium of Clinical and Health Indicators 2001, which is available on national centre for health outcomes website. Information on breast cancer is also available on the National Statistics website.

The mortality rates for the former health authority area have decreased over the last decade but do remain high compared to the rest of the country, as do the average life years lost for women under 75 years. The breast cancer group of the central south coast cancer network is to examine in more detail the apparent variations and to review all treatment protocols to ensure they follow best practice.

The funding allocated to local breast cancer services is determined by the health authority and, for that reason, figures are not held centrally.

ADHD

Mr. Laurence Robertson: To ask the Secretary of State for Health what financial resources are available for the treatment of ADHD; how many specialist staff are employed in the NHS to work with children with ADHD in *(a)* Gloucestershire, *(b)* England and *(c)* the average health authority in England; and if he will make a statement. [67141]

Jacqui Smith: Information is not collected centrally on the expenditure on attention deficit hyperactivity disorder (ADHD) nor on the number of specialist staff employed in the National Health Service who work with children with ADHD.

Human Fertilisation and Embryology Authority

Bob Spink: To ask the Secretary of State for Health what his policy is on the Human Fertilisation and Embryology Authority's increase in licence fees; and if he will make a statement. [67138]

Ms Blears: We will consider the Human Fertilisation and Embryology Authority's proposals when they have completed the wide ranging consultation currently under way.

Genetic Diagnostics

Bob Spink: To ask the Secretary of State for Health what public consultation was undertaken by the HFEA on pre-implantation genetic diagnostics, prior to their HASHMI decision; what the results of the consultation were; and what conclusion the HFEA reported. [67135]

Ms Blears: The decision in principle to allow the licensing of treatment whereby an embryo is tested for its tissue compatibility with an existing sibling by preimplantation genetic diagnosis (PGD) is a matter for the Human Fertilisation and Embryology Authority (HFEA).

In November 2001 the HFEA and the Human Genetics Commission (HGC) published the outcome of their joint public consultation on PGD which had begun in November 1999 as a joint consultation between the HFEA and the then Advisory Committee on Genetics Testing. This supported the use of PGD, subject to strict licensing arrangements, and concluded that tissue-typing as part of PGD would require further discussion. Following further consideration of the issue by the HFEA's ethics committee, the HFEA announced in December 2001 their decision in principle to allow PGD for serious genetic disease to be used in conjunction with tissue typing. Applications are considered on an individual basis and to date only one licence has been granted after very careful and lengthy consideration of the issues involved.

Alcohol

Mr. Yeo: To ask the Secretary of State for Health if he will make a statement on the number of *(a)* admissions to hospital, *(b)* visits to a GP and *(c)* other interfaces with the National Health Service that were alcohol related and their combined cost in each of the last five years. [67020]

Ms Blears: Data on National Health Service hospital admissions and costs to the NHS are provided in the tables shown. Data are not available on the number of visit to general practitioners and other interfaces with the NHS that were alcohol related.

Table 1

NHS hospital admissions where there was a primary diagnosis of selected alcohol related disease, England, 1996–97 to 2000–01

Primary diagnosis (ICD10)		*number of admissions*
1996–97		
F10	Mental and behavioural disorders due to alcohol	32,500
K70	Alcoholic liver disease	7,900
T51	Toxic effect of alcohol	2,300
Total of above		42,700
1997–98		
F10	Mental and behavioural disorders due to alcohol	34,400
K70	Alcoholic liver disease	9,000
T51	Toxic effect of alcohol	2,400
Total of above		45,700
1998–99		
F10	Mental and behavioural disorders due to alcohol	32,100
K70	Alcoholic liver disease	9,200
T51	Toxic effect of alcohol	2,000
Total of above		43,300
1999–2000		
F10	Mental and behavioural disorders due to alcohol	32,300
K70	Alcoholic liver disease	10,100
T51	Toxic effect of alcohol	2,000
Total of above		44,400
2000–01		
F10	Mental and behavioural disorders due to alcohol	27,300
K70	Alcoholic liver disease	10,100
T51	Toxic effect of alcohol	1,700
Total of above		39,100

Notes:

1. The data include private patients in NHS hospitals.
2. The data do not include patients admitted with a primary diagnosis not related to alcohol (e.g. an injury).
3. Data in this table have been rounded to the nearest one hundred admissions. Data for 1996–97 to 1999–2000 have been grossed for both coverage and unknown/invalid clinical data.
4. ICD10 = International Classification of Diseases, 10th Revision.

Source:

Department of Health, Hospital Episode Statistics.

Table 2

Estimated cost of alcohol misuse to the NHS, England and Wales, 1999

	£million
Inpatient costs—direct alcohol diagnosis	52
Inpatient costs—other alcohol related diagnosis	152
General practice costs	4
Total cost to NHS	207

Notes:

The original study from which this estimate was obtained provided data at 1994 prices. It has been adapted, and updated to 1999 prices by the Department of Health (EOR).

Source of original study:

Godfrey C, Hardman G: *Changing the social costs of alcohol. Final report to the AERC.* York: Centre for Health Economics, University of York, 1994.

Spending Review

Mr. Bercow: To ask the Secretary of State for Health how many staff have contributed to his Department's input to the Spending Review. [68692]

Mr. Lammy: The Spending Review has covered the breadth of the Department's spending programmes in varying degrees. As such, the Review has required the involvement of a range of staff from across the Department. The Spending Review is closely linked to the Department's on-going work programme and it is not possible to estimate precisely how many staff have been involved.

Royal Prerogative

Mr. Carmichael: To ask the Secretary of State for Health what decisions have been made by his Department in the last year under authority from the Royal Prerogative. [63131]

Mr. Lammy: I refer the hon. Member to the response given by my hon. Friend the Member for Salford (Ms Blears) to the hon. Member for Pendle (Mr. Prentice) on 9 November 2001, *Official Report*, column 470W.

Cancelled Operations

Norman Baker: To ask the Secretary of State for Health how many operations were cancelled in each quarter of 2001, broken down by NHS trust. [65166]

Mr. Hutton: Data on the total number of operations cancelled are not collected. A list of the number of operations cancelled by the hospital for non-clinical reasons on, or after the day the patient was due to be admitted, broken down by National Health Service trust, will be placed in the Library.

Mr. Norman: To ask the Secretary of State for Health how many operating slots have been cancelled at the *(a)* Kent and Sussex Hospital and *(b)* Pembury Hospital since May 1997. [67047]

Ms Blears: Information on operating slots has not been collected centrally for a number of years. Information on cancelled operations is collected at health authority level and placed in the Library. Information for individual National Health Service trusts is available on the Department's website.

Herbal Products

Mr. Heald: To ask the Secretary of State for Health (1) what progress the Government have made in its negotiations within Europe to amend the drafting of the European Traditional Herbal Medicinal Products Directive to ensure that account can be taken of herbal traditions from outside the EU in satisfying the 30 years qualifying period for herbal products without proof of efficacy; [66852]

(2) if he will place in the Library the evidence of people being harmed by unregulated herbal medicines referred to by the Parliamentary Under Secretary of the Department of Environment, Food and Rural Affairs, European Standing Committee C on 18 June 2002, *Official Report*, column 11W; [66851]

(3) if he will list the criteria being used to determine which herbal products will be included on the positive list of herbal substances under Article 16f of the amendment proposed to Directive 2001/83/EC regarding traditional herbal medicinal products; [66773]

(4) what representations his Department has received to reduce the length of period that a herbal product or combination of herbal products must have been in use to 15 years; and if he will make a statement; [66858]

(5) what estimate his Department has made of the number of herbal products available in the UK that will be excluded under the current draft of amendments to Directive 2001/83/EC concerning traditional herbal medicinal products; [66855]

(6) what plans he has to inform the public of the difference between a licensed and a registered herbal product; and what this difference will mean in terms of the safety and efficacy of the herbal product; [66859]

(7) what evidence his Department has received of products that have contained dangerous combinations of herbs; if he will list these combinations; and what harmful effect each combination had on humans; [66856]

(8) if he will define the terms very high, high and medium in terms of pounds sterling, with regard to compliance costs referred to in the regulatory assessment for the prosposals amending Directive 2001/83/EC regarding traditional herbal medicinal products. [66774]

Ms Blears: An assessment of safety issues associated with herbal medicines, whether comprising of one or more ingredients, will be placed in the Library. In summary, safety issues relating to unlicensed herbal remedies leading to public health risk have arisen in the United Kingdom and elsewhere as a result of a number of factors. These include: interactions between herbal remedies and other medicines; the inherent toxicity of a herbal ingredient; the inclusion of toxic herbal ingredients or contamination as a result of poor manufacturing standards; and the adulteration of herbal remedies with other ingredients, such as prescription only corticosteroids.

There are a range of possible reasons why a product currently sold as an unlicensed herbal remedy under Section 12(2) of the Medicines Act, 1968, might not satisfy the criteria of the proposed Directive on Traditional Herbal Medicinal Products. There are no specific quality or safety standards set under the current regulatory regime for unlicensed herbal remedies and it is therefore possible that in some cases, without adjustment to the product, the safety and quality standards applicable under the proposed directive might not be met. Concerns have been expressed by some respondents to a recent consultation exercise (MLX 283) carried out by the Medicines Control Agency (MCA) that some products, currently legally sold as unlicensed herbal remedies may fall outside the scope of the directive as a result of an inability to demonstrate traditional usage as currently defined in the directive. The consultation period has been extended to the end of July specifically to allow those expressing concerns to identify any examples of such products.

As the MCA's consultation exercise on the proposed directive is still in progress analysis of the results is ongoing. There have, however, been some representations suggesting that the 30 year period for demonstrating traditional use might be reduced. The figure of 30 years as a reasonable indicator of traditional usage was once commanded wide support among many member states throughout the informal development of the directive. The specific examples which the MCA has asked the herbal sector to provide by the end of July should help to demonstrate whether the proposed 30 year criteria would in practice present a significant threat to the regulatory position of herbal remedies which could reasonably be regarded as traditional.

An initial discussion of the proposed directive took place in the Council of Ministers' working group on 10 June. The UK Government indicated their view that the quality, reliability and relevance of the evidence of traditional use was more important than its geographical origin. We will continue to argue this position as negotiations proceed.

The purpose of the positive list of herbal substances within the proposed directive is to facilitate applications for traditional use registrations so that, where an application complies with the positive list, the applicant need not demonstrate safety or traditional use of the product. The directive proposes that the Committee on Herbal Medicinal Products will be responsible for establishing and maintaining the list. Items will be included on the list where the committee accepts that a particular herbal substance, used within the parameters laid down in the list for example as to strength and therapeutic indication, meet the requirements of the directive as to safety and traditional usage.

The terms used in the initial regulatory impact assessment of the proposed directive were intended to give a very broad indication of the relative impact of the proposals. The actual costs attributable to the directive are likely to vary widely between companies, depending on many factors. For example, the impact of the directive could be very high on a company which was currently placing large numbers of herbal medicines on the market while not following any systematic quality standards. This assessment of very high regulatory impact is unlikely to apply, for example, to those UK companies which manufacture unlicensed herbal remedies in compliance with various systematic codes of practice operated by a number of trade associations in the herbal medicines and health food sector. Similarly, the potential for increased sales, which may for example flow from increased public confidence in the quality of products on offer and improved product information will depend on the response of individual companies.

The proposed directive would require product information for a herbal medicine with a traditional use registration to include a statement indicating that the efficacy of the product was not proven. A separate proposal in the review of European Union legislation for licensed medicines would allow companies to state in advertising that a medicine with a marketing authorisation was licensed. Both herbal medicines with a marketing authorisation and those with a traditional use registration would have been assessed by the competent authority as having acceptable safety. The indication for a traditional use registered product would be based on long usage rather than proven efficacy, as is required for a product with a marketing authorisation. The MCA has indicated that it has no present plans to review licensed herbal medicines with a view to assessing whether some might more appropriately come within the category of traditional use registration. This is a complex issue and it is possible that the Committee on Herbal Medicinal Products as proposed in the directive may develop guidance on this area in due course.

Concerns have been expressed by some in the health sector that the proposed quality and manufacturing standards may be over-regulatory. Those expressing such concerns have been invited during the extended period of consultation on the directive to identify which particular standards might be regarded as unnecessary or inappropriate. Further dialogue on this issue should enable the regulatory impact assessment to be enhanced.

Mr. Heald: To ask the Secretary of State for Health whether he intends to make further representations to the European Commission about the proposed Traditional Herbal Medicinal Products Directive. [67968]

Ms Blears: We intend to participate actively in negotiations on the proposed Directive on Traditional Herbal Medicinal Products and will make representations and propose, support or oppose amendments to the directive as may be necessary in the interests of public health and consumer choice in the United Kingdom. We have extended the period of the Medicines Control Agency's consultation on the directive until the end of July in order to allow those with concerns an opportunity to provide more specific evidence. My noble Friend the Parliamentary Under-Secretary of State for Health and I are meeting representatives of the herbal sector during July to discuss the proposed Directive. In the light of points which may emerge from this further consultation and dialogue, we will consider what additional points we may wish to pursue during the course of the negotiations. We have already highlighted that we wish to see greater flexibility to take account of non-European herbal traditions and that we intend to press for an early date to be specified for the review of the scope of the directive with a view to its possible extension to at least some categories of non herbal traditional medicines.

Withholding Food and Fluid

Mr. Drew: To ask the Secretary of State for Health (1) what his policy is on the use of sedation, with specific reference to withholding food and fluid from a patient; [67215]

(2) what his policy is on withholding food and fluid from patients and the notice to be taken of relatives' wishes; [67214]

(3) what advice his Department offers on the use of drugs that suppress the symptoms of terminal dehydration. [67216]

Mr. Lammy: I am advised that food and fluids should always be offered to patients who are capable of swallowing them. For terminally ill patients in the final days of life the objective is to control distressing and painful symptoms. Achieving such control may result in sedation. Many patients stop drinking and eating during the final days and it will be for clinical judgment to decide what is the appropriate treatment. Where nutrition and hydration have to be provided by artificial means, their possible withdrawal is in all cases a matter of clinical judgment which is undertaken in accordance with professional advice in accordance with a responsible body of medical opinion and the general law.

An adult patient who is capable of making his or her own treatment decision is entitled to do so and can refuse artificial hydration and nutrition just as he can any other form of treatment. In the absence of a valid advance refusal of treatment, doctors are required to act in the best interests of a adult patient who is unable to make his or her own treatment decisions. Sometimes this will mean that medical treatment (which includes artificial hydration and nutrition) which is no longer beneficial to the patient should be withdrawn. In these circumstances, suitable medical or other care should be provided to ensure that the comfort and dignity of the patient are maintained. In line with good practice, decisions to withdraw medical treatment should be made only after discussions with the healthcare team and those close to the patient.

Guidance in relation to palliative care *(Changing Gear—Guidelines for Managing the last days of life in adults)* was issued by the Department of Health in 1998, and advice on withdrawing and withholding treatment was included in the *Reference Guide to Consent for Examination and Treatment,* published in March 2001. Further guidance is also available from the British Medical Association.

North Surrey Primary Care Trust

Mr. Wilshire: To ask the Secretary of State for Health what the *(a)* budgeted income and *(b)* planned expenditure of the North Surrey Primary Care Trust are for 2002–03. [67465]

Ms Blears: The North Surrey Primary Care Trust has reported that the current position on the 2002–03 budget is expenditure of £166.640 million. This position takes account of the trust's £2.3 million internal savings programme.

The trust's income is subject to service and financial framework discussions between Surrey & Sussex Health Authority and the Department's Directorate of Health and Social Care for the South of England, which are still ongoing.

IT Projects

Mr. Heald: To ask the Secretary of State for Health (1) what assessment he has made of the cost to private sector IT suppliers of developing proposals for core ICT demonstrator projects initially supported by his Department, but for which funding was not found; [67976]

(2) what representations he has received from private sector IT suppliers concerning the provision of funding for core ICT demonstrator projects initially supported by his Department. [67977]

Ms Blears: A programme of small-scale pilot projects—electronic record demonstrator and implementation programme (ERDIP) was funded by the Department. These are currently being evaluated to assess progress and lessons learned prior to a decision being taken about further work.

In addition, joint work between the Department and a number of private sector consortia was undertaken to explore potential large-scale development projects in information technology (IT). Resources were made available by both the Department and the private sector for this but the considerable monies required for the execution of the projects could not be found.

All future IT developments in the NHS are now subsumed into the National Programme described in "*Delivering 21st Century IT Support for the NHS—National Strategic Programme*"—copies are available in the Library and at: www.doh.gsi.gov.uk/ipu/whatnew/deliveringit

The Department will continue to work in partnership with the private sector to deliver IT for the NHS.

Mr. Heald: To ask the Secretary of State for Health (1) what the status is of existing NHS ICT procurements at PCT level; and if he will make a statement; [67987]

(2) if he will publish the guidance which he has issued to PCTs to halt existing NHS ICT procurements; [68003]

(3) whether he intends to issue further guidance concerning existing NHS ICT procurements at PCT level. [67986]

Ms Blears: The new National Health Service information technology programme was outlined in the document "Delivering 21st Century IT Support for the NHS: National Strategic Programme", published by the Department in June 2002. The key change of direction is to take greater central control over the specification, procurement, resource management, performance management and implementation of the information and IT strategy.

Existing local procurements, and the development by local primary care organisations of system specifications and functional requirements, are valuable in the development of a new national approach. Guidance published by the Department in support of the June 2002 document states:

> "Procurements are underway in many places to deliver electronic patient records and other systems and these procurements need to proceed. Certainly by 2008, as indicated in Delivering the NHS Plan, we expect to see all key applications and functionality of electronic patient records in all PCTs and Trusts."

On 29 April 2002 the NHS primary care information modernisation programme published a guidance document advising local organisations that have not yet begun procurements to await further guidance arising from the new approach to system certification and accreditation. There was no advice to halt existing procurements; instead the programme advised:

> "Primary care organisations that have already begun the procurement of new primary and community information systems should contact the Primary Care Information Modernisation team. This will enable the team to have a clear understanding of all local activity and the impact that this will have on current and future national initiatives. The team will ensure that the primary care organisation is made aware of any other relevant activity, including contact details, and will provide more detailed guidance and support if required."

As the new procurement strategy is developed, the Department will issue further advice as to how migration to the new arrangements will be made. This will cover all NHS IT procurements, including those relating to primary care organisations, and will take into account developments arising from existing local procurements.

Primary Care Drug Dictionary

Mr. Heald: To ask the Secretary of State for Health (1) what procedures were followed in procuring the design, prototyping and population of the primary care drug dictionary; [67992]

(2) whether tenders were issued for the design, prototyping and population of the primary care drug dictionary. [67990]

Mr. Lammy: A drug dictionary has been developed as part of the research phase of the development of PRODIGY, a computerised decision and learning support tool for general practitioners.

A recent re-procurement of primary care decision support (based on PRODIGY) is near completion as the work moves from research and development to the implementation phase. Reference to the design work and prototyping for an electronic drug dictionary was included as part of the procurement process. This is consistent with European Union procurement rules.

Statistics

Mr. Laws: To ask the Secretary of State for Health if he will list the statistics that are collected by his Department by English parliamentary constituency; and if he will make a statement. [67100]

Mr. Lammy: The Department collects a wide range of statistics, most of which are collected at a local level. They are based on administrative areas such as health authorities, primary care trusts, National Health Service trusts or local authorities that reflect local lines of responsibility and accountability. They are not collected at Parliamentary constituency level.

Members of the Government statistical service (GSS) in all Government Departments provide a statistical service to the Library.

The Library provides a tailored service for Members. Statistics that can often be provided at parliamentary constituency level include economic status (employment, unemployment, and inactivity), claimant count, employee jobs, average earnings and census data. Also, many statistics that are available at a lower level can generally be aggregated to parliamentary constituency level. This includes the increasing range of statistics at ward level becoming available through the neighbourhood statistics service (www.statistics.gov.uk/neighbourhood).

Medical Devices Directive

Mr. Allan: To ask the Secretary of State for Health what proposals he has to ensure that the European Medical Devices Directive is in accordance with the Furniture and Furnishing Regulations of 1988 with respect to flame resistance tests for furniture. [67637]

Mr. Lammy: The Medical Devices Agency, an executive agency of the Department, has consulted the European Commission about the mechanism for requiring manufacturers of orthopaedic mattresses who place their products on the market as a medical device to also meet the national measures relating to the flammability of furniture in the United Kingdom and is waiting a response.

Ministerial Meetings

Mr. Heald: To ask the Secretary of State for Health when he last met the *(a)* Chairman of the Council of the BMA, *(b)* President of the Royal College of Physicians, *(c)* President of the Royal College of Surgeons, *(d)* President of the Royal College of Psychiatrists, *(e)* President of the Royal College of General Practitioners, *(f)* President of the Royal College of Obstetricians and Gynaecologists and *(g)* President of the Royal College of Nursing. [68061]

Mr. Lammy: My right hon. Friend the Secretary of State, my Ministerial colleagues and I meet regularly, formally and informally, with key stakeholders, including representatives of the medical and nursing professions and other bodies.

NHS Funding

Mr. Heald: To ask the Secretary of State for Health, pursuant to his answer of 25 February 2002, *Official Report,* column 991W, on NHS-funded activity, if he will share the key findings referred to. [68266]

Mr. Hutton: We are considering how best the findings might be made available.

Surplus Property

Mr. Heald: To ask the Secretary of State for Health what progress has been made in implementing the recommendations in the report by the Comptroller and Auditor General on "The Management of Surplus Property by Trusts in the NHS in England"; and if he will make a statement. [68059]

Mr. Lammy: Departmental officials are making substantial progress in implementing the recommendations contained in the report by the Comptroller and Auditor General on "The Management of Surplus Property by Trusts in the NHS in England".

This includes:

A letter to all National Health Service trust and primary care trust (PCT) chief executives requiring them to have an estate strategy by 31 December 2002 with progress being monitored by NHS Estates.

"Amendments to Estatecode" which incorporate the report's recommendations which is being published this month.

A training session for all staff involved in corporately overseeing sales by NHS trusts and PCTs.

The publication this month of an information guide to local planning authorities and the NHS on development plans and NHS modernisation.

European Law

Mr. Heald: To ask the Secretary of State for Health what steps his Department takes to ensure that it follows procedures for procurement in accordance with European law. [68048]

Mr. Lammy: The Department maintains comprehensive guidance covering all aspects of procurement activity, including the European Union Public Procurement Directives. This information and guidance is posted on the Department's Intranet to which all its staff has access.

In addition to written instructions, the Department's central procurement policy and advisory unit exists to instruct and provide support to anyone in the Department who may be engaged in any procurement activity. It is a specific Departmental requirement that all procurements in excess of £50,000 involve the services of a trained purchaser.

Correspondence

Mr. Burns: To ask the Secretary of State for Health when he will reply to the letter from the hon. Member for West Chelmsford of 22 April regarding the treatment of bowel cancer. [68289]

Ms Blears: A reply was sent on 11 July.

E-injuries

Mr. Burstow: To ask the Secretary of State for Health what research his Department has undertaken on children with *(a)* repetitive strain injury, *(b)* text message injury and *(c)* long-term injuries from playing gaming consoles. [68097]

Jacqui Smith: The main Government agency for medical research is the Medical Research Council (MRC), which is funded via the Department of Trade and Industry. The MRC funds research into repetitive strain injury and spent £97,000 on research into this condition in 2000–01. The MRC is not supporting any research into children with repetitive strain injury, text message injury or long term injuries from playing gaming consoles.

Eden Strang

Mr. Burstow: To ask the Secretary of State for Health what role his Department has played in the *(a)* release and *(b)* post-release arrangements of Eden Strang; and if he will make a statement. [67854]

Jacqui Smith: Mr. Strang was managed as a voluntary National Health Service patient.

His pre discharge and discharge plan was in line with the care programme approach which in general terms involves a multi-disciplinary assessment of health and social care needs, including risk assessment, and an appropriate care plan.

Community Equipment Services

Mr. Heald: To ask the Secretary of State for Health how many people benefited from the use of community equipment services in *(a)* 2000 and *(b)* 2001. [68271]

Jacqui Smith: It is estimated that 1,300,000 individual people benefited from National Health Service and social services community equipment services in the year ending 31 March 2001. An estimate is not available for the year ending 31 March 2000.

Defibrillators

Mr. Heald: To ask the Secretary of State for Health what procedures his Department has put in place to ensure that members of staff at sites where automated defibrillators have been installed have been appropriately trained in the use of such equipment. [68275]

Ms Blears: A defibrillator advisory committee (DAC) was established at the outset of the initiative to assist the government with the implementation of the defibrillator initiative. One of its tasks was to recommend criteria for the training competencies of those individuals who may be required to use an automated external defibrillator (AEDs) at sites identified. An initial four hour training programme was agreed that covered the training outcomes of basic life support (BLS) and the use of an AED. Trainees are not certified if they fail to achieve the crucial competencies. Refresher training occurs at six monthly intervals to ensure skill and knowledge retention. All trainees who pass the course are issued with a training record card that is certified by the trainer to show they have attended a training course in BLS and the use of an AED; this is updated following the successful completion of subsequent refresher training courses.

A formal procurement process to purchase training services was undertaken to meet the training requirements of the programme's national roll-out and to ensure the appropriate training of personnel at sites identified. Training contracts were awarded under the direction of the NHS Purchasing and Supply Agency (PASA) and in conjunction with medical and educational advisors from the resuscitation council (UK) Training contracts for five National Health Service regions were awarded to ambulance service training departments, St. John Ambulance was awarded contracts for two regions, and the British Red Cross was awarded a contract for one region.

Mr. Heald: To ask the Secretary of State for Health how many new automated defibrillators have been installed in public places since 1 May. [68276]

Ms Blears: Since 1 May 2002, fifty-five automated external defibrillators (AEDs) have been installed across seventeen public sites in England. Since the launch of the first site in April 2000, 542 AEDs have been installed across eighty-two sites.

Mr. Heald: To ask the Secretary of State for Health how many staff at each of the sites where automated defibrillators have been placed have participated in training programmes in their use. [68274]

Ms Blears *[holding answer 10 July 2002]:* By the end of June 2002, 2914 personnel across seventy-five sites identified for the *Defibrillators in Public Places Initiative* had received training in basic life support and the use of an automated external defibrillator. A breakdown of training activity at each site is illustrated below:

	Site	*Number trained*
1	MetroCentre	93
2	Leeds Station	40
3	Euston Station	30
4	Liverpool Street Station	30
5	Manchester Piccadilly Station	40
6	Birmingham New Street Station	30
7	Waterloo Station Waterloo International	51
8	Victoria Station	50
9	Heathrow Terminal 4	53
10	Earl's Court Station	19
11	Heathrow Terminal 2	45
12	Liverpool Airport	51
13	Heathrow Terminal 3	60
14	Newcastle Airport	144
15	Reading Station	40
16	Coventry Station	7
17	York Station	25
18	London Bridge Station	31
19	Stansted Express	29
20	Sheffield Station	16
21	Exeter Airport	38
22	Exeter St David Station	12
23	Bristol Templemeads Station	19
24	Plymouth Station	20
25	Barnsley Interchange	18
26	Gatwick Airport	306
27	Continental Ferry Port—Portsmouth	34
28	Crewe Station	21
29	Preston Station	12
30	Stockport Station	15
31	Euro Tunnel, Folkestone	104
32	Sheffield Interchange	15
33	Peterborough Station	13
34	Victoria Coach Station	21
35	West Bromwich Bus Station	6
36	Paddington Station	19
37	Luton Airport Parkway Station	23
38	King's Cross Station	17
39	Newcastle Central Station	25
40	Manchester Coach Station	13
41	Charing Cross Station	14
42	Leeds Bradford Airport	60
43	Ipswich Station	10
44	Albert Dock Company	24
45	Blackfriars Station	10
46	East Midlands Airport	11
47	Bristol Airport	174
48	Doncaster Station	16
49	Norwich Station	7
50	Liverpool Lime Street	8
51	Luton Airport	41
52	Birmingham International Airport	144
53	Stansted Airport	171
54	Manchester Airport	148
55	Heathrow Ground ops & Fire Service	90
56	Heathrow Terminal 1	65
57	Southampton Airport	31
58	Norwich International Airport	52
59	Humberside Airport	19
60	Blackpool Airport	17
61	Sheffield City Airport	16
62	London City Airport	20
63	Teesside Airport	15
64	London Marylebone	12
65	Birmingham International Station	8
66	Birmingham Snow Hill Station	7
67	Bristol Parkway Station	10
68	Clapham Junction Station	16
69	Chelmsford Station	6
70	Digbeth Coach Station	8
71	Ilford Station	5
72	Romford Station	4
73	Hull Paragon Station	23
74	Wakefield West Gate Station	9
75	Carlisle Station	8

Medical Records

Mr. Heald: To ask the Secretary of State for Health if he will make a statement on the Electronic Record Development and Implementation Programme with regards to the national rollout of electronic personal medical records for all patients. [68288]

Mr. Lammy: The electronic record development and implementation programme (ERDIP) was established in June 2000 to explore developmental issues around the electronic record programme specified in the information strategy *Information for Health*, published in September 1998. The programme consisted of 19 projects, nine of which have now completed. The projects ranged in size from one to exchange information between NHS Direct and general practitioner (GP) systems, to a pan community service covering a health authority (as previously defined), linking hospitals, general practice, ambulance and social care. Two general practices (Bury Knowle and Hatfield) have explored the issues of allowing patients access to their own GP records.

Mr. Heald: To ask the Secretary of State for Health what proportion of patients have access to their electronic medical records. [68287]

Mr. Lammy *[holding answer 10 July 2002]:* At present no official figures are available on the proportion of patients who have been given direct on-line, secure access to their electronic record. However, there are a number of sites that have taken forward work in this area, which will inform policy development and any future national rollout.

In addition proposals are currently being considered to take forward the development of an electronic personal health record as specified in the National Health Service information strategy, *Information for Health*. This will be the patient's own record, separate from the general practice and hospital records.

Photodynamic Therapy

Mrs. Calton: To ask the Secretary of State for Health if he will make photodynamic therapy an approved NHS treatment; and if he will make a statement. [68292]

Mr. Lammy: The National Institute for Clinical Excellence (NICE) are carrying out an appraisal of photodynamic therapy as a treatment for age related macular degeneration. NICE published its final appraisal determination on photodynamic therapy on 12 June. This has been appealed against. An appeal panel will now be convened to hear the appeal and decide the outcome. If the appeal is not upheld, then guidance will be published, however, if it is upheld then the appeals panel will ask the appraisal committee to reconsider the evidence in light of the appeal panel's decision. The earliest guidance could be available to the National Health Service is early August.

Mental Health

Mr. Heald: To ask the Secretary of State for Health what proportion of trusts have mixed-sex mental health wards. [67957]

Mr. Hutton: All mental health wards generally care for both men and women. To provide the required levels of privacy and dignity for patients, wards are split into single sex bays, or single rooms, or otherwise configured to provide adequate segregation of gender. It is the responsibility of each National Health Service trust to determine the most appropriate configuration to meet their specific requirements.

The Department has set three objectives which trusts must meet to be deemed compliant. These objectives refer to single sex accommodation and not single sex wards.

The target is for three objectives to be achieved in 95 per cent. of trusts by December 2002.

The three objectives are:

To ensure that appropriate organisational arrangements are in place to secure good standards of privacy and dignity for hospital patients;

To achieve the patient's charter standard for segregated washing and toilet facilities across the NHS; and

Provide safe facilities for patients in hospitals who are mentally ill which safeguard their privacy and dignity.

Mr. Heald: To ask the Secretary of State for Health what progress has been made on recruitment and retention as a result of the National Director of Mental Health's working group. [67974]

Mr. Hutton: The national director for mental health's working group has taken a number of practical steps related to the recruitment and retention of psychiatrists. The group has initiated an attrition study of psychiatric trainees, a study of flexible trainees in psychiatry, a survey into the retirement intentions of consultant psychiatrists and a study of psychiatrists' workload. The group has provided psychiatric input to international recruitment and work is in progress to recruit psychiatrists through the general global recruitment campaign and the International Fellowship scheme.

The group has developed a new model of psychiatrists' numbers, tracking recruitment and retention from graduation to retirement and an action plan based on these figures is being prepared.

Recruitment and retention issues relating to the mental health workforce as a whole are taken forward by the mental health care group workforce team.

Mr. Heald: To ask the Secretary of State for Health how many more staff will need to be recruited to acute mental health wards as a result of implementation of the Working Time Regulations; and if he will make a statement as to his plans. [67971]

Mr. Hutton: The working time regulations currently fully apply to all staff except for doctors in training.

The Department is currently in the process of supporting a range of pilot projects to test solutions to implementation of the working time directive. This includes mental health services.

Mr. Heald: To ask the Secretary of State for Health which health authorities offer women-only day centres for mental health patients. [68272]

Jacqui Smith: This information is not currently available centrally. The mental health service mapping system is being refined to enable the Department to gauge progress against this NHS Plan commitment.

Mr. Heald: To ask the Secretary of State for Health how many whole-time equivalent community psychiatry and other psychiatry nurses there are. [68156]

Mr. Hutton: Non-medical workforce information is collected each year as at 31 September, the latest being September 2001.

As at 31 September 2001, there were 11,040 community psychiatric nurses and 25,930 other psychiatric nurses working in the National Health Service.

Schizophrenia

Mr. Caton: To ask the Secretary of State for Health when the drugs Ziprazidone and Aripipazole will be available on prescription to treat schizophrenia. [65075]

Mr. Lammy: Neither Ziprasidone nor Aripiprazole are licensed drugs in the United Kingdom. These products will become available for prescription once the licensing authority is satisfied of their quality, safety and efficacy for the intended use.

Suicides

Mr. Hancock: To ask the Secretary of State for Health how many psychiatric outpatients from the Portsmouth, South constituency have committed suicide in the last five years; and if he will make a statement. [67419]

Ms Blears: The information requested is not collected centrally.

MIND

Miss McIntosh: To ask the Secretary of State for Health what assessment he has made of MIND's prescribing protocol; and if he will make a statement. [67039]

Mr. Lammy: We welcome the MIND prescribing protocol. The themes highlighted are in line with action we are taking to improve the use of medicines in the National Health Service through medicines management schemes and patient partnership.

Electro-Convulsive Therapy

Mr. Burstow: To ask the Secretary of State for Health what research his Department has undertaken on electro-convulsive therapy in the last two years. [67636]

Mr. Lammy: The main Government agency for medical research is the Medical Research Council (MRC), which is funded via the Department of Trade and Industry. The MRC currently supports one research project on electro convulsive therapy (ECT) being undertaken by Dr. M. J. Koepp at the Institute of Neurology. The research started on 1 November 2001 and is expected to take three years.

The Department directly funds research into policy and the delivery of effective practice in health and social care, and provides National Health Service support funding for research commissioned by the research councils and charities in the NHS. The Department has directly funded research projects relevant to ECT as follows:.

Role of ECT: Review of studies and information on service user experience;

Systematic review effectiveness and adverse effects of ECT;

The Clinical effectiveness and cost effectiveness of electroconvulsive therapy;

Clinical Effectiveness and cost of repetitive transcranial magnetic stimulation versus ECT in severe depression: a multi-centre randomised controlled trial and economic analysis.

In addition, the Department provides NHS support funding for research councils' and charities' research that is conducted in the NHS. Details of this research can be found on the National Research Register on www.doh.gov.uk/research/nrr.htm

Nurses

Mr. Heald: To ask the Secretary of State for Health how many nurses work *(a)* as managers and *(b)* within education services. [68159]

Mr. Hutton: Non-medical workforce information is collected each year as at 31 September, the latest being September 2001.

As at 31 September 2001, there are 5,590 nurses with line management responsibility working as managers and 900 qualified nurse education staff working in the National Health Service in addition to those working in universities.

National Care Standards Commission

Mr. Jenkins: To ask the Secretary of State for Health if he will make a statement on the work of the National Care Standards Commission. [66899]

Jacqui Smith: Under the Care Standards Act the National Care Standards Commission from the 1 April 2002 became responsible for regulating statutory and independent sector care services in accordance with national minimum standards to ensure consistency and improve the quality of life and level of protection for users of social care some of whom are amongst the most vulnerable people in society.

In addition to fulfilling its regulatory functions, the Commission is charged with other responsibilities, reflecting its position as a national body well-placed to monitor changes in the provision and quality of registered services across the country. The Commission also has a general duty to encourage improvements in the quality of registered services and will be able to suggest ways in which services improve.

National standards will promote better quality care and help prevent abuse by grounding practice in the principles of dignity, choice privacy and respect.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES

VOLUME 388

SESSION 2001–2002

1st July—12th July 2002

Printed indexes to Hansard

The volume index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the bound volumes of Hansard. The other indexes produced are:

- The fortnightly index to Hansard. This covers the same date range as the volume index but references are to the column numbering in the daily parts and weekly edition of Hansard.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

Indexes on the Parliamentary website

Fortnightly, volume and sessional indexes covering material from the beginning of the 1999/2000 session will also appear on the Parliamentary website at http://www.parliament.uk with links to the full text of Hansard.

SCOPE

The indexes include entries covering:

- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

ARRANGEMENT

- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
- Entries beginning 'Mac' and 'Mc' are sorted in one sequence as 'Mac'.
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HEADINGS

Choice of headings

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- References in the indexes are to columns rather than pages.
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  - References ending in 'wh' indicate Westminster Hall sittings.
  - References ending in 'w' indicate written questions.
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  - *Sittings in Westminster Hall* (covering all debates held as part of the Westminster Hall sittings); and
  - *Questions* (which includes written, oral and private notice questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R=First reading
- 2R=Second reading
- Com=Committee stage
- Rep=Report stage
- 3R=Third reading
- res=resolution
- amendt(s)=amendment(s)
- *=matter taken formally without debate or division.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
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